

Procedures for the Review of a *Conditional Use Permit*

Step 1 – *Conditional Use Permit* Application and Fee Submitted to the Planning and Development Department

Completed *Conditional Use Permit* Application and required \$100.00 Fee submitted to the Planning and Development Department by the Application Filing Deadline for the requested meeting of the Planning and Zoning Commission.

Twenty-five (25) folded scaled maps of the property, correlated with the Legal Description, and clearly showing the location of the proposed *Conditional Use* submitted to the Planning and Development Department.

Step 2 – Public Comment Notification and Sign Posting Requirements

Per Section 400.685(B) of the *Zoning Code*, Staff of the Planning and Development Department will be responsible for researching and notifying by mail, all property owners of the application request whose property limits are within an area determined by lines drawn parallel to and within a distance of three-hundred (300) feet from the site of the proposed *Conditional Use*. Staff will also notify adjoining property owners of the final decision made by the Planning and Zoning Commission and/or the City Council.

Conditional Use Permit Applications are subject to the *Sign Posting Requirements* of Section 400.685(C) of the *Zoning Code*.

Staff of the Planning and Development Department will verify that the required sign(s) have been posted in accordance with the requirements of this Section. If the applicant fails to post the required sign(s) per these requirements, the application will not be placed on the originally requested agenda of the Planning and Zoning Commission, and a letter will be sent to the applicant which outlines the reasons for the postponement of the requested action on the proposed *Conditional Use Permit*.

Step 3 – Review of the Proposed *Conditional Use Permit* By Staff of the Community Development Department and Preparation of a Staff Report

Staff of the Community Development Department will conduct a comprehensive review of the *Conditional Use Permit* Application and map of the area proposed for the *Conditional Use*. If needed, Staff of the Planning and Development Department will provide the applicant with a listing of any items that will need to be corrected, modified, or amended in order to meet City of O’Fallon requirements.

If the applicant was provided with a listing of any items that will need to be corrected, modified, or amended in order to meet City of O’Fallon requirements, the applicant must provide these items by the 2nd Submittal Filing Deadline or the submission will not be brought before the Planning and Zoning Commission for consideration at the scheduled meeting.

The Planning and Development Department will prepare a *Staff Report* containing an analysis of the *Conditional Use Permit* Application. A copy of the *Conditional Use Permit* Application and the *Staff Report* will be distributed to each of the members of the Planning and Zoning Commission and the City Council when applicable. A copy of the *Staff Report* will be provided to the applicant. The *Staff Report* will also be available for public review in the City’s Community Development Department.

Step 4 – Recommendation or Review and Decision of the Proposed *Conditional Use Permit* By the Planning and Zoning Commission

The Planning and Zoning Commission will review the proposed *Conditional Use Permit* and conduct a Public Comment during the scheduled meeting. The applicant and/or their authorized or designated representative(s) must attend the meeting and make a formal presentation of the proposed *Conditional Use Permit* to the Planning and Zoning Commission. During the meeting, the Planning and Zoning Commission will entertain comments from both proponents and opponents of the proposed *Conditional Use Permit*.

After the meeting, the Planning and Zoning Commission shall conduct a formal vote on the proposed *Conditional Use Permit* and either: 1) Table the request due to lack of sufficient information and/or the need for additional items to be addressed in order to make a formal decision or recommendation to the City Council, 2) Recommend approval of the proposed *Conditional Use Permit* to the City Council, 3) Recommend approval of the proposed *Conditional Use Permit* with Conditions to the City Council 4) Recommend denial of the proposed *Conditional Use Permit* to the City Council or 5) The Planning and Zoning Commission shall make the final decision, which may be appealed to the City Council.

<p>The Planning and Zoning Commission will review the proposed <i>Conditional Use Permit</i> and conduct a Public Comment during the scheduled meeting. The applicant and/or their authorized or designated representative(s) must attend the meeting and make a formal presentation of the proposed <i>Conditional Use Permit</i> to the Planning and Zoning Commission. During the meeting, the Planning and Zoning Commission will entertain comments from both proponents and opponents of the proposed <i>Conditional Use Permit</i>.</p>	<p>After the meeting, the Planning and Zoning Commission shall conduct a formal vote on the proposed <i>Conditional Use Permit</i> and either: 1) Table the request due to lack of sufficient information and/or the need for additional items to be addressed in order to make a formal decision or recommendation to the City Council, 2) Recommend approval of the proposed <i>Conditional Use Permit</i> to the City Council, 3) Recommend approval of the proposed <i>Conditional Use Permit</i> with Conditions to the City Council 4) Recommend denial of the proposed <i>Conditional Use Permit</i> to the City Council or 5) The Planning and Zoning Commission shall make the final decision, which may be appealed to the City Council.</p> <p>NOTE: The Planning and Zoning Commission may continue the Public Comment in the event that the request is Tabled.</p>
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Procedures for the Review of a *Conditional Use Permit* (Continued)

Step 5 – Review and Decision on the Proposed *Conditional Use Permit* by the City Council

<p>If the application is required to go before City Council then during the First Reading of the proposed Ordinance for the proposed <i>Conditional Use Permit</i>, the City Council will review the Planning and Zoning Commission Report that contains the recommendation made by the Planning and Zoning Commission, and conduct a Public Comment for the proposed <i>Conditional Use Permit</i>. The applicant and/or their authorized or designated representative(s) must attend the meeting and make a formal presentation of the proposed <i>Conditional Use Permit</i> to the City Council. During the Public Hearing, the City Council will entertain comments from both proponents and opponents of the proposed <i>Conditional Use Permit</i>.</p>	<p>Following the Second Reading of the Ordinance for the proposed <i>Conditional Use Permit</i>, the City Council will conduct a formal vote on the proposed <i>Conditional Use Permit</i> and either: 1) Table the proposed <i>Conditional Use Permit</i> due to lack of sufficient information and/or the need for additional items to be addressed in order to make a decision to approve or deny the proposed <i>Conditional Use Permit</i>, 2) Approve the Ordinance for the proposed <i>Conditional Use Permit</i>, 3) Approve the Ordinance for the proposed <i>Conditional Use Permit</i> with Conditions, 4) Deny the Ordinance for the proposed <i>Conditional Use Permit</i>.</p> <p>NOTE: The City Council may continue the Public Comment in the event that the request is Tabled.</p>
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Step 6- Acceptance of Conditions of Approval or Appeal of the Decision made by the Planning and Zoning Commission

<p>Once a conditional use permit, amendment to a conditional use permit or transfer of a conditional use permit has been approved by the Planning and Zoning Commission or City Council, the permittee must submit a letter accepting all conditions, safeguards and restrictions upon the conditional use. The permittee shall within thirty (30) days of the</p>	<p>An aggrieved party may, within fifteen (15) days of the decision for which redress is sought file with the City Council a written request for reconsideration and appeal of any decision of the Planning and Zoning Commission or the City under this Article. The written request must set forth in a concise manner the decision being appealed and all grounds known to the appellant as to wherein and why the decision is allegedly in error. The request for reconsideration and appeal must be filed with the City</p>
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