

SPONSORED BY: _____
INTRODUCED BY: _____

BILL NO. 3794
ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE IV: LAND USE; CHAPTER 400: ZONING REGULATIONS; ARTICLE VIII: SITE DESIGN; SECTION 400.496 OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI, TO REVISE THE CITY’S REGULATIONS REGARDING TRAFFIC IMPACT CONSIDERATIONS FOR DEVELOPMENTS.

WHEREAS, Section 2.1 of the City Charter confers upon the City of Ellisville all powers which the General Assembly of the State of Missouri has authority to confer upon any municipality, provided such powers are consistent with the Constitution of the State of Missouri, and are not limited or denied by the Charter, including all powers conferred upon the City by law; and

WHEREAS, Chapter 89, RSMo authorizes the City of Ellisville to enact land use regulations designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, City staff recommends amending Title IV: Land Use; Chapter 400: Zoning Regulations; Article VIII: Site Design; Section 400.496: Traffic Impact Considerations, of the Code of the City of Ellisville, Missouri to update the City’s requirements regarding traffic and land use standards; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City of Ellisville on October 11, 2023, pursuant to the legal notices and Title IV: Land Use, of the Code of the City of Ellisville, Missouri, to amend said land use regulations, and the Planning and Zoning Commission forwarded a favorable recommendation of said amendments to the City Council; and

WHEREAS, a public hearing was held by the Council of the City of Ellisville on October 18, 2023, pursuant to legal notices and Title IV: Land Use, of the Code of the City of Ellisville, Missouri, to amend said land use regulations; and

WHEREAS, all persons present at such hearings were given an opportunity to be heard and were heard; and

WHEREAS, the City Council finds that amendment of said land use regulations will not adversely affect the character of the neighborhood, traffic conditions, fire hazards, public utility facilities and other matters pertaining to public health, safety and general welfare of the community; and

WHEREAS, a copy of the proposed Ordinance was made available for public inspection prior to its consideration by the Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: Title IV: Land Use; Chapter 400: Zoning Regulations; Article VIII: Site Design; Section 400.496: Traffic Impact Considerations of the Code of the City of Ellisville, Missouri, is hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 2: All other Sections and Subsections of Chapter 400: Zoning Regulations, of the Code of the City of Ellisville, Missouri shall remain in full force and effect.

SECTION 3: The sections, paragraphs, sentences, clauses and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds that the valid portions of this ordinance are so essential to, inseparably connected, with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 4: This Ordinance shall be in full force and effect after its passage and approval of the Council.

This Bill No. _____ having been read by title or in full two times prior to passage and having been duly considered and voted upon was finally passed and approved this _____ day of _____, 2023.

First Reading votes:

Second Reading votes:

DATE: _____

DATE: _____

AYE NAY ABSTAIN

AYE NAY ABSTAIN

COMPTON _____

NIEBLING _____

SANBORN _____

CAHILL _____

BOGGS _____

HILDEBRAND _____

ROEMERMAN _____

ATTEST:

CITY OF ELLISVILLE

CITY CLERK

MAYOR MIKE ROEMERMAN

Approved as to legal content and form:

City Attorney

EXHIBIT A

[*new language in red, language to be repealed struck through*]

TITLE IV. LAND USE

CHAPTER 400. ZONING REGULATIONS

ARTICLE VIII. SITE DESIGN

SECTION 400.496. TRAFFIC IMPACT CONSIDERATIONS.

A. In General – Purpose. To provide traffic and land use standards that will increase safety, access and the flow of traffic. These standards may be used to judge the feasibility for approval of certain types of development at a specific location and its potential impact to traffic.

B. Applicability Of Provisions In This Section. The provisions contained in this Section are applicable to new construction of commercial, industrial, institutional and multi-family residential uses and expansion and/or enlargement of existing high trip generator uses.

C. Traffic And Land Use Standards For All New Construction Of Commercial, Industrial, Institutional And Multi-Family Residential Uses. Applicable uses shall comply with the following standards. When these standards cannot be complied with, an analysis by City’s Third Party Traffic Consultant may be required:

~~1. Full access driveways located on the same side of the street must be separated by a minimum of one hundred sixty (160) feet, measured from centerline to centerline of the driveways.~~

~~2. Full access driveways must be a minimum of one hundred sixty (160) feet from the nearest public street, measured from centerline to centerline.~~

~~3. Full access driveways located on opposite sides of the street must line up directly in front of each other.~~

2. Full access driveways that cannot align across from one another, as well as adjacent driveways located on the same side of a roadway, should be separated as follows and measured from centerline-to-centerline of the driveways:

- a. Principal Arterial (Manchester Rd, Clarkson Rd) 330 feet
- b. Minor Arterial (Clayton Rd, New Ballwin Rd) 300 feet
- c. Collector (Kiefer Creed Rd, Hutchinson Rd, Old State Rd, Pierside Ln, Reinke Rd, Strecker Rd) 235 feet
- d. Local Road (all others) 150 feet

The same criteria apply to the minimum separation of a full access driveway relative to the nearest public street, except the measurement with respect to the nearest public street would be measured from the closest corner rather than the centerline of the public street.

The Missouri Department of Transportation and/or St. Louis County Transportation Public Works may have more stringent access management spacing standards. Compliance with the City’s standards does not constitute approval from these other governing agencies.

3. Shorter driveway spacing is acceptable for right-in, right-out driveways where non-traversable medians restrict left turn movements into and out of the driveway. Right turn only driveways should be separated as follows and measured from centerline-to-centerline of the driveways:
 - a. Principal Arterial (Manchester Rd, Clarkson Rd) 330 feet
 - b. Minor Arterial (Clayton Rd, New Ballwin Rd) 300 feet
 - c. Collector (Kiefer Creed Rd, Hutchinson Rd, Old State Rd, Pierside Ln, Reinke Rd, Strecker Rd) 235 feet
 - d. Local Road (all others) 150 feet
- ~~4. If full access driveways located on opposite sides of the street cannot line up, then they must be separated by a minimum of two hundred (200) feet, measured from centerline to centerline of the driveways, if the left turn movements into those driveways could potentially conflict with each other.~~
45. All proposed drives must conform with the sight distance requirements set forth by the Missouri Department of Transportation (MoDOT) or Saint Louis County Department of Transportation (STLCDOT), as applicable to the impacted route. Sight distance requirements for local roads not governed by MoDOT or STLCDOT (i.e., local roads) should default to the STLCDOT sight distance requirements.
56. Throat widths for driveways must be a minimum of twenty-four (24) feet and a maximum of forty (40) feet for two-way operation and a minimum of fifteen (15) feet and a maximum of twenty-four (24) (20) feet for one-way operation. If centered channelizing islands are used in a two-way driveway, clearance widths of one percent (1%) to two (2) feet should be added on both sides of the center island. The radius used to increase the driveway opening at the curb or pavement edge is not less than ten (10) feet nor more than forty (40) feet and should not extend beyond the property line.
6. Throat depth provides for a place for exiting vehicles to queue, better definition of the driving lanes, uninterrupted separation between the parking area and the adjacent street and allows for inbound traffic to progress without spilling back onto the adjacent public street. Throat depth for all driveways shall be a minimum of sixty (60) feet, as measured from the extended curb line of the adjacent public street. For higher volume driveways, a traffic impact study may determine that throat lengths in excess of 60 feet may be necessary. In the case of extremely low volume driveways, a throat depth of less than 60 feet may be permitted by the City Council. In no circumstances should a throat depth of less than 20 feet be approved.
7. All commercial, institutional and multi-family uses along the Manchester, Clarkson and Clayton corridors, will require cross access to abutting properties fronting along an aforementioned corridor, in accordance with Section 400.490(A)(5) of this Chapter.
8. In order to foster unified access and circulation systems that serve outparcels as well as interior development, thereby reducing the need for driveways on an arterial street, access to outparcels shall be internalized using the shared circulation system of the principal development. "Outparcels," as used in this Section, are defined as lots on the perimeter of a larger parcel that breaks its frontage along a roadway. They are often created along arterial street frontage of shopping center sites and leased or sold separately to businesses that desire the visibility of major street locations.

9. Each entrance and exit to a parking lot serving residential, commercial, industrial, and institutional uses shall comply with Section 400.490(A)(6) and (A)(7) of this Chapter.
 10. Ingress and egress shall comply with Section 400.490(A)(8) of this Chapter.
 11. Pedestrian connectivity requirements in Section 400.490(I) within Parking and Loading Requirements, shall be satisfied for all new applicable development. All commercial driveways must adequately accommodate pedestrians using sidewalks or paths. The crosswalk location shall be placed to balance the pedestrian crossing distance and the width of the intersection for vehicular traffic (typically this is at about the center point of the corner radius). Crosswalks shall not be placed where pedestrians would likely have to cross behind or between stopped vehicles. Where four or more driveway lanes are created, they shall be designed so that the pedestrians have a refuge from entering and exiting traffic.
- D. Traffic And Land Use Standards For High Trip Generator Uses. In addition to the restrictions listed above for all new construction of commercial, industrial, institutional and multi-family residential uses, a traffic analysis shall be required for all high trip generator uses.
1. Definitions.
 - a. High Trip Generator Use: Any use(s) which generates one hundred (100) or more trips, entering or exiting the site, during any one (1) peak hour, as estimated by the most current version of the Institute of Transportation Engineers Trip Generation Informational **Manual Report**.
 - b. Peak Hours:
 - (1) Monday through Friday 7:00 a.m. to 9:00 a.m.
 - (2) Monday through Friday 11:00 a.m. to 1:00 p.m.
 - (3) Monday through Friday 4:00 p.m. to 6:00 p.m.
 - (4) Saturday 11:00 a.m. to 2:00 p.m.
 - c. The Institute Of Transportation Engineers Trip Generation Informational **Manual Report**. A **resource manual** which provides trip generation rates for numerous land use and building types for both a daily basis as well as relevant peak hours.
 2. Traffic Analyses Required. The requirement to perform a traffic impact study is based on number of trips generated by the site, type and size of the development, and other development or area characteristics unique to the proposal. Generally, a traffic impact analysis is required when a development generates one hundred (100) trips to the adjacent street network during the peak-hour of the adjacent street traffic. Transportation aspects of site planning, include, but are not limited to, analyses of the impacts of the development, the adequacy of the access drives, and the suitability of the on-site circulation and parking are often cited in consideration of a use. A traffic impact study is typically used as a means of evaluating the various transportation aspects via consideration of not only the estimated site generated traffic but its impacts upon the adjacent road system, the proposed access location(s) and design, interconnection and cross-access with adjacent properties, on-site circulation and parking. A thorough traffic analysis should determine the necessity for both on-site and off-site mitigation.

3. Analyses Content May Vary. The content of a traffic impact study can vary depending upon the complexity of the proposed development. The level of analyses (letter of opinion, traffic assessment, or full traffic impact study, etc.) shall be determined by the City Planner and the City's Third Party Traffic Consultant. Specifically, not all proposed high trip generator use developments would require a detailed traffic impact study. At times, depending on the type and size of the proposed development, a cursory review and/or letter of opinion is all that is necessary. Other times, a comprehensive analysis and report that includes the detailed study of the development, the area-wide transportation system and other approved or planned developments in the vicinity of the proposed development is required. **In this case, a review of the crash history along the adjacent route, based upon data provided by the Ellisville Police Department, shall be included.**
- E. Additional Triggers For Traffic Analyses. A traffic impact analysis, the level of which is to be determined by the City, may also be required if:
1. The proposed use would be located in an area exhibiting roadway congestion ~~and within a designated high hazard area, as identified in Exhibit 1, below,~~ and/or a high rate of population or employment growth is anticipated.
 2. The proposed use requires rezoning to a higher intensity (i.e., residential to commercial, etc.).
 3. A new traffic signal and/or a roundabout is proposed in conjunction with the proposed development.
 4. **When modifications to an existing traffic signal are being requested, such as but not limited to, timing/phasing changes, hardware modifications, etc.**
 54. If, in the opinion of the City, the proposed development has the potential to create adverse operational or safety impacts on the road network. Including, but not limited to:
 - a. Substandard horizontal or vertical sight distances at its proposed access.
 - b. A need for a dedicated left or right turn lane(s) in order to accommodate the proposed development's traffic.

[*Exhibit 1 and Table 1 to be deleted*]

Exhibit 1
2017 Designated High Hazard Areas – City of Ellisville

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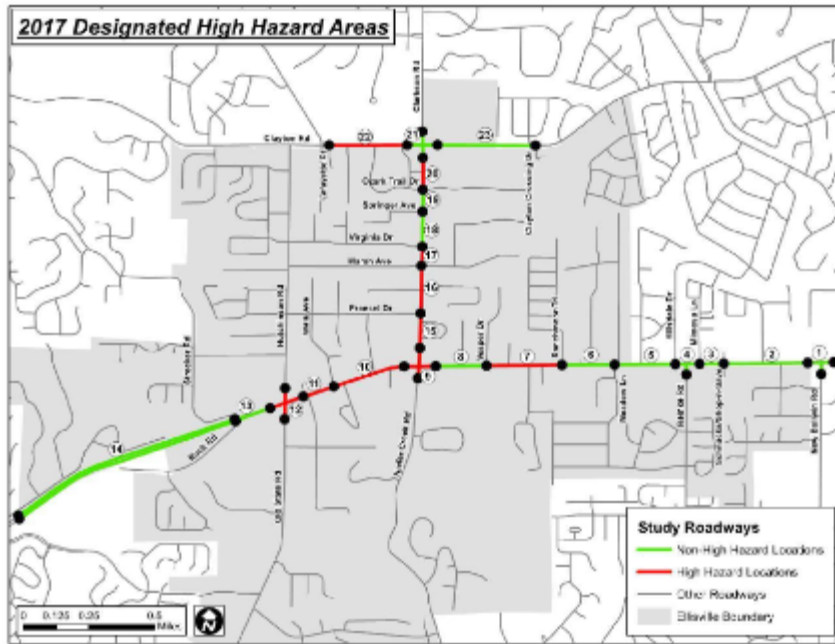


Table 1
2017 High Hazard Crash Rate Analysis—City of Ellisville

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2017 High Hazard Crash Rate Analysis - City of Ellisville

Section	Location	Type	Crashes	ADT	Length	Crash Rate	Rank
1	Manchester/New Ballwin	Intersection	3	52,864	-	0.16	23
2	Manchester - New Ballwin to Schnucks/Shop N Save Signal	Segment	5	46,049	0.32	0.93	19
3	Manchester - Schnucks/Shop N Save Signal to East of Reinke	Segment	4	46,049	0.11	2.16	11
4	Manchester/Reinke	Intersection	4	48,464	-	0.23	22
5	Manchester - Hillsdale to E Meadow	Segment	4	46,049	0.23	1.03	17
6	Manchester - E Meadow to Ranchmoor	Segment	6	46,049	0.20	1.78	12
7	Manchester - Ranchmoor to Vesper	Segment	18	46,049	0.29	3.69	6
8	Manchester - Vesper to E of Clarkson	Segment	4	46,049	0.20	1.19	16
9	Manchester/Clarkson-Kiefer Creek	Intersection	55	67,680	-	2.23	9
10	Manchester - W of Clarkson to Weis	Segment	15	35,683	0.29	3.97	5
11	Manchester - Weis to E of Old State	Segment	4	35,683	0.12	2.56	8
12	Manchester/Old State-Hutchinson	Intersection	47	26,192	-	4.92	4
13	Manchester - W of Old State to Ruck	Segment	3	35,683	0.15	1.54	14
14	Manchester - Ruck to City Limit	Segment	18	35,683	0.86	1.61	13
15	Clarkson - Ellis to Froesel	Segment	19	41,028	0.14	9.06	1
16	Clarkson - Froesel to Marsh	Segment	7	41,028	0.18	2.60	7
17	Clarkson - Marsh to Virginia	Segment	8	41,028	0.07	7.63	2
18	Clarkson - Virginia to Springer	Segment	2	41,028	0.13	1.03	18
19	Clarkson - Springer to Ozark Trail	Segment	1	41,028	0.08	0.83	20
20	Clarkson - Ozark Trail to S of Clayton	Segment	4	41,028	0.12	2.23	10
21	Clarkson/Clayton	Intersection	29	61,068	-	1.30	15
22	Clayton - W of Clarkson to Lafayette	Segment	13	22,400	0.30	5.30	3
23	Clayton - E of Clarkson to Clayton Crossing	Segment	1	17,680	0.38	0.41	21

- F. The City Council may waive or reduce any of the standards set forth above upon petition. The City Council may, prior to deciding on the request for said waiver or reduction, require additional information, an opinion or traffic analyses. The analyses may include the impact on existing traffic of the waiver of said requirement along with the traffic consultant’s recommendations for the mitigation of said impact through the installation of traffic control devices such as turning lanes, shared access drives, traffic signals, and signage. **Waivers shall only be granted if the Council makes the following findings:**
1. that granting a waiver would not be inconsistent with the intent and purposes of this Section;

2. that granting a waiver would minimize any adverse effect on the property rights of any adjacent or nearby property owner/resident;
3. that granting a waiver would be consistent with the City's comprehensive plan; and
4. that granting a waiver would result in a superior design and would better promote safe traffic circulation.

PROPOSED