

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, BY AMENDING PORTIONS OF CHAPTER 425, URBAN DEVELOPMENT: AMENDING SECTIONS 425.030 DEFINITIONS, 425.050 INVITATION TO SUBMIT PROPOSED DEVELOPMENT PLANS; SECTION 425.060, FILING OF PROPOSED DEVELOPMENT PLAN; SECTION 425.080 ACTION ON FILING; SECTION 425.100 CITY COUNCIL ACTION; AND DELETION IN ITS ENTIRETY, SECTION 425.090, RECOMMENDATION OF COMMISSION; ALL OTHER SECTIONS REMAIN THE SAME; AND CONTAINING AN EMERGENCY CLAUSE.

BE IT ORDAINED BY THE CITY 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 425 (URBAN DEVELOPMENT) is hereby amended to read as follows.

ALL OTHER SECTIONS REMAIN THE SAME, EXCEPT AS NOTED.

SECTION 425.030 DEFINITIONS

“PUBLISHED NOTICE” is hereby deleted from the list of defined terms.

SECTION 425.050 SUBMISSION OF PROPOSED DEVELOPMENT PLANS

- A. The City Council may invite interested parties to submit proposed development plans for consideration for a blighted area or an area which the City Council considers declaring a blighted area, and the City Council may designate conditions for such submission, additional information required with the submission, and the time period within which such proposed development plans must be submitted to be considered, which shall not be less than thirty (30) days and not more than one hundred eighty (180) days, as directed by the City Council, from the date such invitation shall be given.
- B. The City Council may accept at any time, without the invitation required by Subsection A, proposed development plans for any area of the City that includes property which has been (1) previously declared a blighted area or conservation area by the City Council pursuant to Chapters 99, 100 or 353 of the Missouri Revised Statutes, or (2) previously designated as a redevelopment area on the City’s master plan or comprehensive plan.

SECTION 425.060 FILING OF PROPOSED DEVELOPMENT PLAN

- A. Any interested party desiring to participate in the redevelopment of a blighted area which the City Council contemplates declaring a blighted area shall submit a minimum of fifteen (15) copies of a proposed development plan to the City Manager or designee of the City together with such additional information, if any, as has been requested by the City Council.
- B. No proposed development plan shall be accepted for filing unless it is accompanied by a non-refundable filing fee to the City of five thousand dollars (\$5000.00) to be used by the City to defray expenses connected with the evaluation and review of the proposed development plan. Any interested party shall pay, when due and payable, all such other fees, licenses and other charges required by the ordinances of the City.

SECTION 425.080 ACTION UPON FILING

- A. Promptly upon the filing of a proposed development plan with the City Manager or designee, the City Manager or designee shall, in writing, notify the City Council, that a proposed development plan has been submitted for consideration and shall transmit copies thereof to them and to any department, division or commission of the City which the City Manager or designee deems may be affected or have an interest in such proposed development plan, requesting comments to be made to the City Manger or designee.
- B. The City Manager or designee may request in writing additional information relating to any facet of the proposed development plan.
- C. The City Council may, in its discretion, waive any irregularity or omission in any proposed development plan at any time after the filing thereof (including the time after approval of a development plan).

SECTION 425.090 RECOMMENDATION OF COMMISSION

SECTION 425.090 IS DELETED IN ITS ENTIRETY.

SECTION 425.100 CITY COUNCIL ACTION

- A. Prior to or contemporaneously with the introduction to the City Council of a bill having as its subject matter the approval of a development plan and authorizing execution of a contract, the City Council shall hold a public hearing thereon. Notwithstanding anything else in the Municipal Code to the contrary, the City shall provide at least ten (10) days notice of such hearing by publication. The public hearing on the ordinance approving the development plan and authorizing

execution of a contract with the City shall be held for the purpose of stimulating comment by those to be affected by such contract and development plan.

- B. In the event the development plan provides for tax abatement or exemption authorized by the Urban Redevelopment Corporations Law, the City shall furnish each political subdivision whose boundaries for ad valorem taxation purposes include any portion of the real property to be affected by such tax abatement or exemption with a written statement of the impact on ad valorem taxes such tax abatement or exemption will have on such political subdivisions and written notice of the hearing to be held. The written statement and notice required by this paragraph shall be mailed to each political subdivision by registered or certified mail, postage prepaid, return receipt requested, at least fifteen (15) days prior to the hearing and shall include, but need not be limited to, an estimate of the amount of ad valorem tax revenues for each political subdivision which will be affected by the proposed tax abatement or exemption based upon the estimated assessed valuation of the real property involved as such property would exist before and after it is developed. At the public hearing, all political subdivisions described in this paragraph shall have the right to be heard on such grant of tax abatement or exemption.

SECTION 2. 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 3. This Ordinance shall take effect and be in full force immediately following its passage and being signed as provided by law. This ordinance is deemed an emergency measure necessary for the immediate preservation of the public peace, health or safety of its residents due to the need to expedite projects to eliminate blighted conditions.

PASSED and SIGNED this 12th day of April, 2010.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: April 12, 2010 EM (Read in entirety)
Second reading: April 12, 2010