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Filed: 03-15-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 062

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 Boards,
4 Section 36-353, Landmarks Board by amending subsection (3), Terms
5 of membership.
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

11
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 36-353
16 Landmarks board, Subsection (3), Terms of Membership, is hereby amended as
17 follows:

18 Sec. 36-353. - Landmarks board.

19
20
21 (3) *Terms of membership.* Each board member may shall serve a ~~maximum of~~
22 ~~two, three-year terms.~~ Members may be reappointed; however, no person shall
23 be appointed for more than two consecutive three-year terms. Members may
24 also be appointed to fill the remainder of vacant terms.
25

26 Section 2 – Savings Clause. Nothing in this ordinance shall be construed to
27 affect any suit or proceeding now pending in any court or any rights acquired or liability
28 incurred nor any cause or causes of action accrued or existing, under any act or
29 ordinance repealed hereby, nor shall any right or remedy of any character be lost,
30 impaired, or affected by this ordinance.
31

32 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or
33 phrase of this ordinance is for any reason held to be invalid, such decision shall not

34 affect the validity of the remaining portions of this ordinance. The Council hereby
35 declares that it would have adopted the ordinance and each section, subsection,
36 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
37 sections, subsections, sentences, clauses, or phrases be declared invalid.

38
39 Section 4 – This ordinance shall be in full force and effect from and after
40 passage.

41
42
43 Passed at meeting: _____

44
45 _____
46 Mayor

47
48 Attest: _____, City Clerk

49
50 Filed as Ordinance: _____

51
52 Approved as to form: Richard T. Widen, Assistant City Attorney

53
54 Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 062

FILED: 03-15-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Subsection 36-353 (3) term limits for Landmarks Board members. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: ZONING ORDINANCE TEXT AMENDMENT – TERM LIMITS FOR LANDMARKS BOARD MEMBERS

Planning and Zoning Commission initiated the amendments to the terms limits for Landmarks Board members at their meeting on February 4, 2016.

Currently, Landmarks Board members may serve a maximum of two, three-year terms (see attached Zoning Ordinance language).

Staff proposes removing the maximum two term limits. Currently there is no limit on the number of terms citizens may serve on some 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.

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 Landmarks Board term limits into compliance with other boards and commission membership in the City.

REMARKS:

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 landmarks board members proposed changes redlined version

Exhibit A-2, Amendments to the term limits for landmarks board members final language after proposed changes

Exhibit A-3, Amendments to the term limits for Landmarks Board members existing language in Zoning Ordinance

EXHIBIT A-1

AMENDMENTS TO THE TERM LIMITS FOR LANDMARKS BOARD MEMBERS PROPOSED CHANGES TO ZONING ORDINANCE REDLINED VERSION

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

Sec. 36-353. - Landmarks board.

(3) *Terms of membership.* Each board member ~~may~~ shall serve a ~~maximum of two,~~ three-year terms. Members may be reappointed, however; no person shall be appointed for more than two consecutive three-year terms. Members may also be appointed to fill the remainder of vacant terms.

EXHIBIT A-2

AMENDMENTS TO THE TERM LIMITS FOR LANDMARKS BOARD MEMBERS FINAL LANGUAGE AFTER PROPOSED CHANGES

Sec. 36-353. - Landmarks board.

(3) Terms of membership. Each board member shall serve a three-year term. Members may be reappointed; however, no person shall be appointed for more than two consecutive three-year terms. Members may also be appointed to fill the remainder of vacant terms.

EXHIBIT A-3

AMENDMENTS TO THE TERM LIMITS FOR LANDMARKS BOARD MEMBERS EXISTING LANGUAGE IN ZONING ORDINANCE

Sec. 36-353. - Landmarks board.

(3) *Terms of membership.* Each board member may serve a maximum of two, three-year terms. Members may also be appointed to fill the remainder of vacant terms.