

TITLE 13

PLANNING

Chapter:

- 13.04 Planning Commission
- 13.08 Amendment to Zoning

CHAPTER 13.04

PLANNING COMMISSION

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13.04.01 Authority As authorized by state enabling legislation, the West Fork Planning Commission is hereby established; and all powers necessary to carry out municipal planning, as permitted by such statutes, are hereby conferred thereon. Provided, however, that the Commission shall not expend or encumber city funds without prior approval of the City Council. (Ord. No. 357, Sec. 1.)

13.04.02 Purpose The general purpose of the Commission shall be to:

- A. prepare, or have prepared, plans for the city;
- B. receive and make recommendations on public and private proposals for development;
- C. Administer planning, zoning and subdivision regulations;
- D. prepare and transmit to the City Council recommended ordinances implementing plans; and

- E. advise and counsel city government and other public bodies on planning and related matters. (Ord. No. 357, Sec. 2.)

13.04.03 Members The Planning Commission shall consist of seven (7) members appointed by the Mayor and approved by the City Council. All members shall be qualified electors residing in the city, and shall not hold any other municipal officer or appointment, except membership on the Board of Zoning Adjustment. Members shall, in the initial appointment, serve terms as follows: one (1) member for a term of one (1) year; two (2) members for a term of two (2) years; and two (2) members for a term of three (3) years; and two (2) members for a term of four (4) years. Thereafter, all terms shall be for four (4) years, and shall expire on June 1st of such year. Appointments to fill vacancies shall be for unexpired terms only. Members may be reappointed for one (1) term, consecutive to the first term, with future appointment possible only after a minimum one (1) year break in service. (Ord. No. 357, Sec. 3.)

13.04.04 Officers The Commission shall annually designate one of its members as chairman, who shall have full voting status, and select a vice-chairman, and such other officers as it may require. It shall adopt rules and regulations, not inconsistent with law, for the discharge of its duties and the transaction of business. (Ord. No. 357, Sec. 4.)

13.04.05 Meetings The Commission shall establish regular meeting dates, providing for at least one (1) regular meeting to be held in each quarter of each calendar year. Special meetings may be called, subject to notification by law, by the chairman or by a majority of the Membership. The Commission shall keep a public record of all business, resolutions, findings, recommendations, and determinations. Four (4) members shall constitute a quorum, and an affirmative vote of a majority of the Commission's authorized membership shall be required for passage of any motion. (Ord. No. 357, Sec. 5.)

13.04.06 Reports The Commission shall make periodic reports to the Mayor and City Council covering their investigations, transactions, and recommendations, and such other reports relative thereto, as it may deem proper or as requested by the Mayor or City Council. (Ord. No. 357, Sec. 6.)

CHAPTER 13.08

AMENDMENT TO ZONING

Sections:

13.08.01 Conditional use criteria

13.08.01 Conditional use criteria The Planning Commission shall hear and decide each request for conditional use as listed in the Schedule of Uses. The Planning Commission shall hold a public hearing within ninety (90) days of the date of the application and may authorize the Conditional Use only after all of the following criteria (A-J) have been answered with an affirmative finding.

- A. A written application has been filed with the city and the fee has been paid.
- B. The applicant has provided proof that each adjacent property owner has been notified by return receipt mail or personal contact. If personal contact a signed affidavit by the owner must be submitted.
- C. Are public services and utilities available and adequate?
- D. Is fire protection adequate:
 - E. Is the proposed use compatible with the surrounding area and the planned use for the area?
- F. Is screening and egress safe and convenient?
- G. Are Off-Street Parking and loading areas adequate?
- H. Will refuse and service areas not cause adverse affects on adjacent property?
 - I. Will Off-Street Parking and loading areas not cause adverse affects on adjacent property?
- J. Will signs be in compliance with the city's sign ordinance?

The Planning Commission shall have sixty (60) days from the date the public hearing is held, to make its decision. If the Planning Commission does not make its decision within the sixty (60) day period the application shall be approved and the applicant may proceed to the City Council for action on the application. (Ord. No. 328, Sec. 1.)