

## CHAPTER 2

**PLANNING AND ZONING COMMISSION**

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2-2-1: **CREATED:** A planning and zoning commission (hereafter referred to as the "commission") is hereby established in and for the city pursuant to Idaho Code section 67-6504. (Ord. 273-07, 1-16-2007)

2-2-2: **COMPOSITION; APPOINTMENT; QUALIFICATIONS:**

- A. The commission shall consist of no more than five (5) voting members. Each member shall be appointed by the mayor and confirmed by the council. The mayor and council shall consider relative experience, years in the community, communication skills, dedication to the community and the location of the applicant's residence in selecting individuals for appointment. The mayor and council, in creating the commission, shall provide that the areas and interests within its jurisdiction are broadly represented on the commission.
- B. Each member shall have been a resident of the county for the two (2) years prior to appointment to the commission and shall be a resident of the city at the time of appointment; except, that one member may reside outside the corporate limits of the city, but within the city's area of impact. Each member must remain a resident of the city or, in the case of the city's area of impact, within the impact

area, during the term of his or her membership on the commission.  
(Ord. 273-07, 1-16-2007)

2-2-3:       **TERMS OF OFFICE; RESTRICTIONS:** Each member shall serve for a term of three (3) years. No person may serve more than two (2) full consecutive terms without specific concurrence by two-thirds ( $\frac{2}{3}$ ) of the council adopted by motion and recorded in the minutes. (Ord. 273-07, 1-16-2007)

2-2-4:       **REMOVAL FROM OFFICE:** Commission members may be removed from the commission for cause by a majority vote of the council. Causes for removal of members from the commission by the mayor and council may include, but are not limited to:

- A.    Failure to maintain reasonable familiarity with state statutes and local ordinances and rules affecting the commission or failure to abide by those rules.
- B.    Failure to disclose a conflict of interest as defined under Idaho Code.
- C.    When a member becomes incapacitated for the office for a protracted period, or moves from the city or the area of impact, or becomes, for some other reason, no longer qualified for office and fails to resign.
- D.    Failure to attend at least one of three (3) consecutive regular meetings, or three (3) of any seven (7) consecutive meetings, without the recorded consent of the chair, shall be construed by the chair as grounds for removal. The chair would then recommend removal of the commission member to the council.
- E.    Other good cause. (Ord. 273-07, 1-16-2007)

2-2-5:       **RESIGNATIONS; VACANCIES:** Members proposing to resign shall give reasonable notice of such intent to the mayor. When a member dies or resigns, or when the term of a member is ninety (90) days from its scheduled expiration, the planning and zoning administrator will notify the mayor that a vacancy either exists or could exist. The administrator shall then advertise the vacancy in the official newspaper of the city for a period of not less than one month and shall receive letters of interest and resumes from all individuals interested in

service on the commission prior to recommending qualified individuals to the mayor and council for appointment. (Ord. 273-07, 1-16-2007)

**2-2-6: ORGANIZATION:**

- A. Officers: Once every year, at the first regular meeting held in February or the first regular meeting thereafter, the commission shall select one of its members as chair of the commission and one of its members as vice chair. In the case of the absence of the chair and vice chair, the members present at any meeting shall select one member to act as chair pro tempore.
- B. Rules, Records And Meetings:
1. The commission shall adopt procedures for the conduct of public hearings.
  2. A record of meetings, hearings, resolutions, studies, findings, permits, and actions taken shall be maintained.
  3. All meetings and records shall be open to the public.
  4. The commission shall establish and announce a regular meeting schedule at its first regular meeting held in February or the first regular meeting thereafter. At least one regular meeting shall be held each month for not less than nine (9) months in a year.
  5. A majority of currently appointed voting members of the commission shall constitute a quorum. (Ord. 273-07, 1-16-2007)

**2-2-7: POWERS AND DUTIES:** The commission shall act in an advisory capacity to the city council and shall perform such duties as may be imposed thereon by the city council. (Ord. 273-07, 1-16-2007; amd. 2010 Code)

