

Summary
Board Bill Number 92
Committee Substitute
Introduced by: Alderman Jeffrey Boyd
September 17, 2021

An ordinance amending the text of the Administration code **chapter 3.48.070** to allow the Board of Aldermen to override a negative recommendation of the planning commission only by a two-thirds majority vote of all the members of the Board of Aldermen.

Given that the Planning Commission is one of two boards that meets in the evenings for the City of St. Louis, and are now being asked to consider public testimony, therefore bringing further stature to the planning commission decisions and recommendations, and that all planning commission review includes a review of adopted comprehensive or general plan of the City which is informed by community input, this should be met with additional stature of decisions. This would include a higher bar by which the board of alderman can overturn a negative recommendation of the planning commission.

Many peer and aspirational cities, including Des Moines (3/4 majority vote), Pittsburgh (7 of 9), New York City (3/4 majority vote), and Cincinnati (2/3 majority vote), among others, and local regional municipalities such as Maplewood (5 of 6), and Kirkwood (2/3 majority vote), require greater than a majority of the legislative body to overturn a decision of the planning commission.

This Committee Substitute clarifies the language to apply to any negative recommendation of the planning commission.

**BOARD BILL NUMBER 92 COMMITTEE SUBSTITUTE INTRODUCED BY:
ALDERMAN JEFFREY BOYD/ ALDERMAN JOHN COLLINS-MUHAMMAD**

1 An ordinance amending **Ordinance Number 64687**, codified in **Chapter 3.48** of the
2 Revised Code of the City of St. Louis relating to the Planning Commission; amending Section
3 **3.48.070, Subsection D**, specifying the vote required by the Board of Aldermen to override a
4 negative recommendation of the Planning Commission for a zoning change; this ordinance has
5 an effective date.

6 **WHEREAS**, it is usual in many Missouri cities that the statutorily required and posted
7 public hearing for zoning changes occurs at the Planning Commission hearing; and

8 **WHEREAS**, the Planning Commission public hearing would be more convenient for
9 attendance by constituents who would not have to take off work to attend; and

10 **WHEREAS**, changing the statutorily required and posted public hearing to the Planning
11 Commission would eliminate confusion for the public as to which meeting to attend for public
12 input on the zoning change as opposed to the proposition of a board bill; and

13 **WHEREAS**, this ordinance seeks to uphold the input of constituents who have taken the
14 time to testify at the public hearing on zoning matters and the recommendation of the
15 professional staff at the Planning and Urban Design Agency on zoning matters before the
16 Planning Commission; and

17 **WHEREAS**, this ordinance also seeks to uphold the input of constituents who have
18 worked to develop components of comprehensive plans in their neighborhoods on matters,
19 including redevelopment, preservation, connectivity and street development which are all
20 reviewed by professional staff against the City's General or Comprehensive Plan, and which
21 plans have been adopted by the Planning Commission, by requiring a 2/3 majority vote of the

1 Board of Alderman to override a Planning Commission recommendation on all items reviewed
2 by the Planning Commission.

3 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

4 **SECTION ONE.** Section 8 subsection 4 of **Ordinance Number 64687**, codified in
5 **Section 3.48.070 of the Revised Code** of the City of St. Louis is hereby amended to read as
6 follows:

7 **3.48.070 (D)** The Planning Commission shall recommend changes in the zoning
8 ordinances and zoning district maps to the Board of Aldermen. ~~No ordinance changing the~~
9 ~~zoning ordinances and zoning district maps shall be adopted over the negative~~
10 ~~recommendation of the Planning Commission, unless approved by a majority vote of all the~~
11 ~~members of the Board of Aldermen.~~

12 **3.48.070 (F)** Any blighting study and redevelopment plan under RSMo Chs. 99
13 (including both Sections 99.430 et seq. and 99.810 et seq.), 100 and 353 shall be submitted to the
14 Planning Commission for its recommendation as to its conformity with the Comprehensive Plan
15 and for such other findings as may be required by law. ~~No ordinance adopting any such~~
16 ~~blighting study or redevelopment plan shall be adopted over the negative recommendation~~
17 ~~of the Planning Commission unless it receives the affirmative vote of majority of all the~~
18 ~~members of the Board of Aldermen.~~

19 **3.48.070 (Q)** No ordinance shall be adopted over the negative recommendation of
20 the Planning Commission unless approved by a majority vote of two-thirds of all the
21 members of the board of Aldermen.

22 **SECTION THREE.** All other provisions of **Ordinance Number 64687** shall remain in
23 full force and effect.

1 **SECTION FOUR.** This ordinance shall have an effective date of January 1, 2022.

St. Louis City Ordinance 64687

FLOOR SUBSTITUTE

BOARD BILL NO. [99] 52

INTRODUCED BY ALDERMAN PAUL MICHAEL BECKERLE

An ordinance establishing a Planning and Urban Design Agency, consisting of a Director, a Planning Office, a Cultural Resources Office, a Cultural Resources Director, a Planning Commission and, on the effective date of Ordinance _____ (BB54CS), a Preservation Board; repealing Ordinance 56708; with definitions of terms; providing for the powers and duties of the Director, Planning Office, Cultural Resources Office and the Planning Commission; providing for amendments to the City's Comprehensive Plan (as herein defined) or for the preparation of a new Comprehensive Plan; providing for the effects of a Comprehensive Plan; providing for preparation of Neighborhood and Topical Plans (as herein defined); amending Section 4.16.250 of Title 4 of the Revised Code of the City of St. Louis, approved on February 15, 1989, to provide a vested accrued benefit to certain former employees of the St. Louis Development Corporation (the "SLDC"), a Missouri not-for-profit corporation, who become members of the Employees Retirement System of the City of St. Louis (the "System") and accrue one month of creditable service in the System as a result of a reorganization of the activities of SLDC in 1999, and to provide an immediate vested accrued benefit to certain members of the System who do not have a vested accrued benefit in the System at the date of termination of employment and whose employment is terminated as a result of the reorganization of the activities of the Community Development Agency (the "CDA") in 1999 and who are hired by SLDC as a result of said reorganization activities in 1999 by repealing Section 4.16.250 of Title 4 of the Revised Code of the City of St. Louis and enacting in lieu thereof a new section relating to vested accrued benefits to be codified as Section 4.16.250 of Title 4 of the Revised Code of the City of St. Louis; with a severability provision and an emergency provision. Whereas, under present City ordinances the Community Development Agency is the official planning agency for the City; and

Whereas, it is in the best interests of the City to establish a new planning agency and commission; and

Whereas, preservation of historic buildings and neighborhoods is intrinsically related to planning in a mature city such as St. Louis;

Whereas, SLDC was established to act solely on behalf of the City of St. Louis (the City) in regard to development and redevelopment activities in the City;

Whereas, various employees of SLDC will become employees of employers which are within the System as a result of a reorganization of the activities of SLDC in 1999;

Whereas, said employees of SLDC have served the City and acted on behalf of the City;

Whereas, the City wishes to provide a vested accrued benefit for said employees who obtain one month of creditable service in the System;

Whereas, various employees of CDA, an employer within the System, will become employees of SLDC as a result of a reorganization of the activities of the SLDC and CDA in 1999;

Whereas, said employees will continue to serve the City and act as agents of the City;

Whereas, the City wishes to provide an immediate vested accrued benefit for said employees whose employment will terminate as a result of the reorganization of the activities of CDA in 1999;

Whereas, the City of St. Louis (the City) created the Employees Retirement System of the City of St. Louis (the System) to provide certain benefits for employees of employers within the System;

Whereas, the Board of Aldermen of the City of St. Louis finds that it is in the best interests of the City to provide various former employees of SLDC who become members of the System as a result of the reorganization of the activities of SLDC in 1999 and who obtain one (1) month of creditable service in the System a vested accrued benefit, and to provide various members of the System who do not have a vested accrued benefit in the System as the date of termination of employment and whose employment is terminated as a result of the reorganization of the activities of CDA in 1999 and who become employed by the SLDC as a result of said reorganization activities in 1999 an immediate vested accrued benefit at the date of termination of employment by repealing Section 4.16.250 of Title 4 of the Revised Code of the City of St. Louis and enacting in lieu thereof a new section relating to the same subject to be codified as Section 4.16.250 of Title 4 of the Revised Code of the City of St. Louis;

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Repeal.

Ordinance 56708 (Sections 3.48.010 to 3.48.210, City Code 1994) is hereby repealed.

SECTION TWO. Definitions.

As used in this ordinance, the following terms have the following meanings:

◆Agency Director◆ means the Director of the Planning and Urban Design Agency, appointed by the Mayor pursuant to this ordinance.

◆Comprehensive Plan◆ means a plan for the City heretofore adopted pursuant to Section 89.340 RSMo as amended, or as hereafter amended or newly adopted pursuant to this ordinance.

◆Cultural Resource◆ means a site or improvement that:

a) Has significant character or value as part of the development, heritage or cultural characteristics of the city, state or nation; or

b) Is the site of a significant historic event; or

c) Is the work of a master whose individual work has significantly influenced the development of the city, state or nation; or

d) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or

e) Owing to its unique location or singular physical characteristic represents an established and familiar visual feature of a neighborhood, community or the city; or

f) Has yielded, or is likely to yield, according to the best available scholarship, archaeological artifacts important in prehistory or history; or

g) Is a work of art located in a public space.

◆Infrastructure Capital Improvement◆ means any action or expenditures taken or made to replace, install, refurbish, rehabilitate, reconstruct, construct, update or otherwise improve the public infrastructure in the City, whether or

not owned by the City, including, for example, but not limited to, roads, bridges, parks, other public places, sidewalks, alleys, transit facilities and public buildings.

◆Neighborhood Plan◆ means a plan relating to specific neighborhoods or combinations of neighborhoods, generally containing greater details as to current conditions, trends, projects and recommendations than the Comprehensive Plan, and, in general, expanding upon and illustrating the basic goals, objectives and principles contained in the Comprehensive Plan, and reflecting a clear understanding of the aspirations of residents, business persons and other stakeholders likely to be impacted by the implementation of the plan.

◆Planning Commission◆ means the Planning Commission established by this ordinance.

◆Planning and Urban Design Agency◆ means the Planning and Urban Design Agency established by this ordinance.

◆Preservation Board◆ means the Preservation Board established by Ordinance ____ (B.B. 54CS.)

◆Topical Plan◆ means a plan relating to a specific topic, for example transportation, or to a land use or operational issue deemed to be of importance to the City, generally containing greater details as to current conditions, trends, projects and recommendations than the Comprehensive Plan, and, in general, expanding upon and illustrating the basic goals, objectives and principles that are contained in the Comprehensive Plan, and reflecting a clear understanding of the aspirations of residents, business persons and other stakeholders likely to be impacted by the implementation of the plan.

SECTION THREE. Agency Established.

There is hereby established the City of St. Louis Planning and Urban Design Agency. The Agency shall consist of an Agency Director, a Planning Office, a Cultural Resources Director, a Cultural Resources Office, a Planning Commission, and, upon the effective date of Ordinance ____ (BB54CS), the Preservation Board established by that Ordinance.

SECTION FOUR. Director of Planning and Urban Design Agency. An Agency Director for the Planning and Urban Design Agency shall be appointed by the Mayor and may be removed for cause only. The Agency Director shall oversee

the administrative and technical work of the Planning and Urban Design Agency and the Planning Commission, and is authorized to appoint personnel necessary to perform the duties and functions of the Planning and Urban Design Agency. The Agency Director shall prepare an annual budget for the Planning and Urban Design Agency. The Agency Director shall have the authority to identify new planning and Cultural Resources-related functions and activities not enumerated in this ordinance but consistent herewith and cause them to be performed. He may make temporary reassignments of personnel within the Planning and Urban Design Agency, as needed for effective operations.

SECTION FIVE. Cultural Resources Director.

A Cultural Resources Director shall be appointed by the Agency Director in accordance with the civil service provisions of the Charter. The Cultural Resources Director shall render general and technical services relating to historic preservation to the Agency Director and to the Planning Commission and the Preservation Board, and shall perform other activities relating to Cultural Resources as directed by the Agency Director and the Planning Commission. The Cultural Resources Director is authorized to appoint personnel necessary to perform the duties and functions of the Cultural Resources Office and shall supervise the work of the Cultural Resources Office staff.

SECTION SIX. Duties of Planning Office: Plans

The Planning Office shall:

1. Prepare for review by the Planning Commission revisions of and amendments or additions to the City's Comprehensive Plan.
2. Prepare for review by the Planning Commission such other plans as are consistent with this ordinance and which are requested by the Planning Commission.
3. Perform planning and research at City-wide and neighborhood levels.
4. Develop Infrastructure Capital Improvements information for action thereon by the Planning Commission pursuant to Section 8.14 of this ordinance.

5. Develop maps, graphs and other graphic material relating to planning; it may copyright any such material in the name of the City and charge for copies thereof.
6. Conduct ongoing reviews of zoning policy, and recommend any changes it believes appropriate in the City's zoning ordinances and zoning maps to the Planning Commission, together with the reasons for such recommendations.
7. Provide studies and reports as necessary to satisfy local, State and federal requirements concerning planning, zoning and land use.
8. Assist in developing the 5 Year Consolidated Plan Strategy, Neighborhood Revitalization Strategies, and Annual Performance Evaluation Report presently required by federal Department of Housing and Urban Development.
9. Prepare housing conservation district analyses, development plan analyses, conditional use permit reviews, and related reports as may be required by law or requested by the executive or legislative branch of the City, and assist the Treasurer upon request in preparation of the annual lending study required by Section 5.12.060, City Code.
10. Prepare plans required by the federal government in connection with National Register of Historic Places properties.
11. Develop design and use standards for review by the Planning Commission for inclusion in the Comprehensive Plan and Neighborhood Plans.
12. Develop innovative techniques for improvements of residential and commercial areas, such as specific exterior design standards for future construction in certain residential and commercial areas, and recommend to the Planning Commission implementation, subject to necessary ordinance authorization, of such techniques.
13. Perform such other functions as may be provided by subsequent ordinances and other applicable law.

SECTION SEVEN. Planning Commission.

1. The Mayor shall appoint a Planning Commission consisting of thirteen members. The following city officials or persons appointed by city officials

shall be members: a designee of the Mayor performing economic development activities on behalf of the City and reporting to the Mayor; the President of the Board of Public Service; a designee of the Comptroller; a designee of the President of the Board of Aldermen; and the Chairs of the Transportation and Housing, Urban Development and Zoning Committees of the Board of Aldermen. The remaining seven members (◆citizen members◆) shall be appointed by the Mayor and shall have a demonstrated interest in City planning and development. One such citizen member shall be a registered architect, one shall be a practicing planner, one shall be a registered engineer, one shall be a registered landscape architect, and one shall have demonstrated expertise in transportation policy and/or planning. Of the citizen members first appointed, two shall serve for terms of four years, two shall serve for terms of two years, two shall serve for terms of three years, and one shall serve for terms of one year. All subsequently appointed citizen members shall serve for four year terms. Any vacancy in a membership shall be filled for the unexpired term by appointment as aforesaid.

2. The Directors of the Departments of Parks, Recreation and Forestry, Public Safety, Public Utilities and Streets shall serve as advisors to the Commission and shall attend the meetings thereof.

3. The Planning Commission shall elect its chairperson from among its citizen members and elect a secretary and such other officers as it may determine. The Planning Commission shall adopt rules for the conduct of its business and keep a record of its proceedings. It shall hold regular monthly meetings and special meetings as provided by its rules. Its records shall be public records. A majority of all members of the Planning Commission shall be a quorum. Unless otherwise provided by this ordinance or by applicable law, a majority of a quorum shall be required to approve or reject matters presented to it for decision or for other actions of the Commission.

SECTION EIGHT. Planning Commission Powers and Duties.

1. The Planning Commission shall be the official planning agency for the City. It shall also be the zoning commission for the City. It shall perform for the City all functions required by applicable state law to be performed by a municipal planning commission and by a municipal zoning commission. It shall be the lawful successor to and shall assume the planning and zoning powers and duties of the Community Development Commission.

2. The Agency Director with the approvals of the Planning Commission and the Board of Estimate and Apportionment shall have the power to enter into contracts with planners, engineers, architects, and other consultants for services as the Planning Commission may require, provided funds for such services are lawfully available. All such contracts shall be executed in the name of the City and shall be signed by the Agency Director and the Comptroller.

3. The Agency Director with the approval of the Planning Commission is authorized to accept gifts, contributions, grants and donations for the furtherance of development or beautification within the City, on behalf of the Planning Commission. Gifts, contributions, grants and donations shall be used solely for the purposes indicated. Any gift in the form of money accepted by the Agency Director shall be deposited into a special account by the Comptroller and the Comptroller shall draw warrants on the account only for the purposes of carrying out the terms and conditions of the gift or donation.

4. The Planning Commission shall recommend changes in the zoning ordinances and zoning district maps to the Board of Aldermen. No ordinance changing the zoning ordinances and zoning district maps shall be adopted over the negative recommendation of the Planning Commission, unless approved by a majority vote of all the members of the Board of Aldermen.

5. The Planning Commission shall hear and determine appeals from the Preservation Board established in Ordinance ____ (BB 54cs), and may adopt rules and regulations consistent with this ordinance, Ordinance ____ (BB 54cs) and other applicable law for the conduct of such appeals.

6. Any blighting study and redevelopment plan under Chapters 99, 100 and 353 RSMO shall be submitted to the Planning Commission for its recommendation as to its conformity with the Comprehensive Plan. No ordinance adopting any such blighting study or redevelopment plan shall be adopted over the negative recommendation of the Planning Commission unless it receives the affirmative vote of the majority of all the members of the Board of Aldermen.

7. The Planning Commission shall create and support community-based neighborhood planning activity. To that end, it shall direct the Agency Director to initiate a neighborhood based planning program working with neighborhood organizations, aldermen, neighborhood stabilization managers and other concerned participants, and to coordinate such program with similar programs of the state and federal governments.

8. The Planning Commission shall review specific rezoning requests, street and alley vacation requests, proposed development plans and related development activity for compliance with the Comprehensive Plan and any applicable Neighborhood Plan.

9. The Planning Commission shall provide factual input for planning and development decisions. To that end it shall:

a) Monitor economic, environmental and planning indicators on a neighborhood basis, a city-wide basis and a regional basis;



b) Monitor the market for housing, economic development and related aspects of the regional, national and international economies in order to inform specific development decisions;

c) Monitor development trends and initiatives in communities regionally, nationally and internationally to determine their relevance to St. Louis;

d) Share data and information with city departments and agencies and elected officials, and, as appropriate, with neighborhood groups, businesses, citizens, and other political subdivisions and agencies.

10. The Planning Commission shall on an on-going basis improve the use of information technology to support planning and development within the City and regionally. To that end it shall:

a) Enhance the use of electronic solutions to share information;

b) Enhance the use of  Geographic Information Systems  within the planning and development agencies and the city as a whole;

c) Increase inter-departmental collaborative efforts to improve the quality of data maintained and used by city departments.

11. The Planning Commission shall review proposals of the Planning Office for use of innovative techniques for improvement of areas of the City, for example, the establishment of residential and commercial design overlay districts, and if it approves them, recommend any appropriate implementing ordinances to the Board of Aldermen.

12. The Planning Commission shall consult with public officials and agencies, public utility companies, civic, educational, professional and other organizations, and with citizens with relation to the implementation of any plan it approves. All City officials and employees, upon request, shall furnish to the Planning Commission within a reasonable time available information as it requires for its work. The Planning Commission, its members, the Agency Director and Planning Office staff, in the performance of their functions, may, to the extent permitted by law, enter upon any land and make examinations and surveys and place and maintain necessary monuments and markers thereon.

13. To the extent consistent with applicable law, the Planning Commission may, by regulation adopted, delegate its authority to review certain matters to the Agency Director or Planning Office staff or to the Board of Public Service. Specifically, and not by way of limitation, the Planning Commission may authorize the Agency Director or Planning Office staff to act on its behalf in reviews of street vacations and blighting studies and redevelopment plans for parcels of one acre in size or less.

14. On or before February 1 of each year, the Planning Commission shall adopt, based on information provided to it by the Planning Office, i) a plan and budget for Infrastructure Capital Improvements which it proposes be made in the City during the next ensuing fiscal year (the subsequent year plan and budget) and ii) recommendations for Infrastructure Capital Improvements which the Commission proposes be made in each of the five fiscal years following the subsequent fiscal year (the five year plan and budget). The subsequent year plans and budgets and the five year plans and budgets shall each be consistent with the Comprehensive Plan, and shall set forth informed estimates of the cost of each item recommended and shall include recommended methods for financing the Infrastructure Capital Improvements included therein from all potential sources of funds, including but not limited to other governmental bodies, private parties, the state and the federal governments. Department heads and other public officials, upon request, shall provide their suggestions for Infrastructure Capital Improvements and related information needed by the Planning Commission upon its request. To the extent the one year plan and budget pertains to Capital Improvements as defined in Ordinance 60419, and to the extent such Capital Improvements are proposed by the Planning Commission to be funded from sources of funds enumerated in Ordinance 60419 as amended by Ordinance 61250, such one year plan and budget shall be submitted by the Planning Commission to the Budget Division pursuant to Section Six of Ordinance 60419 for use in developing the Capital

Budget for the coming Fiscal Year. The five year plan and budget shall be delivered to the Mayor.

15. The Planning Commission shall participate in regional planning discussions and programs with regional planning entities and other political subdivisions and their planning instrumentalities.

16. The Planning Commission shall have such other powers as may be necessary to enable it to fulfill its functions, promote city planning and development and carry out the purposes of this ordinance.

SECTION NINE. Comprehensive Plan: Contents

A. The Comprehensive Plan shall be a comprehensive, strategic, long-term, general plan to guide the harmonious development of the City and improve the quality of life for its citizens. The Comprehensive Plan shall comply with Ch. 89 RSMO and with any other provisions of State law concerning city plans, and be a guide to land use in general and identification of appropriate locations for: infrastructure improvements, new construction, renovation and demolition activity, city facilities and related capital improvements.

B. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the city which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design arrangements, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements all designed to improve the physical condition for living, to strengthen the economy and provide jobs, and to enlarge human opportunity.

C. The Comprehensive Plan shall consist of text and diagrams, with accompanying maps, charts, plats and other descriptive matter. It shall include:

1. A statement of objectives and policies;
2. The general location, character and extent of streets and other public ways, grounds, places and spaces; the general location and extent of public utilities

and terminals, whether publicly or privately owned, the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment or change of use of any of the foregoing; the general character, extent and layout of the replanning of blighted districts;

3. A land use element designating the proposed general distribution, location, and extent of uses of the land for housing, business, industry, open space and other categories of public and private use of land and shall include standards of population density and building intensity recommended for the various districts established in the plan;

4. A transportation element designating the general location, character, and extent of existing and proposed streets, boulevards, parkways, rapid transit and subway routes, light rail routes, viaducts, bridges, waterways, parking facilities and public utilities and terminals, whether publicly or privately owned or operated for water, light, sanitation, communication, power, transportation or other purposes; including the removal, relocation, widening, narrowing or abandonment of such facilities;

5. A community facilities element designating the general location and extent of existing and proposed parks, playgrounds, and other recreation facilities, waterfronts, schools and educational facilities, libraries, health facilities, public buildings, grounds and open spaces;

6. An environmental policies element identifying present and foreseeable environmental concerns, whether such concerns are caused by substances or actions originating within or outside the City, and addressing such problems in the planning context by location of facilities such as parks, mass transit facilities, public utility and health facilities and otherwise;

7. A regional element identifying the extent to which areas of the City are functionally, economically or otherwise related to or affected by other parts of the metropolitan region, and identifying areas or problems in which coordination with other political subdivisions or entities in the metropolitan region may be in the City's best interests;

8. Recommendations for implementation of the City Plan, including but not limited to recommendations for needed zoning ordinance changes, telecommunications infrastructure, and appropriate environmental policies; and

9. Such other elements as may be determined by the Planning Commission.

SECTION TEN. Comprehensive Plan: Preparation

In preparing a Comprehensive Plan, or any amendment or revision of a Comprehensive Plan, the Planning Office shall:

1. Subject to applicable State law and this ordinance, define the elements of such Comprehensive Plan, with special attention to the level of detail that belongs in the Comprehensive Plan as distinguished from other plans, such as Neighborhood Plans.
2. Examine alternative approaches used in other communities for preparing a city-wide plan in which there is community consensus, for establishing a framework for major development decisions.
3. Communicate with elected officials, neighborhood organizations and leaders, business, civic and non-profit organizations and other groups, and the citizens of St. Louis, in order to determine their concerns and goals for the city.
4. Make careful and comprehensive surveys and studies of present conditions and the future potential of the city, with due regard to its relation to neighboring political subdivisions.

SECTION ELEVEN. Comprehensive Plans: Adoption by Commission.

1. The Planning Commission may amend and revise a proposed Comprehensive Plan, or any amendment or revision of a Comprehensive Plan, submitted to it by the Planning Office prior to adopting such plan, amendment or revision, or it may reject any such plan, amendment or revision in its entirety. It may adopt a Comprehensive Plan as a whole by a single resolution, or may, by successive resolutions, adopt successive parts of a Comprehensive Plan, the parts corresponding with neighborhoods, major geographical sections or divisions of the city, or with functional subdivisions of the subject matter of the Comprehensive Plan, and may adopt any amendment or extension thereof or addition thereto. Before the adoption of the Comprehensive Plan or any part, amendment, revision, extension or addition thereof, the Planning Commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given not less than twenty days previous to the time fixed therefor, by one publication in a daily newspaper of general circulation in the City and in the City Journal. The adoption of a Comprehensive Plan or of any part, amendment, revision, extension or addition shall be by resolution of the Planning Commission carried by the affirmative votes of a majority of all the

members of the Planning Commission at a regular or special meeting thereof. The resolution shall refer expressly to the maps and descriptive and other matter intended by the Planning Commission to form the whole or part of the Comprehensive Plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Planning Commission. An attested copy of the Comprehensive Plan or part thereof shall be certified to the Board of Aldermen and to the City Register, and a copy shall be available in the office of the Recorder of Deeds.

2. The Planning Commission shall update the Comprehensive Plan not less frequently than every ten years, and may, from time to time, as it deems necessary, amend, extend, republish or add to the City Plan.

SECTION TWELVE. Commission: Neighborhood Plans, Topical Plans and Other Plans. The Planning Commission may direct the Agency Director to prepare Neighborhood Plans or plans relating to combinations of neighborhoods, Topical Plans, or other plans addressing issues deemed to be of importance to the city. In all cases the Planning Commission shall have the right to review, modify, and adopt or reject such plans. Any such plan that is determined by the Planning Commission to replace or supplement portions of the Comprehensive Plan shall be adopted only in compliance with all procedural requirements under Section Eleven hereof.

SECTION THIRTEEN. Construction in area with Comprehensive Plan.

No street or other public facilities, or no public utility, whether publicly or privately owned, the location, extent and character of which have been included in the Comprehensive Plan or portions thereof, shall be constructed or authorized in the City until the location, extent and character thereof has been submitted to and approved by the Planning Commission. In case of disapproval the Planning Commission shall communicate its reasons to the Board of Aldermen, and the Board of Aldermen, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the Board of Aldermen or the appropriate City department may proceed. If the public facility or utility is one the authorization or financing of which does not fall within the province of the Board of Aldermen, then the submission to the Planning Commission shall be by the board having jurisdiction, and the Planning Commission's disapproval may be overruled by that board by a vote of not less than two-thirds of its entire membership. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for, sale or lease of any street or other public facility is

subject to similar submission and approval , and the failure to approve may be similarly overruled. The failure of the Planning Commission to act within sixty days after the date of official submission to it under this section shall be deemed approval under this section.

SECTION FOURTEEN. Platting Street Lines.

The Planning Commission shall have the power to make and certify to the Board of Aldermen plats of areas on which are indicated the locations of lines recommended by the Planning Commission as the planned or mapped lines of future streets, street extensions, street widenings or street narrowings. The making or certifying of a plat by the Planning Commission shall not in and of itself constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes. The term "streets" as used in this chapter includes streets, avenues, boulevards, roads, highways, parkways, lanes, alleys, viaducts and other ways.

SECTION FIFTEEN. Official Map.

From and after the time the Planning Commission has adopted a major street plan, and has certified a copy of the major street plan to the Board of Aldermen, the Board of Aldermen may establish an official map of the City showing the location of the streets of the whole or of any part of the city theretofore existing and establishing by law as public streets. The Board of Aldermen shall certify the fact of the establishment of the official map to the Recorder of Deeds and shall cause a copy of same to be filed therewith, and a copy shall also be filed with the City Register.

SECTION SIXTEEN. Official Map: Changes.

The Board of Aldermen may add to the official map by placing thereon, from time to time, the lines of streets in accordance with plat of any subdivision in the City which shall have been approved and filed of record as provided by law. The Board of Aldermen may make, from time to time, other additions to or modifications of the official map, by placing thereon the planned or mapped lines of future streets, street extensions, widenings, narrowings or vacations, provided, before taking any such action the Board of Aldermen shall hold at least one public hearing thereon, notice of the time and place of which shall be given not less than twenty days previous to the time fixed therefor, by one publication in a daily newspaper of general circulation in the City and in the City Journal, and provided, the proposed addition to or modification of the official map shall be submitted to the Planning Commission for its approval, as

provided in Section Thirteen. In the event of the Planning Commission's disapproval, the additions or modifications shall require the favorable vote of a majority of the entire membership of the Board of Aldermen. Any planned or mapped street line location certified by the Planning Commission to the Board of Aldermen shall be deemed approved by the Planning Commission without further submission thereof to the Planning Commission. The placing of any planned street or planned street line upon the official map shall not, in and of itself, constitute or be deemed to constitute the opening of any street, or the taking or acceptance of any land for street purposes.

SECTION SEVENTEEN. Building in Mapped Areas.

For the purpose of preserving the integrity of the official map, no permit shall be issued for any building or structure or a part thereof on any land located between the planned or mapped line and the existing lines of any established street, as shown on the official map, or between the planned or mapped lines of future streets, as shown on the map. The Board of Adjustment of the City is empowered, upon an appeal filed with it by the owner of any such land, to authorize the grant of a permit for a building or structure or part thereof within any planned or mapped street location in any case in which the Board finds, upon the evidence presented to it upon appeal:

A. That the property will not yield a reasonable return to the owner unless the permit be granted or;

B. That balancing the interest of the City in preserving the integrity of the official map and the interest of the owner in the use and benefits of his property, the grant of the permit is required by considerations of justice and equity.

Before taking any such action, the Board of Adjustment shall hold a hearing thereon, at least ten days notice of the time and place of which shall be given to the appellant by mail at the address specified by the appellant in his petition. In the event the Board of Adjustment decides to authorize a building permit, it shall have the power to specify the exact location, ground area, height and other details and conditions of extent and character, and also the duration, of the building, structure or part thereof to be permitted.

SECTION EIGHTEEN. Building Permits - Without Access to Streets.

No permit for the erection of any building shall be issued unless an existing street or mapped street as shown on the official map gives access to the proposed building. An applicant for a permit may appeal to the Board of Adjustment, a hearing upon the appeal and notice of which shall be held and given as provided in Section Seventeen. The Board of Adjustment is empowered to authorize a permit, subject to conditions as the Board of Adjustment may impose, when it appears from the evidence that the circumstances of the case do not require the proposed building to be related to existing streets or to mapped streets as shown on the official map and where the permit would not tend to distort or increase the difficulty of carrying out the official map or comprehensive plan of the City. The Board of Public Service is empowered, upon application by an owner of land fronting on an outer roadway of a highway, without access to a street, to designate the outer roadway as a street and the designation by the Board of Public Service shall be deemed compliance with this section for the purpose of issuance of building permit.

SECTION NINETEEN. Duties of Cultural Resources Office.

The Cultural Resources Office:

1. Shall provide staff service to the Preservation Board upon its establishment by Ordinance ____ (BB54CS)
2. On and after the effective date of Ordinance ____ (BB54CS), shall receive all records and files of the Heritage and Urban Design Office established by Ordinance 57986, as amended.
3. With the approvals of the Preservation Board and the Board of Public Service, may acquire or accept title in the name of the City to land or property, or any interests or easements therein, including historic easements and remainder interests, for conservation or other public purposes.
4. Shall conduct surveys of Cultural Resources and make recommendations to the Preservation Board of sites and districts which the Cultural Resources Office believes should be nominated for landmark, landmark site or historic district status at the local, state or federal level, if such nomination is consistent with or not in conflict with the Comprehensive Plan.
5. Shall develop standards and administer a program for reviewing and approving art in public places, to the extent consistent with or not in conflict with the Comprehensive Plan.

6. Is authorized to implement all duties regarding cultural resource management and historic preservation required under Federal law or regulations as shall be delegated by the Federal government and/or the State Historic Preservation Officer.

7. Shall have the authority and responsibility to keep the Mayor, the Board of Aldermen, the Planning Commission, the Agency Director, the building commissioner, and the President of the Board of Public Service informed and advised as to all matters relating to historic preservation in the City.

SECTION TWENTY.

On and after the effective date of this ordinance, i) all functions and duties performed, or powers exercised, prior to the effective date of this ordinance by the Community Development Commission pursuant to any City ordinance (other than Ordinance 56708) shall be performed or exercised by the Planning Commission established by this ordinance; ii) except as provided by Ordinance ____ (B.B. 53), all functions and duties performed, or powers exercised prior to the effective date of this ordinance by personnel of the Community Development Commission pursuant to any City ordinance shall be performed by personnel of the Planning Commission as assigned by the Planning Commission; iii) except as provided by Ordinance ____ (B.B. 53), all functions and duties performed, or powers exercised, prior to the effective date of this ordinance by the Community Development Agency pursuant to any City ordinance shall be performed by the Planning and Urban Design Agency; iv) except as provided by Ordinance ____ (B.B. 53), all functions and duties performed, or powers exercised, prior to the effective date of this ordinance by the Community Development Director shall be performed or exercised by the Agency Director; v) all notices required to be given to any of the Community Development Commission, the Community Development Agency, or the Community Development Director shall be given to Planning Commission, the Planning and Urban Design Agency, or the Agency Director, as the case may be.

SECTION TWENTY-ONE. Section 4.16.250 of Title 4 of the Revised Code of the city of St. Louis is hereby repealed. In lieu thereof a new section is hereby enacted, to be codified as Section 4.16.250 of Title 4 of the Revised Code of the City of St. Louis, which shall read as follows: Vested accrued benefit.

A member with at least five (5) years of creditable service at date of termination of employment and not eligible for early retirement will have a

vested accrued benefit determined and payable under the provisions for early retirement, except:

1. Any former employee of the St. Louis Development Corporation, a Missouri not-for-profit corporation, who becomes a member of the System as a result of a reorganization of the activities of St. Louis Development Corporation in 1999 and with at least one (1) month of creditable service at date of termination of employment and not eligible for early retirement will have a vested accrued benefit determined and payable under the provisions for early retirement, or

2. Any member of the System whose employment terminates as a result of the reorganization of the activities of the Community Development Agency in 1999 who does not have a vested accrued benefit in the System at the date of termination of employment and who becomes employed by the St. Louis Development Corporation as a result of said reorganization activities in 1999 and not eligible for early retirement will have an immediate vested accrued benefit at the date of termination of employment determined and payable under the provisions for early retirement.

SECTION TWENTY-TWO. Severability.

The provisions of this ordinance are severable. In the event any provision of this ordinance is determined to be invalid, the remaining provisions shall not be affected thereby.

SECTION TWENTY-THREE. Emergency Provision.

This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Section 19 and 20 of Article IV of the Charter of the City of St. Louis and shall become effective immediately upon its approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
05/14/99	05/14/99	HUDZ	06/15/99	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE

06/18/99			06/18/99	06/25/99
ORDINANCE	VETOED		VETO OVR	
64687				

Chapter 3.48 - PLANNING AND URBAN DESIGN AGENCY

Procedures for declaring an area obsolete, [Ch. 11.07](#).

Prior history: Ords. 49589, 49776, 49865, 50090, 53609, 53746, 54749, 54790, 59241, 57492, 56708; 1948 C. Ch. 2 §§ 114—126; 1960 C. §§ 20.010—20.210, Chs. 31, [32](#)

City Counselor Ops.: 8178, 8388, 8512, 8592, 9276

Sections:

3.48.010 - Definitions.

As used in this chapter, the following terms have the following meanings:

"Agency Director" means the Director of the Planning and Urban Design Agency, appointed by the Mayor pursuant to this chapter.

"Comprehensive Plan" means a plan for the City heretofore adopted pursuant to RSMo 89.340, as amended, or as hereafter amended or newly adopted pursuant to this chapter.

"Cultural Resource" means a site or improvement that:

1. Has significant character or value as part of the development, heritage or cultural characteristics of the City, state or nation; or
2. Is the site of a significant historic event; or
3. Is the work of a master whose individual work has significantly influenced the development of the City, state or nation; or
4. Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
5. Owing to its unique location or singular physical characteristic represents an established and familiar visual feature of a neighborhood, community or the City; or
6. Has yielded, or is likely to yield, according to the best available scholarship, archaeological artifacts important in prehistory or history; or
7. Is a work of art located in a public space.

"Infrastructure Capital Improvement" means any action or expenditures taken or made to replace, install, refurbish, rehabilitate, reconstruct, construct, update or otherwise improve the public infrastructure in the City, whether or not owned by the City, including, for example, but not limited to, roads, bridges, parks, other public places, sidewalks, alleys, transit facilities and public buildings.

"Neighborhood Plan" means a plan relating to specific neighborhoods or combinations of neighborhoods, generally containing greater details as to current conditions, trends, projects and recommendations than the Comprehensive Plan, and, in general, expanding upon and illustrating the basic goals, objectives and principles contained in the Comprehensive Plan, and reflecting a clear understanding of the aspirations of residents, business persons and other stakeholders likely to be impacted by the implementation of the plan.

"Planning Commission" means the Planning Commission established by this chapter.

"Planning and Urban Design Agency" means the Planning and Urban Design Agency established by this chapter.

"Preservation Board" means the Preservation Board established by Ordinance 64689 (B.B. 54CS.)

"Topical Plan" means a plan relating to a specific topic, for example transportation, or to a land use or operational issue deemed to be of importance to the City, generally containing greater details as to current conditions, trends, projects and recommendations than the Comprehensive Plan, and, in general, expanding upon and illustrating the basic goals, objectives and principles that are contained in the Comprehensive Plan, and reflecting a clear understanding of the aspirations of residents, business persons and other stakeholders likely to be impacted by the implementation of the plan.

(1994 C., § 3.48.010; Ord. No. 64687, § 2, 1999.)

3.48.020 - Agency established.

There is hereby established the City of St. Louis Planning and Urban Design Agency. The Agency shall consist of an Agency Director, a Planning Office, a Cultural Resources Director, a Cultural Resources Office, a Planning Commission, and, upon the effective date of Ordinance 64689 (BB54CS), the Preservation Board established by that ordinance.

(1994 C., § 3.48.020; Ord. No. 64687, § 3, 1999.)

3.48.030 - Director of Planning and Urban Design Agency.

An Agency Director for the Planning and Urban Design Agency shall be appointed by the Mayor and may be removed for cause only. The Agency Director shall oversee the administrative and technical work of the Planning and Urban Design Agency and the Planning Commission, and is authorized to appoint personnel necessary to perform the duties and functions of the Planning and Urban Design Agency. The Agency Director shall prepare an annual budget for the Planning and Urban Design Agency. The Agency Director shall have the authority to identify new planning and Cultural Resources-related functions and activities not enumerated in this chapter but consistent herewith and cause them to be performed. He may make temporary reassignments of personnel within the Planning and Urban Design Agency, as needed for effective operations.

(1994 C., § 3.48.030; Ord. No. 64687, § 4, 1999.)

3.48.040 - Cultural Resources Director.

A Cultural Resources Director shall be appointed by the Agency Director in accordance with the Civil Service provisions of the Charter. The Cultural Resources Director shall render general and technical services relating to historic preservation to the Agency Director and to the Planning Commission and the Preservation Board, and shall perform other activities relating to Cultural Resources as directed by the Agency Director and the Planning Commission. The Cultural Resources Director is authorized to appoint personnel necessary to perform the duties and functions of the Cultural Resources Office and shall supervise the work of the Cultural Resources Office staff.

(1994 C., § 3.48.040; Ord. No. 64687, § 5, 1999.)

3.48.050 - Duties of Planning Office—Plans.

The Planning Office shall:

- A. Prepare for review by the Planning Commission revisions of and amendments or additions to the City's Comprehensive Plan;
- B. Prepare for review by the Planning Commission such other plans as are consistent with this chapter and which are requested by the Planning Commission;
- C. Perform planning and research at City-wide and neighborhood levels;
- D. Develop Infrastructure Capital Improvements information for action thereon by the Planning Commission pursuant to Section 3.48.070N of this chapter;
- E. Develop maps, graphs and other graphic material relating to planning; it may copyright any such material in the name of the City and charge for copies thereof;
- F. Conduct ongoing reviews of zoning policy, and recommend any changes it believes appropriate in the City's zoning ordinances and zoning maps to the Planning Commission, together with the reasons for such recommendations;
- G. Provide studies and reports as necessary to satisfy local, state and federal requirements concerning planning, zoning and land use;
- H. Assist in developing the "5-Year Consolidated Plan Strategy," "Neighborhood Revitalization Strategies," and "Annual Performance Evaluation Report" presently required by the Federal Department of Housing and Urban Development;
- I. Prepare housing conservation district analyses, development plan analyses, conditional use permit reviews, and related reports as may be required by law or requested by the executive or legislative branch of the City, and assist the Treasurer upon request in preparation of the annual lending study required by Section 5.12.060, City Code;
- J. Prepare plans required by the federal government in connection with National Register of Historic Places properties;
- K. Develop design and use standards for review by the Planning Commission for inclusion in the Comprehensive Plan and Neighborhood Plans;
- L. Develop innovative techniques for improvements of residential and commercial areas, such as specific exterior design standards for future construction in certain residential and commercial areas, and recommend to the Planning Commission implementation, subject to necessary ordinance authorization, of such techniques;
- M. Perform such other functions as may be provided by subsequent ordinances and other applicable law.

(1994 C., § 3.48.050; Ord. No. 64687, § 6, 1999.)

3.48.060 - Planning Commission.

- A. The Mayor shall appoint a Planning Commission consisting of thirteen members. The following City officials or persons appointed by City officials shall be members: a designee of the Mayor performing economic development activities on behalf of the City and reporting to the Mayor; a designee of the President of the Board of Public Service; a designee of the Comptroller; a designee of the President of the Board of Aldermen; and the Chairs of the Transportation and Housing, Urban Development and Zoning Committees of the Board of Aldermen. The remaining seven members ("citizen members") shall be appointed by the Mayor and shall have a demonstrated interest in City planning and development. One such citizen member shall be a registered architect, one shall be a practicing planner, one shall be a registered engineer, one shall be a registered landscape architect, and one shall have demonstrated expertise in transportation policy and/or planning. Of the citizen members first appointed, two shall serve for terms of four years, two shall serve for terms of two years, two shall serve for terms of three years, and one shall serve for terms of one year. All subsequently appointed citizen members shall serve for four year terms. Any vacancy in a membership shall be filled for the unexpired term by appointment as aforesaid. With respect to those members who are either City officials or designees of City officials, in the event any such member is unable to attend a given meeting of the Planning Commission, then the City official who is himself/herself a member or who designated the nonattending member may appoint a temporary replacement to sit in his or her stead. Such an appointment is revocable at will.
- B. The Directors of the Departments of Parks, Recreation and Forestry, Public Safety, Public Utilities and Streets shall serve as advisors to the Commission and shall attend the meetings thereof.
- C. The Planning Commission shall elect its Chairperson from among its citizen members and elect a secretary and such other officers as it may determine. The Planning Commission may adopt rules for the conduct of its business and keep a record of its proceedings. It shall hold regular meetings and special meetings as necessary to conduct business. Its records shall be public records. A majority of all members of the Planning Commission shall be a quorum. Unless otherwise provided by this chapter or by applicable law, a majority of a quorum shall be required to approve or reject matters presented to it for decision or for other actions of the Commission.

(1994 C., § 3.48.060; Ord. No. 68138, § 1, 10-31-2008; Ord. No. 64925, § 7, 2000; Ord. No. 64687, § 7, 1999.)

3.48.070 - Planning Commission powers and duties.

- A. The Planning Commission shall be the official planning agency for the City. It shall also be the Zoning Commission for the City. It shall perform for the City all functions required by applicable state law to be performed by a municipal planning commission and by a municipal zoning commission. It shall be the lawful successor to and shall assume the planning and zoning powers and duties of the Community Development Commission.
- B. The Agency Director, with the approvals of the Planning Commission and the Board of Estimate and Apportionment, shall have the power to enter into contracts with planners, engineers, architects, and other consultants for services as the Planning Commission may require, provided funds for such services are lawfully available. All such contracts shall be executed in the name of the City and shall be signed by the Agency Director and the Comptroller.
- C. The Agency Director with the approval of the Planning Commission is authorized to accept gifts, contributions, grants and donations for the furtherance of development or beautification within the City, on behalf of the Planning Commission. Gifts, contributions, grants and donations shall be used solely for the purposes indicated. Any gift in the form of money accepted by the Agency Director shall be deposited into a special account by the Comptroller and the Comptroller shall draw warrants on the account only for the purposes of carrying out the terms and conditions of the gift or donation.
- D. The Planning Commission shall recommend changes in the zoning ordinances and zoning district maps to the Board of Aldermen. No ordinance changing the zoning ordinances and zoning district maps shall be adopted over the negative recommendation of the Planning Commission, unless approved by a majority vote of all the members of the Board of Aldermen.
- E. The Planning Commission may hear appeals of decisions of the Preservation Board, consistent with the procedures described in Ordinance 64689 and the Planning Commission may promulgate rules, consistent herewith, and with other applicable law, concerning the conduct of review of such decision.
- F. Any blighting study and redevelopment plan under RSMo Chs. 99 (including both Sections 99.430 et seq. and 99.810 et seq.), 100 and 353 shall be submitted to the Planning Commission for its recommendation as to its conformity with the Comprehensive Plan and for such other findings as may be required by law. No ordinance adopting any such blighting study or redevelopment plan shall be adopted over the negative recommendation of the Planning Commission unless it receives the affirmative vote of the majority of all the members of the Board of Aldermen.
- G. The Planning Commission shall create and support community-based neighborhood planning activity. To that end, it shall direct the Agency Director to initiate a neighborhood-based planning program working with neighborhood organizations, aldermen, neighborhood stabilization managers and other concerned participants, and to coordinate such program

with similar programs of the state and federal governments.

- H. The Planning Commission shall review specific rezoning requests, street and alley vacation requests, proposed development plans and related development activity for compliance with the Comprehensive Plan and any applicable Neighborhood Plan.
- I. The Planning Commission shall provide factual input for planning and development decisions. To that end it may:
 - 1. Monitor economic, environmental and planning indicators on a neighborhood basis, a City-wide basis and a regional basis;
 - 2. Monitor the market for housing, economic development and related aspects of the regional, national and international economies in order to inform specific development decisions;
 - 3. Monitor development trends and initiatives in communities regionally, nationally and internationally to determine their relevance to St. Louis;
 - 4. Share data and information with City departments and agencies and elected officials, and, as appropriate, with neighborhood groups, businesses, citizens and other political subdivisions and agencies.
- J. The Planning Commission may on an on-going basis improve the use of information technology to support planning and development within the City and regionally. To that end it may:
 - 1. Enhance the use of electronic solutions to share information;
 - 2. Enhance the use of "Geographic Information Systems" within the planning and development agencies and the City as a whole;
 - 3. Increase interdepartmental collaborative efforts to improve the quality of data maintained and used by City departments.
- K. The Planning Commission may review proposals of the Planning Office for use of innovative techniques for improvement of areas of the City, for example, the establishment of residential and commercial design overlay districts, and if it approves them, recommend any appropriate implementing ordinances to the Board of Aldermen.
- L. The Planning Commission may consult with public officials and agencies, public utility companies, civic, educational, professional and other organizations, and with citizens with relation to the implementation of any plan it approves. All City officials and employees, upon request, shall furnish to the Planning Commission within a reasonable time available information as it requires for its work. The Planning Commission, its members the Agency Director and Planning Office staff, in the performance of their functions, may, to the extent permitted by law, enter upon any land and make examinations and surveys and place and maintain necessary monuments and markers thereon.
- M. To the extent consistent with applicable law, the Planning Commission may, by regulation adopted, delegate its authority to review certain matters to the Agency Director or Planning Office staff or to the Board of Public Service. Specifically, and not by way of limitation, the Planning Commission may authorize the Agency Director or Planning Office staff to act on its behalf in reviews of street vacations and blighting studies and redevelopment plans for parcels of one acre in size or less.
- N. On or before February 1 of each year, the Planning Commission shall adopt, based on information provided to it by the Planning Office, (1) a plan and budget for Infrastructure Capital Improvements which it proposes be made in the City during the next ensuing fiscal year (the "subsequent year plan and budget") and (2) recommendations for Infrastructure Capital Improvements which the Commission proposes be made in each of the five fiscal years following the subsequent fiscal year (the "five-year plan and budget"). The subsequent year plans and budgets and the five-year plans and budgets shall each be consistent with the Comprehensive Plan, and shall set forth informed estimates of the cost of each item recommended and shall include recommended methods for financing the Infrastructure Capital Improvements included therein from all potential sources of funds, including, but not limited to, other governmental bodies, private parties, and the state and the federal governments. Department heads and other public officials, upon request, shall provide their suggestions for Infrastructure Capital Improvements and related information needed by the Planning Commission upon its request.

To the extent the one year plan and budget pertains to Capital Improvements as defined in Ordinance 60419, and to the extent such Capital Improvements are proposed by the Planning Commission to be funded from sources of funds enumerated in Ordinance 60419 as amended by Ordinance 61250, such one-year plan and budget shall be submitted by the Planning Commission to the Budget Division pursuant to Section Six of Ordinance 60419 for use in developing the Capital Budget for the coming Fiscal Year. The five-year plan and budget shall be delivered to the Mayor.

- O. The Planning Commission shall participate in regional planning discussions and programs with regional planning entities and other political subdivisions and their planning instrumentalities.
- P. The Planning Commission shall have such other powers as may be necessary to enable it to fulfill its functions, promote City planning and development and carry out the purposes of this chapter.

(1994 C., § 3.48.070; Ord. No. 64925, §§ 5, 6, 8, 2000; Ord. No. 64687, § 8, 1999.)

3.48.080 - Comprehensive Plan—Contents.

- A. The Comprehensive Plan shall be a comprehensive, strategic, long-term, general plan to guide the harmonious development of the City and improve the quality of life for its citizens. The Comprehensive Plan shall comply with RSMo Ch. 89 and with any other provisions of state law concerning City plans, and be a guide to land use in general and identification of appropriate locations for: infrastructure improvements, new construction, renovation and demolition activity, City facilities and related capital improvements.
- B. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design arrangements, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements all designed to improve the physical conditions for living, to strengthen the economy and provide jobs, and to enlarge human opportunity.
- C. The Comprehensive Plan shall consist of text and diagrams, with accompanying maps, charts, plats and other descriptive matter. It shall include:
 - 1. A statement of objectives and policies;
 - 2. The general location, character and extent of streets and other public ways, grounds, places and spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned, the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment or change of use of any of the foregoing; the general character, extent and layout of the replanning of blighted districts;
 - 3. A land use element designating the proposed general distribution, location, and extent of uses of the land for housing, business, industry, open space and other categories of public and private use of land and shall include standards of population density and building intensity recommended for the various districts established in the plan;
 - 4. A transportation element designating the general location, character, and extent of existing and proposed streets, boulevards, parkways, rapid transit and subway routes, light rail routes, viaducts, bridges, waterways, parking facilities and public utilities and terminals, whether publicly or privately owned or operated for water, light, sanitation, communication, power, transportation or other purposes; including the removal, relocation, widening, narrowing or abandonment of such facilities;
 - 5. A community facilities element designating the general location and extent of existing and proposed parks, playgrounds, and other recreation facilities, waterfronts, schools and

educational facilities, libraries, health facilities, public buildings, grounds and open spaces;

6. An environmental policies element identifying present and foreseeable environmental concerns, whether such concerns are caused by substances or actions originating within or outside the City, and addressing such problems in the planning context by location of facilities such as parks, mass transit facilities, public utility and health facilities and otherwise;
7. A regional element identifying the extent to which areas of the City are functionally, economically or otherwise related to or affected by other parts of the metropolitan region, and identifying areas or problems in which coordination with other political subdivisions or entities in the metropolitan region may be in the City's best interests;
8. Recommendations for implementation of the City Plan, including, but not limited to, recommendations for needed zoning ordinance changes, telecommunications infrastructure, and appropriate environmental policies; and
9. Such other elements as may be determined by the Planning Commission.

(1994 C., § 3.48.080; Ord. No. 64687, § 9, 1999.)

3.48.090 - Comprehensive Plan—Preparation.

In preparing a Comprehensive Plan, or any amendment or revision of a Comprehensive Plan, the Planning Office shall:

- A. Subject to applicable state law and this chapter, define the elements of such Comprehensive Plan, with special attention to the level of detail that belongs in the Comprehensive Plan as distinguished from other plans, such as Neighborhood Plans;
- B. Examine alternative approaches used in other communities for preparing a City-wide plan in which there is community consensus, for establishing a framework for major development decisions;
- C. Communicate with elected officials, neighborhood organizations and leaders, business, civic and nonprofit organizations and other groups, and the citizens of St. Louis, in order to determine their concerns and goals for the City;
- D. Make careful and comprehensive surveys and studies of present conditions and the future potential of the City, with due regard to its relation to neighboring political subdivisions.

(1994 C., § 3.48.090; Ord. No. 64687, § 10, 1999.)

3.48.100 - Comprehensive Plans—Adoption by Commission.

- A. The Planning Commission may amend and revise a proposed Comprehensive Plan, or any amendment or revision of a Comprehensive Plan, submitted to it by the Planning Office prior to adopting such plan, amendment or revision, or it may reject any such plan, amendment or revision in its entirety. It may adopt a Comprehensive Plan as a whole by a single resolution, or may, by successive resolutions, adopt successive parts of a Comprehensive Plan, the parts corresponding with neighborhoods, major geographical sections or divisions of the City, or with functional subdivisions of the subject matter of the Comprehensive Plan, and may adopt any amendment or extension thereof or addition thereto. Before the adoption of the Comprehensive Plan or any part, amendment, revision, extension or addition thereof, the Planning Commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given not less than twenty days previous to the time fixed therefor, by one publication in a daily newspaper of general circulation in the City and in the City Journal.

The adoption of a Comprehensive Plan or of any part, amendment, revision, extension or addition shall be by resolution of the Planning Commission carried by the affirmative votes of a majority of all the members of the Planning Commission at a regular or special meeting thereof. The resolution shall refer expressly to the maps and descriptive and other matter intended by the Planning Commission to form the whole or part of the Comprehensive Plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the Secretary of the Planning Commission. An attested copy of the Comprehensive Plan or part thereof shall be certified to the Board of Aldermen and to the City Register, and a copy shall be available in the office of the Recorder of Deeds.

- B. The Planning Commission shall update the Comprehensive Plan not less frequently than every ten years, and may, from time to time, as it deems necessary, amend, extend, republish or add to the City Plan.

(1994 C., § 3.48.100; Ord. No. 64687, § 4, 1999.)

3.48.110 - Commission—Neighborhood Plans, Topical Plans and other plans.

The Planning Commission may direct the Agency Director to prepare Neighborhood Plans or plans relating to combinations of neighborhoods, Topical Plans, or other plans addressing issues deemed to be of importance to the City. In all cases the Planning Commission shall have the right to review, modify, and adopt or reject such plans. Any such plan that is determined by the Planning Commission to replace or supplement portions of the Comprehensive Plan shall be adopted only in compliance with all procedural requirements under [Section 3.48.100](#).

(1994 C., § 3.48.110; Ord. No. 64687, § 12, 1999.)

3.48.120 - Construction in area with Comprehensive Plan.

No street or other public facilities, or no public utility, whether publicly or privately owned, the location, extent and character of which have been included in the Comprehensive Plan or portions thereof, shall be constructed or authorized in the City until the location, extent and character thereof has been submitted to and approved by the Planning Commission. In case of disapproval the Planning Commission shall communicate its reasons to the Board of Aldermen, and the Board of Aldermen, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the Board of Aldermen or the appropriate City department may proceed. If the public facility or utility is one the authorization or financing of which does not fall within the province of the Board of Aldermen, then the submission to the Planning Commission shall be by the board having jurisdiction, and the Planning Commission's disapproval may be overruled by that board by a vote of not less than two-thirds of its entire membership. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for, sale or lease of any street or other public facility is subject to similar submission and approval, and the failure to approve may be similarly overruled. The failure of the Planning Commission to act within sixty days after the date of official submission to it under this section shall be deemed approval under this section.

(1994 C., § 3.48.120; Ord. No. 64687, § 13, 1999.)

RSMo:

RSMo 89.380 (2016)—Similar provisions

3.48.130 - Platting street lines.

The Planning Commission shall have the power to make and certify to the Board of Aldermen plats of areas on which are indicated the locations of lines recommended by the Planning Commission as the planned or mapped lines of future streets, street extensions, street widenings or street narrowings. The making or certifying of a plat by the Planning Commission shall not in and of itself constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes. The term "streets," as used in this chapter, includes streets, avenues, boulevards, roads, highways, parkways, lanes, alleys, viaducts and other ways.

(1994 C., § 3.48.130; Ord. No. 64687, § 14, 1999.)

3.48.140 - Official map.

From and after the time the Planning Commission has adopted a major street plan, and has certified a copy of the major street plan to the Board of Aldermen, the Board of Aldermen may establish an official map of the City showing the location of the streets of the whole or of any part of the City theretofore existing and establishing by law as public streets. The Board of Aldermen shall certify the fact of the establishment of the official map to the Recorder of Deeds and shall cause a copy of same to be filed therewith, and a copy shall also be filed with the City Register.

(1994 C., § 3.48.140; Ord. No. 64687, § 15, 1999.)

3.48.150 - Official map—Changes.

The Board of Aldermen may add to the official map by placing thereon, from time to time, the lines of streets in accordance with plat of any subdivision in the City which shall have been approved and filed of record as provided by law. The Board of Aldermen may make, from time to time, other additions to or modifications of the official map, by placing thereon the planned or mapped lines of future streets, street extensions, widenings, narrowings or vacations, provided, before taking any such action the Board of Aldermen shall hold at least one public hearing thereon, notice of the time and place of which shall be given not less than twenty days previous to the time fixed therefor, by one publication in a daily newspaper of general circulation in the City and in the City Journal, and provided, the proposed addition to or modification of the official map shall be submitted to the Planning Commission for its approval, as provided in Section 3.48.120. In the event of the Planning Commission's disapproval, the additions or modifications shall require the favorable vote of a majority of the entire membership of the Board of Aldermen. Any planned or mapped street line location certified by the Planning Commission to the Board of Aldermen shall be deemed approved by the Planning Commission without further submission thereof to the Planning Commission. The placing of any planned street or planned street line upon the official map shall not, in and of itself, constitute or be deemed to constitute the opening of any street, or the taking or acceptance of any land for street purposes.

(1994 C., § 3.48.150; Ord. No. 64687, § 16, 1999.)

3.48.160 - Building in mapped areas

For the purpose of preserving the integrity of the official map, no permit shall be issued for any building or structure or a part thereof on any land located between the planned or mapped line and the existing lines of any established street, as shown on the official map, or between the planned or mapped lines of future streets, as shown on the map. The Board of Adjustment of the City is empowered, upon an appeal filed with it by the owner of any such land, to authorize the grant of a permit for a building or structure or part thereof within any planned or mapped street location in any case in which the Board finds, upon the evidence presented to it upon appeal:

- A. That the property will not yield a reasonable return to the owner unless the permit be granted or;
- B. That balancing the interest of the City in preserving the integrity of the official map and the interest of the owner in the use and benefits of his property, the grant of the permit is required by considerations of justice and equity.

Before taking any such action, the Board of Adjustment shall hold a hearing thereon, at least ten days' notice of the time and place of which shall be given to the appellant by mail at the address specified by the appellant in his petition. In the event the Board of Adjustment decides to authorize a building permit, it shall have the power to specify the exact location, ground area, height and other details and conditions of extent and character, and also the duration, of the building, structure or part thereof to be permitted.

(1994 C., § 3.48.160; Ord. No. 64687, § 17, 1999.)

3.48.170 - Building permits—Without access to streets.

No permit for the erection of any building shall be issued unless an existing street or mapped street as shown on the official map gives access to the proposed building. An applicant for a permit may appeal to the Board of Adjustment, a hearing upon the appeal and notice of which shall be held and given as provided in Section 3.48.160. The Board of Adjustment is empowered to authorize a permit, subject to conditions as the Board of Adjustment may impose, when it appears from the evidence that the circumstances of the case do not require the proposed building to be related to existing streets or to mapped streets as shown on the official map and where the permit would not tend to distort or increase the difficulty of carrying out the official map or Comprehensive PLAN of the City. The Board of Public Service is empowered, upon application by an owner of land fronting on an outer roadway of a highway, without access to a street, to designate the outer roadway as a street and the designation by the Board of Public Service shall be deemed in compliance with this section for the purpose of issuance of building permit.

(1994 C., § 3.48.170; Ord. No. 64687, § 18, 1999.)

3.48.180 - Duties of Cultural Resources Office.

The Cultural Resources Office:

- A. Shall provide staff service to the Preservation Board upon its establishment by Ordinance 64689 (BB54CS);
- B. On and after the effective date of Ordinance 64689 (BB54CS), shall receive all records and files of the Heritage and Urban Design Office established by Ordinance 57986, as amended;
- C. With the approvals of the Preservation Board and the Board of Public Service, may acquire or accept title in the name of the City to land or property, or any interests or easements therein, including historic easements and remainder interests, for conservation or other public purposes;
- D. Shall conduct surveys of Cultural Resources and make recommendations to the Preservation Board of sites and districts which the Cultural Resources Office believes should be nominated for landmark, landmark site or historic district status at the local, state or federal level, if such nomination is consistent with or not in conflict with the Comprehensive Plan;
- E. Shall develop standards and administer a program for reviewing and approving art in public places, to the extent consistent with or not in conflict with the Comprehensive Plan;
- F. Is authorized to implement all duties regarding cultural resource management and historic preservation required under federal law or regulations as shall be delegated by the

federal government and/or the State Historic Preservation Officer;

G. Shall have the authority and responsibility to keep the Mayor, the Board of Aldermen, the Planning Commission, the Agency Director, the r Building Commissioner, and the President of the Board of Public Service informed and advised as to all matters relating to historic preservation in the City.

(1994 C., § 3.48.180; Ord. No. 64687, § 19, 1999.)

3.48.190 - Effective date—Functions and duties.

On and after the effective date of the ordinance codified in this chapter, (1) all functions and duties performed, or powers exercised, prior to the effective date of said ordinance by the Community Development Commission pursuant to any City ordinance (other than Ordinance 56708) shall be performed or exercised by the Planning Commission established by this chapter; (2) except as provided by Ordinance 64688 (B.B. 53), all functions and duties performed, or powers exercised prior to the effective date of the ordinance codified in this chapter by personnel of the Community Development Commission pursuant to any City ordinance shall be performed by personnel of the Planning Commission as assigned by the Planning Commission; (3) except as provided by Ordinance 64688 (B.B. 53), all functions and duties performed, or powers exercised, prior to the effective date of the ordinance codified in this chapter by the Community Development Agency pursuant to any City ordinance shall be performed by the Planning and Urban Design Agency; (4) except as provided by Ordinance 64688 (B.B. 53), all functions and duties performed, or powers exercised, prior to the effective date of the ordinance codified in this chapter by the Community Development Director shall be performed or exercised by the Agency Director; (5) all notices required to be given to any of the Community Development Commission, the Community Development Agency, or the Community Development Director shall be given to Planning Commission, the Planning and Urban Design Agency, or the Agency Director, as the case may be.

(1994 C., § 3.48.190; Ord. No. 64687, § 20, 1999.)

3.48.220 - Plan for Industrial Expansion, Inc.

The Plan for Industrial Expansion, Inc., is designated as the official agency of the City to aid and assist the development and expansion of industry, commerce and business within the City. Plan for Industrial Expansion, Inc. is authorized to take actions necessary to further the development and expansion of industry, commerce and business within the City.

(1994 C., § 3.48.220; Ord. No. 53595, § 1, 1965.) See also Ch. 3.84

RSMo:

RSMo 100.300 et seq. (2016) The planned industrial expansion law

Fiscal Note
Board Bill Number 92
Committee Substitute

Preparer's Name Cecilia Dvorak

Phone Number or Email Address (will be available publicly) 314-657-3873

Bill Sponsor Alderman Jeffrey Boyd

Bill Synopsis:	Board Bill would amend the text of the zoning code chapter 26.84.050 to ensure the Board of Adjustment consider compliance with the City's Comprehensive Plan in its decision-making process.
Type of Impact:	Zoning Text Amendment, Citywide change.
Agencies Affected:	Zoning Office, Planning & Urban Design Agency.

SECTION A

Does this bill authorize:

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? ___Yes XNo.
- An undertaking of a new service for which no funding is provided in the current adopted city budget? ___Yes XNo.
- A commitment of city funding in the future under certain specified conditions? ___Yes XNo.
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget? ___Yes XNo.
- An execution or initiation of an activity as a result of federal or state mandates or requirements? ___Yes XNo.
- A capital improvement project that increases operating costs over the current adopted city budget? ___Yes XNo.

- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? Yes No.

SECTION B

- Does the bill require the construction of any new physical facilities? Yes No

- If yes, describe the facilities and provide the estimated cost:

- Is the bill estimated to have a direct fiscal impact on any city department or office? Yes No

- If yes, explain the impact and the estimated cost:

- Does the bill create a program or administrative subdivision? Yes No

- If yes, then is there a similar existing program or administrative subdivision?

Yes No

- If yes, explain the how the proposed programs or administrative subdivisions may overlap:

- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources:

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

Financial Estimate of Impact on General Fund			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	N/A	N/A	N/A
Additional Revenue	N/A	N/A	N/A
Net	N/A	N/A	N/A
Financial Estimate of Impact on Special Funds			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	N/A	N/A	N/A
Additional Revenue	N/A	N/A	N/A
Net	N/A	N/A	N/A

- Describe any assumptions used in preparing this fiscal note:

- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note:

- Have the financial estimates of this bill been verified by the City Budget Division? _____ Yes X No

○ If yes, by whom? _____ .