

ARTICLE VIII – SUPPLEMENTAL STANDARDS

SEC. 26-38 Environmental Performance Standards.

A. Scope of Provisions. Every use, activity, process or operation located or occurring in the City shall comply with the environmental performance standards prescribed in this division, and no existing use, activity, process or operation shall be hereafter altered or modified so as to conflict with, or further conflict with, such environmental performance standards. If, as of the date of adoption of this article, the operations of any lawful existing use violates these environmental performance standards, such operations shall not be varied or changed in any way as to increase the degree of such violation. The operation of any existing conforming use in violation of the environmental performance standards shall not in itself make such use subject to **Article IV, Section 26-19, (Zoning Districts and Use Standards, Non-Conforming Situations)**.

B. Administration and Enforcement.

1. All topics covered in **Subsection (C)** below are subject to all relevant adopted city codes and ordinances and **Article I, Section 26-2 (B) and (G) (General Provisions, Conflicts and Resources, Guides, and Industry Standards)**.

Whenever, in the opinion of the Director of Public Services, there is a reasonable probability that any use or occupancy violates these environmental performance standards, he shall give written notice of at least seven days' duration that the use or occupancy must be corrected. In case of an emergency he may take such immediate action as he deems appropriate to correct the violations. He is hereby authorized to employ a qualified technician or technicians, such as the Fire Chief or Fire Marshall or other trained professional to perform whatever investigations and analyses as are necessary to determine whether or not they are, in fact, being violated.

2. In the event that a violation is found to exist, the violator shall be liable for the reasonable fee of the technicians employed to perform such investigations and analysis. Such fees may be recovered as a penalty in the same manner as, and in addition to, the penalties specified in **Article I, Section 26-4(C) (General Provisions, Enforcements, Penalties)** of this Chapter.

C. Performance Standards.

1. *Vibration.* Every use shall be so operated that the maximum ground vibration generated is not perceptible without instruments at any point on the lot line of the lot on which the use is located, except that vibration caused by blasting conducted in accordance with the requirements of the explosives code, Chapter 711, St. Louis County Revised Ordinances (SLCRO), may exceed these limitations.
2. *Noise.* Every use shall be so operated that the pressure level of sound or noise generated does not exceed the limitations of the noise control code, Chapter 625 SLCRO.
3. *Odor.* Every use shall be so operated that no offensive or objectionable odor is emitted in accordance with the requirements of the air pollution code, Chapter 612 SLCRO.
4. *Smoke.* Every use shall be so operated that no smoke from any source shall be emitted that exceeds the emission levels in the requirements of the air pollution code, Chapter 612 SLCRO.

5. *Toxic gases.* Every use shall be so operated that there is no emission of toxic, noxious, or corrosive fumes or gases which exceed the emission levels, of the air pollution code, Chapter 612 SLCRO.
6. *Emission of dirt, dust, fly ash, and other forms of particulate matter.* The emission of dirt, dust, fly ash and other forms of particulate matter shall not exceed the emission levels in the requirements of the air pollution code, Chapter 612 SLCRO.
7. *Radiation.* Every use shall be so operated that there is no dangerous amount of radioactive emissions.
8. *Glare and heat.* Any operation producing intense glare or heat shall be performed in an enclosure in such manner as to be imperceptible along any lot line without instruments.
9. *Fire and explosion hazard.*
 - a. The storage or utilization of solid materials ranging from incombustible to moderate burning is permitted.
 - b. The storage or utilization of solid materials ranging from free or active burning to intense burning is permitted provided the following conditions are met:
 - (1) The materials shall be stored or utilized within completely enclosed buildings or structures having incombustible exterior walls and handled in accordance with the standards and regulations of the fire protection district and the National Fire Protection Association or its successors.
 - (2) All such buildings shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations of the fire protection district and the National Fire Protection Association or its successors.
 - (3) Such materials, if stored outdoors, shall be no closer than 150 feet to the nearest lot line or in conformance with the standards and regulations of the fire protection district and the National Fire Protection Association or its successors.
 - c. The storage or utilization of flammable liquids or materials which produce flammable or explosive vapors shall be permitted in accordance with the following limitations, exclusive of storage in underground tanks and storage of finished products in original sealed containers:
 - (1) Such materials or products shall be stored or utilized within completely enclosed buildings having incombustible exterior walls and handled in accordance with the standards and regulations of the fire protection district and the National Fire Protection Association or its successors, and, in addition, all such buildings shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations of the fire protection district and the National Fire Protection Association or its successors.
 - (2) The above-ground outdoor storage of flammable liquids is prohibited.
 - (3) The total of the flammable liquids permitted on any tract shall not exceed 5,000 gallons.

10. *Grease traps.* Food service businesses within the City must comply with the following conditions in connection with their use of grease traps.
- a. Except as provided for in **Subsection (10)(d)** below, grease traps shall be physically cleaned and the grease disposed of off-site at least once every three months and the business must notify the City health inspector as to the date and time of each cleaning; and
 - b. Each business shall maintain records documenting grease trap cleanings which include the date(s) of cleaning, time(s) of cleaning and disposal method. The records shall be maintained for a period of 24 months from the date of any given manual cleaning; and shall be available for review by the health inspector during the restaurant's normal business hours; and
 - c. If the City health inspector determines that any grease trap is not functioning properly or is undersized, the business shall correct any such inadequacy in a manner deemed satisfactory to the health inspector. The health inspector shall make a record of any inadequacies so determined and the corrective measures taken; and
 - d. Upon a finding of documented continuous adequacy and sufficient capacity, the health inspector shall be authorized to reduce the frequency of manual cleaning as required herein to not less than once every six months; and
 - e. Any business violating any of the provisions of this section shall be guilty of an offense.

D. Future Revisions. Any addition, modification or change in any regulations, code, ordinance or other standard referred to in the performance standard regulations shall become a part of these regulations.

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SEC. 26-39 Traffic Impact Studies. The regulations of **this Section** are intended to help ensure that the traffic and transportation impacts of proposed developments are identified, evaluated and mitigated as necessary. The purpose of a transportation impact study is to assess the effects that development will have on traffic conditions, transit users, pedestrians, bicyclists and neighborhood livability.

A. When required.

1. A traffic impact study, at the applicant's expense, is required at the time of application for approval of any residential or commercial development that qualifies as a major subdivision, as defined by **Article IX, Section 26-40(C) (Subdivisions and Land Development, Generally, Subdivisions-Major)** of **this Chapter**. A traffic impact study shall also be required at the time of application for approval of any conditional use permit, unless waived by the Director of Public Services pursuant to **Subsection (c) of this section**. The Director of Public Services shall not waive the requirement of a traffic study for any application for approval of any conditional use permit that includes the demolition or construction of a new structure or structures, preliminary subdivision plat, or other similar site-specific development plan if, under the estimation of City staff:
 - a. The proposed development, or phases of development, or contiguous tracts under the same ownership, would accommodate or could be expected to generate 100 or more added vehicle trips to or from the site during the peak traffic hour (based on the proposed development or the adjacent roads and intersections); or
 - b. The proposed development, or phases of development, or contiguous tracts under the same ownership, would accommodate or could be expected to generate 1,000 or more added vehicle trips to or from the site during a twenty-four-hour period (based on the proposed development or the adjacent roads and intersections).
2. In calculating the number of added vehicle trips expected to be generated, trip generation rates must be obtained from the most recent editions of Trip Generation and Trip Generation Handbook, published by the Institute of Transportation Engineers (ITE). Only "new" vehicle trips will be counted; no pass-by or internal trip capture will be used in calculating "added vehicle trips."
3. The Director of Public Services may waive the requirement for a traffic impact study, in whole or in part, when the applicant shows that the proposed development's impact on adjacent roads, intersections, pedestrian, bicycle and transit facilities will be minimal and insignificant, or will be no greater than those projected by a traffic impact study prepared and submitted within the past two years for the same site under the same or similar background conditions. The City Planner must document the reasons for any waiver.

B. Study area.

1. The traffic impact study must address the proposed development's traffic impacts on at least:
 - a. Roads, sidewalks, bicycle routes, transit facilities and intersections within the development site, as designated by City staff;
 - b. Road segments, sidewalks, bicycle routes, transit facilities and intersections abutting the development site as designated by City staff; and

- c. Off-site road segments and intersections where traffic from the proposed development is expected to account for at least 10% of the road's or intersection approach leg's average daily traffic.
- C. Qualifications.** Traffic impact studies must be prepared by a licensed professional civil engineer registered in the State of Missouri and certified as a transportation or traffic engineer.
- D. Study contents.** Traffic impact studies must include charts, graphics, photos and narrative presenting at least the following information:
1. A description of existing land uses and development intensities in the study area, the location and characteristics of roads, sidewalks, bicycle routes, transit facilities and intersections in the study area, and the existing traffic volumes and conditions (including levels of service) of those facilities;
 2. A description of the location and traffic-related characteristics (land use, intensity, expected date of full build-out and occupancy, vehicular access points, pedestrian connections, bicycle routes and transit facilities and characteristics, etc.) of the proposed development and other developments in the study area that are under construction, approved, or pending approval, as well as roadway and other transportation facilities and improvements in the study area that are under construction, programmed or planned;
 3. Projections of future background traffic (existing vehicular, pedestrian, bicycle and transit volumes forecasted to build-out year levels based on agreed upon traffic growth rate) plus traffic generated by other development in the study area that is under construction, approved, or pending approval, future site traffic and total future traffic (the sum of future background traffic and future site traffic);
 4. Future background and site traffic projections must be made for the peak hours (as identified by the Director of Public Services staff) of the adjacent road segments and intersections and for the development's expected full build-out and occupancy date, and must include trip generation, trip distribution (using pre-approved distribution by the Director of Public Services staff), and traffic assignment estimates;
 5. Studies of the proposed development's incremental impacts on:
 - a. Road capacity during peak hours at all site access points and at road segments and intersections in the study area (including determination of the level of service for the road segments and intersections, queuing vs. existing/proposed storage);
 - b. The need for signalization of intersections in the study area;
 - c. Pedestrian, bicycle and transit-user safety and convenience; and
 - d. Existing or potential high accident areas (as determined by City staff).
 6. A qualitative study/review of sight distance at access points, when required by the Director of Public Services staff;
 7. A description of the location, nature, and extent of site access and transportation improvements and other measures recommended to mitigate any failure to meet traffic operation standards due

to the proposed development's traffic impacts, including the expected effectiveness of each mitigation measure in addressing deficiencies, the feasibility of implementing the measures, suggested allocation of responsibility for funding and implementing the measures, the measures' relationship to planned public transportation improvements, and a suggested time schedule for the implementation of the measures;

8. Resumes of the preparers of the study, demonstrating specific education, training, and professional experience in traffic-related studies and, if the study involves roadway or traffic signal design, traffic engineering; and
9. Identification of all assumptions and data sources used in its projections, studies and recommendations.

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