

Title 2 – Boards and Commissions
Chapter 16 – Planning and Zoning Commission

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2-16-1 Creation. Under and by virtue of the authority conferred by the Code of Iowa, a City Planning and Zoning Commission is hereby created and established.

2-16-2 Appointment and Terms. The Planning and Zoning Commission shall consist of seven (7) members to be appointed by the Mayor, with the approval of the Council. Members appointed to the Commission should be, by knowledge or experience, qualified to act reasonably in matters pertaining to the growth management policies of the City, development and refinement of the Comprehensive Plan, Zoning matters, and City real estate vacation requests. Members appointed to the Commission shall not hold any elective office in the municipal government. The term of office of the members of the Commission shall be five (5) years each. Any member who does not maintain a reasonable record of attendance may be recommended for removal. Each term shall commence on the first day of July. All members of the Planning and Zoning Commission shall remain on the Commission until their successors are appointed. The Planning and Community Development Director shall be an ex-officio member of the Commission and shall serve as Secretary for the Commission. No individuals shall serve more than two (2) consecutive terms on the Commission.

2-16-3 Residence Requirements. Each member of the Commission shall be a resident of the City of Muscatine, Iowa.

2-16-4 Removal - Vacancies. The Council may, at any time, remove any member of the Commission after showing due cause, and the Mayor, with the approval of the City Council, shall fill the vacancies occurring on the Commission by removal or otherwise.

2-16-5 Compensation of Members. All members of the Planning and Zoning Commission shall serve without compensation.

2-16-6 Relation to Planning Administrator. The Planning Administrator, appointed by the City Administrator, shall report to the Planning and Zoning Commission on activities of his or her office concerning land use planning, the formulation of growth management policy, and those other activities corresponding with the public health, safety, and welfare of the community. The Planning Administrator shall also advise the Commission of his or her considered judgment concerning matters before the Commission, or on matters which he or she feels should come before the Commission.

2-16-7 Responsibilities and Duties. Duties, powers and guidelines of the Planning and Zoning Commission, in accordance with the provisions of applicable law, are hereby established for the conduct of Commission activities.

- A. Meetings. The Commission shall conduct regular meetings to review land use proposals and formulate positions or policies related to the activities the Commission has under consideration.
- B. Chairman. The Commission shall choose annually at its first regular meeting one of its members to act as Chairman.
- C. Making of Plans, Surveys, Maps, and Other Appropriate Material. The City Planning and Zoning 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 any land outside thereof, which in the opinion of the Commission bears relation to a comprehensive plan, and shall bring the same to the attention of the Council. The Commission may publish its studies and recommendations.
- D. Approval of Designs and Locations of Proposed Structures. No statuary, memorial, or work of art in a public place, and no public building, bridge, viaduct, street fixture, or public structure or appurtenances shall be located or erected, or a site therefore obtained, nor shall any permit be issued by any department of the City government for the erection or location for the erection or location thereof until and unless the design and proposed location of any such improvement shall have been submitted to the Planning and Zoning Commission and its recommendations thereon obtained.
- E. Recommendation Concerning Plans, Plats, etc. All plans, plats, or replats of subdivisions or resubdivisions of land embraced in the City, or within two (2) miles of the City corporate limits thereto, laid out in lots or plats with the streets, alleys, or other portions of the same intended to be dedicated to the public shall first be submitted to the Planning and Zoning Commission and its recommendations obtained before approval by the Council.
- F. Approval of Plans. No plan for any street, park, parkway, boulevard, traffic way, riverfront, or other public improvement affecting the City shall be finally approved by the City, or the character or location thereof determined, unless such proposal shall first have been submitted to the Planning and Zoning Commission.
- G. Purpose of Comprehensive Plan. For the purpose of making a Comprehensive Plan for the physical development of the City, the Planning and Zoning Commission shall make careful and comprehensive studies of present conditions and future growth with due regard to its relations 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.
- H. Procedure for Adoption of Comprehensive Plan. Before adopting a Comprehensive Plan, or any part of it or any substantial amendment thereof, the Planning and 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 ten (10) nor more than twenty (20) days before the date of the hearing.
- I. Adopt a Comprehensive Plan for the City of Muscatine by successive resolutions adopting successive elements of the Plan, said elements corresponding with, but not limited to land use, transportation, community facilities, parks, recreation and open space, neighborhoods, schools, economic development, central business district, utilities, and administrative procedures. Such Comprehensive Plan and each element thereof shall be a public record and aid the Planning and Zoning Commission in the performance of its duties. The adoption of the Comprehensive Plan and each element thereof shall be by resolution and be carried by the affirmative votes of not less than a majority of all the members of the Planning and Zoning Commission. An attested copy thereof shall be certified to the City Council, and the Council may approve the

same, and when such Plan or any modification or amendment thereof shall receive the approval of the Council, the Plan shall constitute the official Comprehensive Plan of Muscatine.

- J. Amendment or Modification of Comprehensive Plan. When such Comprehensive Plan has been adopted, no substantial amendment or modification thereof shall be made without such proposed change first being referred to the Planning and Zoning Commission for its recommendation. If the 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 Council.