

SECOND REGULAR SESSION

HOUSE BILL NO. 1942

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HAEFNER (Sponsor), ALLEN, HOUGH,
LEARA AND CONWAY (104) (Co-sponsors).

6174H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 64.140, RSMo, and to enact in lieu thereof one new section relating to notice requirements for amendments to county zoning regulations.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 64.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 64.140, to read as follows:

64.140. **1.** The regulations imposed and the districts created under authority of sections 64.010 to 64.160 may be amended from time to time by the county commission by order after the order establishing the same has gone into effect, but no such amendment shall be made without a hearing before the county planning commission; or if there be no county planning commission, such hearing shall be held by the county zoning commission. Such hearing shall be held in any one place in the county designated by the planning or zoning commission regardless of the location of the land affected by such amendment or amendments. Public notice of such hearing shall be given by at least one publication in one newspaper published in the county at least fifteen days before the date of the hearing. In case of written protest against any proposed amendment, signed and acknowledged by the owners of thirty percent of the frontage within one thousand feet to the right or left of the frontage proposed to be changed, or by the owners of thirty percent of the frontage directly opposite, or directly in the rear of the frontage proposed to be altered, or in cases where the land affected lies within one and one-half miles of the limits of a municipality, by the city council or zoning board of any such municipality, filed with the county clerk, such amendment may not be passed except by the favorable vote of two-thirds of all the members of the county commission.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **2. Whenever the planning or zoning commission of any county with a charter form**
18 **of government and with more than nine hundred fifty thousand inhabitants holds a**
19 **hearing on a request for a special zoning procedure for a planned development in an**
20 **unincorporated area of the county, notice of such hearing shall be given by publication in**
21 **a newspaper, which has a circulation in the county of at least ten thousand copies per issue,**
22 **for two days of publication at least thirty days before the date of the hearing. Notice of the**
23 **hearing shall be sent by certified mail at least fifteen days before the hearing to any person**
24 **who owns property that is adjacent to the land to be affected by the request as well as to**
25 **the current occupant of said property. If the current occupant is unknown, such notice by**
26 **certified mail shall be addressed to "occupant". In addition, personal notice of the hearing**
27 **shall be provided at least fifteen days before the hearing to:**

28 **(1) The last known occupant, if any, and owner of record of property located within**
29 **one thousand feet of the land to be affected by the request; and**

30 **(2) Each trustee of a subdivision or homeowner association that represents the**
31 **interests of property located within one mile of the land to be affected by the request. Each**
32 **trustee shall also receive notice of the hearing by certified mail.**

33 **3. Any county with a charter form of government and with more than nine hundred**
34 **fifty thousand inhabitants shall create a voluntary email-based notification system that**
35 **allows any person who resides in or owns property in the county to submit his or her email**
36 **address and address of residence or property in order to receive email notifications of any**
37 **proposed amendment affecting property located within one thousand feet of the submitted**
38 **address, including notice of hearings on the proposed amendment.**

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