

AN ORDINANCE AMENDING ORDINANCE NO. 4788, MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, BY AMENDING CHAPTER 405, ZONING REGULATIONS: ARTICLE X; CONDITIONAL USE PERMITS, SECTION 405.470 TRANSFERABILITY, TO ALLOW TRANSFER OF CONDITIONAL USE PERMIT TO ANOTHER APPLICANT WHEN USE IS SUBSTANTIALLY THE SAME AS INITIAL PROPOSED USE FOR THE PROPERTY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. Ordinance No. 4788, The Municipal Code of the City of Richmond Heights, Missouri, Chapter 405, ZONING REGULATIONS; ARTICLE X; CONDITONAL USE PERMITS, Section 405.470 TRANSFERABILITY is hereby amended as follows:

Section 405.470 TRANSFERABILITY

All conditional use permits shall be approved for the originating applicant for a specific location.

A conditional use permit may be transferred to another applicant where the use of the property is substantially the same as the use for which the original permit was issued and no substantial changes are proposed for the property. The transfer may occur provided the new applicant provides a written request to the Zoning Administrator for the transfer; the applicant shall state in the request that they are aware of all conditions of the conditional use permit and will abide by all the conditions. The applicant shall then record the re-issued conditional use permit at St. Louis County Recorder of Deeds, and provide a copy of recording to the Zoning Administrator.

Should the business or use for which the conditional use permit was sought be transferred to a different ownership, a new conditional use permit shall be required in those instances where:

1. The new use of the property is substantially different from that use for which the original permit was issued.
2. The site which the new use will be located will be substantially changed from the standpoint of either the site improvements or the structure(s).

In all cases where the Zoning Administrator believes there is a substantial change in use or the property, or if problems have been reported regarding the property use a public hearing and new conditional use permit shall be required.

SECTION 2. All Ordinances, parts of ordinance or resolutions in conflict with the Ordinance are hereby repealed.

SECTION 3. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each

and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 4. This ordinance shall be in full force and effect on the 31st day after its passage as provided by law.

PASSED and SIGNED this 15th day of June, 2015.

JAMES J. BECK
MAYOR

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: June 1, 2015
Second reading: June 15, 2015