

ADMINISTRATIVE RULES FOR THE CLAYTON COUNTY PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission shall be the advisory body to the Board of Supervisors in regard to planning and zoning, and make recommendations on all matters relative to the Comprehensive Plan and/or Zoning Ordinance upon which the Board must act.

In its advisory capacity, the Commission may seek advice and information from the Administrative Officer, legal counsel, professional planning and zoning consultants, and/or such other sources that may be available.

The Planning and Zoning Commission shall consist of eleven (11) members appointed by the Clayton county Board of Supervisors. Terms shall be for five years. Any vacancy shall be filled in the same manner for the unexpired portion of the term.

The following rules of procedure are hereby adopted by the Clayton County Planning and Zoning Commission.

1.0 Officers

The commission shall select from its membership a Chairperson and a Vice Chairperson who will perform the usual duties pertaining to such office.

1.1 Selection

At the first regular meeting, usually in January of each year, the commission will pick its officers from its membership. All officers are eligible for re-election.

1.2 Tenure

The Chairperson shall take office immediately following their selection and shall hold office for a term of two (2) years.

The Vice Chairperson shall take office immediately following their selection and shall hold office for term of one year or until their successors are selected and assume office.

1.3 Duties

The Chairperson will preside at all meetings, appoint committees and perform such other duties as may be ordered by the commission. The Vice Chairperson shall act in the capacity of the Chairperson in his/her absence and in the event the office of the Chairperson becomes vacant, the Vice Chairperson shall succeed tot his office for the unexpired term and the commission shall select a successor to the office of Vice chairperson for the unexpired term.

The Zoning Administrator will serve as Secretary and will record and maintain minutes of the meetings, maintain all records and perform such other duties as the Planning and Zoning Commission may determine. The Secretary shall act as Chairperson in the absence of the Chairperson and Vice Chairperson. In the event that the Chairperson, Vice Chairperson and Secretary are absent from a meeting and there is a quorum, the senior commissioner may be chosen to serve as chairperson of that meeting.

2.0 Meetings

The Planning and Zoning commission meeting is on call for the second Tuesday of every month beginning at 7pm in the Public Meeting Room at the Clayton County Office Building subject to formal business to be considered. Special meetings may be called at the request of the Chairperson. Notice of the meeting shall be sent by the Zoning Administrator to the members at least seven (7) days prior to such meeting and shall state the purpose and time of the meeting.

2.1 Public

All regular and special meetings, subcommittee meetings, hearings, records and accounts shall be open to the public, and shall comply with the Iowa Open Meetings Law.

2.2 Quorum

A total of six (6) members will constitute a quorum. The Chairperson may vote in cases where their vote would change the result, e.g. to make or break a tie. They should avoid influencing a vote by their own comment on a motion under consideration. Without a quorum, no business will be transacted and no official action on any matter will take place. An affirmative vote of the majority of the total number of members will be required for the exercise of the powers or functions conferred or imposed upon the Planning and Zoning Commission.

2.3 Order of Business

Agenda. The Zoning Administrator will prepare an agenda for each meeting. and send it to each commissioner at least seven (7) days before the meeting. The order of business shall be as follows:

- a. The Chairperson will declare the public hearing open.
- b. Roll Call
- c. Approval of the minutes.
- d. Consideration of Public Hearing(s). The petitioner (or his/her representative) will be heard first.
- e. Those against the petition will be heard next.
- f. All letters from the zoning administrator, public etc. must be read aloud or all motions and/or actions will become null and void.
- g. Consideration of matters heard under “d” above.
- h. Public comments on matters not on the established agenda, shall be limited to five (5) minutes.
- i. Unfinished business of the Commission.
- j. Adjournment.

2.4 Motions

Motions may be made by anyone on the commission except the Chairperson. The Chairperson will restate the motion before a vote is taken.

2.5 Voting

Voting will be recorded by yeas and nays. Every member of the commission is required to cast a vote upon each motion. However, a member may abstain if the member believes there is a conflict of interest. A member who elects to abstain from voting shall state the reason for the

abstention at the time of voting. During the discussion of the matter under consideration, a member who plans to abstain from the voting should so inform the commission so that other commission members can properly weigh the opinions given by a member who believes a conflict of interest exists.

2.6 Commission Action

Action by the commission on any matter on which a hearing is held will not be taken until the hearing has been conducted.

2.7 Parliamentary Procedure

Roberts Rules of Order, Revised, will govern the commission meetings in all cases where these rules do not provide the procedures to be followed.

2.8 Minutes

The Board of Supervisors shall be informed of any recommendation of the Planning and Zoning Commission by the Zoning Office so the Board of Supervisors hearing can be set up as soon as possible. The Board of Supervisors will receive a copy of the minutes after they are prepared.

2.9 Site Visit

It is recommended that at least one or two Commission members view the site, and/or video of the site be provided at the hearing prior to consideration by the Planning and Zoning Commission.

3.0 Comprehensive Planning and Zoning Hearings

The Commission will hold a public hearing on the matter before the adoption or amendment of any part of the Comprehensive Plan, or recommending approval of an amendment to the Zoning Ordinance to the Board of Supervisors. Notice of the public hearing will be published by one publication in the newspapers of record not less than four and no more than 20 days prior to such hearing.

4.0 Meeting Attendance

Commission members are expected to attend all regular and special meetings of the commission. If a member has a valid excuse for nonattendance, the member shall notify the Zoning Office prior to 11:00 a.m. on the day of the meeting. A commission member will be asked to resign at any time the member has three consecutive unexcused absences from a regular, special, or subcommittee meeting, or if the total absences (whether excused or not) exceed fifty percent (50%) of the total meetings in a calendar year. A review of attendance will be made at the end of each year.

5.0 Amendments

These rules may be amended at any regular or special meeting by a two-thirds vote of the members present.