1003.189 Commercial-Industrial Designed Development Procedure (CiDD)


This section contains the regulations of the Commercial-Industrial Designed Development 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 purpose of this section is to provide a permissive, voluntary, and alternate zoning procedure in the "C" Commercial and the "M" Industrial Districts in order to permit minor flexibility in commercial and industrial uses beyond those permitted in the particular districts, under approved site plans and conditions.

3. Applicable Zoning Districts.

In any "C" Commercial or "M" Industrial District, where a particular use is not allowed as a permitted or conditional use in that district, a tract of land may be used for a single commercial or industrial use of a type listed in any of the "C" Commercial or "M" Industrial Districts as a permitted or conditional use, provided that approval is obtained for use of the Commercial-Industrial Designed Development Procedure. However, there must be a direct relationship between the requested use and an existing permitted use in the district in which the use is to be located.

4. Performance Standards.

All uses established by the Commercial-Industrial Designed Development Procedure shall operate in accord with the appropriate performance standards contained in Section 1003.163 Zoning Performance Standard Regulations. These performance standards are minimum requirements and may be made more restrictive in the conditions of the ordinance governing the particular Commercial-Industrial Designed Development Procedure.

5. Height Limitation for Structures.

Unless otherwise restricted by application of regulations in Section 1003.161 Air Navigation Space Regulations, the total height of any structure shall be limited by the conditions of the ordinance governing the particular Commercial-Industrial Designed Development Procedure. However, the total height of any structure authorized by Commercial-Industrial Designed Development Procedure shall not exceed the least restrictive regulations of the particular zoning district in which the use is located.


Any use authorized by the Commercial-Industrial Designed Development Procedure shall abide by the lot area, lot dimension, development limitation, and yard requirements of the particular zoning district in which the use is located. However, these requirements may be made more restrictive in the conditions of the ordinance governing the particular Commercial-Industrial Designed Development Procedure.

7. Off-Street Parking and Loading Requirements.

The minimum off-street parking and loading requirements, including setbacks for parking areas, loading spaces, and internal drives, for any use authorized by the Commercial-Industrial Designed Development Procedure shall not be reduced below the minimum requirements as set forth in Section 1003.165 Off-Street Parking and Loading Requirements. However, these requirements may be made more
restrictive in the conditions of the ordinance governing the particular Commercial-Industrial Designed Development Procedure.

8. **Sign Regulations.**

Sign regulations shall be established in the conditions of the ordinance governing the particular Commercial-Industrial Designed Development Procedure in accord with the provisions of Section 1003.168 Sign Regulations. However, in no instance shall they be less restrictive than the sign regulations of the particular zoning district in which the use is located.

9. **Procedures.**

Authorization for use of the Commercial-Industrial Designed Development Procedure may be initiated by a verified application of one or more of the owners of record or owners under contract of a lot or tract of land, or their authorized representative, or by a resolution of intention by the Planning Commission or the County Council. Procedures for application, review, and approval of the Commercial-Industrial Designed Development Procedure shall be as follows:

(1) **Application.**

Application for the Commercial-Industrial Designed Development Procedure for a specific tract of land shall be addressed to the St. Louis County Planning Commission and filed in its public office. The application shall be filed on forms prescribed for that purpose by the Planning Commission and be accompanied by the following:

(a) Filing fee per requirements of Section 1003.210 Fees.
(b) Legal description of the property.
(c) Outboundary plat of the property.
(d) Preliminary development plan, including, but not limited to the following:
   (i) Proposed uses. Approximate location and designated uses of buildings and other structures as well as parking and open areas shall be indicated.
   (ii) 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.
   (iii) Approximate location of all isolated trees having a trunk diameter of six (6) inches or more, all tree masses, and proposed landscaping.
   (iv) Two (2) cross section profiles through the site showing preliminary building form, existing natural grade, and proposed final grade.
   (v) Proposed ingress and egress to the site, including adjacent streets.
   (vi) Preliminary plan for provision of sanitation and drainage facilities.

(2) **Public Hearing.**

A public hearing on the application shall be held by the Planning Commission in accordance with the provisions of Section 1003.300 Procedures for Amending the Zoning Ordinance, except that the posted public notice signs shall indicate that the public hearing is for the Commercial-Industrial Designed Development Procedure. The public hearing shall be held within forty-five (45) days of verification by the Department of Planning that the petition meets the minimum application requirements. The public hearing requirements shall be the same if a petition for the Commercial-Industrial Designed Development Procedure is initiated by resolution of intention by the Planning Commission or the County Council.
(3) Planning Commission Recommendation.

No action shall be taken by the County Council with respect to the petition until it has received the recommendation of the Planning Commission. The Planning Commission's recommendation shall be based upon whether the Commercial-Industrial Designed Development Procedure proposal is consistent with good planning practice; is consistent with good site planning; there is a direct relationship or linkage between the use for which a permit is sought and an existing permitted use in the district in which the use is to be located; can be operated in a manner that is not detrimental to the permitted developments and uses in the district; is visually compatible with the permitted uses in the surrounding area; and is deemed desirable to promote the general welfare of St. Louis County. A recommendation of approval shall include recommended conditions to be contained in the ordinance authorizing the Commercial-Industrial Designed Development Procedure. Such conditions shall include but not be limited to the following:

(a) Permitted uses, including maximum floor area
(b) Performance standards
(c) Height limitations
(d) Minimum yard requirements
(e) Off-street parking and loading requirements
(f) Sign regulations
(g) Minimum requirements for site development plans
(h) Time limitations for commencement of construction
(i) Preliminary plan for stormwater detention and quality control measures. (O. No. 23553 - Adopted 3/31/08).
(j) Stream buffer areas. (O. No. 23553 - Adopted 3/31/08).

(4) County Council Action.

Upon receipt of the Planning Commission's recommendation, the County Council shall either approve the Commercial-Industrial Designed Development Procedure by approving an ordinance authorizing the use or deny the application. If the application is approved, the matter shall be returned to the Planning Commission for consideration of a site development plan.

10. Appeal or Protest to Commission Recommendation.

(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 Commercial-Industrial Designed Development 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 Commercial-Industrial Designed Development Procedure or an amendment thereto in accord with the provisions of Section 1003.193 Appeal and Protest Procedure for Special Procedures.

11. Site Development Plans.

After passage by the County Council of an ordinance authorizing a Commercial-Industrial Designed Development Procedure, a site development plan shall be submitted in accord with the following provisions. No building permits or authorization for improvement or development for any use authorized under provisions of this ordinance shall be issued prior to approval of such plan.
(1) Planning Commission Review.

Plans shall be submitted to the Planning Commission for review and approval. These plans shall contain the minimum requirements established in the conditions of the specific ordinance governing the Commercial-Industrial Designed Development Procedure.

(2) Recording.

Within sixty (60) days of approval, the site development plan shall be recorded with the St. Louis County Recorder of Deeds, and thereby authorize development as depicted thereon.

12. Procedure to Amend the Commercial-Industrial Designed Development Procedure Ordinance or Site Development Plan.

In order to amend provisions of an existing Commercial-Industrial Designed Development Procedure ordinance or to amend the recorded site development plan approved for a Commercial-Industrial Designed Development, the procedure shall be as follows:

(1) To amend the Commercial-Industrial Designed Development 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 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 recorded Site Development Plan.

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

(b) If the Department of Planning determines that the proposed amendment to the site development plan is not in conflict with the original proposal as advertised, and the approved preliminary development plan, and meets all conditions of the Commercial-Industrial Designed Development Procedure ordinance, said plan shall be reviewed and approved by the Planning Commission. The amended plan 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 plan is minor in nature and is not in conflict with the original proposal as advertised, and the preliminary development plan and meets all conditions of the Commercial-Industrial Designed Development Procedure ordinance, the Department may approve said amended plan. Said plan shall be retained on file by the Department of Planning.

However, when conditions of a particular Commercial-Industrial Designed Development Procedure ordinance are amended which necessitate an amended site development 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.

(d) If the Department of Planning determines that the amendment to the 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.

(e) 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 shall make the final determination of the matter. No exceptions will be granted that are in violation of the particular ordinance governing the development plan.

13. Failure to Commence Construction.

Substantial construction shall commence within the time period specified in the conditions of the ordinance governing the Commercial-Industrial Designed Development Procedure, unless such time period is extended by the Planning Commission. If substantial construction or development does not begin within the time period specified in the conditions of the ordinance governing the use or extensions authorized therein, the Planning Commission shall within forty-five (45) days initiate a resolution of intent for the purpose of a new public hearing to terminate the Commercial-Industrial Designed Development Procedure in accord with the proceedings specified in Section 1003.300 Procedure for Amending the Zoning Ordinance. No building or occupancy permit shall be issued for the development or use of the property until completion of action by the County Council on the proceedings to terminate the Procedure in accord with the above noted section.


Nothing shall prevent the establishment of a use authorized by the Commercial-Industrial Designed Development Procedure on the same tract of land with one or more permitted land uses and developments or conditional land uses and developments specified in the regulations of the governing zoning district. However, the use authorized by the Commercial-Industrial Designed Development Procedure shall abide by the conditions of the governing ordinance and the permitted land use and development shall adhere to the regulations of the governing zoning district. A permitted land use or development existing at the time of submittal of a site development plan for a use authorized by the Commercial-Industrial Designed Development Procedure shall be shown on the plan. No permitted use or development shall at any time cause the violation of the conditions of the ordinance governing the Commercial-Industrial Designed Development Procedure.