

**ADMINISTRATIVE RULES  
of the  
JESUP, IOWA PLANNING & ZONING COMMISSION**

The following are hereby adopted as the Jesup Planning and Zoning Commission Administrative Rules.

The Jesup Planning and Zoning Commission, herein referred to as the Commission, shall be an advisory body that provides recommendations, as is necessary and appropriate, according to the Iowa Code, Jesup Comprehensive Plan, and Zoning and Subdivision Ordinances.

**SECTION 1.0 OFFICERS**

The Commission shall select from its membership a Chair and Vice-Chair, who will perform the usual duties pertaining to such offices. The selection, tenure, and duties of Commission officers is as follows:

- 1.1 Selection. At the first regular meeting 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 Chair and Vice-Chair shall take office immediately following their selection and shall hold office for a term of one (1) year or until successors are selected and assume office.
- 1.3 Duties. The Chair will preside at all meetings, hearings, appoint committees, and perform such other duties as may be ordered by the Commission. The Vice-Chair shall act in the capacity of the Chair in the Chair's absence and if the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. The City Clerk or Deputy City Clerk will perform the duties of Secretary of the Commission. The Secretary will prepare the agenda, record and maintain minutes of the meeting, ensure that the minutes and adopted recommendations are properly published and recorded, provide appropriate applications to potential applicants, and perform such other duties as the Commission may determine.

**SECTION 2.0 MEETINGS**

The regular meeting of the Commission shall be scheduled for the second (2nd) Wednesday of every month beginning promptly at 7:00 p.m. in the Council Chambers of the Jesup City Hall. However, if there are no business items on the agenda, the Chair of the Commission may choose not to meet. The Chair and/or the Secretary shall call all meetings. When the regular meeting day is a legal holiday, the Commission at the prior regular meeting date shall select a suitable alternative day in the same month.

- 2.1 Special meetings. Special meetings will be called at the request of the Chair, or any four (4) members of the Commission. Notice of the special meeting shall be given by the Secretary to the members of the Commission prior to said meeting and shall state the purpose, time, and place of the meeting.
- 2.2 Public. All regular and special meetings, subcommittee meetings; hearings; records and accounts shall be open to the public. The agenda shall be posted, per the Code of Iowa.
- 2.3 Quorum. A majority of the total number of members, or four (4) members, shall constitute a quorum. Without a quorum, the meeting will not be called to order.
- 2.4 Order of business: Agenda. The Secretary will prepare an agenda for each meeting and provide it to

each Commissioner prior to each regular or special meeting. Said agenda shall be posted according to Iowa Code. The order of business shall be as follows:

- a) Call to Order
- b) Roll call.
- c) Consideration of the Agenda.
- d) Consideration of the Minutes from the previous meeting(s).
- e) Advertised public hearing(s). The Chair will declare the public hearing open and state its purpose. The petitioner (or their representative) will be heard first; followed by the staff report of the Zoning Administrator, comments from the general public, and applicant rebuttal.
- f) Consideration of matters heard under e) above.
- g) Agenda Item(s).
- h) General Discussion.
- i) Adjournment.

2.5 Motions. Motions may be made and seconded by anyone on the Commission. In order to vote on a motion, it must be made and seconded by different members of the Commission. Without a second, a motion shall die. Upon request, the Chair will restate the motion before a vote is taken.

2.6 Voting. Voting on motions will be by yeas and nays or by roll call, if requested by the Chair or any Commission member. An affirmative vote of the majority will be required for the exercise of the powers or functions conferred or imposed upon this Commission. Every member of the Commission, including the Chair, may vote on each motion. However, a member may abstain if the member believes there is a conflict of interest, particularly if the conflict is of a financial nature. Before consideration of a request or discussion of a particular agenda item, a member who intends to abstain from voting may inform the Commission of their intention. An abstention shall be counted as a nay vote.

2.7 Commission action. Action by the Commission on any matter shall be conducted according to Sections 2.5 and 2.6. The Commission shall only provide recommendations. In any case, an action item that requires a hearing will not be decided until said hearing has been conducted.

### **SECTION 3.0 PUBLIC HEARINGS**

Before the adoption or amendment of any part of the Comprehensive Plan or recommending approval of an amendment to the Zoning Ordinance to the City Council, the Commission will conduct a public hearing. Hearings shall be conducted according to the Iowa Code and Jesup Zoning Ordinance, and hearing requirements include, but not be limited to, the following requirements:

3.1 Notice. Notice of the time and place of the hearing will be given not less than seven (7) days, but not more than twenty (20) days, prior to the hearing by one (1) publication in a newspaper of general circulation. A courtesy notice of a proposed rezoning will be given by mail to all interested parties including all of the owners and residents of property within two hundred (200) feet of the boundaries of the premises under consideration.

3.2 Hearing Rules. Prior to conducting the hearing, the Chair may read any rules and regulations governing hearings. Rules may include provisions regarding: order of speakers; length of speaking time; participant identification and conduct; integration of written comments; and an explanation of the public hearing and decision-making processes.

- 3.3 Hearing Continuance. The Commission may continue a hearing to the next regular or special meeting. Notice requirements, per Section 3.1, shall be repeated for any continued hearings.

#### **SECTION 4.0 EXPENSES AND GIFTS**

The Commission shall be governed by the following rules regarding personal expenses and gifts.

- 4.1 Expenses. Commission members may receive payment for actual expenses and mileage incurred only upon approval of the Council.
- 4.2 Personal Gifts. Commission members may not receive any type of gift for their personal use or enjoyment.

#### **SECTION 5.0 MEETING ATTENDANCE**

Commission members are expected to attend all regular and special meetings of the Commission. If a member has a valid reason for their absence, the member shall notify the Commission Chair or Secretary before the meeting. An annual review of Commission attendance will be made by the Secretary and presented to the Council.

#### **SECTION 6.0 RECOMMENDATIONS TO BE CONSIDERED BY THE PLANNING AND ZONING COMMISSION**

The Commission may consider the following types of recommendations:

- 6.1 Proposed amendment to the Comprehensive, Urban Renewal, or other Plans.
- 6.2 Proposed changes in the written text of the Zoning Ordinance.
- 6.3 Proposed changes to the Official Zoning Map.
- 6.4 Review of proposed developments and subdivisions.
- 6.5 Review of home industry and home occupation applications.
- 6.6 Other requested, as may be directed by the Council.

#### **SECTION 7.0 COMMITTEES**

The Commission may create, by resolution, standing and special committees for certain purposes as determined by the Commission.

- 7.1 Appointment and tenure of committees. The Chair will appoint three (3) or more members to each committee. The committee will decide when and where to meet, and announce these intentions to the Commission. Members of the committee will serve for one (1) year and until successors are appointed or in the case of special committees until their work is completed. Vacancies will be filled by action of the Commission.
- 7.2 Spokesperson position created. Every committee will choose a spokesperson who will assume the following duties: present the findings and recommendations of the committee to the whole Commission; ensure that the committee meeting is open to the public and the public has been notified

of each meeting; guide the committee meeting; and insure that proper minutes have been kept.

**SECTION 8.0 PLANNING STAFF**

In accordance with Chapter 414 of the Iowa Code and Zoning Ordinance, the Jesup City Council shall appoint staff including a Zoning Administrator and City Clerk. The Planning and Zoning Commission may seek to be involved in reviewing applications for the Zoning Administrator's position and recommend the most qualified candidate to the City Council. Duties of the staff include:

- 8.1 Implementing and administering of the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance (distributes and collects applications and fees).
- 8.2 Providing public information and relations regarding Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance.
- 8.3 Enforcing of the Zoning and Subdivision Ordinances.
- 8.4 Serving as Secretary to the Commission. The Secretary shall serve as a non-voting, ex-officio member of the Commission.

**SECTION 9.0 RECORDS**

The Secretary shall keep files showing the status of all cases, minutes, and findings as part of the records of the Commission. In addition, the Secretary shall keep a file of all cases including applications and additional information as a part of the legal records. All records of the Commission shall be considered public record.

**SECTION 10.0 INFORMAL ADVICE**

The Commission, or its individual members, will not consider a request (informal or not) for advice on theoretical or actual situations that will, or could potentially be, presented to the Commission for a recommendation.

**SECTION 11.0 ADOPTION AND AMENDMENT**

Proposed amendments shall be presented in writing at any regular meeting of the Planning and Zoning Commission and voted on at the next regular meeting of the Commission. Passage of any such amendments shall require a two-thirds (2/3) vote of the total membership of the Commission

Adopted: June 15, 2005

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Jesup Planning & Zoning Commission Chair