

FIRST REGULAR SESSION

# HOUSE BILL NO. 930

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES HOLLINGSWORTH, McKENNA, WAGNER,  
SELBY AND JOHNSON (90) (Co-sponsors).

Read 1<sup>st</sup> time March 7, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2061L.011

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### AN ACT

To repeal section 64.850, RSMo 2000, relating to county planning and zoning, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 64.850, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 64.850, to read as follows:

64.850. **1.** For the purpose of promoting health, safety, morals, comfort or the general welfare of the unincorporated portion of counties of the first [class] **classification** not having a charter form of government, or of counties of the second, third or fourth [class] **classification** to conserve and protect property and building values, to secure the most economical use of the land, and to facilitate the adequate provision of public improvements all in accordance with a comprehensive plan, the county commission of any county of the first [class] **classification** not having a charter form of government, or of any county of the second, third or fourth [class] **classification** may, after approval by vote of the people as provided in section 64.845, regulate and restrict, by order of record, in the unincorporated portions of the county, the height, number of stories, and size of buildings, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence or other purposes.

**2. In any county of the first classification not having a charter form of government, regulations or restrictions adopted pursuant to subsection 1 of this section may include appropriate and reasonable provisions for the control of the use of buildings, structures, or land, which such use cannot, in the opinion of the county commission, be placed,**

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 **specified or generally permitted in a specific district or districts because of the peculiar**  
18 **nature of the uses. The uses shall be limited to those which, if placed, specified or generally**  
19 **permitted in a specific district or districts, would pose undue regulatory difficulties. The**  
20 **uses shall be permitted only by a special permit issued by the county commission as a**  
21 **permissive use and not as a rezoning, after a public hearing as provided in section 64.860**  
22 **and a recommendation made by the planning and zoning commission to the county**  
23 **commission. The special permit shall set out regulations, restrictions, limitations and a**  
24 **termination date so that reasonable control may be exercised over said uses.**