

RULES AND BYLAWS
OF THE
CEDAR FALLS
PLANNING AND ZONING
COMMISSION



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7 ayes, 0 nays

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I. RULES

The following rules are adopted by the Planning and Zoning Commission to set out the powers and responsibilities of the Commission, to provide for the orderly conduct of its business, to make available the information necessary for a thorough review of all aspects of questions before the Commission, and to inform the citizens of the City of Cedar Falls of the procedures available by which they may file a request, or may react favorably or unfavorably to matters under consideration by the Commission.

A. POWERS AND RESPONSIBILITIES

The Planning and Zoning Commission shall have and possess all powers as permitted by Chapter 21, as amended, Cedar Falls Code of Ordinances.

B. PROCEDURES

1. Meetings

Commission meetings shall be held at 5:30 p.m. on the second and fourth Wednesdays of each month in the Council Chambers at City Hall. If said meeting date falls on a City Holiday, then the meeting will move to the next succeeding day unless the meeting is canceled or rescheduled. The Chair may call special meetings as deemed necessary, and is obligated to do so upon the request of three or more members. Notice of such special meetings, stating the purpose of the meeting, shall be given to each member and to the press at least twenty-four (24) hours prior to the time of meeting. Meetings shall be governed by Roberts Rules of Order, Revised.

2. Petitions

Anyone wishing to make a request for consideration by the Commission should do so in writing. Applications for matters considered by the Commission are available in the Community Development Department. The applicant shall file the same with the Community Development Department within the deadline provided on the Schedule of Applications, as approved annually by the Commission.

3. Regular Processing Procedure

a. Applications shall be filed with the Community Development Department within the deadline provided on the Schedule of Applications.

b. Staff will review the application to verify it is a complete submittal. The applicant will be notified of the status. In the



case of a rezoning request, staff will complete the required public notice in anticipation of a public hearing at the corresponding meeting, per the Schedule for Applications.

- c. A complete application will be presented to the Technical Review Committee by the Community Development Department for initial comment and review. The Technical Review Committee is made up of various City officials, Cedar Falls Utilities personnel, Cedar Falls School Administration, County and Waterloo officials and other utility personnel (i.e. telephone, cable providers etc.). City staff will assemble Technical Review Committee comments and request appropriate changes by the resubmittal date identified in the Schedule of Applications.

A staff report reviewing the request will be prepared for the Commission. Complete and up to date supporting documents will be provided with each petition, as provided by the applicant.

- d. The standard operating procedure for applications involving preliminary plats, rezoning, development plans or agreements, public hearings or similar matters will be to discuss said item at one meeting and vote upon it at a subsequent meeting. In the case of minor items such as overlay design reviews, minor plats and final plats, discussion and vote may be considered at the same meeting. However, that will be at the staff and Commission's discretion.
- e. Applications scheduled for a subsequent meeting shall resubmit materials as directed by the Commission and/or staff by the date indicated on the Schedule of Application in order to be on the subsequent Commission meeting.

Should the amendments not be provided to the Community Development Department by the identified resubmittal deadline in the Schedule of Applications then either Staff, at its discretion, may hold the matter until all items are submitted, or forward it to the Commission recommending one of the following alternatives:

- (1) Denial of the request due to lack of conformance to Commission direction,
- (2) Tabling the matter until the necessary requirements are met, or



- (3) Develop within the Commission the necessary requirements with those items being provided to the Community Development Department prior to submission of the request and Commission recommendations to City Council.
- f. The Commission's actions regarding requests may include one of the following actions:
- (1) Recommend to the City Council approval of the petition.
 - (2) Table or continue the matter if the petitioners have not met the direction given by the Commission.
 - (3) Recommend to the City Council approval of the petition with modifications deemed necessary by the Commission. The petition will not be forwarded to the City Council unless the amendments are provided to the Community Development Department staff.
 - (4) Recommend to the City Council denial of the petition and state the reasons on which the recommendation is based.

4. **Meeting Minutes**

Minutes will be taken and made publicly available by the next Commission meeting. Minutes will be official when they are approved by the Commission. Minutes will be forwarded to the City Council. An abbreviated description will also be provided in the staff report for each petition forwarded to City Council.

C. COMMITTEE FORMATION

From time to time the Chair may appoint special committees if the Commission agrees there is a need. This may be either a "committee of the whole" or a subset of the Commission. If a subset, the Commission Chair or Vice Chair shall attend and lead the meeting. The Chair or Vice Chair shall report the committee findings and recommendation to the full Commission.

D. CONDUCT OF MEETINGS

Meetings of the Commission are open to the public and the public is invited to participate. To provide for the orderly conduct of the meeting the following rules will apply to the discussion:



1. Before any subject is open to debate by the Commission, it is necessary that a motion be made, that it be seconded, and that the question be stated by the Chair.
2. Except for public hearings members of the Commission shall be recognized first on any question. Visitors wishing to speak may so indicate and they will be recognized after members of the Commission have been heard. A member of the Commission may defer to a visitor and the visitor will be recognized if there is no objection from the Commission. With regard to comments from the public, the following will apply:
 - a. Those in favor of a proposal will be heard first and those opposed will be last.
 - b. Those speaking before the Commission shall refrain from repeating what has been said before and shall not involve personalities or personal criticisms when making statements.
 - c. Those speaking before the Commission shall be as factual as possible.
 - d. Those speaking before the Commission shall provide their name and address before speaking.
 - e. The Commission reserves the right to question any speaker, and the Chair reserves the right to limit comments or to impose time limits on individual comments.

II. **BYLAWS**

Section 1. Scope

The Planning and Zoning Commission of the City of Cedar Falls, Iowa, created by Ordinance of the City Council, is composed of nine (9) members, appointed by the Mayor with approval of the City Council. The responsibility of the Commission is to prepare a comprehensive plan for the City, together with necessary plans, maps, reports, and other studies incidental to the preparation of such plan; to hold public meetings and hearings; and submit final reports and recommendations to the City Council. It may also recommend to the City Council from time to time, amendments, supplements, changes or modifications to the comprehensive plan or any portion of it. In addition to these duties, the Commission shall review subdivision plats, public land sales, right of way vacations and various planning and zoning issues as outlined in the City Zoning Ordinance. The Commission shall also take responsibility for updating or revising Zoning Ordinance provisions prior to referral to the City Council.



Section 2. Term of Office

The term of office of members shall be five (5) years, and the term of not more than one-third of the membership will expire in any one (1) year. Any vacancy occurring on the Commission shall be filled by appointment by the Mayor, with approval of the City Council, for the unexpired term. The Planning and Zoning Commission may submit names of persons to be considered for such appointment. All members of the Commission shall serve without compensation except their actual expenses, which shall be subject to approval by the City Council.

Section 3. Minimum Qualifications

Minimum qualifications for membership on the Commission shall be:

- A.) At least 18 years of age.
- B.) A full-time resident within the corporate City limits of the City of Cedar Falls at least one year prior to the date of appointment.
- C.) If a sitting Commission member moves to a permanent residence outside of the corporate City limits of Cedar Falls, the member shall resign from the Commission.

Section 4. Officers

The officers of the Commission shall consist of a Chair and Vice Chair. The term of office shall be one (1) year, and the Chair may not serve more than two (2) terms consecutively. A nominating committee consisting of two (2) members not currently holding office shall be appointed by the Chair at the November regular meeting. The Committee shall report the names of its nominees at the December regular meeting. Officers shall be elected and take office at the first regular meeting of the following calendar year.

The Vice-Chair shall succeed the Chair if the Chair vacates the office before the term is completed. The Vice-Chair will serve the unexpired term of the vacated office until a Nominating Committee, consisting of two (2) members not currently holding office, appointed by the Vice-Chair shall report the names of its nominees for chair and vice chair at the following meeting with election during said meeting.

The Chair shall preside at all meetings of the Commission, shall be an ex-officio member of all committees, shall appoint standing and ad hoc committees as necessary to assist in and to expedite the work of the Commission. The Vice-Chair shall preside over regular commission meetings in the absence of the Chair. The Community Development Department shall be responsible for taking records of the meetings and adequate safekeeping of all records related to the Commission.



Section 5. Chair/Vice Chair Meeting Absence

In the event the Chair and Vice Chair are unable to attend a Commission meeting, the Commission shall appoint a temporary chairperson to manage the meeting, upon approval by a majority of the Commission members present. A general recommendation with regards to selection of a temporary chairperson in these circumstances is the most recent (past) Commission chairperson.

Section 6. Meetings

Regular meetings of the Commission shall be held twice a month as provided in the Rules, except that a meeting date may be canceled if there are no petitions or applications ready for consideration by the Commission. The Chair may call special meetings as deemed necessary, and is obligated to do so upon the request of three (3) or more members. A majority of the Commission membership must be present at a meeting to constitute a quorum.

Section 7. Rules

The Commission may adopt such rules and regulations as it may deem necessary for the conduct of its meetings, for the orderly presentation and processing of requests, or to obtain information upon which to base its decisions. Such rules may be adopted or amended by a two-thirds vote of the full membership of the Commission, and may be suspended by a two-thirds vote of the members present at a duly constituted meeting.

Section 8. Hearings

Before adopting a comprehensive plan, or any part of it, or any substantial amendment thereof, the Commission shall hold at least one public hearing thereon, notice of the time of which shall be given by one (1) publication in a newspaper of general circulation in the municipality, not less than ten (10) days nor more than twenty (20) days before the hearing. The adoption of the plan or part of the amendment thereof shall be by resolution of the Commission carried by the affirmative vote of not less than two-thirds of the members of the full Commission.

Section 9. Assistance

The Commission may employ such technical assistance as it deems necessary, subject to budgetary limitations. Such assistance may be in the form of secretarial, consultant or legal service. The Commission should, as a matter of policy, invite such assistants, including the City Zoning Administrator, the City Engineer, or their representatives to regularly attend meetings of the Commission and to offer information or make suggestions regarding items under consideration.



Section 10. Amendments

Bylaws may be amended by an affirmative vote of not less than two-thirds of all members of the Commission, provided that the text of such amendment shall be presented to each member of the Commission at least ten (10) days before the meeting at which a vote on the same will be taken.

Section 11. Meeting Attendance

Regular attendance by Commission members shall be expected at all Commission meetings. Excessive absences shall be a basis for the Commission Chair to recommend to the Mayor that the seat be vacated and reassigned. Excessive absences shall be:

- 1) Six (6) or more meetings with or without excuses or explanation in a calendar year.
- 2) Two (2) consecutive meetings for which no excuse or explanation is given for the absence.