

CHAPTER 40**PLANNING AND ZONING COMMISSION**

40.01 PLANNING AND ZONING COMMISSION. There shall be a City Planning and Zoning Commission, hereinafter referred to as the Zoning Commission, consisting of seven (7) members, who shall be citizens of the City and qualified by knowledge or experience to act in matters pertaining to the development of a City plan and who shall not hold any elective office in the City government, appointed by the Council.

(Code of Iowa, 1995, Sec. 414.6 & 392.1)

40.02 TERM OF OFFICE. The term of office of the members of the Zoning Commission shall be five (5) years. The terms of not more than one-third of the members will expire in any one year.

(Code of Iowa, 1995, Sec. 392.1)

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

(Code of Iowa, 1995, Sec. 392.1)

40.04 COMPENSATION. All members of the Zoning Commission shall serve without compensation, except their actual expenses, which shall be subject to the approval of the Council.

(Code of Iowa, 1995, Sec. 392.1)

40.05 POWERS AND DUTIES. The Zoning Commission shall have and exercise the following powers and duties:

1. Selection of Officers. It 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 official duties during the absence or disability of the chairperson.

(Code of Iowa, 1995, Sec. 392.1)

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

(Code of Iowa, 1995, Sec. 392.1)

3. Appointment of Assistants. Subject to the limitations contained in this

Chapter as to the expenditure of funds, it 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, 1995, Sec. 392.1)

4. Comprehensive Plan. It 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 Zoning Commission bears relation to the comprehensive plan and shall bring to the attention of the Council and may publish its studies and recommendations.

(Code of Iowa, 1995, Chap. 414)

5. Comprehensive Plan: Preparation. For the purpose of making a comprehensive plan for the physical development of the City, it shall make careful and comprehensive studies of present conditions and future growth of the City and with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with the present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development.

(Code of Iowa, 1995, Chap. 414 & Sec. 392.1)

6. Comprehensive Plan: Public Hearing. Before adopting a comprehensive plan as referred to in the preceding paragraph, or any part of it, or any substantial amendment thereof, the Zoning Commission shall hold at least one public hearing thereon, notice of the time of which shall be given by one publication in a newspaper of general circulation in the City not less than fifteen (15) days before the date of the hearing. The adoption of the plan or part or amendment thereof shall be by resolution of the Zoning Commission carried by the affirmative vote of not less than two-thirds (2/3) of the members of the Zoning Commission. After adoption of said plan by the Zoning Commission an attested copy thereof shall be certified to the Council and the Council may approve the same. When said plan or any modification or amendment thereof shall receive the approval of the Council, the said plan until subsequently modified or amended as hereinbefore authorized shall constitute the official City plan.

(Code of Iowa, 1995, Chap. 414 & Sec. 392.1)

7. Comprehensive Plan: Amendments. When the comprehensive plan as

hereinbefore provided has been adopted, no substantial amendment or modification thereof shall be made without such proposed change first being referred to the Zoning Commission for its recommendations. If the Zoning Commission disapproves the proposed change, it may be adopted by the Council only by the affirmative vote of at least three-fourths (3/4) of the members of the said Council.

(Code of Iowa, 1995, Chap. 414 & Sec. 392.1)

8. 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 Zoning Commission and its recommendations obtained before approval by the Council.

(Code of Iowa, 1995, Sec. 392.1)

9. Zoning. It shall have and exercise all the powers and duties and privileges in preparing and amending the City zoning code as provided by Code of Iowa, Chapter 414.

(Code of Iowa, 1995, Sec. 414.6)