



# WILDWOOD

## Information Report

for

### P.Z. 10-22 City of Wildwood Planning and Zoning Commission

City of Wildwood, Missouri

Prepared by the Department of Planning and Parks

**November 7, 2022 Meeting**

**"Planning Tomorrow Today"**

<b>Petition:</b>	<b>P.Z. 10-22</b>
<b>Petitioner:</b>	<b>City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040</b>
<b>Request:</b>	<i>A request for the Planning and Zoning Commission to consider potential changes to Chapter 420 Subdivision and Development Regulations of the City of Wildwood's Code of Ordinances, for the purposes of evaluating the current timeframe for recording an approved Record Plat, which is no more than sixty (60) days after final action by the City Council.</i>
<b>Tract Size:</b>	Not Applicable
<b>Zoning Districts:</b>	All
<b>Public Hearing:</b>	
<b>Date:</b>	October 3, 2022
<b>Vote and Date on Information Report:</b>	November 7, 2022 - <b>TBD</b>
<b>Wards:</b>	All
<b>Report:</b>	Attachment A
<b>School District:</b>	Rockwood
<b>Fire District:</b>	Eureka Fire Protection District, Metro West Fire Protection District, and Monarch Fire Protection District
<b>Police:</b>	St. Louis County Police Department - Wildwood Precinct
<b>Recommendation:</b>	Approval of the Requested Change to this Platting Requirement

## ATTACHMENT A >>> REPORT

**INTRODUCTION AND BACKGROUND >>>** The Department is requesting the Planning and Zoning Commission consider a change relating to an item contained in the City's *Subdivision and Development Regulations* relative to Record Plats and how they are recorded with the St. Louis County Recorder of Deeds Office. Specifically, this change involves the timeframe for recording of an approved Record Plat, which is by code no more than sixty (60) days. This sixty (60) day window is intended to ensure an approved platting process is completed and protects the property owner and others from unwanted delays.

However, since COVID-19, the sixty (60) day threshold has become more problematic, with delays relating to closures and reduced staffing at other government offices, financial institutions, and land surveying professionals. These factors have caused the subdivision process to be more protracted and led to the need to expand this time threshold. Given it is a code requirement, the Planning and Zoning Commission and the City Council must act in this regard. Again, the Department is seeking action on the included recommendation from the Planning and Zoning Commission relative to this matter.

**CURRENT REGULATION OF THE CITY >>>** Provided below is the reference in this regard:

**Section 420.090 - Record Plat.**

[R.O. 1997 § 420.090; Ord. No. 209 § 1005.090, 2-26-1996; Ord. No. 675 §§ 1—2, 1-8-2001]

- E. **The record plat shall be filed with the Recorder of Deeds within sixty (60) days after approval by the City Council. If any record plat is not filed within this period, the approval shall expire.**

**ANALYSIS >>>** The Department of Planning began this ordinance amendment process to address an issue that was first noticed during the pandemic. This issue related to property owners who were submitting plats for the subdivision of lots, which does require their recording with St. Louis County. This recording process follows the authorization and approval action of the City Council of the plat by legislation. Once a plat is authorized and approved, the property owner then has up to sixty (60) days to record the plat with St. Louis County. This timeframe is intended to ensure the plat remains germane relative to the action of the City Council and the regulations associated with the division of parcels of ground.

This timeframe for the recording of plats has been in place since the City's incorporation in 1995. For all of those years, it was infrequent when the sixty (60) day timeframe exceeded, but as mentioned, delays have been more frequent and appear to be part of the process for the foreseeable future. This situation has led to this consideration and, although there is no penalty for not recording the plat in the required timeframe, it does lead to the property owner and the City Council repeating the platting process, which can be up to a month or more of additional time.

Accordingly, the Department of Planning is supporting a change in the regulation that requires the sixty (60) day recording window as part of the City's platting process. At the public hearing that held by the Planning and Zoning Commission on this matter, a question was asked by one (1) of the members about what would be the optimum timeframe, given past experiences and anticipated trends. The Department responded, with the City Attorney also contributing to the response, that other cities have timeframes as long as six (6) months for this recording requirement. The question and subsequent discussion indicated a variability does exist in this regard.

The Department had mentioned ninety (90) days as a possible option at the public hearing. Now, however, the Department would support a new timeframe of one hundred twenty (120) days for this required recording. This timeframe is double the number of months now allowed and should, from the Department's perspective, address almost all situations relative to this process. The outcome of this change would be a more respective process to residents and property owners of Wildwood.

**SUMMARY >>>** It is important to note, the Department does not believe the change to be substantive in nature, given that at least a majority of the plats may still be able to accommodate the sixty (60) day requirement, but those submittals that require out-of-town lien holders to sign them or where staff reductions are acute, the change will be welcomed. The change also offers the Department of Planning additional time to ensure all components of the plat are correct, before final signatures, seals, and releases. Accuracy is key in this aspect of the subdivision process. Accordingly, the Department is recommending the following change to the current language of this regulation:

**Section 420.090 - Record Plat.**

[R.O. 1997 § 420.090; Ord. No. 209 § 1005.090, 2-26-1996; Ord. No. 675 §§ 1—2, 1-8-2001]

- E. The record plat shall be filed with the Recorder of Deeds within **one hundred twenty (120)** ~~sixty (60)~~ days after approval by the City Council. If any record plat is not filed within this period, the approval shall expire.

**CONTACT INFORMATION >>>** If any of the Commission Members should have questions or comments in this regard, please feel free to contact the Department of Planning at (636) 458-0440. Thank you for your review of this information in preparation of tonight's hearing on this topic.