

INTRODUCED BY: Councilmember Jeff Hales

DATE: February 13, 2023

BILL NO.: 9501

ORDINANCE NO.: 7217

AN ORDINANCE AMENDING SECTION 400.2700 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE ZONING REVIEW PROCEDURE FOR CONDITIONAL USES, BY AMENDING SUBSECTION D.1 THEREOF, RELATING TO CITY COUNCIL ACTION.

WHEREAS, Chapter 400 (Zoning Code) of the Municipal Code of the City of University City, Missouri divides the City into several zoning districts and regulates the uses to which premises located therein may be put; and

WHEREAS, at its meeting on January 25, 2023, the City Plan Commission examined an amendment of Section 400.2700.D.1, relating to the zoning review procedure for conditional uses and action by the City Council, and

WHEREAS, the City Plan Commission, at its meeting on January 25, 2023, recommended to the City Council that it approve said amendment; and

WHEREAS, the public hearing was held at 6:30 p.m. City Hall at 6801 Delmar Blvd., and all suggestions or objections concerning said amendment of Section 400.2700.D were duly heard and considered by the City Council.

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

Section 1. Section 400.2700 of the Municipal Code of the City of University City, Missouri, relating to the zoning review procedure for conditional uses, is hereby amended by amending Subsection D.1 thereof, relating to action by the City Council, so that Section 400.2700, as so amended, shall read as follows:

Section 400.2700. Review Procedure.

A.

Submission By Applicant. The applicant shall submit one (1) copy of the completed application and twelve (12) copies of the other information required by Section **400.2690** to the Zoning Administrator. In the case of applications for a conditional use for a historic landmark or conditional use within a historic district, the applicant shall submit nine (9) additional copies of this same information.

B.

Zoning Administrator And Staff Review.

1.

Completeness of submittal. Upon receipt of the conditional use permit application and associated information, the Zoning Administrator shall review the documents to determine acceptability for submission. If the Zoning Administrator determines the submittal is complete, then the submittal shall be date stamped.

2.

Distribution. After formal acceptance of the application, the Zoning Administrator shall distribute copies of the documentation to the Director of Community Development and other City staff as appropriate. In the case of applications for a conditional use pertaining to an established historic landmark or it is within an established historic district, the Zoning Administrator shall also forward a copy of the same documentation to the Historic Preservation Commission.

3.

Staff review. The Director of Community Development shall review the proposed conditional use, and solicit comments from other City staff with respect to meeting the requirements of this Chapter, other applicable City regulations, and with respect to good site planning, and measures taken to avoid or mitigate impacts of the proposed use on the surrounding area. The results of this review shall be reported to the Plan Commission within sixty (60) days of formal acceptance of the application.

C.

Plan Commission.

1.

Public hearing. The Plan Commission shall hold a public hearing on the application at such time that is mutually agreeable between the Commission and the applicant and which complies with the public notice requirements contained in Article **XV** of this Chapter. In addition, the Historic Preservation Commission shall be notified of the public hearing, when a proposed conditional use pertains to an established historic landmark or is within an established historic district, and given the opportunity to present its recommendation to the Plan Commission at the hearing.

2.

Plan Commission recommendation. Once the Plan Commission is satisfied that they have heard all relevant facts, it shall recommend to the City Council that the conditional use permit be approved, denied or approved with conditions. Such conditions may include, but are not limited to, one (1) or more of the following: size, height and location of proposed buildings and structures; landscaping and screening; parking and loading requirements; signage; traffic flow and access requirements; lighting; hours of operation; open-space areas; drainage and storm water facilities; or architectural and engineering features. These conditions shall be in addition to any regulations contained in the applicable zoning district or other applicable regulations of the City.

D.

City Council Action.

1.


After receipt of the Plan Commission's recommendation and report, the City Council shall consider the proposed conditional use permit. The Council may deny, approve or approve with conditions, including the adoption of the Plan Commission's recommendations on conditions of use or a modified version thereof. The City Council may refer the application back to the Plan Commission for further study before making its final decision. The City Council reserves full authority to deny, approve or approve with conditions, any application for a conditional use permit.

2.

The City Council, in imposing conditions and restrictions, may adjust the standards set forth in this Chapter when it finds such adjustment will be more effective in achieving the spirit and intent of the Chapter. Such adjustments are permitted to be more restrictive or less restrictive, provided that no dimensional regulations or standard shall become less restrictive by a factor of more than twenty percent (20%).

Section 2. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED and ADOPTED this 27th day of February, 2023.



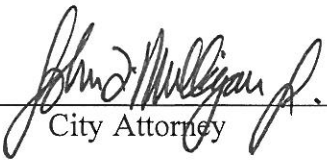
Mayor

ATTEST:



City Clerk

CERTIFIED TO BE CORRECT AS TO FORM:



City Attorney

