

## PLANNING COMMISSION

### § 32.025 ESTABLISHMENT.

A Planning Commission is continued in the city.

(1997 Code, § 210.01)

### § 32.026 PURPOSE.

The Planning Commission is established to meet the requirements of state statute; to develop and enforce the Comprehensive Plan and amendments to the plan, subject to Council approval and the requirements of the Municipal Planning Act; and to review and make recommendations on subdivisions, zoning applications, planned unit developments, and site and building plans as provided by ordinance. No expenditures by the Commission shall be made unless and until authorized for the purpose by the Council.

(1997 Code, § 210.02)

### § 32.027 COMPOSITION.

(A) *Generally.* The Planning Commission shall consist of 7 voting members and 2 non-voting alternate members. The voting members shall be appointed for a 3-year term so that only 1/3 of the appointments will expire on December 31 of each year. Voting members may not serve more than 2 consecutive terms. Appointment to an additional term(s) will be considered with the available applicant pool. Alternate members shall be appointed to serve until there is a vacancy on the Planning Commission. The City Council shall appoint a first alternate and a second alternate who shall become voting members in the order of their appointment upon a vacancy on the Commission.

(1997 Code, § 210.03) (Am. Ord. 97-96, passed 1-15-2002; Am. Ord. 97-147, passed 2-15-2005; Am. Ord. 97-200, passed 11-5-2007; Am. Ord. 08-046, passed 6-21-2011)

(B) *Special appointments.*

(1) At the discretion of the City Council, up to 5 additional appointments can be made to the Planning Commission, for each special project, including but not limited to Environmental Management, Maintenance Advisory, and the Old Village, to assist with special projects currently in process, or directed by the City Council to be studied, drafted, and completed.

(2) The term of the special appointments shall expire 2 years from the date of appointment, or upon completion of the special project, whichever is first. Any special appointee may request reappointment if the specific project is not completed in that time.

(3) (a) Special project appointees shall have full voting privileges only on issues specifically related to the special project.

(b) Full voting privileges for the regular Planning Commission shall remain consistent with this section.

(Ord. 97-67, passed 1-2-2001; Am. Ord. 97-70, passed 1-16-2001)

### § 32.028 QUALIFICATIONS.

Each member and alternate member shall be a resident of the city. Wherever possible, Commission members should represent all geographical areas of the city and a cross-section of the population of the city at the time of appointment.

(1997 Code, § 210.04)

#### **§ 32.029 REMOVAL.**

Any member or alternate member may be removed by a 4/5 vote of the Council, for cause. Cause shall include but not be limited to having more than 3 consecutive absences or being absent from more than 1/3 of the meetings in any 1 calendar year. The Council may consider exceptional circumstances when applying this rule.

(1997 Code, § 210.05)

#### **§ 32.030 OFFICERS.**

The Commission shall elect a Chairperson, a Vice Chairperson, and a Secretary from among its appointed members at the annual meeting each year, for a term of 1 year. The Chairperson shall preside at all meetings of the Commission, if present, and shall perform all other duties and functions required by state statute or assigned by the Commission or the Council. The Vice Chairperson shall perform these duties in the absence of the Chairperson. If a vacancy occurs in the Chairperson's office, the Vice Chairperson shall assume the Chairperson's duties for the remainder of the year, and a new Vice Chairperson shall be elected by the Commission at a special election to be held at the next regularly scheduled Commission meeting, after at least 2-days written notice to each Commission member. The Secretary shall perform those duties assigned by state statute only. A recording Secretary shall be appointed by the Council to take and keep the minutes and records of the Commission.

(1997 Code, § 210.06)

#### **§ 32.031 ANNUAL MEETINGS.**

(A) The Commission shall hold an annual meeting the second Monday in the month of January in each year.

(B) The meeting shall be devoted to the election of officers and other business as shall be scheduled.

(1997 Code, § 210.07)

#### **§ 32.032 ANNUAL WORK PLAN.**

The Planning Commission shall meet with the Council at the Commission's first meeting in September each year to develop an annual work plan, including a list of projects, points of interaction on projects, programs, and goals for the following year.

(1997 Code, § 210.08)

#### **§ 32.033 REGULAR MEETINGS.**

Regular meetings shall be held in the City Hall at 7:00 p.m. on the second and fourth Mondays of each month. No action shall be taken in the absence of a quorum except to adjourn the

meeting to a subsequent date. A regular meeting may be canceled or rescheduled by the Commission at a prior meeting or if there are no scheduled agenda items on the Thursday prior to the meeting. All action taken by the Commission shall be by the affirmative vote of a majority of the members present.

(1997 Code, § 210.09)

#### **§ 32.034 SPECIAL MEETINGS.**

Special meetings of the Commission shall be held in the City Hall at a time and place designated or at a public place at a time designated and shall be called by the Chairperson. Upon the written request of at least 4 members, the Chairperson shall be required to call a special meeting to be held within 7 days of the request. Written notice of the meeting shall be given to all members not less than 3 working days in advance of the meeting.

(1997 Code, § 210.10)

#### **§ 32.035 QUORUM.**

A quorum shall consist of 4 members.

(1997 Code, § 210.11) (Am. Ord. 97-14, passed 9-2-1997; Am. Ord. 08-046, passed 6-21-2011)

#### **§ 32.036 VOTING.**

Each member attending any meeting shall be entitled to cast 1 vote. Voting shall be by voice vote. If any member has a personal interest of any kind in the matter before the Commission, the member shall disclose the interest and be disqualified from voting upon the matter. The Secretary shall record in the minutes that no vote was cast by that member. Alternate members shall be entitled to cast 1 vote in the absence of any member. The second alternate shall be entitled to cast 1 vote in the absence of any 2 members.

(1997 Code, § 210.12)

#### **§ 32.037 PROCEEDINGS.**

At any regular meeting of the Commission, the following shall be the regular order of business:

- (A) Roll call;
- (B) Approval of agenda;
- (C) Minutes of the preceding meeting;
- (D) Public hearings as scheduled on the agenda;
- (E) Old and new business as scheduled on the agenda;
- (F) Communications;
- (G) Other; and
- (H) Adjournment.

(1997 Code, § 210.13)

### **§ 32.038 RULES OF PROCEDURE.**

All meetings of the Commission shall be conducted in accordance with the Revised Robert's Rules of Order.

(1997 Code, § 210.14)

### **§ 32.039 AGENDA.**

The Chairperson shall cause all items to be considered at any meeting to be placed on a written agenda by the City Administrator or an appointed designee. The City Administrator, or appointed designee, shall advise the Chairperson of any matters the Commission must consider by Council directive, ordinance, or statute and shall have prepared and supply a written agenda of all meetings to all Commission members, the Council, and the public no less than 4 days before each meeting.

(1997 Code, § 210.15)

### **§ 32.040 RECORDS.**

Each formal action of the Commission shall be embodied in full upon the minute book as formal motion or resolution. The minutes of each meeting shall be provided to each member, the Council, and the public no more than 7 days after the date of each meeting. The recommendations and findings of the Commission shall be presented to the Council at the next regularly scheduled Council meeting. The records of meetings and actions and recommendations shall be transmitted to the City Administrator, or appointed designee, for keeping and distribution.

(1997 Code, § 210.16)

### **§ 32.041 TRAINING.**

Commission members shall be encouraged to avail themselves of training courses offered by the city, the state, and other government and public training agencies and the Council shall budget for the reimbursement of expenses incurred in training each year.

(1997 Code, § 210.17)

### **§ 32.042 DUTIES AND POWERS OF THE COMMISSION; COMPREHENSIVE PLAN.**

(A) *Plan.* The Planning Commission shall have the powers and duties given city planning agencies generally by law. The Commission shall also exercise the duties conferred upon it by this code. It shall be the purpose of the Planning Commission to prepare and adopt a Comprehensive Plan for the physical development of the city, including proposed public buildings, street arrangements and improvements, efficient design of major thoroughfares for moving of traffic, parking facilities, public utilities services, parks and playgrounds, a general land use plan, and other matters relating to the physical development of the city. The plan may be prepared in sections, each of which shall relate to the Comprehensive Plan program. After the Commission has prepared and adopted the Comprehensive Plan, it shall periodically, but at least every 5 years, review the Comprehensive Plan and any ordinances or program implementing the plan.

(B) *Means of executing plan.* Upon the adoption of a Comprehensive Plan or any section, it shall be the concern of the Planning Commission to recommend to the Council reasonable and practicable means for putting into effect the plan or section in order that the same will serve as a pattern and guide for the orderly physical development of the city and as a basis for judging the timely disbursements of funds to implement the objective. Means of effectuating the plan shall, among other things, consist of a zoning ordinance, subdivision regulations, capital improvement programming and technical review, and recommendations of matters referred to the Planning Commission by the Council.

(C) *Zoning ordinance.* The Planning Commission shall review all proposed amendments to the zoning ordinance, take part in public hearings, and make recommendations to the Council as may be prescribed by the zoning ordinance.

(D) *Conditional use permits.*

(1) The Planning Commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance.

(2) The Commission shall report its recommendations to the Council for action.

(E) *Subdivisions.* The Planning Commission may make recommendations in relation to the subdividing of land as prescribed by the ordinance; the Commission shall report its recommendations to the Council for action.

(F) *Variances.* The Planning Commission shall hear all variance requests from the literal provisions of this code, and shall follow the guidelines set forth in the zoning code.

(G) *Capital Improvement Program.*

(1) (a) The Planning Commission shall endeavor to obtain from city officers a descriptive list of proposed improvements for the ensuing 5-year period.

(b) The Planning Commission shall also request from the local school district a similar list of its proposed public works.

(2) (a) The Planning Commission shall list and classify all the proposed public works and shall prepare a coordinated program of proposed public works for the ensuing year and for a projected 5-year period.

(b) The program shall be recommended by the Planning Commission to the Council and to the other officers, departments, boards, or public bodies as have jurisdiction over the recommended planning or construction of the public works.

(1997 Code, § 210.18)