

CHAPTER 23

PLANNING AND ZONING COMMISSION

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23.01 PLANNING AND ZONING COMMISSION. There shall be a City Planning and Zoning Commission, hereinafter referred to as the Commission, consisting of seven (7) members. Members shall be bona fide residents of the City, over the age of eighteen (18) years, and appointed by the Council. Commission members shall be qualified by knowledge or experience to act in matters pertaining to the development of a City plan, shall not be an employee of the City, and shall not hold any elective office in the City government.

(Code of Iowa, Sec. 414.6, 414.23 & 392.1)

23.02 TERM OF OFFICE. The term of office of the members of the Commission is three (3) years. The terms of not more than one-third of the members will expire in any one year.

(Code of Iowa, Sec. 392.1)

23.03 MEETINGS. The Commission meetings are on the third Thursday of each month, as needed, at seven o'clock (7:00) p.m.

23.04 VACANCIES. If any vacancy exists on the Commission caused by resignation, or otherwise, a successor for the residue of the term shall be appointed in the same manner as the original appointee.

(Code of Iowa, Sec. 392.1)

23.05 COMPENSATION. Members of the Commission shall receive such compensation as established by resolution of the Council. Commission members not wanting to receive said compensation shall submit a written statement to the City Clerk stating the desire not to be compensated.

23.06 POWERS AND DUTIES. The Commission has and exercises the following powers and duties:

1. Selection of Officers. The Commission shall choose annually at its first regular meeting one of its members to act as Chairperson and another as Vice Chairperson, who shall perform all the duties of the Chairperson during the Chairperson's absence or disability.

(Code of Iowa, Sec. 392.1)

2. Adopt Rules and Regulations. The Commission shall adopt such rules and regulations governing its organization and procedure as it may deem necessary.

(Code of Iowa, Sec. 392.1)

3. Annual Report. The Commission shall each year make a report to the Mayor and Council of its proceedings, with a full statement of its receipts, disbursements and the progress of its work during the preceding fiscal year.

(Code of Iowa, Sec. 392.1)

4. Appointment of Assistants. Subject to the limitations contained in this chapter as to the expenditure of funds, the Commission may appoint such assistants as it may deem necessary and prescribe and define their respective duties and fix and regulate the compensation to be paid to the several persons employed by it.

(Code of Iowa, Sec. 392.1)

5. Comprehensive Plan. The Commission shall have full power and authority to make or cause to be made such surveys, studies, maps, plans, or charts of the whole or any portion of the City or of any land outside thereof which, in the opinion of the Commission, bear relation to the comprehensive plan and shall bring its studies and recommendations to the attention of the Council and may also publish such studies and recommendations.

(Code of Iowa, Sec. 414.3)

6. Recommendations of Improvements. No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixtures, public structure or appurtenances, shall be located or erected, or site therefor obtained, nor shall any permit be issued by any department of the City for the erection or location thereof until and unless the design and proposed location of any such improvement shall have been submitted to the Commission and its recommendations thereon obtained, except such requirements and recommendations shall not act as a stay upon action for any such improvement when the Commission after thirty (30) days' written notice requesting such recommendations, shall have failed to file same.

(Code of Iowa, Sec. 392.1)

7. Review and Comment on Plats. All plans, plats, or re-plats of subdivision or re-subdivisions of land embraced in the City or adjacent thereto, laid out in lots or plats with the streets, alleys, or other portions of the same intended to be dedicated to the public in the City, shall first be submitted to the Commission and its recommendations obtained before approval by the Council.

(Code of Iowa, Sec. 392.1)

8. Review and Comment of Street and Park Improvements. No plan for any street, park, parkway, boulevard, traffic-way, river front, or other public improvement affecting the City plan shall be finally approved by the City or the character or location thereof determined, unless such proposal shall first have been submitted to the Commission and the Commission shall have had thirty (30) days within which to file its recommendations thereon.

(Code of Iowa, Sec. 392.1)

9. Zoning. The Commission shall have and exercise all the powers and duties in preparing the City zoning regulations, and may from time to time recommend to the Council amendments, supplements, changes or modification, all as provided by Chapter 414 of the Code of Iowa.

(Code of Iowa, Sec. 414.6)

10. Fiscal Responsibilities. The Commission shall have full, complete and exclusive authority to expend for and on behalf of the City all sums of money appropriated to it, and to use and expend all gifts, donations or payments whatsoever which are received by the City for City planning and zoning purposes.

(Code of Iowa, Sec. 392.1)

11. Limitation on Entering Contracts. The Commission shall have no power to contract debts beyond the amount of its original or amended appropriation as approved by the Council for the present year.

(Code of Iowa, Sec. 392.1)