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P. Hrngs.   X    
Pgs.   7    
Filed:   03-15-16  

Sponsored by:   Fisk  

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL NO.   2016- 061   GENERAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 AMENDING Chapter 36 of the Springfield City Code, known as the Land Development  
2 Code, Article III, Zoning Regulations, Division 3, Administration,  
3 Enforcement, and Review, Subdivision II, Commissions and  
4 Boards, Section 36-350, Planning and Zoning Commission,  
5 subsection (1), Composition of Commission.  
6  
7

8 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,  
9 MISSOURI, as follows, that:

10 Note: Underlined language is to be added. ~~Stricken~~ language is to be removed.

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12  
13 Section 1 – Chapter 36 of the Springfield City Code, known as the Land  
14 Development Code, Article III, Zoning Regulations, Division 3, Administration,  
15 Enforcement, and Review, Subdivision II, Commissions and Boards, Section 36-350 is  
16 hereby amended as follows:

17  
18 Sec. 36-350. - Planning and zoning commission.

19  
20 (1) *Composition of commission.* The planning and zoning commission shall be  
21 constituted in accordance with Section 11.1, Article XI, Springfield City Charter.  
22 Members shall be appointed by the city council and shall serve without  
23 compensation. Members appointed on or after October 12, 2015, shall hold office  
24 for a term of four years. Members may be reappointed ~~for a maximum of two,~~  
25 ~~four year terms.~~ however, no person shall be appointed for more than two  
26 consecutive four-year terms. The commission shall elect a chairman from its  
27 appointed members.  
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29 Section 2 – Savings Clause. Nothing in this ordinance shall be construed to  
30 affect any suit or proceeding now pending in any court or any rights acquired or liability  
31 incurred nor any cause or causes of action accrued or existing, under any act or  
32 ordinance repealed hereby, nor shall any right or remedy of any character be lost,  
33 impaired, or affected by this ordinance.

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Section 3 – Severability Clause. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4 – This ordinance shall be in full force and effect from and after passage.

Passed at meeting: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_, City Clerk

Filed as Ordinance: \_\_\_\_\_

Approved as to form: Achalee T. Weder, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

**EXPLANATION TO COUNCIL BILL NO: 2016- 061**

FILED: 03-15-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Subsection 36-350 (1) term limits for Planning and Zoning Commission. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

**ZONING ORDINANCE TEXT AMENDMENT – TERM LIMITS FOR PLANNING AND ZONING COMMISSION**

Planning and Zoning Commission initiated the amendments to the term limits for Planning and Zoning Commission at their meeting on February 4, 2016.

Currently, the Planning and Zoning Commission members shall be appointed for a maximum of two, four year terms (see attached Zoning Ordinance language).

Staff proposes removing the maximum two term limit. Currently there are no limits on the number of terms citizens may serve on some of the other City boards and commissions. This amendment will provide for consistency in term limits across City boards and commissions as well as eliminate the lifetime two-term limit for the Planning and Zoning Commission.

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 3, 2016, and recommended approval, by a vote of 5 to 0, of the proposed changes to the Zoning Ordinance described in "Exhibit A-2."

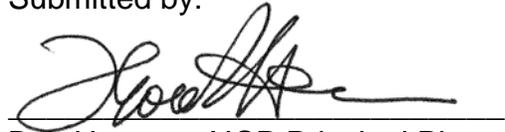
The Planning and Development Staff recommends approval of the proposed amendments on "Exhibit A-2."

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will bring the Planning and Zoning Commission term limits into compliance with other boards and commission membership in the City.

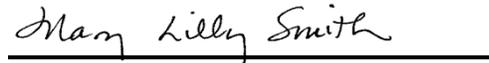
Staff recommends approval.

Submitted by:



Bob Hosmer, AICP Principal Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

- Exhibit A-1, Amendments to the term limits for Planning and Zoning Commission proposed changes redlined version
- Exhibit A-2, Amendments to the term limits for Planning and Zoning Commission final language after proposed changes
- Exhibit A-3, Amendments to the term limits for Planning and Zoning Commission existing language in Zoning Ordinance

## **EXHIBIT A-1**

### AMENDMENTS TO THE TERM LIMITS FOR PLANNING AND ZONING COMMISSION PROPOSED CHANGES TO ZONING ORDINANCE REDLINED VERSION

Note: Language to be added is underlined, language to be removed is ~~strikethrough~~

#### **Sec. 36-350. - Planning and zoning commission.**

(1) *Composition of commission.* The planning and zoning commission shall be constituted in accordance with Section 11.1, Article XI, Springfield City Charter. Members shall be appointed by the city council and shall serve without compensation. Members appointed on or after October 12, 2015, shall hold office for a term of four years. Members may be reappointed ~~for a maximum of two, four-year terms.~~ , however, no person shall be appointed for more than two consecutive four-year terms. The commission shall elect a chairman from its appointed members.

## **EXHIBIT A-2**

### AMENDMENTS TO THE TERM LIMITS FOR PLANNING AND ZONING COMMISSION FINAL LANGUAGE AFTER PROPOSED CHANGES

#### **Sec. 36-350. - Planning and zoning commission.**

(1) *Composition of commission.* The planning and zoning commission shall be constituted in accordance with Section 11.1, Article XI, Springfield City Charter. Members shall be appointed by the city council and shall serve without compensation. Members appointed on or after October 12, 2015, shall hold office for a term of four years. Members may be reappointed, however, no person shall be appointed for more than two consecutive four-year terms. The commission shall elect a chairman from its appointed members.

## **EXHIBIT A-3**

### AMENDMENTS TO THE TERM LIMITS FOR PLANNING AND ZONING COMMISSION EXISTING LANGUAGE IN ZONING ORDINANCE

#### **Sec. 36-350. - Planning and zoning commission.**

*(1) Composition of commission.* The planning and zoning commission shall be constituted in accordance with Section 11.1, Article XI, Springfield City Charter. Members shall be appointed by the city council and shall serve without compensation. Members appointed on or after October 12, 2015, shall hold office for a term of four years. Members may be reappointed for a maximum of two, four-year terms. The commission shall elect a chairman from its appointed members.