



TO: City Administrator, Assistant City Administrator and City Clerk

CC: Director of Public Works

FROM: Kate Crimmins, City Planner

DATE: Tuesday, May 30, 2023

**RE: Planning & Zoning Commission
Text Amendment Process Subcommittee**

The Planning and Zoning Commission subcommittee regarding text amendment requests met at 1:00 PM on Tuesday, May 30 in the Council Chambers at Des Peres City Hall.

In attendance were Planning and Zoning Commission Chair Anna Ahrens and Commissioners Cynthia Kardesch and Terrie Gwin. Commissioner Tony Pawloski was also appointed to the subcommittee but was absent. Director of Public Works Steve Meyer and City Planner Kate Crimmins were also in attendance.

Commission members received a memo from Doug Harms to the Board of Aldermen dated April 10, 2023 detailing the three methods in which surrounding municipalities handle requests for text amendments. Members also received a memo dated May 25, 2023 from Kate Crimmins with a staff opinion regarding the process.

The subcommittee affirmed their support for citizens and businesses to be able to request text amendments and to have a process for doing so. They also noted the potential for receiving text amendment requests that are frivolous, infeasible, or antithetical to the Comprehensive Plan. The subcommittee also recognized that text amendment requests have the potential to take up a substantial amount of time for both the Planning and Zoning Commission and City Staff.

The subcommittee was unanimous that requests for text amendment be submitted to the Board of Aldermen prior to reaching the Planning and Zoning Commission. They felt strongly that the Board of Aldermen should refer only the requests that they generally support and which merit the time and consideration of the Commission. The subcommittee noted that they do not want to spend time on requests that the Board has no intention of approving.

The subcommittee also recognized the costs to the City in the form of staff time spent on such requests and on public hearing advertisement expenses. They felt that an application fee should be commensurate with those expenses. They recommended an application fee of \$1,000 for each text amendment request.

The subcommittee felt that the City should maintain an application form for text amendment requests, and that the applicant should be required to explain how the request is in conformance with the Comprehensive Plan.

The following process was defined as the subcommittee's recommendation to the Planning and Zoning Commission:

1. **A request should be submitted to the Board of Aldermen for text amendment.**
 - The City should create an application form for such requests with a rigorous questionnaire. The applicant shall be required to demonstrate the request's consistency with the Comprehensive Plan and that the request does not create significant negative impacts.
 - City Staff shall write an initial report on each text amendment request, detailing how the Zoning Code could be amended to accommodate such a request, whether the request is consistent with the Comprehensive Plan, any negative impacts that may be created by the request, and the staff's recommendation of such a request.
 - An application fee of \$1,000 shall accompany each application.
2. **The Board shall either refer the request to the Planning and Zoning Commission if it merits consideration and the Board is reasonably interested in approving such an amendment, or the Board shall reject the request without referral to the Commission if the Board has no interest approving such a request.**
 - If the Board rejects the application at this step, the applicant shall receive a refund of \$500 since staff time will be reduced and advertising costs avoided.
3. **If referred, the Planning and Zoning Commission shall initiate consideration of the request. The Commission will study the request and make a recommendation to the Board of Aldermen.**

Ms. Ahrens made a motion, seconded by Dr. Kardesch, to recommend the procedure above to the Planning and Zoning Commission. The motion passed unanimously.

The meeting adjourned at 2:07 PM.