

## CHAPTER 20. PLANNING AND ZONING COMMISSION

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### 20. PLANNING AND ZONING COMMISSION

20.01. Establishment. Pursuant to section 462.354 of the Minnesota Statutes, a permanent planning and zoning commission is established for the city of Rochester.

20.02. Composition. The commission shall consist of nine members, all residents of the city.

20.03. Appointment and Compensation. All members of the commission shall be appointed by the mayor with the advice and consent of the council, and shall serve without compensation.

20.04. Term. Each member of the commission shall be appointed for a term of three years and until a successor is appointed and qualifies.

20.05. Oath of Office. Each member of the commission before entering upon his or her duties, shall take and subscribe an oath of office as prescribed by the charter of the city.

20.06. Vacancies. Vacancies occurring on the commission shall be filled for the unexpired term by an appointment by the mayor with the advice and consent of the council.

20.07. Removal. The mayor, with the advice and consent of the council shall have the authority to remove any members of the commission whenever the best interests of the city shall be served thereby.

20.08. Officers. At the regular annual meeting, the members of the commission shall organize by electing from their members a president and a vice president. Each president and vice president shall hold office until the first day of January following election and until a successor is elected. The planning director shall be secretary for the commission.

20.09. Duties of officers. The president, or if absent, the vice president, shall preside over meetings of the commission. In the absence of both the president and the vice president, the members present shall elect a temporary presiding officer. The secretary shall keep a record of all proceedings of the commission, transmit its recommendations to the council and perform such other duties as are usually performed by the secretary of a deliberative body. In the absence of or temporary vacancy in the position of planning director, a secretary pro tem shall be elected.

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20.10. Meeting. Subdivision I. Regular Meetings. The commission shall hold a regular annual meeting on the second Monday of January of each year and shall meet in regular session at least once a month at a time and place selected by vote of its members.

Subd. 2. Special Meetings. The president or any two members of the commission may call special meetings of the commission at any time by giving notice thereof, in any manner, to the members at any time before the hour called. The failure to notify any member who is absent from the city or is from disability unable to receive notice, shall in no way invalidate the proceedings at such special meeting if a quorum is present.

Subd. 3. Quorum. Five members of the commission shall constitute a quorum to transact business.

20.11. Rules and Procedures. The commission shall adopt a set of rules to govern its own meetings and procedures, which rules shall not be inconsistent with the provisions of the charter and this code. The rules may be amended from time to time but only upon notice to all members that proposed amendments shall be acted upon at a specified meeting.

20.12. Vote. Each member of the commission, including the president and vice president, shall have one vote on all matters acted upon by the commission.

20.13. Purposes and Functions. Subdivision I. Physical Development and Planning. The planning and zoning commission is charged with the duty of formulating, preparing and proposing for adoption, plans, programs and policies relative to the present or future physical development and planning of the city and relative to any other planning and development activities authorized by Minnesota statutes.

Subd. 2. Comprehensive Plan. The planning and zoning commission shall formulate, develop and, from time to time, revise a comprehensive plan covering all matters, including zoning, essential to the orderly development and physical improvement of the city, its suburban areas and environs, and shall submit the same to the council for its consideration as developments or changes indicate.

Subd. 3. Other Planning Matters. The council shall refer to the planning and zoning commission all petitions for annexations, all petitions for zone changes, all plats and replats of lands in the city, all petitions for the vacating of streets and alleys, and other related planning matters.

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Subd. 4. Coordination Function. The planning and zoning commission shall coordinate with all of the city boards and departments and other governmental agencies and private utilities with respect to needs for public lands, easements and streets and coordinate other planning and zoning matters before making a recommendation to the council.

Subd. 5. Limits of Authority. The function of the commission shall be advisory only, except in those instances where it is given specific authority to act by the council.

Subd. 6. Referral to Committee on Urban Environment. The consolidated planning department, acting for the city planning and zoning commission, shall refer to the committee on urban environment for its consideration and recommendation those matters set forth in subdivision 1 of Section 20.18 and other matters as may be directed by the commission. All city departments are directed to notify the consolidated planning department of all impending activities that may affect the design, color, landscaping, and placement of structures and appurtenances on city owned property.

20.14. Procedure in Filing Plats, etc. All applications or petitions for plat and replat approval, annexations, zone changes, vacating of streets, alleys or other public grounds, and all applications or petitions relating to other planning matters, shall be filed in duplicate in the office of the city clerk together with all supporting data and information required by state law or ordinance of the city. Upon the filing of any such application or petition, the city clerk shall submit the original to the council at its next regular meeting, but the city clerk shall immediately forward the duplicate copy of the same together with the supporting data and information to the planning and zoning commission for processing, review and recommendation. To allow adequate time for processing, an application or petition must be filed with the city clerk at least 16 days before the meeting of the planning and zoning commission at which such application or petition shall be considered.

20.15. City-County Planning Body. If and when joint sessions and conferences between the planning and zoning commission and the Olmsted county planning commission are possible, it is the wish of the council that both commissions meet in joint session and thereby create and establish an informal city-county planning body with power to elect officers, appoint committees and make such proposals and present such plans as may be of common interest and mutual benefit to both the city and county. Both commissions, sitting in common session, acting wholly in an advisory and proposing capacity, shall, from such joint sessions, carry such proposals as may be made, and which affect directly either municipal or county development, or both, to their respective governmental bodies and agencies for final acceptance or rejection.

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20.16. Planning Director. The position of the planning director is established as a separate office or position in the government of the city. The council at its regular meeting in April in each year shall appoint some qualified person as planning director, who shall hold this office or position until a successor has been appointed and qualified, unless sooner removed. The planning director shall receive such compensation as the council establishes.

20.17. Duties of Planning Director. The principal duty of the planning director is to cooperate with and advise the planning and zoning commission in all matters properly before the commission for consideration. In addition thereto, the planning director shall perform such work in connection with the planning and development of the city as the council shall require and shall advise the council on such planning and development matters when requested.

20.18. Committee on Urban Environment. Section Repealed by Ordinance #3092 - May 6, 1997.

(1049, 12/8/59; 1159, 6/4/62; 2580, 1/4/88; 2599, 7/19/88; 3092, 5/5/97)

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