

Sec. 24-1.1. - Planning and zoning commission.

Sec. 24-1.1.1. - Creation; membership; qualifications; officers; forfeiture of office.

- (a) There is hereby created and established within and for the city a planning and zoning commission consisting of nine (9) members appointed by the council and mayor for terms of four (4) years from among the qualified voters of the city. The mayor and council shall appoint one (1) each. Members of the commission shall hold no other city office. The commission shall make recommendations to the city manager and the city council on all matters affecting the physical development of the city, shall be consulted on the comprehensive plan and the implementation thereof, and shall exercise all other responsibilities as may be provided by law.
- (b) The members of the planning and zoning commission shall be resident citizens and qualified voters of the city. The terms of the planning and zoning commissioners shall run concurrently with the four-year term of the appointing councilman or the mayor. A commissioner may be reappointed; however, no person shall serve as a planning and zoning commissioner for more than two (2) four-year terms of office, or eight (8) consecutive years. This provision does not preclude the reappointment of persons appointed to serve out an unexpired term.
- (c) Commissioners appointed to replace resignations shall serve the unexpired term of the resigned commissioner. All members of the planning and zoning commission shall remain in office until new appointments are made.
- (d) Appointments to any vacancy in the planning and zoning commission shall be made by the councilman or the mayor who made the previous appointment. The councilman or the mayor shall appoint and fill such vacancy within thirty (30) days from the commencement of such vacancy.
- (e) The planning and zoning commission shall elect a chairman and vice-chairman to serve a term of one (1) year. The election shall be held at the first regular planning and zoning meeting every October. Upon resignation of any officer, the commission shall elect a replacement from the commission to fill the unexpired term.
- (f) A planning and zoning commissioner shall automatically forfeit the office of planning and zoning commissioner if the commissioner:
 - (1) Accepts any elected or paid city office; or
 - (2) No longer resides within the city limits;
 - (3) Fails to attend three (3) consecutive regular meetings without being excused by the commission.
 - (4) Is absent for more than twenty-five (25) percent of regular meetings, with or without excuse, during a term.

- (5) Fails to attend less than fifteen (15) hours of specialized planning workshops during a term year, the costs of such workshops to be paid by the city.
- (6) Willfully, intentionally and knowingly violates any standard of conduct adopted by the commission.

(Ord. of 10-21-80, § 1; Ord. No. 84-153, §§ 1, 2, 10-2-84; Ord. No. 94-247, § 1, 12-5-94)

Sec. 24-1.1.1.2. - Compensation.

The members of the planning and zoning commission shall serve without pay but may be reimbursed for business expenses incurred in relation to commission business and approved by the commission and approved by the city manager.

(Ord. of 10-21-80, § 2; Ord. No. 94-247, § 1, 12-5-94)

Sec. 24-1.1.1.3. - Duties and powers.

The city planning and zoning commission shall have the following powers and responsibilities:

- (1) To make and amend a comprehensive plan for the development of the city, to include the making of maps of the whole, or of any portion, of the city and to make changes in, additions to and extensions of such plan or maps when it deems advisable. Such plan and maps shall show the commission's recommendations for location and extent of streets, bridges, playgrounds, parks and other public grounds and public improvements and shall include a twenty-year growth area for the city. The commission may adopt the plan as a whole by single resolution, or by successive resolutions may adopt successive parts of the plan, such parts to correspond with major geographical sections of the city, and may adopt any amendment or extension thereof or addition thereto. Before the adoption of the plan or any such part, amendment or extension or addition, the commission shall hold at least one (1) public hearing thereon after ten (10) days' notice published in a daily newspaper of general circulation printed in the city. The adoption of the plan, or any such part, amendment, extension or addition, shall be by resolution carried by the affirmative votes of not less than a majority of the members of the commission. A copy of the plan or part attested by the chairperson and secretary of the commission shall be certified to the city council. If such plan or part thereof shall be rejected by the city council in whole or in part, the planning and zoning commission may modify such plan or part thereof and again certify it to the city council for their approval.
- (2) To recommend to the city council alternative zoning plans for the city and approval or disapproval of proposed changes in the zoning plan; and in addition, to recommend certain special permits for specific land uses that may not be adequately regulated by zoning.

- (3) To exercise control over platting, replatting or subdividing land within the corporate limits of the city and within area of extraterritorial jurisdiction to effectively control all applications for such platting, replatting or subdividing of land, with such plats and maps as is required by law.
- (4) To make studies and project plans for the improvements of the city with the view of its future development and extension.
- (5) To act with and assist the city council in formulating and executing proper plans for municipal development.
- (6) To make recommendations to the city council concerning the procurement of financial and other aid from the state and federal governments when such aid is necessary to the achievement of the commission's planning and objectives.
- (7) To be responsible for the recommendation of a capital improvements program, which shall assist in guiding land development in the best interests of the city, which program shall be adopted with or without modifications by the city council.

(Ord. of 10-21-80, § 3; Ord. No. 94-247, § 1, 12-5-94)

Sec. 24-1.1.3. - Planning commission to make rules, regulations and bylaws; meetings, quorum.

The city planning and zoning commission shall, subject to the approval of the city council, make such rules and regulations and adopt such bylaws for its own government and shall designate such times and places for holding meetings as it deems proper. A majority of the commission shall constitute a quorum for the transaction of business. If a vacancy exists, that vacancy shall not be counted in determining a quorum.

(Ord. of 10-21-80, § 5; Ord. No. 94-247, § 1, 12-5-94)