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P. Hrngs. _____
Pgs. 3
Filed: 10-16-18

Sponsored by: Fisk

COUNCIL BILL 2018- 259 RESOLUTION _____

RESOLUTION

1 INITIATING an amendment to the Springfield Land Development Code, Article III,
2 'Zoning Regulations,' Division 1, 'Intent, Purpose and General
3 Provisions,' Section 36-303.- 'General provisions,' subsection (34),
4 'Economic and housing access calamity,' to consider modifying
5 requirements for shelters subject to City Council's declaration of an
6 economic and housing access calamity.
7 _____
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9 WHEREAS, City Council first adopted a resolution declaring an economic and
10 housing access calamity in 2009 and has extended the calamity six times; and
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12 WHEREAS, declaration of the calamity status enables agencies or churches able
13 to meet building, safety, and health codes for such use to provide food and lodging to
14 the unemployed and working poor who are without a permanent residence or dwelling;
15 and
16

17 WHEREAS, on May 30, 2017, City Council adopted Resolution 10326 which
18 declared the continuation of an economic and housing access calamity in Springfield;
19 and
20

21 WHEREAS, in 2012, City Council amended the zoning ordinance to establish
22 standards for economic and housing access calamity shelters which included a
23 requirement in Section 36-303(34) that no shelter can be less than 1,000 feet from an
24 elementary or secondary school unless said shelter is operated by and on the premises
25 or contiguous property to such school, and that the governing body of the school
26 consent to such shelter; and
27

28 WHEREAS, the proposed text amendment will continue to require that the
29 governing body of an elementary or secondary school consent to shelters closer than
30 1,000 feet, but will delete the requirement that a shelter located closer to a school than
31 1,000 feet be located on or contiguous to the school premises; and
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33 WHEREAS, this Resolution will simply initiate the process for public hearing for
34 zoning text changes and will not change the Zoning Ordinance; and
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36 WHEREAS, the recommendation of the Planning and Zoning Commission is
37 desired concerning this matter.

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39 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
40 SPRINGFIELD, MISSOURI, as follows, that:

41
42 Section 1 – An amendment to the Springfield Land Development Code, Article III,
43 ‘Zoning Regulations,’ Division 1, ‘Intent, Purpose and General Provisions,’ Section 36-
44 303(34) to consider modifying requirements for shelters subject to City Council’s
45 declaration of an economic and housing access calamity be initiated.

46
47 Section 2 – The proposal for this amendment to the Land Development Code
48 shall be transmitted to the Planning and Zoning Commission for the Commission’s
49 report and recommendation, as provided in Section 36-367 of the Zoning Ordinance.

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51 Section 3 – This Resolution shall be in effect immediately upon adoption.

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53 Passed at meeting: _____

54
55 _____
56 Mayor

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59 Attest: _____, City Clerk

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62 Filed as Resolution: _____

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65 Approved as to form: Rhonda Lewsader, Deputy City Attorney

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67
68 Approved for Council action: Jason A. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2018-259

FILED: 10-30-18

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To initiate an amendment to the Springfield Land Development Code, Article III, 'Zoning Regulations,' Division 1, 'Intent, Purpose and General Provisions,' Section 36-303.- 'General provisions,' subsection (34), 'Economic and housing access calamity,' to consider modifying requirements for shelters subject to City Council's declaration of an economic and housing access calamity.

BACKGROUND INFORMATION: City Council adopted Resolution 10326 on May 30, 2017, declaring the continuation of an economic and housing access calamity in Springfield. City Council first adopted a resolution declaring an economic and housing access calamity in 2009 and has extended the calamity declaration six times. Declaration of the calamity status enables agencies or churches able to meet building, safety and health codes for such a use to provide food and lodging to the unemployed and working poor who are without a permanent residence or dwelling.

In 2012, City Council amended the Zoning Ordinance to establish standards for economic and housing access calamity shelters. Section 36-303 (34) includes a requirement that no shelter can be less than one-thousand (1,000) feet from an elementary or secondary school unless said shelter is operated by and on the premise or contiguous property to such school. Consent of the governing body of the school is also required. The proposed text amendment will continue to require the governing body of an elementary or secondary school consent to shelters closer than 1,000 feet. The proposed amendment will delete the requirement that a shelter located closer to a school than 1,000 feet be located on or contiguous to the school premise.

REMARKS: This Resolution will initiate the process to amend Section 36-303 (34) of the Zoning Ordinance, to begin the hearing process for public comment and to bring forward an ordinance for consideration by the City Council after review and comment by the Planning and Zoning Commission. This Resolution will not change the Zoning Ordinance but will simply initiate the review process.

Submitted and Recommended by:

Approved by:



Mary Lilly Smith, Director



Jason Gage, City Manager