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Govt. Grnt. \_\_\_\_\_  
Emer. \_\_\_\_\_  
P. Hrngs. 7-12-2010  
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Filed: 6-22-2010

Sponsored by: O'Neal

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

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

COUNCIL BILL NO. 2010- 188

GENERAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Division IV, District Regulations, to  
2 allow non-profit community centers as a conditional use in all residential districts.  
3 (Both Planning and Zoning Commission and staff recommend approval.)  
4

5 \_\_\_\_\_  
6

7 WHEREAS, an application for an amendment to the Zoning Ordinance was filed by the  
8 applicant in conformance with the requirements of the Zoning Ordinance; and  
9

10 WHEREAS, following proper notice, a public hearing was held before the Planning and  
11 Zoning Commission on June 10, 2010, and the said Commission has made its recommendation  
12 with respect to such an amendment, which is contained within this bill.  
13

14 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,  
15 MISSOURI, as follows, that:  
16

17 Section 1 – The Land Development Code, Article I, Zoning Ordinance, Division IV, R-SF,  
18 Single-Family Residential District, Section 4-1003, Conditional Uses, is hereby amended by  
19 enacting a new Subsection 4-1003.I, which new Subsection shall read as follows:  
20

21 **Section 4-1003. Conditional Uses.**

22 I. Community Centers, non-profit.  
23  
24  
25

26 NOTE: Language to be added is underlined.  
27

28 Section 2 – The Land Development Code, Article I, Zoning Ordinance, Division IV, R-TH,  
29 Residential Townhouse District, Section 4-1103, Conditional Uses, is hereby amended by  
30 enacting a new Subsection 4-1103.H, which new Subsection shall read as follows:  
31

32 **Section 4-1103. Conditional Uses.**

33 H. Community Centers, non-profit.  
34

1  
2 NOTE: Language to be added is underlined.

3  
4 Section 3 – The Land Development Code, Article I, Zoning Ordinance, Division IV, R-LD,  
5 Low-Density Multi-Family Residential District, Section 4-1203, Conditional Uses, is hereby  
6 amended by enacting a new Subsection 4-1203.H, which new Subsection shall read as follows:  
7

8 **Section 4-1203. Conditional Uses.**

9  
10 H. Community Centers, non-profit.

11  
12  
13 NOTE: Language to be added is underlined.

14  
15 Section 4 – The Land Development Code, Article I, Zoning Ordinance, Division IV, R-  
16 MD, Medium-Density Multi-Family Residential District, Section 4-1303, Conditional Uses, is  
17 hereby amended by enacting a new Subsection 4-1303.K, which new Subsection shall read as  
18 follows:  
19

20 **Section 4-1303. Conditional Uses.**

21  
22 K. Community Centers, non-profit.

23  
24  
25 NOTE: Language to be added is underlined.

26  
27 Section 5 – The Land Development Code, Article I, Zoning Ordinance, Division IV, R-  
28 HD, High-Density Multi-Family Residential District, Section 4-1403, Conditional Uses., is hereby  
29 amended by enacting a new Subsection 4-1403.H, which new Subsection shall read as follows:  
30

31 **Section 4-1403. Conditional Uses.**

32  
33 H. Community Centers, non-profit.

34  
35  
36 NOTE: Language to be added is underlined.

37  
38 Section 6 – The Land Development Code, Article I, Zoning Ordinance, Division IV, R-  
39 MHC, Manufactured Home Community District, Section 4-1503, Conditional Uses, is hereby  
40 amended by enacting a new Subsection 4-1503.G, which new Subsection shall read as follows:  
41

42 **Section 4-1503. Conditional Uses.**

43  
44 G. Community Centers, non-profit.

1 NOTE: Language to be added is underlined.

2  
3 Section 7 – Savings Clause. Nothing in this ordinance shall be construed to affect any  
4 suit or proceeding now pending in any court or any rights acquired or liability incurred nor any  
5 cause or causes of action occurred or existing, under any act or ordinance repealed hereby.  
6 Nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

7  
8 Section 8 – Severability Clause. If any section, subsection, sentence, clause, or phrase  
9 of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of  
10 the remaining portions of this ordinance. The Council hereby declares that it would have  
11 adopted the ordinance and each section, subsection, sentence, clause, or phrase thereof,  
12 irrespective of the fact that any one or more sections, subsections, sentences, clauses, or  
13 phrases be declared invalid.

14  
15 Section 9 – This ordinance shall be in full force and effect from and after passage.

16  
17  
18 Passed at meeting: \_\_\_\_\_

19  
20  
21 \_\_\_\_\_  
22 Mayor

23  
24  
25 Attest: \_\_\_\_\_, City Clerk

26  
27  
28 Filed as Ordinance: \_\_\_\_\_

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32 Approved as to form: Mary K Yendes Assistant City Attorney

33  
34  
35 Approved for Council Action: [Signature] City Manager

36  
37  
38 N:\share\cbills\2010\6-28-10\Text Amend Nonprofit Community Centers\_ord-nky-dw

Affected Agency Notified: Yes  
Emergency Required: No  
Budget Adjust. Required: No  
Board Rec. Required: Yes  
Public Hearing: July 12, 2010  
Sponsor: O'Neal  
Date: June 28, 2010

EXPLANATION TO COUNCIL BILL NO. 2010 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to amend the Zoning Ordinance to allow non-profit community centers as a conditional use in all residential districts. (Planning and Zoning Commission and Staff recommend approval)

ZONING ORDINANCE TEXT AMENDMENT – NON-PROFIT COMMUNITY CENTERS

BACKGROUND INFORMATION:

The applicant has requested an amendment to the Zoning Ordinance to allow non-profit community centers as a conditional use in all residential districts (see Attachment A). The applicant represents Bridges for Youth, which intends on renovating an existing building near McGregor Elementary School to provide after-school services to the children. Bridges for Youth operates five non-profit community centers in the Springfield area and Marshfield. They believe by amending the ordinance to allow non-profits in all residential districts, agencies like Bridges for Youth will locate in the neighborhoods and communities that they serve. The conditional use permit will control and regulate the uses on each site.

Staff believes this request has merit and will allow for non-profit community centers to locate in the immediate areas that they serve. The non-profit community center use is already permitted in the commercial zoning districts. While some non-profits affiliated with homeowners associations are currently permitted, this amendment would allow any non-profit community center to locate within a residential district if they can meet the conditional use permit standards and are approved by Commission and Council.

RECOMMENDATIONS:


The Planning and Zoning Commission held a public hearing on June 10, 2010, and recommended approval, by a vote of 6 to 0, of the proposed changes to the Zoning Ordinance described in Attachment A (see the attached Record of Proceedings).

The Planning and Development Staff recommends approval of the proposed amendments (see the attached Zoning and Subdivision Report).

Submitted by:

~~MICHAEL KIMMELSON~~  
Planning and Development

Approved by:

  
City Manager

## RECORD OF PROCEEDINGS

### GENERAL INFORMATION:

The zoning text amendment called *Nonprofit Community Center* is a request to amend the Springfield zoning ordinance with regard to the nonprofit community center land-use.

### COMMISSION HEARING: June 10, 2010

Mr. MacPherson said that this proposal was brought forward by an organization called Bridges for Youth. He said they wanted to renovate a building near McGregor School and provide after-school services to the children. He said the text amendment stipulates that applicants covered by this section of the ordinance will need to get a conditional use permit before developing or redeveloping. He said the amendment would affect all of the city's residential zoning districts.

Mr. Wheeler opened the public hearing. Bryan Ragsdale, 7428 E. Farm Road 156, said he was representing Bridges for Youth. He said his client had no objection to being subject to the conditional-use-permit process.

There being no other speakers, Mr. Wheeler closed the public hearing.

Lawhon made a motion to approve Agenda Item 5, "Nonprofit Community Center." Hansen seconded the motion. Motion **carried** as follows: AYES: Wheeler, Lawhon, Roling, McClelland, Baird, Hansen; NAYS: None; ABSTAIN: None; ABSENT: Young, Coltrin, Edwards.

MICHAEL K MACPHERSON  
Secretary  
Planning and Development

# Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611  
840 Boonville Avenue ~ Springfield, Missouri 65801

## ZONING ORDINANCE AMENDMENT: NONPROFIT COMMUNITY CENTERS

**DATE:** June 2, 2010

**PURPOSE:** To amend the Zoning Ordinance to permit nonprofit community centers with a conditional use permit in all residential districts

### STAFF COMMENTS:

1. The applicant has requested an amendment to the Zoning Ordinance to permit nonprofit community center with a conditional use permit in all residential districts (see Attachment A). The applicant represents Bridges for Youth which intends on renovating an existing building near McGregor Elementary School to provide after school services to the children. Bridges for Youth operates five nonprofit community centers in the Springfield area and Marshfield. They believe by amending the ordinance to allow nonprofits in all residential districts that agencies like Bridges for Youth to locate in the neighborhoods and communities that they serve. The conditional use permit will control and regulate the uses on each site.
2. Staff believes this request has merit and will allow for nonprofit community centers to locate in the immediate areas that they serve. The nonprofit community center use is already permitted in the commercial zoning districts. While some nonprofit affiliated with homeowners associations are currently permitted, this amendment would allow any nonprofit community center to locate within a residential district if they can meet the conditional use permit standards and are approved by Commission and Council.
3. The approval of this text amendment would not immediately allow a nonprofit community center to be built in any residential district. A Conditional Use Permit will be required prior to any permits being issued. The Conditional Use Permit application process includes public hearings before Planning and Zoning Commission and City Council with final approval by City Council. As part of the Conditional Use Permit process, a neighborhood meeting will be required, the property will be posted with a notification sign(s) and formal notifications will be sent to property owners within 185 feet of the subject property. The conditional use permit procedure will give the Planning and Zoning Commission and City Council with an opportunity of discretionary review to determine whether the proposed

location and structure is appropriate for the use and whether it will be designed and located so as to avoid, minimize or mitigate any potentially adverse effects upon the surrounding neighborhood.

4. This amendment will affect the Single-Family Residential, Residential Townhouse, Low-Density Multi-Family Residential, Medium-Density Multi-Family Residential, High-Density Multi-Family and Manufactured Home Community zoning districts.
5. Public Works and Building Development Services support the proposed text amendment.

**RECOMMENDATION:** Staff recommends **approval**.

**STAFF CONTACT PERSON:**

Daniel Neal  
Senior Planner

ATTACHMENT A  
PROPOSED NONPROFIT COMMUNITY CENTERS TEXT AMENDMENT

New text is underlined and deleted text is ~~overstruck~~

- |  |   |
|--|---|
| <b>Section 4-1003. Conditional Uses.</b><br><u>I. Community Centers, nonprofit</u> | <i>(R-SF, Single-Family Residential)</i>    |
| <b>Section 4-1103. Conditional Uses.</b><br><u>H. Community Centers, nonprofit</u> | <i>(R-TH, Residential Townhouse)</i>        |
| <b>Section 4-1203. Conditional Uses.</b><br><u>H. Community Centers, nonprofit</u> | <i>(R-LD, Low-Density Multi-Family)</i>     |
| <b>Section 4-1303. Conditional Uses.</b><br><u>K. Community Centers, nonprofit</u> | <i>(R-MD, Medium-Density Multi-Family)</i>  |
| <b>Section 4-1403. Conditional Uses.</b><br><u>H. Community Centers, nonprofit</u> | <i>(R-HD, High-Density Multi-Family)</i>    |
| <b>Section 4-1503. Conditional Uses.</b><br><u>G. Community Centers, nonprofit</u> | <i>(R-MHC, Manufactured Home Community)</i> |