

**MINUTES OF MEETING
ZONING AND PLANNING COMMISSION
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI
WEDNESDAY, FEBRUARY 22, 2023 4:00 P.M.**

Chairman Moore introduced himself, covered the basic procedures, and called the meeting of the Zoning and Planning Commission to order at 4:01 P.M. The following members were present:

Chairman McPherson Moore
Commissioner Tim Crowley
Vice Chairman Thomas Kahn
Commissioner Robby Toft
Commissioner Susan Gausnell
Commissioner John Lochhead

Also present were Mayor Spewak; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

Approval of the Minutes from the meeting on January 25, 2023

The minutes were approved unanimously upon motion by Commissioner Crowley and second by Commissioner Gausnell.

Items for Consideration

ZPC 23-04 Discussion of amendments to the Ladue Zoning Ordinance regarding the approval process and guidelines for solar panels.

Ms. Sukanek updated the Commissioners with proposed standards and guidelines to assist the Architectural Review Board in the review process of proposed solar panel installations in Ladue. As follows:

- (1) Solar panels, roofs, and structures shall be allowed in the City of Ladue with a Building Permit and must comply with Ladue's Fire and Building Codes.
- (2) The appearance of all solar installations shall be evaluated by the Architectural Review Board with special attention given to installations on prominent building facades, such as those facing the right-of-way.
- (3) Solar materials shall not direct glare towards nearby properties or roadways. Methods used to prevent glare shall be documented in the information submitted by the applicant (anti-reflective coating, angle of panel, screening, etc.)
- (4) Solar installations should be sized appropriately for the energy usage of the property. Depending on the proposed size of the solar array, information may be requested to justify the size of the proposed installation.
- (5) Any tree removal to increase solar exposure must comply with the City's tree removal regulations in Chapter 102 of the Ladue Code of Ordinances.
The following guidelines are proposed to be added to the Architectural Review Board Guidelines. These guidelines would follow immediately after the page regarding roof styles and materials.

Installation requirements:

- Solar collection materials should be located and oriented in such a way that they will be effective for energy collection but located in a thoughtful, carefully designed manner to minimize visibility to adjacent properties. Orientation toward a right-of-way should be avoided whenever possible.
- On prominent building façades, such as those facing the right-of-way, solar materials should be incorporated into the roof such that the structure does not appear to have solar collectors installed on top of the roof, but, rather, solar tiles, solar shingles, or other discreetly placed solar materials reasonably appear to make up part of the roof, skylight, or other solar materials should be compatible in color to the roof's materials.
- Solar panels should be positioned behind architectural features, such as parapets, dormers, and chimneys to limit visibility, when feasible.
- Solar panels on a flat roof shall be screened by a parapet or other architectural feature.
- Solar installations shall generally be flush mounted and set back from the edge of the roof in order to minimize visibility, as needed.
- The ARB may use their discretion to administer these guidelines in order to minimize any detrimental effect of solar installations on residential character while still allowing for effective solar energy collection.

After discussion, it was determined that as solar collection materials and installation are evolving, it is important to have the current and expert information. The Commissioners requested to have a specialist present at the March meeting in order to develop up to date, enlightened, standards to guide the Architecture Review Board.

After discussion, Commissioner Crowley moved that a Special Use Permit be required install Solar Panels until standards are set. The motion passed unanimously after second by Commissioner Toft.

ZPC 23-05 Amendment to Sections III and VII of the Ladue Zoning Ordinance regarding recreational marijuana facilities

Ms. Sukanek shared information regarding the effects of Amendment 3 legalizing the adult use of marijuana in the state. Amendment 3 allows recreational marijuana facilities to convert existing medical licenses to a comprehensive license allowing sales of recreational and medical marijuana. Medical dispensaries

The current zoning ordinance allows medical marijuana facilities in the G2 and H zoning districts with a Special Use Permit, located at least 1000 feet from all school properties, day care facilities, and churches that are currently operating. Although the 1000' buffer is allowed, the state statute prohibited zoning restrictions that would be "unduly burdensome". In the event that an applicant meets the criteria, the City must approve the application.

Ms. Sukanek shared the proposed changes, comply with Amendment 3, as recommended by Erin Seele, City Attorney.

Resident Chris Schoenecker, 2 Litzsinger Lane addressed the Commissioners regarding the strong, constant, odor that is disturbing residents and coming from the cannabis facility in Rock Hill.

Ms. Seele responded with information regarding a requirement for a boarder to reduce the odor between production and residential properties. She advised that the Department of Health and Human Services will address these issues, suggested contacting them to enlist their aid.

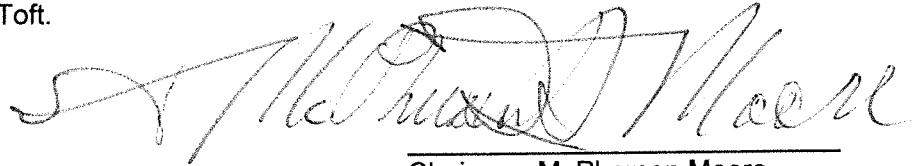
City staff will reach out to the Department of Health and Human Services in efforts to resolve the problem.

Discussion ensued regarding additional language requiring a buffer to avoid this issue in the City.

Commissioner Toft move to continue the text amendment to Sections III and VII of the Ladue Zoning Ordinance regarding recreational marijuana facilities to allow the City Attorney to research proposed additional language, which passed unanimously upon second by Commissioner Crowley.

Adjournment

Commissioner Crowley moved adjournment at 5:26. The motion passed unanimously upon second by Commissioner Toft.

A handwritten signature in black ink, appearing to read "McPherson Moore", written in a cursive style. The signature is positioned above a horizontal line.

Chairman McPherson Moore