CITY OF WEST PLAINS
1910 Holiday Lane
West Plains, Mo.
417.256.7176

November 4, 2026

To: City Council

From: Nick Crabtree, Building Official / Zoning Administrator

Re: Public Hearing Notification Requirement Change

Executive Summary

Recommend an ordinance approving the public hearing notification requirement change.

Discussion

Notification of Adjacent Property Owners

The City shall identify and notify all property owners whose properties are located within 185 feet of the subject property, as measured by lines drawn parallel to the boundaries of the area subject to the public hearing.

Notice shall be provided in printed form, such as a flyer, letter, or door hanger, and shall include, at a minimum, the date, time, location, and general nature of the public hearing. Written notice shall be provided at least 15 days before the public hearing.

The City shall maintain records documenting the method and date of each notification.

Sign Posting Requirements

The City shall post one or more signs, each measuring at least three square feet, on the subject property to advertise the public hearing. The sign(s) shall be posted at least seven days before the public hearing and shall contain the same information as the published notice.

The Planning Commission heard the matter on November 3, 2026 at the regular scheduled meeting and voted to recommend to council for approval.

Fiscal Impact
N/A

BILL NO. 4841 ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WEST PLAINS, MISSOURI, AMENDING ARTICLE I OF CHAPTER 50 OF THE MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION PERTAINING TO PUBLIC HEARINGS FOR ZONING MATTERS.

Whereas, there are various zoning matters that require a public hearing including but not limited to rezoning of property and consideration of conditional use permits; and

Whereas, the City Council believes it prudent to adopt regulations pertaining to public hearings for zoning matters to ensure consistency of notice and sufficient notice.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI, AS FOLLOWS:

Section 1. Article I of Chapter 50 of the Municipal Code is hereby amended by the addition of a new Section 50-7 which shall read as follows:

CHAPTER 50 ZONING

ARTICLE I IN GENERAL

SECTION 50-7 PUBLIC HEARING NOTIFICATION REQUIREMENTS

A. *Publication.* In all matters involving the zoning or rezoning of property, involving adoption or amendment of zoning regulations, and when publication of a public hearing notice is required by this Chapter or applicable law, the notice of public hearing shall be published in a newspaper of general circulation throughout the City at least fifteen (15) days prior to the date of the public hearing. The Planning Department shall prepare the legal notice advertising the public hearing. The notice shall contain the date, time, location and general nature of the public hearing. For rezonings or other matters pertaining to a specific property, the subject property shall be adequately described by address, parcel identification number, general location, or other means.

B. *Additional Notice.*

1. Adoption or amendment of zoning regulations shall not require additional public hearing notice.

2. In any case where this Chapter or applicable law requires a public hearing and the matter pertains to specific property, additional notice of the public hearing shall be provided as follows:

    a. *Notification of Adjacent Property Owners.* The City will be responsible for researching and notifying all property owners whose property limits are within an area determined by lines drawn parallel to and within a distance of one hundred eighty-five (185) feet from the site which is the subject of the public hearing.

Notices shall be in printed form, such as a flyer, letter, or door hanger, and shall contain, at a minimum, the date, time, location and general nature of the public hearing. The written notice shall be provided at least fifteen (15) days prior to the public hearing. The City shall maintain records of the notification method and date that such notice was provided.

b. *Sign Posting Requirements.* The City shall post a sign(s) at least three (3) square feet in size upon the subject property advertising the public hearing at least seven (7) days prior to the public hearing. The sign shall contain the same information as published notice.

(i) *Required Number Of Signs*. One (1) sign will be placed along each street that abuts the subject site. However, the Director of Planning shall have the discretion of waiving the requirements for sign placement along multiple street frontages if he/she determines that sign placement along the most heavily traveled street frontage(s) will suffice. If the subject site has more than three hundred (300) feet of frontage along any street, the Director of Planning shall have the discretion to require the placement of additional signs. If the subject site does not abut a street, the sign(s) will be placed on each side of any contiguous land owned by the petitioner or owner(s) of the subject site which does abut a street. If no such contiguous property is owned by the applicant or owner(s) of the subject site, the sign(s) will be placed in such location(s) as deemed appropriate by the Director of Planning to best inform the general public of the public hearing(s). If the Director of Planning determines that there is no location where a sign could be placed that would be visible to the general public, the Director shall have the discretion to waive the sign posting requirements.

(ii) *Sign Placement*. The required sign(s) will be posted in a conspicuous location unobstructed to view from the street, and will be placed no closer than ten (10) feet from any right-of-way line and/or property line and no further than fifteen (15) feet back from the right-of-way line and/or property line. The required sign(s) will not be erected in the street right-of-way or in a manner that would obstruct the vision of motorists or pedestrians.

(iii) *Sign Removal*. The required sign(s) will remain posted until after the public hearing which is advertised on the sign. The City shall remove all signs within seven (7) days of the public hearing. If one or more signs are removed by third parties prior to the public hearing, the City is not required to replace the sign(s).

C. In the event that a public hearing is to be held before both the Planning and Zoning Commission and the City Council, a single notice may include information about both public hearings or notice of each may be provided separately.

D. In the event that a previously-advertised public hearing is continued to a specific date, no further notice is required. However, if a public hearing is continued or postponed indefinitely, the notice required by this section shall be given before the item may be taken up, the public hearing held, and the matter considered.

E. Where the requirements of this section are not consistent with another provision in this Chapter addressing public hearings, the more restrictive provision will apply so that greater notice is provided.

F. The lack of additional notice as described in this Section shall not invalidate any proceedings or any final action taken on the matter.

Section 2. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF_____20_____.

CITY OF WEST PLAINS, MISSOURI

BY:_____

(SEAL) MAYOR MICHAEL TOPLIFF

ATTEST:

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CITY CLERK KELLIE MAYERS