

1003.166 Review and Approval of Development Near County Parks.

1. Scope of Provisions.

The regulations contained in this section shall apply to any development, other than a detached single-family residence, within 600 feet of an established or authorized public park or reservation or within 1,000 feet of the Meramec Greenway. For the purposes of this section, the Meramec Greenway shall be defined as the area within the 100-year flood plain of the Meramec River as determined by the Federal Emergency Management Agency. (O.No. 22029 - Adopted 9/29/04.)

2. Statement of Intent.

The purpose of this section is to provide for review of proposed development, other than the construction of detached single-family residences, in the neighborhood of public parks and reservations or the Meramec Greenway to insure the preservation of public investment in such parks by reducing the harmful effects of conflicting adjacent development. (O.No. 22029 - Adopted 9/29/04.)

3. Review, Approval, and Appeal Procedures.

The review, approval, and appeal procedure for developments near county parks shall be as follows:

- (1) Prior to the issuance of a building permit for any development subject to the regulations contained in this section, the Department of Public Works shall require the applicant to submit for review and approval:
 - (a) A site plan of the proposed development showing proposed uses and structures, landscaping, parking and circulation, grading or other changes in the elevation of the land, and the location and size of all isolated trees having a diameter at the base of two (2) inches or more and all tree masses, indicating which are to be removed; and
 - (b) Architectural elevations of that side of the development closest to the park and of each side facing a public right-of-way. The finish and material of all exterior surfaces visible in such elevation shall be specified. All proposed fences shall be shown, and their height, type, material, and finish indicated. All signs or other advertising devices which will be visible from any point on the perimeter of the park shall be shown, and their material, finish, and message indicated.
- (2) The Department of Parks and Recreation shall review the plans and, within ten (10) days, forward its recommendations to the Department of Planning for its comments and recommendations.
- (3) The Planning Commission shall review the plans, comments, and recommendations of the Department of Parks and Recreation and the Department of Planning. If the Commission finds that the nature, construction or design of the proposed development will be harmful to the beneficial use of the park by the public, it shall reject the plans. The rejection shall be in writing, shall indicate the reasons therefor, and shall specify modifications necessary and sufficient to protect the nature and use of the park.
- (4) The determination of the Planning Commission may be appealed within fifteen (15) days by the developer, or any aggrieved party, upon filing of a notice of appeal and payment of an appeal fee of Fifty Dollars (\$50.00). Such notice of appeal shall be directed to the St. Louis County Council and referred to an appropriate committee, which may hold a public hearing on the appeal in the same manner and in accordance with the same procedure as is required for an appeal from a change of zoning. The Council may reverse, affirm or modify the determination of the Planning

Commission.

- (5) The requirements of this section are in addition to the Building Code, Subdivision Ordinances, other provisions of this Chapter and any other applicable law. Review of development under this section shall be coordinated, insofar as possible, with review of plans under other provisions of this Chapter and the Subdivision Ordinance, under the direction of the Director of Planning. The Department of Public Works shall issue the requested building permits, if:
 - (a) Plans for the proposed development have been approved, or not rejected, within sixty (60) days by the Planning Commission unless an appeal is filed; and
 - (b) All other provisions of law applicable to building permits are satisfied.