



MEMORANDUM

To: Mayor and Members of the Board of Aldermen

From: Brittany Gillett, City Administrator

Date: December 14, 2021

Re: Composition of the Planning and Zoning Commission

At the November 9th Board of Aldermen meeting, the Board directed staff to research alternative options for the composition of the Planning and Zoning Commission. Currently the Board is comprised of 9 resident members with no elected officials.

Below is Missouri State Statute 89.320 RSMo:

89.320. Planning commission — membership — terms — vacancy — removal. — The planning commission of any municipality shall consist of not more than fifteen nor less than seven members, including:

- (1) The mayor, if the mayor chooses to be a member;
- (2) A member of the council selected by the council, if the council chooses to have a member serve on the commission; and
- (3) Not more than fifteen nor less than five citizens appointed by the mayor and approved by the council. All citizen members of the commission shall serve without compensation. The term of each of the citizen members shall be for four years, except that the terms of the citizen members first appointed shall be for varying periods so that succeeding terms will be staggered. Any vacancy in a membership shall be filled for the unexpired term by appointment as aforesaid. The council may remove any citizen member for cause stated in writing and after public hearing.

According to State law, both the Mayor and a member of the Board of Aldermen may be appointed to the Planning and Zoning Commission.

A question came up regarding the differing two-year terms for elected officials and four-year terms for members of the Planning and Zoning Commission. Given that the definitions within RSMo 89.320 are separated between Mayor, Council, and Citizen member, limiting the 4-year term length to only the Citizen member, the Board can reasonably impose differing term limitations for each elected official appointed to the Planning and Zoning Commission.

As practiced in a nearby community, the elected Board member may be appointed for a one-year term, reappointed as the Mayor and Board see fit. Another option would be to appoint the Board member to a two-year term, coinciding with their election dates, also allowing for reappointment.

In order to alter the structure of the Planning and Zoning Commission, the Board would need to amend section 2-203 of our City Code which pertains to the composition and terms of the Commission. Staff will plan to place this memo on the December agenda for Board discussion and will await further direction.

Please call or email with any questions.

Update January 4, 2022

Municipalities across the state vary in their composition of the Planning and Zoning Commission. Several cities do allow for full voting elected officials, while some only allow them to be liaison members and other have no elected representation at all. Most cities with participating elected officials have both Mayoral and Board member representation. Additionally, many do not have any elected officials on their Planning and Zoning Commission.

The reasons for having Board members on P&Z vary. Several municipal leaders shared that this is simply the way they have always done it and it has not been an issue. Others struggle to appoint residents to the Planning and Zoning Commission so this allows for a greater opportunity for a quorum.

Those without elected officials on Planning and Zoning have cited the approval process, and allowing for separation between the planning and the legislative process. Others do allow for a liaison with no voting rights to share information about the meeting with the Board of Aldermen.

During the December 14, 2021 Board of Alderman meeting, Alderman Epperson asked staff to perform an anonymous poll of Planning and Zoning Commission members to determine their thoughts on possibly having a Board of Alderman member on the Planning & Zoning Commission. Staff asked each member if they were in favor of having a member of the Board of Alderman on the Planning & Zoning Commission, and if so, would they want them to be a voting member or only a liaison to the Board of Alderman. Staff received eight (8) responses out of nine (9) commission members. One (1) member stated they were in favor of a member of the Board of Alderman serving on Planning & Zoning Commission and in favor of them having a vote. Five (5) members stated they were not in favor of having a Board of Alderman member as a member of the Planning & Zoning Commission but if they were a member they would want them to be a non-voting member or liaison to the Board of Alderman. One (1) member was in favor of a Board of Alderman member on the Planning & Zoning Commission but only as a non-voting member or liaison to the Board of Alderman. One (1) member was opposed to both the Alderman being on Planning & Zoning Commission, as well as being a voting member.