

Conditional Use Permits

What is a Conditional Use Permit?

A conditional use permit is a use of property that is permitted only upon review by the Planning and Zoning Commission and final approval of the County Council and County Executive under Sections 405.510 – 405.520 of the Unified Development Ordinance.

Before approving the issuance of a conditional use permit, the County Council may impose such conditions that will, in the County Council's judgment, ensure that:

- The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
- The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminishes and impairs property values within the neighborhood.
- The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
- Adequate utilities, access roads, drainage and/or other necessary facilities will be provided.
- Adequate measures will be taken to provide ingress and egress designed to minimize traffic congestion in the public streets.

****PLEASE NOTE THAT THE REVIEW PROCESS AND FILING FEE FOR FIREWORKS STANDS IS DIFFERENT THAN WHAT IS STATED HERE. CONTACT THE PLANNING & ZONING DIVISION AT (636) 949-7335 FOR MORE INFORMATION.**

How to apply for a Conditional Use Permit

- 1) Before applying for a Conditional Use Permit, the applicant is highly encouraged to meet with County staff to discuss your plans, address any requirements of the Unified Development Ordinance regarding your specific type of use, and answer any questions you may have regarding the process. You can schedule a pre-application meeting by calling 636-949-7335.
- 2) Apply [online](#) through the Citizenserve Access Portal (website at end of page 2)
- 3) You will need to provide the following with your application:
 - A. A legal description of the tract;
 - B. A deed to the property or a recent certificate of title showing ownership;
 - C. A concept plan showing the intended use of the property and any proposed improvements. See page 3 -6 for details.
 - D. A narrative describing the project, and
 - E. A filing fee of \$400.00. There are several ways to pay this:
 - Log into the Citizen Access Portal (Login> View my requests>(Dropdown) View My Development & Zoning> Make A Payment)*
 - Stop by the Community Development Department on the 4th floor of the County Administration Building at 201 N. Second Street, St. Charles, Missouri to pay by cash, check or credit card*.
 - Call the Building Department at 636-949-7345 to pay by credit/debit card* over the phone.
 - **Mail a check to Community Development Department, Room 420, 201 N.

Second Street, St. Charles, MO 63301.

- *Please note there is a fee for paying by credit card.
- **Please reference your permit/application number.

What happens after I apply for a Conditional Use Permit?

There is an approximate period of 4-8 weeks between the filing of your application and the date of the first public hearing before the Planning and Zoning Commission. This period of time is required by law and provides staff the time to post the notice of public hearing on the St. Charles County web page, prepare and mail notices of the hearing to all property owners within 500 feet of the property in question, and other administrative details. Contact the Planning and Zoning Division for deadline dates.

Who decides whether an application is approved or denied?

Conditional Use applications go through a two-step review process. They are first reviewed by the Planning and Zoning Commission at its monthly public meeting. The Planning and Zoning Commission makes a recommendation to the County Council as to whether the application should be approved or denied. After the Planning and Zoning Commission has reviewed and made a recommendation, the application is then put in the form of a bill (ordinance) and read by the County Council at its first meeting of the month. At the County Council's second meeting of the month, the Council makes the decision as to whether the bill is approved or denied. After the County Council approves the bill, it is then forwarded to the County Executive, who has 10 days to sign the bill, making it an ordinance (a law of the County).

What information does the Planning and Zoning Commission consider in making a recommendation?

In making a recommendation, the County Planning and Zoning Commission will take into consideration such information as surrounding zoning and development in the area, future traffic generation data, arterial road and highway plans, availability of utilities, comments presented during the public hearing and the planning staff's recommendation.

What happens at the public meetings?

The applicant or their representative must be present at the Planning and Zoning Commission public hearing to explain their proposal. The Planning and Zoning Commission will then allow others at the hearing an opportunity to speak for or against the proposal. After everyone has spoken, the applicant will be given the opportunity for rebuttal of the comments presented. After all have spoken, the Planning and Zoning Commission will close the public hearing, and will discuss the proposal amongst themselves. The Commission will then make a recommendation of approval or denial to the County Council or, vote to table the discussion. After a recommendation is rendered by the Commission, the application will then be forwarded to the County Council for review at an upcoming public meeting.

When can I apply for a building and/or land use permit?

If the conditional use permit is approved, a site plan must be approved by the Community Development Department. Please consult the Commercial Site Development Guide for site plan information.

Please be advised that this handout is a guide and should not be relied upon for the legality of the contents contained herein. Judicial decisions or legislative changes, as well as individual circumstances, could affect your application. You should consult an attorney.

To obtain additional information or to schedule a pre-application meeting call (636) 949-7335.

Apply on-line <http://www2.citizenserve.com/stcharles>.