

STAFF REPORT – Text Amendments
Public Hearing Date: February 15, 2024
City Council Meeting: March 4, 2024

Case: TA-2024-01

Proposed Request: Text Amendments to The City of Forest Park Zoning Code of Ordinance

Staff Report Compiled By: SaVaughn Irons, Principal Planner

Staff Recommendation: Approval to amend Zoning Ordinance

PROPOSED TEXT AMENDMENTS

1. The Planning & Community Development Department is proposing a text amendment to the Code of Ordinances. Case # TA-2024-01 includes an amendment to Article G. – Zoning Amendments, Section 8-8-190. Termination of conditional use permit.

BACKGROUND

The Planning & Community Development Department has discovered some areas of the Code of Ordinances that need to be amended for clarity and formal processes. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

Current Article G. Section 8-8-190:

Sec. 8-8-190. Termination of conditional use permit.

A conditional use permit may cease to be authorized and terminated with proper public notification, public hearing, and approval by the mayor and city council if construction has not been completed and approved within six (6) months of the date the conditional use permit is granted.
(Ord. No. [21-11](#), § 1(Exh. A), 9-7-2021)

The following text amendments have been proposed:

2. An amendment to Article G. – Zoning Amendments, Section 8-8-190. Termination of conditional use permit, to amend such section and replace it with a new section 8-8-190. – Termination of Conditional use permit, adding new descriptions in subsection (a) and subsection (b).

This update provides clarity for when to terminate conditional use permit and when a conditional use permit may continue pertaining to the uses requested for properties per length of time.

ARTICLE G. ZONING AMENDMENTS

Section. 8-8-190. Termination of conditional use permit.

(a) A conditional use permit shall cease to be authorized and expire without any further action of the Mayor and Council if construction has not been approved and completed and/or occupancy granted within six (6) months of the date the conditional use permit is granted.

(b) A conditional use permit may continue so long as the use thereby allowed is actually being conducted on the property to which it applies or as subsequently modified by the Mayor and Council pursuant to the provisions of this chapter, once activity authorized by a conditional use permit has been discontinued for a period of sixty (60) Days, the conditional use permit shall expire without further action by the Mayor and Council and such use may not thereafter be made on premises without reapplication therefore and approval thereof by the Mayor and Council. In making the decision regarding whether or not conditional use has been discontinued, the zoning administrator shall base his judgement upon objective criteria gained from observation of the premises. The subjective intent of the owner or lessee of the property shall not be considered.