

RESOLUTION NO. R 21-48

A RESOLUTION DIRECTING CITY STAFF TO DELAY THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR EXTENDED-STAY MOTELS/HOTELS, TRANSITIONAL HOUSING, HOMELESS SHELTERS, RESIDENTIAL MENTAL HEALTH TREATMENT FACILITIES, AND ALCOHOL AND/OR SUBSTANCE ABUSE REHABILITATION HOUSING WITHIN THE CITY OF GLADSTONE, MISSOURI.

WHEREAS, recently the number of companies and organizations seeking to provide extended-stay motels/hotels, transitional housing, homeless shelters, residential mental health treatment facilities, and alcohol and/or substance abuse rehabilitation housing within the City of Gladstone has increased; and

WHEREAS, the City Council is also concerned about accommodating those uses within the various commercial and residentially-zoned districts of the community and believes there may be a need to study and revise existing ordinances of the City; and

WHEREAS, to ensure the City Council successfully, fairly, and rationally fulfills its legislative duty regarding the regulation of extended-stay motels/hotels, transitional housing, homeless shelters, residential mental health treatment facilities, and alcohol and/or substance abuse rehabilitation housing, it is necessary to temporarily preserve the status quo by imposing a moratorium to administratively delay the acceptance and processing of applications, permits, and development approvals related to businesses and uses such as extended-stay motels/hotels, transitional housing, homeless shelters, residential mental health treatment facilities, and alcohol and/or substance abuse rehabilitation housing or the operation of other similar businesses and uses pending action by the City Council; and

WHEREAS, the Council also recognizes this is an extraordinary remedy that should be used judiciously and only after serious evaluation and analysis by staff and the City Council; and

WHEREAS, the City Council determines that a reasonable timeframe during which a moratorium of this type should be in effect is a period of ninety (90) days after the adoption of this Resolution, to provide the City Council with a reasonable opportunity to study possible legislative actions associated with the regulation of these businesses.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

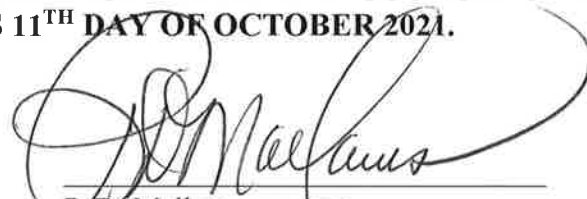
THAT, the Council hereby directs City staff to research issues related to the impact of facilities involving extended-stay motels/hotels, transitional housing, homeless shelters, residential mental health treatment facilities, and alcohol and/or substance abuse rehabilitation housing will have on neighboring commercial and residential properties.

FURTHER, THAT, the Council hereby directs that applications, development approvals, and permits for extended-stay motels/hotels, transitional housing, homeless shelters, residential mental health treatment facilities, and alcohol and/or substance abuse rehabilitation housing shall not be processed for a period of ninety (90) days to allow the Council an opportunity to study the impact of these type of businesses and uses within the City. The City Council shall consider amendments to the Zoning, Land and Development Ordinances, recommended by City staff, if any, that are needed to mitigate any adverse impacts that may be identified. The Council shall further adopt any revisions to the Zoning, Land and Development Ordinance that may be deemed necessary as a result of the Council's investigation. This moratorium shall not extend beyond January 9, 2022, unless the City Council extends the date by majority vote at a duly noticed meeting.

FURTHER, THAT, if an applicant believes the City's determination not to accept or process an application for new business or occupational licenses, permit, and/or development approval pursuant to the provisions of this Resolution is unreasonable, the applicant may file a written appeal of the determination with the City Clerk within five (5) days of the determination. If an appeal is timely and properly filed, the City Clerk shall schedule a hearing before the Council at its next regularly scheduled meeting. The applicant shall bear the burden of establishing, by clear and convincing evidence, that the acceptance or processing of the subject application will not undermine the spirit and intent of any pending revisions to the Zoning, Land, and Development Ordinance. If the Council determines that such action will not undermine the spirit and intent, it shall direct that the application be accepted for processing or processed as the case may be.

FURTHER, THAT, upon receipt of a written request for an appeal, the City shall establish guidelines for the Council to utilize in determining whether the application, if approved, will undermine the spirit and intent of the pending revisions to the Zoning, Land, and Development Ordinance pursuant to this Resolution.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 11TH DAY OF OCTOBER 2021.


R.D. Mallams, Mayor

ATTEST:


Becky Jarrett, Deputy City Clerk