

INTRODUCED BY: Councilmember Stacy Clay

DATE: June 24, 2019

BILL NO. 9388

ORDINANCE NO. 7110

AN ORDINANCE AMENDING SECTIONS 510.060 AND 510.080 OF THE UNIVERSITY CITY MUNICIPAL CODE REGARDING DEVELOPMENT PLANS AND TAX ABATEMENT OR EXEMPTION PURSUANT TO CHAPTER 353 OF THE REVISED STATUTES OF MISSOURI.

WHEREAS, Chapter 353 of the Revised Statutes of Missouri, known and referred to as The Urban Redevelopment Corporations Law (“Chapter 353”), authorizes the City to approve, by ordinance, development plans that allow for the redevelopment of blighted areas within the City and the granting of tax abatements and exemptions to encourage such redevelopment; and

WHEREAS, Chapter 353 provides that no tax abatement or exemption authorized by Chapter 353 shall become effective until the governing body conducts a public hearing to consider a proposed development plan and such tax abatement or exemption; and

WHEREAS, prior to the public hearing, the City Council must furnish to the political subdivisions whose boundaries for ad valorem taxation purposes include any portion of the property to be affected by tax abatement or exemption: (1) written notice of the scheduled public hearing and (2) a written statement of the impact on ad valorem taxes such tax abatement or exemption will have on the political subdivisions; and

WHEREAS, Section 353.110.3 of the Revised Statutes of Missouri provides that such notice and written statement shall be as provided by local ordinance before the public hearing; and

WHEREAS, the City Council desires to establish its procedures to provide the notice and written statement as required by Section 353.110.3 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. Section 510.060 of the University City Municipal Code is hereby amended to read as follows (where applicable, underlined text is added text and stricken text is removed):

Section 510.060 **Contents of Development Plan.**

[R.O. 2011 §12.12.060; Prior Code §32A-6; Ord. No. 5085 §6]

A. The development plan shall contain:

- 1.** *General description.* A general description of the proposed redevelopment project showing proposed land use and traffic circulation;

2. *Legal description.* A legal description of the proposed development area by metes and bounds or other definite designation;
3. *Stages of project.* A statement of the various stages, if more than one (1) is intended, by which the plan is proposed to be implemented or undertaken, and the approximate time limit for the commencement and completion of each stage, together with a legal description of the real property to be included in each stage;
4. *Zoning changes.* A statement of the proposed changes, if any, in zoning ordinances or maps, necessary or desirable for the redevelopment, and its protection against blighting influences;
5. *Street changes.* A statement of the proposed changes, if any, in streets or street levels, any proposed street closings, and any changes which would have to be made to streets adjoining or near the proposed redevelopment project;
6. *Housing.* A statement of the housing accommodations available for those persons who will be displaced by the redevelopment project;
7. *Public property.* A statement listing any real property in public use and belonging to the City, County, State or any political subdivision thereof, together with the consent of such authority to the acquisition of such property;
8. *Acquisition of real property.* A statement giving the legal description of the real property owned, or proposed to be purchased or, if known, to be acquired by eminent domain by the corporation;
9. ~~*Other information.* The plan, and any application to the Commission for approval thereof, shall also contain such other statements or exhibits as may be deemed relevant by the Commission or by the corporation.~~ *Tax impact statement.* A written statement of the impact on ad valorem taxes such tax abatement or exemption will have on the political subdivisions, which shall be prepared by or at the direction of the corporation and shall include an estimate of the amount of ad valorem tax revenues of each political subdivision that will be affected by the proposed tax abatement or exemption, based on the estimated assessed valuation of the real property involved as such property would exist before and after it is redeveloped; and
10. *Other information.* The plan, and any application to the Commission for approval thereof, shall also contain such other statements or exhibits as may be deemed relevant by the Commission or the corporation.

- B.** The corporation shall provide or cause to be provided to the City a complete list of all political subdivisions whose boundaries for ad valorem taxation purposes include any portion of the property to be affected by tax abatement or exemption, and other information deemed necessary by the Commission or the City Manager to evaluate the proposed development plan and comply with the requirements of this Chapter and the Urban Redevelopment Corporation Law.

Section 2. Section 510.080.A of the University City Municipal Code is hereby revised to read as follows:

- A.** The recommendation of the Commission upon each plan shall be filed with the City Clerk who shall submit the report of the Commission and plan to the Council. At its next regular meeting the Council shall set a date for a public hearing on the plan. Not less than ten (10) days before the public hearing, the City shall furnish (by hand delivery or by registered or certified mail, return receipt requested) to the political subdivisions whose boundaries for ad valorem taxation purposes include any portion of the property to be affected by tax abatement:

1. Notice of the scheduled public hearing, which shall include:

- a.** the time, date and place of the public hearing;
- b.** a general description of the boundaries of the proposed redevelopment area;
- c.** a general description of the proposed development plan;
- d.** an invitation to submit comments to the Council prior to the date of the public hearing concerning matters that will be discussed at the public hearing, and to appear at the public hearing and provide comments; and
- e.** a statement that all interested persons and all political subdivisions will have the opportunity to be heard on such grant of tax abatement or exemption; and

2. The written statement referenced in Section 510.060(A)(9).

Section 3. This Ordinance shall take effect and be in full force from and after its final passage and approval.

PASSED and ADOPTED THIS 8th DAY OF July, 2019.



MAYOR

(Seal)

ATTEST:



CITY CLERK



CERTIFIED TO BE CORRECT AS TO FORM:



CITY ATTORNEY



Council Agenda Item Cover

MEETING DATE: July 8, 2019

AGENDA ITEM TITLE:

AN ORDINANCE AMENDING SECTIONS 510.060 AND 510.080 OF THE UNIVERSITY CITY MUNICIPAL CODE REGARDING DEVELOPMENT PLANS AND TAX ABATEMENT OR EXEMPTION PURSUANT TO CHAPTER 353 OF THE REVISED STATUTES OF MISSOURI.

AGENDA SECTION: New Business - Bills

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW:

City Council is asked to consider a text amendment to the University City Code as it pertains to Chapter 510 – Urban Development. The purpose of this amendment is to streamline the 353 Tax Abatement process and identify a clear process to conduct a public hearing and identify required contents that must be incorporated into the proposed plan. In summary, the purpose of this proposed amendment is to clearly define the required public hearing process and required plan components, within the University City Code, to ensure we are in compliance with the Missouri State Statutes pertaining to the 353 Tax Abatement process.

This code revision is the result of prior evaluation of our current code and were recommended changes via legal counsel as it pertains to the 353 Tax Abatement process.

This text amendment requires an introduction of the initial bill and requires multiple readings prior to adoption. The first reading and introduction of the bill should take place on June 24, 2019. The second and third readings, along with the passage of the ordinance, could occur at the subsequent July 8, 2019 meeting.

Attachments:

- 1: Memo
- 2: Draft Ordinance

RECOMMENDATION: The City Manager recommends approval.