

City of Aurora
Planning & Zoning Commission
By-laws - Rules and Regulations

ARTICLE I - AREAS OF RESPONSIBILITY:

1. It shall be the responsibility of the Planning Commission to cause the preparation, development and adoption of the Comprehensive Plan in accordance with Missouri state statutes upon the adoption of the Governing Body.
2. It shall be the responsibility of the Planning Commission to formulate Subdivision Regulations in accordance with Missouri state statutes upon the authorization of the Governing Body.
3. It shall be the responsibility of the Planning Commission to formulate Zoning Regulations in accordance with Missouri state statutes upon the authorization of the Governing Body.
4. Following the adoption of Zoning Regulations, it shall be the responsibility of the Planning Commission to hold public hearings for proposed zoning changes and conditional uses and make a recommendation to the Governing Body.
5. It shall be the responsibility of the Planning Commission to consider flood plain development controls.
6. Following adoption of a Comprehensive Plan in accordance with Missouri state statutes, it shall be the responsibility of the Planning Commission to perform an annual review of the Comprehensive Plan.
7. It shall be the responsibility of the Planning Commission to adopt by-laws.

ARTICLE II – PART I – MEMBERSHIP

1. The membership of the Planning and Zoning Commission shall be seven (7), of which six (6) shall be citizens and one (1) shall be a voting City Council representative. The Planning and Zoning Commission shall make a recommendation to the Mayor, subject to the approval of the City Council.
2. Members occupying the positions shall be appointed for staggered terms of four (4) years each.
3. No member of the municipal government of the City of Aurora shall be a member of the Planning and Zoning Commission.

ARTICLE II - PART II - OFFICERS:

1. The Planning Commission shall organize annually at the second regular meeting after the April general election.
2. The Planning Commission shall elect a Chairman and a Vice-Chairman from among the appointed members at the annual organization meeting. These officers shall serve for one year and until their successors have been elected.
3. A Secretary shall be selected for an indefinite term. It is not required that he or she be a member of the Commission.

ARTICLE II - PART III - DUTIES OF OFFICERS:

1. Chairman:

The Chairman shall preside at all meetings and public hearings of the Planning Commission and shall:

- (A) decide all points of order and procedures;
- (B) certify plans and subdivision plats;
- (C) transmit reports and recommendations of Planning Commission to the Governing Body;
- (D) inform petitioners of decisions.

2. Vice-Chairman:

The Vice-Chairman shall assume the duties of the Chairman in his absence.

3. Secretary:

The Secretary shall be responsible for;

- (a) keeping the minutes of the Planning Commission meetings;
- (b) sending agendas to members of the Planning Commission;
- (c) carrying out written correspondence;
- (d) maintaining the records of the Commission.
- (e) certifying, along with the Chairman all plans and subdivision plats;
- (F) performing other duties as the Planning Commission may require; and,
- (g) causing all public notice of hearings as required by law to be given.

ARTICLE III - MEETINGS:

1. The Planning Commission shall hold regular monthly meetings at a time and place to be designated by the Commission; except that the Chairman may cancel a regular meeting with at least (3) days prior notice for the following reasons:
 - (a) it is determined that a quorum will not be present;

- (b) no subjects are scheduled for the agenda; and,
 - (c) other reasonable circumstances.
2. Special meetings of the Planning Commission for obtaining public opinion on an issue or discussion of a particular problem with interested parties may be called by the Chairman or in his absence by the Vice-Chairman. Notice of the special meetings shall be given by the secretary to the members of the Commission at least three (3) days prior to such meeting and shall state the purpose and time of the meeting.
 3. Emergency meetings may be called by the Chairman with at least 24 hours prior to such meeting.
 4. All regular and special meetings, hearings and records shall be open to the public.
 5. A majority of the Planning Commission membership shall constitute a quorum for the transaction of business. If a quorum is not present at any meeting, those present shall continue the meeting at a specific date, time and location.
 6. The order of business at all meetings shall be as follows:
 - (A) call to order.
 - (B) roll call (may be taken orally or by visual identification by the secretary);
 - (C) approval of the minutes;
 - (D) presentation of request and/or petitions (hearings) on the agenda;
 - (E) old business;
 - (F) new business; and
 - (G) adjournment.
 7. Presentations may be limited to three (3) minutes by the Chairman
 8. The motion shall be restated by the Chairman before the vote is taken. The name of the maker and seconder of motion shall be recorded.
 9. An affirmative vote of a majority of the members present and voting is required to take action on a motion; except that, an affirmative vote of a majority of the full Planning Commission is required for approving subdivision plats, recommending adoption or amendments of the Comprehensive Plan and for recommending adoption of new Zoning and/or Subdivision Regulations.
 10. All members shall vote when present, except that any member shall automatically disqualify himself or herself from voting on any decision in which there might be a conflict of interest and should state the nature of the conflict for the minutes.
 11. When procedural and parliamentary rules adopted by the Planning Commission conflict, parliamentary procedure shall be according to the "Roberts Rules of Order".

ARTICLE IV - AGENDA SUBJECTS:

1. Any interested party may request a place on the agenda of the Planning Commission meeting.
2. Requests to be placed upon the agenda must be received by the Secretary in written form at least seven (7) days prior to the regularly scheduled.
3. Applications for public hearings must be received by the Secretary in written form at least 25 days prior to the regularly scheduled meeting.
2. A copy of the agenda shall ordinarily be mailed to the members of the Planning Commission so that they may review them at least three (3) days prior to the meeting.
3. Subjects not listed on an official agenda will ordinarily not be considered at a meeting; except that the Chairman may allow consideration of non-agenda items.

ARTICLE V - HEARINGS:

1. Before recommending adoption or amendment of all or any part of the Comprehensive Plan, Zoning Regulations, Subdivision Regulations, or Major Street Plan, the Planning Commission shall hold a public hearing on the matter as required by law.

The following procedure will normally be observed;

- (a) staff presents the agenda item;
 - (b) the Planning Commission may ask questions regarding the Staff presentation and report.
 - (c) proponents of the agenda item make presentation;
 - (d) any opponents make presentations;
 - (e) applicant makes rebuttal;
 - (f) staff presents staff findings;
 - (g) Planning Commission asks any questions it may have of the proponents, opponent, or staff; and,
 - (h) Planning Commission then acts upon a motion.
2. Action by the Planning Commission on any matter which a hearing is held shall not be taken until the hearing has been concluded.

ARTICLE VI - RECOMMENDATIONS:

1. The Planning Commission shall authorize a member of the Commission to appear before the Governing Body for the purpose of reporting recommendations of the Planning Commission.

ARTICLE VII - COMMITTEES:

1. The Planning Commission may establish such committees as it deems advisable and assign each committee specific duties or functions.
2. The Chairman shall designate the members of each committee and shall name the Chairman of each committee. The Planning Commission shall fill vacancies on committees as they are created.

ARTICLE VIII - EXPENSES:

1. The Planning Commission may accept, receive or expend funds, and services from the Governing Body.
2. The designated fiscal agents of the Planning Commission shall be the City Manager of the City of Aurora.

ARTICLE IX - RECORDS AND REPORTS:

1. The Planning Commission shall keep a record of all proceedings, resolution, transactions, findings, and determinations.
2. All records of the Planning Commission shall be available for public review.
3. The Commission shall annually review the Comprehensive Plan after its adoption to determine if any portion has become obsolete and shall make a report to the Governing Body regarding same.

ARTICLE X - AMENDMENTS:

1. These rules of procedure may be amended by an affirmative vote of a majority of a quorum of the Commission, provided such amendments have been submitted in writing to each member of the Commission at least three (3) days prior to the meeting at which action is to be taken.

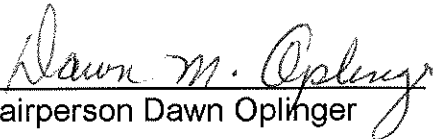
ARTICLE XI - ETHICAL PRINCIPLES:

1. Members of the Planning Commission who shall legally have conflict of interest as defined in RSMo 105.452 – 105.467, in any matter that is on the Commission's agenda, shall voluntarily excuse themselves, vacate their seat and refrain from discussion and voting on said item as a Commission member. Conflict of interest includes ownership of property or business in which the commission is considering action, receipt of fees, salaries or gratuity from such business or businesses or a family relationship to an applicant seeking Commission action.

ARTICLE XII - BOARD MEMBERS ATTENDANCE:

1. Members of the Planning Commission, who cannot attend a scheduled meeting, should notify the Secretary three (3) days in advance in order to determine whether quorum will be present. It shall constitute good cause, as such term is set forth in the State Statutes, to remove any individual from the commission if such individual has missed three (3) or more consecutive meetings of the Planning Commission.

Approved 6-4-02


Chairperson Dawn Oplinger