

SECOND REGULAR SESSION

# SENATE BILL NO. 930

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODE.

Read 1st time February 19, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S2248.06I

## AN ACT

Relating to land conservation and development, with an emergency clause and a termination date.

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

**Section 1. As used in sections 1 to 8 of this act, the following terms mean:**

(1) "Agricultural lands", any tract of land in this state consisting of more than five acres, whether inside or outside the corporate limits of any municipality, which is capable, without substantial modification to the character of the land, of supporting an agricultural enterprise, including but not limited to land used for the production of agricultural crops or fruit or other horticultural products, or for the raising or feeding of animals for the production of livestock or livestock products, poultry or poultry products, or milk or dairy products. Adjacent parcels of land under the same ownership shall be deemed to be a single tract;

(2) "Commission", the Metropolitan St. Louis Growth Management Advisory Commission;

(3) "Council", the East-West Gateway Coordinating Council;

(4) "Region", the area including St. Louis City, St. Louis County, Franklin County, St. Charles County, Jefferson County, and such other related areas or parts thereof in Missouri or Illinois as deemed appropriate by the commission.

**Section 2. 1. There is hereby established within East-West Gateway Coordinating Council a "Metropolitan St. Louis Growth Management Advisory Commission" which shall study and make recommendations regarding growth management for the areas encompassing St. Louis City, St. Louis County, Franklin County, Jefferson County, and St. Charles County. The council shall establish the rules and procedures for the meeting and conduct of the commission.**

**2. The commission shall be comprised of residents of the appointing jurisdictions**

as follows:

(1) St. Louis City, four, two appointed by the mayor, one appointed by the president of the board of alderman, and one appointed by the comptroller;

(2) St. Louis County, three, two appointed by the county executive and one appointed by the county council, who shall be residents of the unincorporated area;

(3) St. Charles County, one appointed by the county executive with the concurrence of the county council;

(4) Jefferson County, one appointed by the county commissioners;

(5) Franklin County, one appointed by the county commissioners;

(6) The municipalities in St. Louis County, five proportionally representative of municipalities of three population groups; those under ten thousand, between ten thousand and twenty thousand, and over twenty thousand population, based on the most recent population estimates provided by the council. Appointees are to be made by the chief elected officials of each group;

(7) The municipalities in St. Charles County, two, one from municipalities with population under forty thousand and one from municipalities with population over forty thousand, based on the most recent population estimates provided by the council. Appointees are to be made by the chief elected officials;

(8) The following shall serve as non-voting members of the commission and shall be appointed by the council following consultation with the affected groups as outlined below:

(a) One representative of k-12 education;

(b) One representative with a degree in environmental sciences or a related discipline, with expertise in evaluating the impact of development and redevelopment activity on land, air, and water;

(c) One representative of the small and medium business community;

(d) One representative with a degree in planning, knowledgeable of regional trends and their impacts;

(e) One representative of public transit;

(f) One representative of the Bar Association with a law degree and experience in development, redevelopment and local government law;

(g) One representative of the minority community;

(h) One representative of the large business community;

(i) One representative of the district six office of the Missouri department of transportation;

(j) One representative of churches in the region which have demonstrated an interest in affairs of this nature;

(k) One representative from the Illinois portion of the metropolitan region;

**(l) One state liaison appointed by the governor.**

**All appointees shall reside in the counties in the study area with the exception of the representative from Illinois and the state liaison appointed by the governor.**

**Section 3. 1. When mathematically possible, each appointing authority shall assure that at least forty percent of the voting members are from areas that experienced a decrease in family income, adjusted for inflation, from 1980 to 1990; at least forty percent shall be from areas that experienced an increase in family income during the same time period. The staff of the council shall advise appointing authorities in a manner necessary to assure that each county has a nearly equal number of commissioners from areas that experienced a decrease in family income and from areas that experienced an increase in family income from 1980 to 1990. The council shall establish any rules necessary to ensure that all appointing authorities comply with the intent of this section.**

**2. The council shall develop a method to inform each jurisdiction of the appointment process and assist with the process to assure its expeditious completion.**

**Section 4. 1. The commission shall select one of its members as chairman and another member as vice chairman, for such terms and with duties and powers necessary for the performance of the functions of such duties as the commission determines. The vice chairman of the commission shall act as the chairman of the commission in the absence of the chairman.**

**2. A majority of the members of the commission constitutes a quorum for the transaction of business.**

**3. Members of the commission shall not receive compensation for serving as members of the commission but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the commission.**

**4. Members of the commission shall not be authorized to vote by proxy.**

**5. No member of the commission shall vote on any matter in which that member has a substantial interest, as defined in chapter 105, RSMo.**

**Section 5. The commission shall be created to develop recommendations for legislation and policy formation relating to regional planning. In formulating its recommendations, the commission shall consider the interests and views of the citizens throughout the region and of particular affected areas; academic and scientific community; local governments; business and development community; environmental groups; and other civic groups. The commission shall make recommendations to address, without limitation, the following goals and objectives:**

**(1) Involvement of citizens and citizens views in all phases of the planning processes, and maximization of local control and input in the formulation of the implementation of regional planning;**

**(2) Preservation of agricultural lands for farming use, consistent with current and future needs and agricultural needs;**

**(3) Conservation of forest lands by maintenance of the forest land base and tree canopy base, and management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities;**

**(4) Conservation of open spaces and protection of natural, scenic and historic resources in the region;**

**(5) Maintenance and improvements of the quality of the air, water and land resources in the region;**

**(6) Protection of life and property from natural hazards and disasters resulting from or aggravated by past development patterns or techniques;**

**(7) Provision for the recreational needs of the citizens of the region and of visitors;**

**(8) Economic development necessary for welfare and prosperity of the region;**

**(9) Provision for the housing needs of the citizens of the region;**

**(10) Planning for the timely, orderly and efficient provision of public facilities and infrastructure, including roads, sewers, stormwater facilities, public utilities, and public services for urban and rural development in the region;**

**(11) Management of resources to facilitate the conservation of energy;**

**(12) Planning for the safe, convenient and efficient provision of schools and related infrastructure for existing and future development of the region; and**

**(13) Coordination of efforts to achieve these goals for the region as a whole, without sacrificing the reasonable needs and objectives of each locality within the region.**

**Section 6. In making its recommendations, the commission shall, without limitation, consider the following regional planning solutions for advancing the regional goals:**

**(1) The creation of a regional planning authority to coordinate or develop regional planning policies;**

**(2) The enactment of legislation providing municipalities and counties in the region new or greater powers in the enactment of regional plans and policies, including but not limited to, local authorization for:**

**(a) Development tax incentives;**

**(b) Development impact fees or taxes;**

**(c) Transferable development rights;**

**(d) Infrastructure financing alternatives;**

**(f) Environmentally-sensitive development codes, including but not limited to soil erosion, stormwater, tree preservation, and green space, schools, and public**

**infrastructure dedication;**

**(g) Enactment of requirements for specific projections of development proposals on public infrastructure and needed services for those developments;**

**(h) Urban growth or investment areas, limiting or promoting growth in designated areas;**

**(3) Acquisition and coordination of regional planning and related scientific data, including but not limited to data relating to zoning districts and land use patterns, traffic and roads, schools and other public buildings and services, topography, plat maps, stormwater, public utilities, density, parks and recreational facilities, green space and tree cover, soil and erosion characteristics, and economic and business data;**

**(4) Legislative authorization to permit or encourage the coordination of local and regional governmental bodies for regional planning and service provision; and**

**(5) Authorization of regional tax or revenue sources to support investment or infrastructure in appropriate locations.**

**Section 7. The commission shall hold public hearings, compile scientific and planning data, determine the viewpoints of interested parties, and issue a preliminary report within six months of the effective date of this act. A final report shall be submitted not later than six months after submission of the preliminary report, and shall be provided to each member of the general assembly who represents territory in the region and to any citizen requesting a final report. The commission shall review any comments, collect additional information, and conduct further meetings including public hearings, that it deems necessary in order to prepare a final report.**

**Section 8. The commission shall:**

**(1) Be staffed and supported by the council;**

**(2) In accordance with chapter 536, RSMo, promulgate rules that it considers necessary in carrying out the provisions of sections 1 to 8 of this act;**

**(3) Cooperate with the appropriate agencies of the United States, this state and its political subdivisions, any other state, any interstate agency, any person or group of persons with respect to land conservation and development;**

**(4) Adopt bylaws;**

**(5) Attempt to meet weekly, if practical, at a regularly scheduled time and place.**

Section A. Because of the importance of protecting the resources of the state, this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.

Section B. The provisions of sections 1 to 8 of this act shall terminate on June 30, 2000.

Unofficial

Bill

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