



## STORY COUNTY PLANNING AND ZONING COMMISSION ORGANIZATIONAL POLICY AND RULES OF PROCEDURE

**Creation.** Pursuant to the provision of statutes and regulations of the *Iowa Code*, and as hereinafter set forth, there is hereby created and established a Planning and Zoning Commission consisting of seven (7) members appointed by the Board of Supervisors.

**Membership and Terms of Office.** All members shall be residents of Story County with a majority of the members residing in the unincorporated portions of the County. The term of office shall be five (5) years. The expiration date for all terms of office shall be December 31. The five (5) year term of office shall be effective as of January 1. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

**Officers.** The Commission shall annually elect a chairperson and a vice-chairperson from among its members prior to the first calendar meeting of the year.

**Quorum.** A majority of the current membership of the Commission shall constitute a quorum and a quorum shall be required to conduct the business of the Commission. Actions on Development Application required to be reviewed by the Commission shall require a majority vote of the Commission membership present. At the request of members of the Planning and Zoning Commission, the County may make provisions for members of the Commission to participate in a meeting via a conference call or other telecommunication device.

**Meetings.** The Commission shall meet monthly or on call. The regularly scheduled meeting dates, time and location are determined by the Commission annually, prior to the first meeting of the calendar year. However, as needed, time and/or place of meeting may be revised and such changes noted in accordance with the notification procedures contained herein. There shall be an annual meeting with the Board of Supervisors to discuss the Commission's proceedings and activities, suggestions for policy and zoning ordinance revisions and other items relating to the Commission's duties.

### **Meeting Cancellation**

A regular meeting may be canceled due to a lack of substantive agenda items to be addressed, meeting location scheduling conflicts, emergency conditions, inclement weather, or other acts of nature beyond the County's control. It is the responsibility and prerogative of the Chair of the Planning and Zoning Commission to cancel such meeting, and the Chair will notify the Planning and Development Director or his/her designee who will assume responsibility for notifying the media and persons affected by the cancellation, posting notice of the cancellation as appropriate, and rescheduling the meeting as appropriate. In the event that a scheduled meeting is canceled, the Chair may schedule a special meeting of the items scheduled to be conducted at the canceled meeting shall be deferred until such rescheduled meeting.

**Procedure of Meetings.** The Commission shall follow the following procedure for each meeting.

1. **Call to Order**
  - a. Chair calls the meeting to order.
2. **Roll Call**
  - a. The recording secretary states each member's name, who responds in turn with "present".

**3. Approval of Agenda**

- a. The chair determines if there are any changes or additions to the draft agenda. The agenda is then approved by the commission.
- b. Of note: approval of the agenda does not require a motion and a second.

**4. Approval of minutes**

- a. The chair determines if there are any changes or additions to the draft minutes. The minutes are then approved.
- b. Of note: approval of the minutes does not require a motion and a second, nor is a vote required.

**5. Public Comments**

- a. This is time for members of the public present to address to commission regarding matters not on the agenda. Also, correspondences received by staff regarding items not on the agenda are brought forth to the commission at this time.

**6. Old Business**

- a. This includes review of motions and business not settled at the last meeting when it was adjourned.
- b. If there is old business, each item is acted upon individually.

**7. New Business**

- a. At this point, the commission is considering new business. Each item listed on the agenda is addressed separately.
  - i. The chair first directs staff to present the case.
  - ii. Once staff is finished, the chair asks the commission members if there are any questions for staff.
  - iii. Once all questions have been reviewed, the chair then allows the applicant to present.
  - iv. Once applicant is finished, the chair asks the commission members if there are any questions for the applicant.
  - v. Once all questions have been reviewed, the chair asks whether any members of the public wish to address the commission regarding this application. The Chair may rule repetitious comments out of order, and also may limit the amount of time each member of the public has to speak.
  - vi. Once all public members have been given the opportunity to speak, the chair asks the commission if there are any additional questions of staff or the applicant.
  - vii. After all questions are answered, the chair will ask for a motion. Once a motion has been stated, the chair asks for a second to the motion. After motion has been made and seconded, the chair restates the motion for the record.
  - viii. The motion may be changed through an amendment. If no amendments are proposed, and the discussion has ended, the chair calls for a vote by roll call and the recording secretary calls each name, and the vote is recorded.
  - ix. Once the recording secretary has completed roll call vote, the chair announces the results.
  - x. The chair may address the applicant with an overview of the final result of all motion (i.e., "the commission has approved/recommended for approval your application to the board of supervisors. Please coordinate the next steps with the planning and development staff.)
- b. The same procedure is used for the next new business item.

**8. Public Hearing Items**

- a. At this point, the commission is holding public hearings. Each item listed on the agenda is addressed separately.
  - i. The chair first directs staff to present the case.

- ii. Once staff is finished, the chair asks the commission members if there are any questions for staff.
  - iii. Once all questions have been reviewed, the chair then allows the applicant to present.
  - iv. Once applicant is finished, the chair asks the commission members if there are any questions for the applicant.
  - v. Once all questions have been reviewed, the chair opens the public hearing and asks whether any members of the public wish to address the commission regarding this application. The Chair may rule repetitious comments out of order, and also may limit the amount of time each member of the public has to speak.
  - vi. Once all public members have been given the opportunity to speak, the chair closes the public hearing and asks the commission if there are any additional questions of staff or the applicant.
  - vii. After all questions are answered, the chair will ask for a motion. Once a motion has been stated, the chair asks for a second to the motion. After motion has been made and seconded, the chair restates the motion for the record.
  - viii. The motion may be changed through an amendment. If no amendments are proposed, and the discussion has ended, the chair calls for a vote by roll call and the recording secretary calls each name, and the vote is recorded.
  - ix. Once the recording secretary has completed roll call vote, the chair announces the results.
  - x. The chair may address the applicant with an overview of the final result of all motion (i.e., "the commission has approved/recommended for approval your application to the board of supervisors. Please coordinate the next steps with the planning and development staff.)
- b. The same procedure is used for the next new business item.

#### **9. Comments**

- a. This item on the agenda allows the planning and zoning commission members to note any announcements or offer comments regarding items not on the agenda.
- b. This item on the agenda allows the planning and development staff to note any announcements or offer comments regarding items not on the agenda.

#### **10. Adjournment**

- a. The chair asks if there is any further business, and if not, the chair may adjourn the meeting. If the commission wishes to adjourn the meeting before all business is completed, the meeting must be adjourned by motion, and a second is required.

**Amending Motions.** Motions can be amended only by the following:

- 1) Inserting or adding a word, phrase or sentence;
- 2) Striking out a word, phrase or sentence;
- 3) Striking out and inserting (substituting) words, phrases, sentences or paragraphs.

After a main motion has been made and seconded, any member can proposed an amendment, after being recognized by the Chair, by stating, "I move to amend the motion by...". Each proposed amendment must be seconded by another member to proceed. If there is a statement, the Chair states the main motion and the amendment so members will understand how the proposed amendment will change the main motion. The chair than ask for Commission discussion on the proposed amendment. After the discussion has ended, a vote on the proposed amendment is taken. The vote is then taken, (Roll Call is not needed.) and the Chair announces the outcome of the vote.

**Ex-parte Contacts.** Any contact though e-mail, phone, in-person, or in such similar fashion that a Commission member may have with a party involved, or potentially involved, in a matter before the

Commission and outside of the public hearing process is known as an "ex-parte" contact. Any substantive information or facts that a Commission member may receive during the course of those contacts that relates to the matter at hand shall be made a part of the public record so that it can be available for consideration or challenge by all interested parties. This shall be done by way of a public statement by the Commission member prior to the presentation of the matter under consideration at the Commissions meeting.

**Conflict of Interest.** A Commission member may abstain if the member believes there is a conflict of interest, particularly if the conflict is of a financial nature or otherwise. A member who elects to abstain from voting shall discuss the reason for the abstention with the Commission prior to the presentation of the matter under consideration. During the presentation and discussion of the matter under consideration, a member who plans to abstain from voting should remove him/herself from the proceedings and from taking any action on the issue or attempting to persuade any other member of the Commission to act in any specific direction. Commission members may not receive any type of gift for their own personal use or enjoyment related to transaction of their official Commission duties.

**Continuances.** The Commission may table a case until a later meeting to enable additional testimony to be heard, a site visit, or for other good cause by an affirmative vote of a majority of the members present and voting. The Commission may remove the item from the table at anytime by an affirmative vote of a majority of the members present and voting, however may not take final action on the item unless a quorum is present and such action receives a concurring vote of a majority of the members present.

**Removal of Commission Members.** Commission members are appointed by the Board of Supervisors and may be removed at any time for failure, (1) to attend three consecutive meetings or (2) to attend at least 2/3 of the meetings within any 12-month period. Upon written request of the member proposed for removal, the Board of Supervisors shall hold a hearing on the removal before it becomes effective.

**Notification Procedures.** Notice of the time and place of the hearing shall be published and applicant notification letters and surrounding property owner notification letters (within one-quarter mile) must be mailed in accordance with Section 331.305, *Code of Iowa*, as amended.

ADOPTED: June 30, 1978  
REVISED: March 14, 1989  
September 11, 1990  
December 16, 2002  
March 28, 2005  
February 4, 2008  
April 6, 2009  
March 1, 2010  
November 6, 2014