

ORDINANCE #69037
Board Bill No. 169

An Ordinance recommended by the City of St. Louis Planning Commission pertaining to the procedures for the initiation of change and the requirements of the notice of proposed change in the Zoning Code; repealing portions of Section Twenty-Four of Ordinance 59979, codified as §§26.92.010, 26.92.020, 26.92.030 and 26.92.040 of the City of St. Louis Revised Code, and enacting in lieu, thereof, new sections pertaining to the same subject matters; and containing a severability and emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Portions of Section Twenty-Four of Ordinance 59979, currently codified as §§26.92.010, 26.92.020, 26.92.030, and 26.92.040 of the City of St. Louis Revised Code, are hereby repealed.

SECTION TWO. Enacted in lieu of a part of Section Twenty-Four of Ordinance 59979, currently codified as §26.92.010, is the following new section:

26.92.10 Initiation of change.

Any amendment or change in the boundaries or regulations herein shall be initiated in the following manner:

- A. By motion of the **Planning Commission**; or
- B. By the filing of a petition with the City Zoning Administrator, by the owner or owners of the property within the district.

SECTION THREE. Enacted in lieu of a part of Section Twenty-Four of Ordinance 59979, currently codified as §26.92.020, is the following new section:

26.92.020 Petition procedure.

The said petition shall be in writing on a form supplied by the Zoning Administrator and shall contain a complete description of the property involved and shall set forth fully the grounds of such petition and contain a recital of all the facts relied on by the petitioner. A fee of fifty dollars (\$50.00) shall be paid to the City upon the filing of a petition, and under no conditions shall said filing fee or any part thereof be returned in the event of unfavorable findings or recommendations on said petition by the Commission. After a study and investigation and within forty-five (45) days of filing the petition, the **Planning Commission** shall report to the petitioner its findings and recommendations. Where the **Planning Commission** recommends modification in the requested change, amendment or supplement, said petitioner may incorporate the recommended modification in the petition and forward it to the **Planning Commission** for further study and said Commission shall report to the petitioner its findings and recommendations.

SECTION FOUR Enacted in lieu of a of part Section Twenty-Four of Ordinance 59979, currently codified as § 26.92.030, is the following new section:

26.92.030 Action by Board of Aldermen.

Upon receipt of the recommendation of the Commission or the expiration of forty-five (45) days from the date of first filing said petition, the amendment, change or supplement in the form of a proposed ordinance may be introduced in the Board of Aldermen. Upon introduction in the Board of Aldermen in the form of an ordinance, the **Planning Commission** shall forward to said Board its findings and recommendations. Any amendment, supplement or change in the form of an ordinance pursuant to the provisions of this chapter shall be introduced into the Board of Aldermen within one (1) year from the date of the **Planning Commission** findings and recommendations. The Board of Aldermen, after public notice and hearing as provided in Section 26.92.040, may amend, supplement or change the boundaries or regulations herein or subsequently established.

SECTION FIVE. Enacted in lieu of a part of Section Twenty-Four of Ordinance 59979, currently codified as §26.92.040, is the following new section:

26.92.040 Notice of proposed change.

A. When any bill that has as its purpose the making of a **change in the boundary** of a **zoning** district map is introduced in the Board of Aldermen, the committee to which it is referred for consideration shall require the Clerk of said Board to:

1. Have a placard containing the words "Proposed change in zoning ordinance in this block" printed in large type, **placed in a conspicuous place on or in the immediate vicinity of the property and block** in which a change in zoning district boundaries is proposed at least fifteen (15) days prior to any public hearing held by the Committee having jurisdiction thereof. Such placard shall also have prominently displayed such relevant facts and information pertaining to the proposed change, a designation by street address of the property(s) to be changed and the date when those interested may appear before the committee and be heard. **The bill proposing such zoning change shall also be attached to the placard beneath the relevant facts and information.**

2. Have notice of the public hearing on the bill and the proposed changes published in the official **paper** of the **City of St. Louis** or a **paper of general circulation**, at least fifteen (15) days prior to said hearing.

B. **When a bill proposing an amendment to the provisions of the zoning code is introduced in the Board of Aldermen, the committee to which it is referred for consideration shall require that notice of the public hearing and the proposed changes be published in the official paper of the City of St. Louis or a paper of general circulation.**

SECTION SIX. Severability Clause.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION SEVEN. Emergency Clause.

This Ordinance being deemed necessary for the immediate preservation of the public health, safety and welfare, is hereby declared an emergency measure and shall become effective immediately upon its approval by the Mayor.

Approved: November 18, 2011