

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI THAT AMENDS CHAPTER 415.510 PLANNED RESIDENTIAL DEVELOPMENT (“PRD”) OVERLAY DISTRICT OF THE CODE OF ORDINANCES OF THE CITY OF WILDWOOD BY DELETING IT IN ITS ENTIRETY; ENACTING, IN LIEU THEREOF, A NEW CHAPTER 415.510 PLANNED RESIDENTIAL DEVELOPMENT (“PRD”) OVERLAY DISTRICT; THEREBY PROVIDING CERTAIN NEW AND AMENDED REGULATIONS REFLECTING THE DIRECTION OF THE PLANNING AND ZONING COMMISSION, PER ITS LETTER OF RECOMMENDATION THAT IS DATED NOVEMBER 5, 2018, AND CITY COUNCIL, FROM ITS DISCUSSION AT THE PUBLIC HEARING HELD ON THIS SAME MATTER. (Wards -All)

WHEREAS, during the period of time from 2015 to 2016, the City was asked to consider two (2) proposals for the use of the Planned Residential Development Overlay District (PRD) in areas of the City that were zoned NU Non-Urban Residence District, which generated a substantial amount of discussion among the surrounding property owners, City officials, and the development community; and

WHEREAS, both proposals involved large tracts of land and, with their potential development, each were believed by many of the surrounding residents not to be consistent with the Master Plan and, certainly, not adhering to a commitment to have all lots in the NU Non-Urban Residence District be a minimum three (3) acres in size; and

WHEREAS, given this opposition, and the City Council’s desire to address it, both proposals were not favorably acted upon and ultimately they were either withdrawn or denied, but led to a discussion about the City’s process for this special procedure and its use in certain locations of Wildwood; and

WHEREAS, this discussion then prompted the matter to be forwarded to the Planning and Parks Committee of City Council for its review, consideration, and recommendation, particularly for its members to consider the standards used in determining the appropriateness of this special procedure, the special procedure’s allowance for its use in rural locations of Wildwood, and whether the regulations should be changed to first protect existing development from unwanted intrusions by similar uses; and

WHEREAS, the Planning and Parks Committee studied this matter for almost twelve (12) months and made recommendations regarding potential changes to the regulations governing the use of this overlay district and forwarded them to the City Council for its consideration and action regarding next steps; and

WHEREAS, this Committee did not eliminate the areas of rural Wildwood from the use of this special procedure, but did recommend changes to its process, standards, and voting components, which the City Council discussed and, per the Zoning Ordinance requirements, referred the recommended changes to this land use tool to the Planning and Zoning Commission for hearing, review, and recommendation, before taking any further action in this regard; and

WHEREAS, the Planning and Zoning Commission of the City studied and considered proposed amendments to these City’s regulations, beginning with a public hearing that was held on February 20, 2018 and then a Work Session on May 30, 2018, where all parties were accommodated and all opinions and suggestions discussed, which led to a recommendation from its members to support many of the changes identified by the Planning and Parks Committee of City Council; and

WHEREAS, the City Council held a public hearing on the proposed amendments to the City’s zoning regulations and reviewed the Planning and Zoning Commission’s action and agreed with it, while adding an item relating to a super-majority voting requirement of its members to approve any Planned Residential Development (“PRD”) Overlay District request favorably recommended through Wildwood’s zoning process; and

WHEREAS, at these public hearings interested persons and residents were given an opportunity to be heard on this proposed amendment to the City’s zoning regulations; and

WHEREAS, the City Council hereby finds and determines that it is to the benefit of the health, safety and general welfare of the residents of the City to update its regulations pertaining to the application of the Planned Residential Development (“PRD”) Overlay District.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILDWOOD, MISSOURI, AS FOLLOWS:

Section One. Action. That Chapter 415.510 Planned Residential Development (“PRD”) Overlay District of the Code of Ordinances of the City of Wildwood be, and is, hereby amended by deleting it in its entirety and enacting, in lieu thereof, a new Chapter 415,510 Planned Residential Development (“PRD”) Overlay District, to read as follows:

Section 415.510. Planned Residential Development ("PRD") Overlay District.

[Ord. No. 1324 App. A §1003.187, 8-14-2006]

A. Scope Of Provisions. This Section contains the Planned Residential Development ("PRD") District procedure and standards. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter, which are incorporated as part of this Section by reference.

B. Statement Of Intent. The "PRD" is an alternative to conventional land use regulations that integrates use, density, and site plan considerations through a two (2) step review process. The specific purposes of the "PRD" District and procedure are to:

1. Allow flexibility and encourage innovation in land use development, while promoting appropriate land use;
2. Improve the design and quality of new development with respect to spacing, heights, setbacks of buildings, densities, open space, and circulation elements;
3. Facilitate economic and energy efficient subdivision design with respect to the provision of streets, utilities and community facilities;
4. Encourage diverse urban developments that make available adequate housing opportunities for varying income levels;
5. Encourage allocation and improvement of common open space in residential areas and provide for maintenance of the open space at the expense of those directly benefiting from it;
6. Preserve and enhance important or unique site characteristics, such as natural topography, vegetation and geologic features, and prevent soil erosion, and control the flow of stormwater;
7. Preserve existing trees and vegetation;
8. Promote development patterns in harmony with surrounding neighborhoods and consistent with the goals and objectives of the City of Wildwood's Master Plan.

C. Applicable Zoning Districts—Minimum Acreage. The planned residential development procedure may be utilized for developments containing **a minimum of** six (6) or more acres in the "NU", "R-1", "R-1A", "R-2", "R-3", "R-4" and "R-6A" Residence Districts and, within the Town Center boundary, a minimum of five (5) total units.

D. Modification Of District Regulations. The "PRD" District procedure may be utilized to modify otherwise applicable underlying district regulations by authorizing any of the following development types and authorizing modification to any of the following district standards:

1. Any residential use and supporting community facilities.
2. Any non-commercial use permitted in the zoning district within which the planned residential development is overlaid. The area and yard requirements for non-dwelling uses shall not be diminished unless authorized by the ordinance approving the planned residential development.
3. Lot area, lot dimensions, setbacks, setback uses, tree canopy requirements and height requirements shall be as established in the ordinance authorizing the planned residential development with the following restrictions: