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## AGENDA ITEM SUMMARY

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**Subject: Second reading of Ordinance 1150 to allow county representative to P&Z commission**

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**Background Summary:**

The discussion tonight is whether to consider allowing one of the seven seats on the Planning and Zoning Commission to be filled by anyone within Floyd County that lives within two miles of city limits. This would require a change in Ordinance.

We've had an ongoing need to fill spots on the P&Z commission for the last couple years. Recently we were able to achieve a full board of seven, but that ended when Larry Johnson recently passed away, and now it would appear that Emily Garden will need to resign as she is moving outside of city limits. These losses come at a critical time with P&Z as they are working on a major city code updates with a private consultant. P&Z is responsible for making recommendations that come to the city council for the ultimate decision.

It was my understanding that some communities allow for a county representative and when reached out to my colleagues I received responses back from the following:

Does not allow

- Spencer – Does not allow outside of city limits
- Harlan – Does not allow outside of city limits
- Decorah – Does not allow outside of city limits
- Guttenberg – Does not allow outside of city limits
- Independence - Does not allow outside of city limits
- Indianola - Does not allow outside of city limits

Does allow

- Forest City – Allows one member; must be within the Forest City “one mile” sphere of influence
- Centerville – Allows 2 county representatives; Both are appointed by BOS - One resident of the “two mile” sphere of influence.
- Treynor- Allows one member from outside of city limits on the board.
- Carlisle – 7 member board and allows two from the county

So, there are communities that allow this. Considering the discussion we've had recently about potential annexation study, and the two mile “sphere of influence” we have with county zoning, it would seem appropriate to allow a seat to be filled by a county representative.

The first reading of this ordinance was approved at the December 21 meeting.

ORDINANCE NO. 1150

**AN ORDINANCE AMENDING THE CHARLES CITY CODE OF ORDINANCES CHAPTER 24, SECTION 24.01 – PLANNING AND ZONING COMMISSION, BY AMENDING THE PROVISIONS PERTAINING TO RESIDENCY REQUIREMENTS FOR MEMBERS OF THE COMMISSION**

**BE IT ENACTED** by the City Council of the City of Charles City, Iowa:

**SECTION 1. Amended Section. SECTION 24.01 – PLANNING AND ZONING COMMISSION** is hereby amended to read as follows:

**24.01 PLANNING AND ZONING COMMISSION.** The City Planning and Zoning Commission, hereinafter referred to as the Commission, consists of seven (7) members appointed by the Council. Members shall not hold any elective office in City government, and six (6) members shall be residents of the City. The remaining member shall be either a resident of the City or a resident of the area outside of the City over which the zoning jurisdiction (within a two mile radius of the City) of the City has been extended.

*(Code of Iowa, Sec. 414.6 & 392.1)*

**SECTION 2. Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. Severability.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. When Effective.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
Dean Andrews, Mayor

ATTEST:

\_\_\_\_\_  
Trudy O'Donnell, City Clerk

As certified, the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
City Clerk