

## Internal Memorandum

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Office of the City Administrator

**To:** Honorable Chairman Jeff Fernhoff  
Members of the Plan Commission

**From:** Frank Johnson, City Administrator

**Subject:** Zoning Code Summary

**Date:** June 5, 2026

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### Overview

The updated zoning code represents a significant structural reorganization and update of the prior code, renumbering articles and sections and adding several new provisions while preserving most substantive regulations from the prior version.

The new code contains nine zoning districts and three overlay districts:

District	Use	Characteristics
R-1	Single-Family residential	100 ft. min. width, 10,000 sqf min. area
R-2	Single-Family residential	85 ft. min. width, 10,000 sqf min. area
R-3	Single-Family residential	50 ft. min. width, 7,000 sqf min. area
R-4	Single-Family residential	50 ft. min. width, 6,500 sqf min. area
R-5	Multi-family residential	Up to 12 units/acre, planned development review required for approval
C-1	Neighborhood Commercial	Neighborhood retail and low impact food and dining, primarily along Sappington Rd.
C-2	Corridor Mixed-Use	More intensive commercial uses, primarily along Manchester Rd.
CVO	Civic Overlay	Civic and institutional uses, such as schools, churches and government buildings
RCO	Recreation Overlay	Parks, country clubs and athletic facilities
PDO	Planned Development Overlay	C-2 lots that meet specific size requirements, for mixed-use development

## Article I – General Conditions

This section covers technical issues and processes, such as definitions, the procedure for amending the zoning code and public notice requirements.

- It also contains some miscellaneous zoning rules that apply broadly, such as Section 400.070 “Additional Height and Area Regulations”. Section 400.070 also contains the setback rules for garages and other accessory buildings, patios, porches, and decks.
- It now includes a summary table that consolidates setbacks, lot size and lot area, impervious surface, height, and FAR requirements across all districts.

## Articles II-V – Single-Family Residential Districts

All four single-family districts share the same basic framework but differ in minimum lot dimensions, maximum height, side yard and rear yard requirements:

District	Min. New Lot Area*	Min. Lot Width*	Side Yard Min.	Rear yard	Max Height
R-1	10,000 sqf	100 ft.	12% width / not less than 10 ft.	30 ft.	35 ft.
R-2	10,000 sqf	85 ft.	12% width / not less than 10 ft.	30 ft.	35 ft.
R-3	7,000 sqf	50 ft.	10% width / not less than 6 ft.	30 ft.	30 ft.
R-4	6,500 sqf	50 ft.	10% width / not less than 6 ft.	30 ft.	35 ft.

*\*Note: the minimum lot area and lot widths only apply to newly platted lots*

Shared characteristics across lots include:

**Front Yard Setback Line:** Determined by averaging the front building façades of the two neighboring lots on either side, with adjustments for corner lots and cul-de-sacs.

**Impervious Surface:** Maximum 55% of total lot; maximum 45% of required front yard.

**Lot Size for New Plats:** Both lot area and width have maximum limits tied to the average of neighboring lots (125% on corner lots). If the calculated maximum is less than the minimum, replatting is not permitted.

**Non-Conforming Lots of Record:** Existing lots are grandfathered. Expansions up to 50% of the drip line or floor area may continue a non-conformance but may not increase it.

Expansions of 51% or more must comply fully. Structures destroyed by fire or calamity may be rebuilt to their pre-existing non-conformance.

**Permitted uses in all R-1 through R-4 districts:** Single-family dwellings, places of worship, accessory buildings, and home occupations. Group homes require a conditional use permit.

## Article VI – Multi-Family Residential District

R-5 districts may only be created adjacent to an existing R-5, C-1, or C-2 district with at least 200 ft. of common boundary. Development requires approval of both a preliminary and final development plan by the Plan Commission and Board of Aldermen, with public hearings.

### Key standards include:

- Maximum 35 ft. height.
- Minimum 3,630 sqf of ground area per unit (12 units/acre).
- Minimum unit sizes of 800–1,100 sqf by bedroom count.
- No structure may contain more than 4 units.
- At least 50% of parking must be under cover.

## Article VII – C-1 Neighborhood Commercial

Retains the same intended uses as the current C-1, which are small-scale neighborhood retail and service uses along Sappington Road. Neither the new zoning code district map nor the future land use plan in the Comprehensive Plan call for any additional areas to be zoned C-1, so this is limited to the existing commercial lots on Sappington.

- Permitted uses include bakeries, barbershops, beauty parlors, offices, coffee shops, delicatessens, florists, ice cream parlors, and retail stores. The new zoning code also adds a variety of conditional uses, such as restaurants, that were previously prohibited outright. The conditional use process and procedures have been reworked and standardized across the zoning code.
  - See Article XII below for more on Conditional Use Permits.
- Liquor stores, drive-in establishments, auto sales, and marijuana dispensaries remain prohibited.
- The front yard requirements have been modified to encourage the present streetscape with a flexible build-to line of between 0 to 30 ft. The building height, side yard and rear yard requirements remain the same, but the buffer zone requirements for borders with residential lots have been slightly increased and the language tweaked to be more specific.

## Article VIII – C-2 Mixed Use

The current two zoning districts along Manchester Rd. have been collapsed into a single district, as there was not much distinction between them. The permitted uses and rules here are largely the same as in the current code, although it now also has the flexible front yard build-to line like the C-1 district.

## Articles IX-XI Overlay Districts

### PDO – Planned Development Overlay

Available to C-2 lots of  $\geq 3$  acres with  $\geq 250$  ft. depth fronting Manchester Road. Allows increased height (up to 65 ft.) and modified parking in exchange for enumerated public benefits (e.g., plazas, public art, streetscape improvements). Requires rezoning petition plus preliminary and final development plan approval. PDO status expires with the approved project.

### CVO – Civic Overlay

For civic, institutional, and public uses (government facilities, schools, churches, public utilities) on lots  $\geq 1$  acre under public or nonprofit ownership. Permits multiple principal structures on a single lot and agglomeration of lots. Requires Board of Aldermen ordinance and development plan approval.

### RCO – Recreation Overlay

For parks, athletic facilities, and private clubs on lots  $\geq 1.5$  acres. Private golf and sports clubs also require a conditional use permit. Requires Board of Aldermen ordinance and development plan approval.

## Articles XII-XIII – Conditional Use Permits & Additional Regulations

### Conditional Use Permit Process

The new zoning code eliminates the term Special Use Permit in favor of the more standard Conditional Use Permit, but the function is largely identical. The approach to when, where and how Special Use Permits were granted was scatter-shot in the old code and poorly organized. The new code significantly revamps, standardizes, and streamlines these provisions.

The new code requires CUP for uses that, by their nature, may create traffic, noise, safety, or neighborhood compatibility concerns. The applicant bears the burden of proof, and it follows a standard process that many developers or business owners will be familiar with – the Plan Commission reviews and makes a recommendation, then the Board of Aldermen holds a public hearing and acts by ordinance. A two-thirds Board majority is required if the Plan Commission

recommends denial or if a qualifying property owner protest is filed. Denial triggers a 12-month waiting period for reapplication.

## Commercial Development Regulations

This section spells out the process for commercial development involving the rezoning of a property, building a new development on a vacant lot, or making a substantial modification to an existing development.

## Fences

The fence regulations are largely identical to the current code, but include the amendments that were passed by the Board earlier this year but that have not been codified in the online version of the code. The main change here is that the maximum height for a fence in a front yard was lowered to 36 inches with an exception of up to 48” on corner lot side-street frontages. The process for the Plan Commission to grant variances rather than the Board of Adjustment remains.

## Wireless Facilities

A detailed framework for governing the placement, design, height, and removal of antennas and towers, typically those used by cell phone companies. This is a straight carry over from the current code.

## Articles XIV – Certificates of Occupancy

This section is fairly straightforward and has largely been carried over into the new code with only some minor modifications. It establishes our authority to require occupancy permits and set the rules around housing inspections.

## Article XV – Board of Adjustment

The form and function of the Board of Adjustment is largely governed by state law, and the new code carries over the previous version with no changes.

# Chapter 410 – Off-Street Parking and Loading

The off-street parking requirements get their own separate Chapter of the zoning code. The new zoning code proposes more relaxed parking minimums and also fills in some gaps with additional categories.

Use	Minimum Spaces Required
Single-Family Dwelling	1 space per dwelling
Church/place of Worship	1 space per 4 seats in main auditorium
Community Center, Library, Museum	10 spaces + 1 addtl. space for each 500 sqf in excess of 2,000 sqf
Golf Club	1 space per 4 members
Restaurant	1 space per 2 seats + 1 space per 2 employees (or 1 space per 150 sqf if greater)
Coffee shop/deli/bakery	1 space per 200 sqf + 1 space per 2 employees
Retail Store	1 space 300 per sqf (excludes storage)
Multi-Family Dwelling	2 spaces per unit
Bank or Credit Union	1 space per 250 sqf
General Office (less than 15,000 sqf)	4 spaces per 1,000 sqf
General Office (more than 15,000 sqf)	3.3 spaces per 1,000 sqf