

STAFF REPORT – Text Amendments
Public Hearing Date: October 17, 2024
City Council Meeting: November 4, 2024

Case: TA-2024-04

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

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval to amend Zoning Ordinance

PROPOSED TEXT AMENDMENTS

- I.* The Planning & Community Development Department is proposing a text amendment to the Code of Ordinances. Case # TA-2024-04 includes an amendment to Article I. – Permits and Certificates, Section 8-8-238 Zoning Verification Process, adding subsection (c) Zoning Verification Approval Timeline.

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 I. Permits and Certificates:

Section 8-8-238 Zoning Verification Process.

(a) To determine in advance whether a structure or use existing or proposed for any property located within the city is or may be used or developed in compliance with this chapter, the owner of the property or his agent ("owner") may request a zoning verification letter from the director. Such request shall be in writing and on the form developed by the city, which form, at a minimum, shall require that the following information be provided regarding the property for which the certificate is being requested:

- (1) Identity of the owner of the subject property.
- (2) Identity of any agent of the owner of the subject property.
- (3) A legal description of the subject property.
- (4) A complete description and inventory of all existing structures on the subject property.
- (5) A complete description and inventory of all proposed structures to be located on the subject property.
- (6) A complete description and inventory of any and all activities presently occurring on the subject property; and

(7) A complete description and inventory of any and all activities proposed to occur on the subject property

(b) The issuance of a zoning verification letter shall merely constitute confirmation that the structures and/or uses located on or proposed for the subject property have been determined to be in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate and may be legally conducted thereon as of the date of issuance of the certificate.

(Ord. No. 21-11, § 1(Exh. A), 9-7-2021)

The following text amendments have been proposed:

- I. An amendment to Article I. Permits and Certificates – Section 8-8-238 Zoning Verification Process, to amend such section and, adding new subsection (c) Zoning Verification Approval Timeline.

This update provides clarity for the timeline in which a zoning verification approval expires and length of time the approval is authorized.

ARTICLE I. PERMITS AND CERTIFICATES

Section. 8-8-238. Zoning Verification Process.

(a) To determine in advance whether a structure or use existing or proposed for any property located within the city is or may be used or developed in compliance with this chapter, the owner of the property or his agent ("owner") may request a zoning verification letter from the Planning and Community Development Department. Such request shall be in writing and on the form developed by the city, which form, at a minimum, shall require that the following information be provided regarding the property for which the certificate is being requested:

- (1) Identity of the owner of the subject property.*
- (2) Identity of any agent of the owner of the subject property.*
- (3) A Parcel Identification number of the subject property.*
- (4) A complete description and inventory of all existing structures on the subject property.*
- (5) A complete description and inventory of all proposed structures to be located on the subject property.*
- (6) A detailed description and inventory of any and all activities presently and proposed to occur on the subject property.*

(b) The issuance of a zoning verification letter shall merely constitute confirmation that the structures and/or uses located on or proposed for the subject property have been determined to be in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate and may be legally conducted thereon as of the date of issuance of the certificate.

(c) Zoning Verification Approval Timeline:

(1) A zoning verification letter shall cease to be authorized and expire without any further action if business license or construction has not been approved, completed, started and/or occupancy granted within six (6) months of the date Planning & Community Development Staff approved the zoning verification.

(2) If zoning verification letter date of issuance has exceeded six (6) months past the approval date, the owner of the property or his agent ("owner") will be required to reapply for zoning approval to determine if property still is in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate.