

# III.B.

## Memorandum Department of Planning

**To:** Planning and Public Works Committee  
**From:** Justin Wyse, Director of Planning <sup>JW</sup>  
**Date:** June 10, 2021  
**RE:** COVID 19 Ordinance



### Summary

As a result of the COVID-19 virus and recommendations from the President, Governor, and CDC, businesses across the City have been placed in a situation where they are required to adapt quickly in order to conduct business while implementing measures to protect their employees and customers. This adaptability is often not permitted under the City's regulations pertaining to various land use regulations. For instance, many restaurants have adapted to a curbside pick-up model where additional signage is utilized to inform the public that they are offering service and instructions on how to navigate the site to promote safety.

In response to this situation, the City of Chesterfield City Council approved Ordinance 3103, which suspended the application or enforcement of ordinances as necessary to support the reopening of businesses across the City of Chesterfield and protect the public health, safety, and general welfare during this period.

The sunset date for the ordinance was subsequently extended to June 30, 2021 via City of Chesterfield Ordinance 3124. The attached ordinance extends the authorization to the Director of Planning to temporarily permit deviations from UDC requirements to help protect the health, safety, and welfare of the citizens, businesses, and visitors of the City of Chesterfield. If the ordinance is not extended, enforcement activities will commence to bring these properties into compliance.

### Request

Given the circumstances surrounding the pandemic, which persists and continues to evolve, the Council may want to consider extending Ordinance 3124 for an additional six months. This additional time will allow for businesses to continue their transition back to normal operations over this extended period. It should be noted that, if an extension is approved, the City Council retains the ability to repeal or extend the ordinance as circumstances change.

Staff recommends that this item be forwarded to the Planning and Public Works Committee for direction on extending Ordinance 3103 (as previously extended by ordinance 3124) for an additional six months.

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE GRANTING THE CITY ADMINISTRATOR AND DIRECTOR OF PLANNING THE AUTHORITY TO SUSPEND THE APPLICATION OR ENFORCEMENT OF ORDINANCES AS NECESSARY TO SUPPORT THE REOPENING OF BUSINESSES ACROSS THE CITY OF CHESTERFIELD AND PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE DURING THIS PERIOD.**

**WHEREAS**, on March 11, 2020, the World Health Organization declared a pandemic due to Coronavirus 2019 (“COVID-19”), and on March 13, 2020, a State of Emergency was declared in the State of Missouri by Governor Michael L. Parson and in St. Louis County by County Executive Sam Page in response to the COVID-19 pandemic; and

**WHEREAS**, the COVID-19 pandemic will have a negative and potentially devastating impact on the economic viability of many residents and businesses due to business closures, stay at home orders, and other restrictions resulting from the response to the pandemic; and

**WHEREAS**, the State of Missouri has recognized the need of businesses to reopen, so too the City of Chesterfield recognizes the need of its businesses to remain viable and supports the governor’s Phase I to lift the state’s restrictions effective May 4, 2020; and

**WHEREAS**, the pandemic continues and the City recognizes that businesses continue to adapt to protect the health and safety of their employees and the public while still providing critical economic activity; and

**WHEREAS**, the City desires to allow reasonable, temporary situations that allow the Department of Planning and other City departments to respond to changing conditions that allow for mass testing and the phased re-opening of businesses within the City of Chesterfield in a rapidly changing time.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** The City Administrator and Director of Planning, or their designee, are granted the authority to suspend the enforcement and application of ordinances identified in this ordinance and any other ordinance as deemed necessary to protect the public health, safety, and general welfare and to assist local businesses and residents.

The due dates, fees, charges, requirements or processes related to the items identified below may be suspended, extended, or waived as may be

necessary to protect the public health, safety, and general welfare and to assist residents, visitors, and businesses as deemed appropriate.

1. Temporary suspension of various development criteria, including but not limited to:
  - a. Temporary Sign regulations;
  - b. Temporary structure regulations;
  - c. Parking requirements;
  - d. Other development criteria in Chapter 31 of the City Code (Unified Development Code) and/or site specific ordinances.
2. Acceptance of digital seal/signature requirements for guarantees (bonds and sureties).
3. Temporary suspension of business license renewal fees.
4. Temporary suspension of renewal of liquor license fees.

**Section 2.** The City Council retains the right to review and withdraw approval for any action authorized under this ordinance by vote of a majority of City Council members.

**Section 3.** Any applicant requesting temporary relief under this ordinance may appeal the decision of the Director of Planning to the City Council who may affirm, reverse, or modify the decision.

**Section 4.** This Ordinance is a temporary ordinance due to the State of Emergency declared in Missouri and St. Louis County as a result of the COVID-19 pandemic and the serious threat to the public health, safety, and general welfare the pandemic poses to residents, visitors, and businesses within the City of Chesterfield, Missouri.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage and approval and shall remain in full force and effect until December 31, 2021 unless repealed or otherwise extended by the City Council of the City of Chesterfield.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

ATTEST:

\_\_\_\_\_  
Vickie McGownd, CITY CLERK

FIRST READING HELD: