

BILL NO. 23-A

ORDINANCE NO. _____

AN ORDINANCE REPEALING APPENDICES A (SUBDIVISION REGULATIONS) AND B (ZONING REGULATIONS) OF THE CODE OF ORDINANCES OF THE CITY OF SUNSET HILLS, ENACTING A NEW UNIFIED DEVELOPMENT ORDINANCE REGARDING THE SAME, INCLUDING PENALTIES FOR VIOLATION OF SAME, ADOPTING A NEW OFFICIAL ZONING MAP, AND REZONING PROPERTY AS SHOWN ON THE SAME.

WHEREAS, the City engaged a consultant to assist the City in doing a complete review of the City's zoning and subdivision regulations and drafting updates and revisions to the same; and

WHEREAS, as part of that process, the City also reviewed the zoning classifications of various properties within the City and has recommended rezoning certain properties with the goal of reducing nonconformity properties in the City and matching the zoning of those properties with the appropriate regulations for those properties; and

WHEREAS, after numerous publicly noticed meetings where the Planning and Zoning Commission reviewed in detail the Unified Development Ordinance provisions and the proposed Official Zoning Map, the Planning and Zoning Commission finally recommended approval of the same to the Board of Aldermen on September 1, 2021; and

WHEREAS, the Board of Aldermen studied the recommendations and the details of the Unified Development Ordinance and the proposed Official Zoning Map, had several publicly noticed work sessions, and ultimately made additional revisions to the Unified Development Ordinance and sent the same back to the Planning and Zoning Commission for consideration; and

WHEREAS, on July 6, 2022, the Planning and Zoning Commission reviewed the amended Unified Development Ordinance and heard public comment regarding the same and voted to forward the same with additional amendments to the Board of Aldermen for approval; and

WHEREAS, on August 9, 2022, the Board of Aldermen held a duly noticed public hearing, in accordance with state law and the Code of Ordinances, to hear further comment regarding the adoption of the Unified Development Ordinance and the new Official Zoning Map which rezones certain properties within the City; and

WHEREAS, during the process of drafting amendments and completing the Unified Development Ordinance, certain changes to state statute have occurred or are pending and the Board of Aldermen desires to address the same in the Unified Development Ordinance; and

WHEREAS, after further discussion and consideration, the Board of Aldermen now finds it in the best interest of the City to adopt a new Official Zoning Map rezoning certain properties within the City as shown on Exhibit A attached hereto and to adopt a new comprehensive Unified Development Ordinance in substantially the form of Exhibit B attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Appendices A (Subdivision Regulations) and B (Zoning Regulations) of the Code of Ordinances, City of Sunset Hills, Missouri are hereby repealed in their entirety and the Board of Aldermen hereby adopts the Unified Development Ordinance in substantially the form of Exhibit B, including all exhibits attached thereto and incorporated herein. Nothing herein shall be interpreted to repeal any zoning or subdivision ordinance not specifically repealed herein. The codifier is hereby authorized to insert the Unified Development Ordinance into the Code of Ordinances, City of Sunset Hills, Missouri if feasible and appropriate as directed by the City Administrator.

Section 2. The District Map which is attached hereto as Exhibit A is hereby approved as the City's Official Zoning Map as referenced in Section 2.3-1 of the Unified Development Ordinance and all properties within the City shall have the zoning classification as shown on Exhibit A.

Section 3. That nothing in this Ordinance or in the Unified Development Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance shall be deemed valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 5. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED this _____ day of _____, 2022

MAYOR

APPROVED this _____ day of _____, 2022

MAYOR

ATTEST:

CITY CLERK/CITY ADMINISTRATOR