

Memorandum Department of Planning

To: Planning and Public Works Committee

From: Alyssa Ahner, Planner

Date: February 23, 2023

RE: P.Z. 03-2023 City of Chesterfield (Unified Development Code – Article 4): An ordinance amending Article 4 of the Unified Development code to create Section 405.01.120 related to licenses, permits, or other approvals for non-compliant properties.



Summary

The proposed ordinance would allow the City of Chesterfield to deny any license, permit, or other approval to a person or corporation if the premise to be licensed and/or permitted is in violation of Chapter 405 of the City of Chesterfield Municipal Code.

Any license, permit, or approval that is denied pursuant to this Section may be appealed to the Board of Adjustment within ten (10) days of the date of the decision to deny the license, permit, or approval is received.

A companion bill, [Bill No. 3420](#), has been approved by the City for licenses, permits, or other approvals for those that are permitting violations of Chapter 215 related to public nuisances.

There was a Public Hearing held on February 13, 2023 for this petition. The Planning Commission recommended approval of the regulations by a vote of 8-0.

Attachments: February 13, 2023 Staff Report

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CHESTERFIELD CREATING SECTION 405.01.120 RELATED TO LICENSES, PERMITS, OR OTHER APPROVALS.

WHEREAS, pursuant to Chapter 89 RSMo, the City of Chesterfield (the "City") is authorized to establish zoning regulations for the City; and

WHEREAS, the City desires to adopt regulations which would prevent licenses, permits, or other approvals for those that are permitting violations of Chapter 215 related to public nuisances and/or Chapter 405 related to zoning; and

WHEREAS, a Public Hearing was held before the Planning Commission on February 13, 2023; and,

WHEREAS, the Planning Commission recommends approval of the following amendments; and,

WHEREAS, the Planning & Public Works Committee recommended approval of the following amendments; and,

WHEREAS, the City Council of the City desires to amend the Municipal Code; and,

WHEREAS, there is a companion bill, Bill No. 3420, that has been approved by the City for licenses, permits, or other approvals for those that are permitting violations of Chapter 215 related to public nuisances and/or Chapter 405 related to zoning; and

WHEREAS, the City Council believes that adopting these amended regulations benefits the health, safety, and welfare of the residents of the City.

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

Section I: Section 405.01.120 of the City of Chesterfield Zoning Code shall be adopted as follows:

- A. No natural person nor corporation shall be granted, or if already granted, renewed, a license, permit, or approval pursuant to Chapter 405 if the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.

B. Any license, permit, or approval that is denied pursuant to this Section may be appealed to the Board of Adjustment within ten (10) days of the date of the decision to deny the license, permit, or approval is received.

Section II: This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section III: This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this ____ day of _____, 2023.

Presiding Officer

Bob Nation, Mayor

ATTEST:

Vickie McGownd

FIRST READING HELD:



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Planning Commission Report

Meeting Date: February 13, 2023

From: Alyssa Ahner, Planner

Location: City of Chesterfield

Description: P.Z. 03-2023 City of Chesterfield (Unified Development Code – Article 4):
An ordinance amending Article 4 of the Unified Development code to create Section 405.01.120 related to licenses, permits, or other approvals for non-compliant properties.

STAFF ANALYSIS

The proposed ordinance would allow the City of Chesterfield to deny any license, permit, or other approval to a person or corporation if the premise to be licensed and/or permitted is in violation of Chapter 405 of the City of Chesterfield Municipal Code.

Any license, permit, or approval that is denied pursuant to this Section may be appealed to the Board of Adjustment within ten (10) days of the date of the decision to deny the license, permit, or approval is received.

There is a companion bill, Bill No. 3420, being considered by the City for licenses, permits, or other approvals for those that are permitting violations of Chapter 215 related to public nuisances.

RECOMMENDATION

Staff recommends that the attached ordinance be considered for adoption to create Section 405.01.120 related to licenses, permits, or other approvals for non-compliant properties.