

HB 1832 -- MISSOURI COUNTY PLANNING ACT (Cooper, 120)

COMMITTEE OF ORIGIN: Committee on Local Government

This bill establishes the Missouri County Planning Act. In its main provisions, the bill:

(1) Allows for the establishment of a county planning commission comprised of appointed members to prepare a comprehensive plan for the county. The planning commission may be established either directly by the county commission or by voter petition and approval;

(2) Specifies the powers and duties of the planning commission;

(3) Specifies the elements of the comprehensive plan and the procedures for its consideration, hearing, and adoption by the planning commission and the county commission;

(4) Authorizes the planning commission to recommend subdivision regulations after a public hearing and authorizes the county commission to adopt the regulations;

(5) Authorizes the planning commission to adopt a major street plan for all unincorporated areas of the county in accordance with the transportation element of the comprehensive plan;

(6) Authorizes the planning commission to recommend zoning regulations for all unincorporated areas of the county in accordance with the comprehensive plan after a public hearing and authorizes the county commission to adopt the regulations upon voter approval;

(7) Requires counties that have adopted zoning regulations under the bill to appoint a county board of zoning adjustment to hear and decide appeals of zoning decisions and applications for variances. The hearing and appeal procedures are specified;

(8) Specifies that violations of any regulations adopted under the bill are misdemeanors and authorizes certain counties to impose fines for these violations;

(9) Authorizes the grandfathering of actual lawful uses of property in existence on August 28, 2008;

(10) Authorizes counties to enter into cooperative agreements with public or private entities for the exercise and performance of the established planning powers, duties, and functions; and

(11) Specifies that nothing contained in the bill will affect

the existence or validity of a county ordinance or order adopted prior to August 28, 2008.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.