



— PLANNING & ZONING COMMISSION —

Rules and Regulations

Section 1: Creation. Pursuant to the provision of statutes and regulations of the *Iowa Code*, Chapter 23 of the Code of Ordinances of Indianola, Iowa, and as hereinafter set forth, there is hereby created and established a Planning and Zoning Commission consisting of nine (9) members appointed by the City Council. All members of the Planning and Zoning Commission meeting shall serve without compensation.

Section 2: Membership and Terms of Office. All members shall be residents of the City of Indianola. The term of office of the members of the Commission shall commence on July 1 beginning with appointments made in 2020 and shall be five (5) years, or until a successor is appointed but in no event more than six (6) months following the end of the term. The terms of not more than one-third of the members will expire in any one year. Vacancies shall be filled in the same manner as the original appointee for the unexpired term.

Section 3: Officers. The Planning and Zoning Commission shall annually elect a Chairperson and a Vice-Chairperson from among its members at first calendar meeting of the year.

Section 4: Quorum. A majority of the current membership of the Planning and Zoning Commission shall constitute a quorum and a quorum shall be required to conduct the business of the Planning and Zoning Commission. Actions on items required to be reviewed by the Planning and Zoning Commission shall require a majority vote of the Planning and Zoning Commission membership present at the meeting. At the request of a member of the Planning and Zoning Commission and with approval of the Chairperson, the City may make provisions for members of the Planning and Zoning Commission to participate in a meeting via a conference call or other telecommunication device.

Section 5: Meetings. The Planning and Zoning Commission shall meet bi-monthly on the second and fourth Tuesday of each month at 6:00 PM, or on call in the Indianola City Council Chambers. However, the Chairperson, as needed, may revise the time and/or place of meeting, or may call a special meeting, and such changes noted in accordance with the notification procedures contained herein. The Chairperson may request from the Mayor a meeting with the City Council to discuss the Planning and Zoning Commission's proceedings and activities, suggestions for policy and zoning ordinance revisions and other items relating to the Planning and Zoning Commission's duties.

Section 6: Meeting Cancellation

A Planning and Zoning Commission 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 City's control. It is the responsibility and prerogative of the Chairperson of the Planning and Zoning Commission to cancel such meeting, and the Chairperson will notify the Community and Economic 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. If a scheduled meeting is canceled, the Chairperson may schedule a special meeting of the items scheduled to be conducted at the canceled meeting shall be deferred until such rescheduled meeting.

Section 7: Procedure of Meetings. The Planning and Zoning Commission shall follow the following procedure for each meeting.

1. Call to Order

- a. The Chairperson 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 Chairperson determines if there are any changes or additions to the draft agenda. The Chairperson calls for a vote by roll call and the recording secretary calls each name, and the vote is recorded.

4. Approval of minutes

- a. The Chairperson determines if there are any changes or additions to the draft minutes. The Chairperson calls for a vote by roll call and the recording secretary calls each name, and the vote is recorded.

5. Public Comments

- a. This is time for members of the public present to address to Planning and Zoning Commission regarding matters not on the agenda. Also, correspondences received by staff regarding items not on the agenda are brought forth to the Planning and Zoning 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 Planning and Zoning Commission is considering new business. Each item listed on the agenda is addressed separately.
 - i. The Chairperson first directs staff to present the case.
 - ii. Once staff is finished, the Chairperson asks the Planning and Zoning Commission members if there are any questions for staff.
 - iii. Once all questions have been reviewed, the Chairperson then allows the applicant to present.
 - iv. Once applicant is finished, the Chairperson asks the Planning and Zoning Commission members if there are any questions for the applicant.
 - v. Once all questions have been reviewed, the Chairperson asks whether any members of the public wish to address the Planning and Zoning Commission regarding this application. The Chairperson may rule repetitious comments out of order and 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 Chairperson asks the Planning and Zoning Commission if there are any additional questions of staff or the applicant.

- vii. After all questions are answered, the Chairperson will ask for a motion. Once a motion has been stated, the Chairperson asks for a second to the motion. After motion has been made and seconded, the Chairperson 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 Chairperson 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 Chairperson announces the results.
 - x. The Chairperson may address the applicant with an overview of the result of all motion (i.e., "the Planning and Zoning Commission has approved/recommended for approval your application to the City Council. Please coordinate the next steps with the staff.)
- b. The same procedure is used for the next new business item.

8. Comments

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

9. Adjournment

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

Section 8: 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 propose an amendment, after being recognized by the Chairperson, 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 Chairperson states the main motion and the amendment, so members will understand how the proposed amendment will change the main motion. The Chairperson then ask for Planning and Zoning Commission discussion on the proposed amendment. After the discussion has ended, a vote on the proposed amendment is taken. A roll call vote is then taken, and the Chairperson announces the outcome of the vote.

Section 9: Ex-parte Contacts. Any contact though e-mail, phone, in-person, or in such similar fashion that a Planning and Zoning Commission member may have with a party involved, or potentially involved, in a matter before the Planning and Zoning Commission and outside of the meeting is known as an "ex-parte" contact. Any substantive information or facts that a Planning and Zoning Commission member may receive during 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 Planning and Zoning Commission member prior to the presentation of the matter under consideration at the Planning and Zoning Commissions meeting.

Section 10: Conflict of Interest. A Planning and Zoning Commission member shall 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 Planning and Zoning 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 Planning and Zoning Commission to act in any specific direction. Planning and Zoning Commission members may not receive any type of gift for their own personal use or enjoyment related to transaction of their official Planning and Zoning Commission duties.

Section 11: Continuances. The Planning and Zoning Commission may continue a case until the next scheduled 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.

Section 12: Removal of Planning and Zoning Commission Members. Planning and Zoning Commission members are appointed by the City Council and may be removed at any time in accordance to Section 5.09 of the Code of Ordinances of Indianola, Iowa. The Chairperson may recommend to the City Council that a Planning and Zoning Commission member be removed for failure, (1) to attend three consecutive meetings or (2) to attend at least 1/2 of the meetings within any 12-month period.

Section 13: Notification Procedures. Notice of the time and place of the meetings shall be posted in the display case at the north entrance of City Hall and shall also be posted on the City's website. Notice shall be posted no later than twenty-four hours before the scheduled meeting, but every effort shall be made to post the agenda once it has been finalized by staff and meeting packets have been dispersed to the Commission. If a member of the news media has filed a request for notice with the City, they should also be notified in the same manner as outlined in this section.

ADOPTED: May 14, 2019
REVISED: March 10, 2020
December 13, 2022

Misty Soldwisch, Chairperson

Charlie Dissell,
Director of Community & Economic Development