

**AN ORDINANCE AMENDING CITY CODE
IN REGARDS TO THE PLANNING COMMISSION**

WHEREAS, the City Code of the City of Plattsburg has provisions authorizing and regulating the City Planning Commission; and

WHEREAS, an important function of the City Planning Commission is the regulation of zoning and zoning regulations within the City, despite the fact that the word zoning is not contained within the Commission’s title, and

WHEREAS, many other municipalities have separate Planning Commissions and Zoning Commissions, while most municipalities with a board performing both functions utilize the title “Planning & Zoning Commission”, and

WHEREAS, the section of City code relating to the Planning Commission has some outdated language which needs to be updated and modernized.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the City of Plattsburg, Missouri as follows:

SECTION 1: That the City Code, Chapter 115, is hereby amended by repealing the existing Chapter 115 and replacing it with the following:

Section 115.010 – Authorization

The City of Plattsburg, Missouri, shall be authorized to make, adopt, amend, extend and carry out a municipal plan as authorized by Law.

Section 115.020 – Creation & Membership

A commission to be known as the City Planning & Zoning Commission is hereby created which shall consist of nine (9) members. Six (6) of the members shall be shall be citizens appointed by the Mayor by and with the approval of the Board of Aldermen for staggered four year terms, who shall represent, insofar as is feasible, different professions, interests, or occupations in the City. The remaining three seats on the Planning & Zoning Commission shall include the Mayor, one (1) member of the Board of Aldermen appointed by the Mayor with the approval of the Board for a one-year term, and the Director of Public Works or City Engineer, as selected by the Mayor.

Section 115.030 – Compensation

All members of the City Planning & Zoning Commission shall serve as such without compensation and shall hold no other municipal office except the Mayor, and Director of Public Works, and the aforementioned Board Member who shall concurrently serve on said City Planning & Zoning Commission.

Section 115.040 – Vacancy in Office, Removal from Office

Any vacancy in the membership of the City Planning & Zoning Commission shall be filled for the unexpired term by appointment as aforesaid. The Board of Aldermen may remove any citizen member for cause stated in writing and after public hearing.

Section 115.050 – Duties

The City Planning & Zoning Commission shall elect its Chairman from its citizen members and create and fill such other of its offices as it may determine. The term of the Chairman shall be one (1) year and he/she shall be eligible for re-election. The Commission shall hold meetings as needed. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. The City Clerk or his/her designee shall take minutes of Planning & Zoning Commission Meetings when so directed by the Chairman.

Section 115.060 – Appropriation of Funds

The Board of Aldermen may provide the funds, equipment, and accommodations necessary for the work of the City Planning & Zoning Commission, but the expenditures of the Commission shall be within the amounts appropriated for that purpose by the Board. No expenditures, nor agreements for expenditures, shall be valid or legal in excess of such amount as budgeted by the Board. The Commission shall have the authority and the power to accept and receive donations of cash or property, gifts, bequests and grants and, with the approval of the Board, may use such non-appropriated assets as the Commission shall deem beneficial and advantageous to the City of Plattsburg, Missouri.

Section 115.070 – Function and Duty – Planning

It shall be the function and duty of the Commission to make and adopt plans for the physical development of the municipality, including, but not limited to, a City Comprehensive Plan. These plans may include any areas outside of the City's boundaries but within its statutory authority which, in the Commission's judgment, bear relation to the planning of the municipality.

Section 115.075 – Function and Duty – Zoning

It shall be the function and duty of the Commission to develop a list of zoning districts for the, a comprehensive set of zoning regulations for each zoning district, and a zoning map for the City. Zoning districts, zoning regulations, and the zoning map shall be submitted by the Commission to the Board of Aldermen for approval. Such districts, regulations, and maps shall be thoughtfully written in such a way as to supplement the aforementioned City plans and to promote well-regulated growth and development of the community.

Section 115.080 – Work with Other Organizations

The Commission shall, from time to time, recommend to the appropriate public officials, programs for public structures and improvements and for the financing thereof. It shall be the function and duty of the Commission, to further consult and advise with public officials and agencies, civic organizations, public utility companies, educational, professional, and other organizations and with citizens with relation to the promulgation and carrying out of the plan. The Commission shall have the power to delegate authority to any of the above-named groups to conduct studies and make surveys for said Commission if it deems expedient.

Section 115.090 – Power of Chairman

The Chairman of the Commission shall have the power to administer an oath to any person concerning any matter submitted to the Commission, or coming within the powers and duties of the Commission. The Commission may further issue process to compel the attendance of persons before it and shall have the power to subpoena books, records and papers if necessary, which process shall be served the same as process is issued out of the Municipal Court.

SECTION 2: City staff shall hereby be directed to amend the name “City Planning Commission” to “City Planning & Zoning Commission” on any forms or documents produced after the passage of this ordinance.

SECTION 3: City staff shall hereby be directed to amend the name “City Planning Commission” to “City Planning & Zoning Commission” in any section in the City’s Zoning Regulations and Subdivision Regulations.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval.

SECTION 5: The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

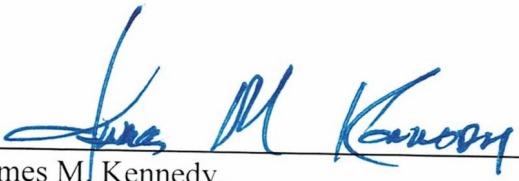
SECTION 6: The City Clerk is hereby authorized to correct any scrivener’s errors made in amending the City Code.

SECTION 7: All existing ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

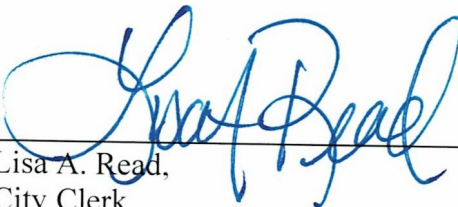
BILL # 1545

ORDINANCE # 2503

READ TWICE BY TITLE ONLY, PASSED, APPROVED, & ADOPTED THIS
25th DAY OF SEPTEMBER IN THE YEAR 2023 BY THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF PLATTSBURG, MISSOURI
BY A VOTE OF 6 IN FAVOR, ~~0~~ OPPOSED, AND 0 ABSTAINING.


James M. Kennedy,
Mayor

ATTEST:


Lisa A. Read,
City Clerk