1003.187 Planned Environment Unit Procedure (PEU).


This section contains the regulations of the Planned Environment Unit Procedure. 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.

2. Statement of Intent.

The intent of this section is to provide a voluntary and alternate zoning procedure in the "NU" Non-Urban District and the "R-1", "R-1A", "R-2", "R-3", "R-4", "R-5", "R-6A", "R-6AA", "R-6", "R-7", and "R-8" Residence Districts in order to permit flexibility in building types, encourage economic and energy efficient subdivision design, and encourage the provision of supporting community facilities in the development of diverse, sound, urban developments under conditions of approved site and development plans. (O. No. 23321 – Adopted 8/15/07.)

3. Applicable Zoning Districts.

The Planned Environment Unit Procedure may be utilized for developments containing five (5) or more lots or units in the “NU” Non-Urban District and the “R-1”, “R-1A”, “R-2”, “R-3”, “R-4”, “R-5”, “R-6A”, “R-6AA”, “R-6”, “R-7”, and “R-8” Residence Districts. (O. No. 23321 – Adopted 8/15/07.)

4. Authorized Developments and Limitations.

The Planned Environment Unit Procedure may authorize the following development types and standards:

(1) Any residential use, including earth sheltered housing, and supporting community facilities.
(2) Any non-commercial use permitted in the zoning district within which the Planned Environment Unit lies. The area and yard requirements for non-dwelling uses shall not be diminished unless authorized by the ordinance authorizing the Planned Environment Unit.
(3) Local public utility facilities.
(4) In Planned Environment Unit developments containing forty (40) or more lots or units, the following commercial uses may be authorized, when located in a separate structure or within a multiple family residence building.

(a) Barber or beauty shops.
(b) Child care centers, nursery schools, or day nurseries.
(c) Cigar and newspaper stands.
(d) Food or drug stores.
(e) Laundry or dry cleaning pick-up stations.
(f) Self service laundries or dry cleaning facilities.
(g) Restaurants, excluding fast food restaurants.

The above commercial uses shall not occupy more than five (5) percent of the total gross floor area of all residential buildings within the development, excluding garages. Primary access to these uses shall be from roads and walkways within the development and the uses shall be oriented to and coordinated with the total development. No freestanding signs shall be allowed for the commercial uses. Attached business signs may be authorized by the ordinance authorizing the development, but no one sign shall exceed fifty (50) square feet in area.

(5) Lot area, yard setback, and height requirements shall be as established in the ordinance authorizing the Planned Environment Unit, with the following restrictions:
(a) Height limitations for structures may be modified by the Planning Commission with respect to any structure proposed in an application for a Planned Environment Unit, provided that any residential structure exceeding three (3) stories in height or thirty-five (35) feet shall be set back from all Planned Environment Unit boundary lines at least one (1) additional foot for each foot of height above thirty-five (35) feet above the average finished ground elevation at the perimeter of such structure.

(b) Setbacks along boundary lines of a Planned Environment Unit and off-street parking requirements applicable in any district shall in no event be diminished by the Planning Commission. However, the Planning Commission may require that open parking spaces be depressed below the grade of the remainder of the property or screened by walls, fences, or plant material, or by both methods in order to preserve and complement the general character of any existing developments on adjacent properties.

(c) In the event that greater than fifty (50) percent of the existing dwelling structures on the same side of a street and in both directions from the proposed development, for a distance of 500 feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than ten (10) feet, the required front yard for structures on that side of the street in the proposed development shall be the average setback of the existing dwelling structures with less than a ten (10) foot variation in front yard setback. However, in no case shall any building be located closer than fifteen (15) feet from any roadway right-of-way line, nor shall a setback of greater than sixty (60) feet be required.

5. Procedures.

Procedures for filing, review, and approval of the Planned Environment Unit Procedure shall be as follows:

(1) Application.

Application for a Planned Environment Unit for a specific tract of land shall be initiated by the filing of a verified application by the owner or owners of record, or owners under contract of a lot or tract of land, or their authorized representatives. Application shall be addressed to the St. Louis County Planning Commission and submitted to the Department of Planning upon forms prescribed for such purpose by the Planning Commission and accompanied by the following:

(a) Filing fee per requirements of Section 1003.210 Fees.
(b) Preliminary development plan, which shall contain not less than the information required on a sketch plan in accord with Section 1005.050 of the St. Louis County Subdivision Ordinance, and shall also include the following:
   (i) An outboundary plat of the tract with a land surveyor's seal and statement of verification regarding the source of boundary dimensions, bearings, and source of contour data.
   (ii) Type, number, and general location of proposed lots or units.
   (iii) Existing and proposed contours at vertical intervals of not more than five (5) feet referred to sea level datum. Flood plain areas shall be delineated.

(2) Density Calculations.

Density is calculated by dividing the net area of a tract of land by the minimum lot area per dwelling unit of the underlying zoning district. The net area is calculated by taking the gross area of the site and subtracting any land that is not reclaimed from the floodplain. The number of lots permitted shall be rounded down to the nearest whole number. (O.No. 23931 – Adopted 3/11/09.)
(3) Public Hearing.

A public hearing on the petition shall be held by the Planning Commission in the same manner and with the same public notice procedure as required for a change of zoning. The public hearing shall be held within forty-five (45) days of verification that the application meets the minimum application requirements.

(4) Planning Commission Recommendation.

Upon review of the application, the Planning Commission may recommend approval subject to appropriate conditions or denial. Conditions may relate to, but need not be limited to, the following:

(a) Conditions relative to the type and extent of improvements and landscaping.
(b) Conditions governing development, improvements, and maintenance of common ground.
(c) Conditions relative to the maximum or minimum gross floor area per dwelling unit.
(d) Conditions relative to sign regulations.

When approval has been recommended subject to conditions, and the conditions would cause a substantial change in the site plan presented at public hearing, the Commission shall withhold forwarding a recommendation to the County Council pending receipt of a revised plan from the petitioner reflecting compliance with the conditions. The petitioner shall be allowed a maximum of forty-five (45) days to submit the revised plan to the Department of Planning. Said plan shall be reviewed by the Planning Commission at its next Executive Meeting. If the petitioner fails to submit the revised plan, the Planning Commission shall forward its recommendations to the County Council. The Planning Commission's recommendation shall be based upon whether the Planned Environment Unit proposal is consistent with good general planning practice and with good site planning; can be constructed and operated in a manner that is not detrimental to the permitted uses in the district; would be visually compatible with the uses in the surrounding area; and is deemed desirable to promote the general welfare of St. Louis County. The Planning Commission shall also consider the architectural, landscape, and other relationships, which may exist between the proposed development and the character of the surrounding neighborhood and shall prescribe and require such physical treatment or other limitations as will, in its opinion, enhance the neighborhood character. The recommendation, along with preliminary plans and conditions where approval has been recommended, shall be forwarded to the County Council for its consideration.

(5) County Council Action.

Upon receipt of the Planning Commission's recommendation, the County Council shall either approve the Planned Environment Unit by approving an ordinance authorizing the development or deny the application. If the application is approved, the matter shall be returned to the Planning Commission for consideration of a site development concept plan.
6. Appeal or Protest Procedure.

(1) Appeal by Petitioner to Recommendation of Denial.

The petitioner may file an appeal to the County Council of a Planning Commission recommendation of denial of an application for a Planned Environment Unit Procedure or an amendment thereto in accord with the provisions of Section 1003.193, Appeal and Protest Procedure for Special Procedures.

(2) Protest by Specified Nearby Property Owners to Recommendation of Approval.

Specified nearby property owners may file a Protest with the County Council against the Planning Commission's recommendation of approval of an application for a Planned Environment Unit Development Procedure or an amendment thereto in accord with the provisions of Section 1003.193, Appeal and Protest Procedure for Special Procedures.

7. Site Development Concept Plan and Section Plan.

Requirements for site development concept plans and section plans shall be as follows:

(1) Site Development Concept Plan Requirements.

Site development concept plans shall include, in addition to specific information required by the ordinance authorizing the development, the following general information:

(a) Outboundary plat and legal description of the property.
(b) Location of all roadways adjacent to the property and general location, size, and pavement widths of all interior roadways.
(c) General design of the development including unit types (i.e., single-family detached, single-family attached, garden apartment), number of each unit type proposed, location of units, minimum and maximum size of single-family lots, approximate size of multiple family structures, and location and size of common areas and recreation facilities.
(d) Location and size of any commercial uses; types of uses proposed and general parking layout.
(e) Zoning district lines and flood plain boundaries.
(f) Density calculations.
(g) Preliminary plan for stormwater detention and quality control measures. (O. No. 23553 - Adopted 3/31/08).
(h) Stream buffer areas. (O. No. 23553 - Adopted 3/31/08.)

(2) Planning Commission Review.

The Planning Commission shall determine if the site development concept plan complies with the conditions of the ordinance authorizing the development. The Planning Commission's approval or disapproval of the site development concept plan shall also be based upon whether the plan is consistent with good general planning practice, consistent with good site planning, can be constructed and operated in a manner that is not detrimental to the permitted uses in the district, would be visually compatible with the uses in the surrounding area, and is deemed desirable to promote the general welfare of St. Louis County. The Planning Commission shall also consider architectural, landscape, and other relationships which may exist between the proposed development and the character of the surrounding neighborhood and shall prescribe or require such physical treatment or other limitations as will, in its opinion, enhance the neighborhood character.
(3) Recording.

Upon approval of the site development concept plan by the Planning Commission, the owner(s) shall, within sixty (60) days of the approval date, record the plan with the St. Louis County Recorder of Deeds as a Planned Environment Unit. Failure to record the site development concept plan within the time specified shall cause approval of the plan to terminate. An extension of recording time may be granted by the Planning Commission for a period not to exceed one hundred eighty (180) days from the date of approval by the Planning Commission.

(4) Site Development Section Plans.

A site development section plan for each plat or phase of the Planned Environment Unit shall be submitted to the Department of Planning for review and approval. The site development section plan shall contain such information as is required by the ordinance establishing the Planned Environment Unit, in addition to such other information required on a preliminary plat in accord with Section 1005.060 of the St. Louis County Subdivision Ordinance. The plans shall be retained on file by the Department of Planning. An approved site development section plan shall constitute an approved preliminary plat for subdivision purposes. No building permits or authorization for improvement or development for any use authorized under provisions of the P.E.U. ordinance governing the tract shall be issued prior to approval of such plans.

With the approval of the site development section plan for the last phase or plat of a development, a plan indicating the approved design for the entire development shall be recorded with the St. Louis County Recorder of Deeds.

Where elements within the designated Planned Environment Unit boundary are necessary to the support of a given section, but not included within the section boundary, these elements shall be included on a site plan accompanying, or a part of, the site development section plan.

For developments consisting of a single plat or phase, the site development concept plan may include all the information required for concept plans and section plans, and the requirement for site development section plans may be waived.

8. Procedures to Amend the Planned Environment Unit Ordinance or Required Plans.

In order to amend provisions of an existing Planned Environment Unit ordinance or to amend a site development concept or section plan approved for the Planned Environment Unit, the procedure shall be as follows:

(1) To amend the Planned Environment Unit Ordinance:

(a) The property owner or authorized representative shall submit a written request to amend ordinance conditions to the Department of Planning for review. The Department shall then evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing.

(b) If the Department of Planning determines that the requested amendment is consistent in purpose and content with the original proposal as advertised, the Department shall so report to the Planning Commission. The Planning Commission shall review the request and the report of the Department, and then forward a recommendation to the County Council. A recommendation of approval shall include conditions to be included in the amended ordinance.
(c) If the Department of Planning determines that the requested amendment is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Department shall so report to the applicant and the Planning Commission. The Planning Commission shall then review the proposed ordinance amendment and forward a recommendation to the County Council. The Planning Commission may, if deemed necessary, forward a resolution of intent to the County Council for the purpose of a new public hearing on the matter in accord with proceedings specified in Section 1003.300 Procedure for Amending the Zoning Ordinance.

(2) To amend the Site Development Concept or Section Plans:

(a) The property owner or authorized representative shall submit an amended site development concept or section plan to the Department of Planning for review. The Department shall then evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing, the preliminary development plan approved by the County Council, and the initial site development concept plan approved by the Commission.

(b) If the Department of Planning determines that the proposed amendment to the site development concept plan is not in conflict with the original proposal as advertised and the approved preliminary development plan, and meets all conditions of the Planned Environment Unit Procedure ordinance, said plan shall be reviewed and approved by the Planning Commission. Said amended plan shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval.

However, when conditions of a particular Planned Environment Unit Procedure ordinance are amended which necessitate an amended site development concept plan, the Commission shall review and approve said amended plans and they shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval.

(c) If the Department of Planning determines that the proposed amendment to the site development concept plan is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, or with the preliminary development plan approved by the County Council, the Department shall so report to the applicant and the Planning Commission. The Planning Commission shall then review the proposed site plan amendment and make a final determination.

The Planning Commission may, if deemed necessary, forward a resolution of intent to the County Council for the purpose of a new public hearing on the matter in accord with proceedings specified in Section 1003.300 Procedure for Amending the Zoning Ordinance.

(d) If the Department of Planning determines that the proposed amendment to the site development section plan is not in conflict with the approved site development concept plan and meets all conditions of the Planned Environment Unit ordinance, the Department may approve said amended plan. Said plan shall be retained on file by the Department of Planning.

9. Appeal to Commission of a Decision by the Department in Reviewing Development Plans.

The petitioner/developer may appeal to the Planning Commission from a decision by the Department of Planning, in cases where the Department of Planning is authorized to review development plans. The petitioner shall have a fifteen (15) day period in which to file a written appeal and plan with the Commission. The written appeal, stating the reasons for the appeal, shall be submitted to the Department. The Commission will make the final determination of the matter. No exceptions will be granted that are in violation of the particular ordinance governing the development plan.
10. Time Periods for Submission of Plans and Commencement of Construction and Extensions of Time.

1. Site Development Concept Plan.

   The site development concept plan shall be submitted to the Planning Commission for review within eighteen (18) months after approval of the application by the County Council unless such time is extended by the Planning Commission. One such extension shall be allowed for a maximum of eighteen (18) months.

2. Platting.

   The first plat or phase of development shall be recorded within two (2) years of approval of the site development concept plans. All remaining areas of the P.E.U. shall be platted within eight (8) years of approval of the P.E.U. or the P.E.U. shall terminate for those unplatted areas. This eight (8) year time period may be extended by the Planning Commission. All record plats or phases shall contain enough common land to support the lots or area platted. (O. No. 17898 - Adopted 2/1/96).

3. Commencement of Construction.

   Substantial construction shall commence within one (1) year of recording of each plat. As used in this section, substantial construction shall mean final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary and storm sewers. (O. No. 17898 - Adopted 2/1/96.)


   Upon the denial by the Planning Commission of a request to extend the time for the filing or recording of a site development concept plan, or recording of plat, the applicant may file an appeal with the County Council requesting a determination from that body, except in such instances where the maximum time extensions have been granted. (O. No. 17898 - Adopted 2/1/96.)

   A notice of appeal shall be filed within fifteen (15) days of action by the Commission. Notice of appeal to the County Council shall be in writing and shall be filed in duplicate with the County Clerk of the County Council. The applicant shall have an additional thirty (30) days to file the appeal. The appeal shall set forth the specific causes why the previously approved time for the filing or recording of a site development concept plan, or recording of plat, could not be met, and within what period of time such requirement can be met. (O. No. 17898 - Adopted 2/1/96.)

   Upon receipt of an appeal for a time extension, the County Council shall refer same to the Planning Commission for report therein as to whether or not the facts offered in the appeal have or have not justified the requested time extension. The County Council on receipt of the Commission's report may affirm, reverse, or modify, in whole or in part, any determination of the Planning Commission or may grant or deny any request for an extension of time upon which the Planning Commission has taken action. An affirmative vote of five members of the whole County Council shall be required to reverse, modify, or amend any determination of the Planning Commission. A majority vote of the whole County Council shall be sufficient to affirm any determination of the Planning Commission.

5. Termination of Planned Environment Unit or Unplatted Portions of Developed Planned Environment Units.
In the event the site development concept plan is not submitted, the plats are not recorded, or substantial construction has not commenced within the prescribed time limits, the Planned Environment Unit shall terminate, and the Planning Commission shall initiate a resolution of intent for the purpose of a new public hearing to revert the property to its prior classification or other appropriate Residence District classification in accord with the proceedings specified in Section 1003.300 Procedure for Amending the Zoning Ordinance. Where rezoning has been granted in conjunction with a Planned Environment Unit and said Planned Environment Unit has terminated, no building permit shall be issued on that property until completion of action by the County Council on a resolution of intent to rezone said property in accord with the provisions of the above noted Section. (O. No. 17898 - Adopted 2/1/96.)

11. Dedications for Public Schools and Public Parks.

A Planned Environment Unit may include land designated for dedication for public school, public park use, or for public golf courses that need not be limited to use of the owners or occupants of lots located within the subdivision, which land may be considered part of the gross acreage of the development in computing the maximum number of lots that may be created or dwelling units that may be authorized, provided that: (O. No. 23321 – Adopted 8/15/07.)

(1) The area of the proposed Planned Environment Unit is at least thirty (30) acres in the case of a public school dedication.

(2) No tract of less than five (5) acres is designated for dedication for a new public school site. However, a tract of land less than this minimum may be accepted for dedication for public school use if it is an addition to an existing or proposed school site. Land may be accepted for dedication for public park use if it is an addition to an existing or proposed park, or is recommended by the Department of Parks and Recreation as a part of a system of hiking and riding trails. (O. No. 22394 - Adopted 8/3/05.)

(3) The proposed school site is compatible with a generalized plan for school locations published by the school district.

(4) Prior to approval by the Planning Commission of a site development concept plan indicating a public park or public school site, a written statement shall be received from the Department of Parks and Recreation recommending approval of the proposed park dedication; or a written notification shall be received from the school district that the school district has agreed to accept the public school site dedication.

(5) Prior to approval of a site development concept plan, a written agreement between the petitioner and the school district shall be submitted to the Planning Commission for review. This agreement shall indicate who is responsible for the installation of required improvements adjacent to or affecting the school site, and when the improvements will be installed.

(6) The proposed site is dedicated to public school or public park use in a manner approved by the County Counselor as to legal form prior to recording of the site development concept plan.

(7) The site development concept plan identifies the boundaries of the dedicated tract within the Planned Environment Unit.

(8) The deed of dedication for public park or public school use shall provide that in the event the property shall no longer be used for that purpose, it will revert to the trustees of the subdivision in which it is located as common land. The trust indenture required in Subsection (12) shall provide for the manner in which the common land shall be treated, so that the provisions of Subsection (12) are complied with.

(9) Golf courses are to be located on over one hundred fifty acres in the "NU" Non-Urban District or "FPNU" Flood Plain Non-Urban District. (O. No. 23321 – Adopted 8/15/07.)


In developments where common areas, which may include open spaces, recreational areas, or other common grounds, are provided and the acreage of which is included in the gross acreage for density calculation purposes, a trust indenture shall be recorded simultaneously with the record plat. The indenture shall provide for the proper and continuous maintenance and supervision of said
common land by trustees to be selected and to act in accordance with the terms of such indenture and the common land shall be deeded to the trustees under said indenture by general warranty deed. The trust indenture and warranty deed shall comply with the requirements established in Section 1003.173 Trust Indentures and Warranty Deeds. In addition, the trust indenture shall contain the following provisions:

(1) That the common areas, including open spaces, recreational areas, or other common grounds, shall be for the sole benefit, use, and enjoyment of the lot or unit owners, present and future, of the entire Planned Environment Unit or that the common areas may also be used by residents outside the Planned Environment Unit. If residents outside the Planned Environment Unit are permitted to use the common areas, the indenture shall contain provisions which shall provide, in essence, the following:

(a) No resident of the Planned Environment Unit shall be denied the use of the open space, recreational facilities, or other common ground for any reason related to the extension of such privilege to non-residents of the Planned Environment Unit;
(b) All rules and regulations promulgated pursuant to the indenture with respect to residents of the Planned Environment Unit shall be applied equally to the residents;
(c) All rules and regulations promulgated pursuant to the indenture with respect to non-residents of the Planned Environment Unit shall be applied equally to the non-residents;
(d) At any time after the recording of the indenture, a majority of the residents of the Planned Environment Unit, by election duly called, may elect to allow or disallow usage of the open space, recreational facilities or other common grounds by non-residents of the Planned Environment Unit, except that in the “NU” Non-Urban District the residents shall not be empowered to disallow use by non-residents of common ground which is devoted to golf course uses by a lease approved by the trustees provided that such lease meets the following requirements:
   (i) Protects the trustees and lot owners from all burdens of liabilities, and
   (ii) Clearly provides that upon cessation or abandonment of operation of the golf course, the property will revert to the trustees as common ground with no further encumbrance. Prior to execution of such a lease, the developer shall file the unqualified opinion of an attorney licensed in Missouri, and skilled in real estate matters with the Department of Planning stating that the lease conforms to the requirements of this section. (O. No. 23321 – Adopted 8/15/07.)

(2) The indenture shall contain provisions for the maintenance of all common areas and facilities and the means of collecting assessments necessary for the maintenance thereof.

(3) In Planned Environment Unit developments containing attached units, the indenture shall contain provisions for maintenance of common walls.