

SECOND REGULAR SESSION

# SENATE BILL NO. 904

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIFTON.

Read 1st time February 20, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

4552S.04I

## 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Section A. Section 64.140, RSMo, is repealed and one new section enacted  
2 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  
2 authority of sections 64.010 to 64.160 may be amended from time to time by the  
3 county commission by order after the order establishing the same has gone into  
4 effect, but no such amendment shall be made without a hearing before the county  
5 planning commission; or if there be no county planning commission, such hearing  
6 shall be held by the county zoning commission. Such hearing shall be held in any  
7 one place in the county designated by the planning or zoning commission  
8 regardless of the location of the land affected by such amendment or  
9 amendments. Public notice of such hearing shall be given by at least one  
10 publication in one newspaper published in the county at least fifteen days before  
11 the date of the hearing. In case of written protest against any proposed  
12 amendment, signed and acknowledged by the owners of thirty percent of the  
13 frontage within one thousand feet to the right or left of the frontage proposed to  
14 be changed, or by the owners of thirty percent of the frontage directly opposite,  
15 or directly in the rear of the frontage proposed to be altered, or in cases where the  
16 land affected lies within one and one-half miles of the limits of a municipality, by  
17 the city council or zoning board of any such municipality, filed with the county  
18 clerk, such amendment may not be passed except by the favorable vote of  
19 two-thirds of all the members of the county commission.

20 **2. Whenever the planning or zoning commission of any county**

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

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

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

41 3. Any county with a charter form of government and with more  
42 than nine hundred fifty thousand inhabitants shall create a voluntary  
43 email-based notification system that allows any person who resides in  
44 or owns property in the county to submit his or her email address and  
45 address of residence or property in order to receive email notifications  
46 of any proposed amendment affecting property located within one  
47 thousand feet of the submitted address, including notice of hearings on  
48 the proposed amendment.

✓