

# **City of Scottsbluff, Nebraska**

**Monday, November 8, 2021**

**Regular Meeting**

## **Item New Bus5**

### **Planning Commission Rules**

*Review and consider updating Planning Commission Rules.*

Staff Contact: Zachary Glaubius, Planning Administrator

# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 25, 2021

For Hearing of: November 8, 2021



## **I. GENERAL INFORMATION**

- A. At the October 11, 2021 Planning Commission Meeting, Planning Administrator Zachary Glaubius stated he would bring the Planning Commission rules to the next meeting for review and to update.
- B. These rules are “administrative,” and not found in the Municipal Code. Thus, no ordinance changes are required.

## **II. REQUESTED CHANGES**

### **A. Article 1 Objectives**

- 1. Update Chapter 18 to Chapters & 19 of Nebraska Revised State Statutes

### **B. Article 2 Section 5**

- 1. Revise last line “Secretary need not be a member of the Commission” to “The City Manager shall designate a city employee to serve as secretary to the Planning Commission per Code 6-2-53.”

### **C. Article 4 Meetings**

- 1. Current rules call for meetings to be held on both the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month.
- 2. Staff proposes changing this to only the 2<sup>nd</sup> Monday of each month. Meeting twice a month can be a burden to both staff and commission members. A review of other large Nebraska communities shows that the majority meet once a month
  - i. Meets Once a Month: Bellevue, Columbus, Fremont, Grand Island, Hastings, Kearney, Norfolk, North Platte, Omaha, Papillion, Sidney
  - ii. Meets Twice a Month: Beatrice, Gering, La Vista, Lincoln

### **D. Article 4a Section 2**

- 1. Section 2 requires the Secretary to mail a copy of the public notice to each member.
- 2. Staff proposes removing this requirement. A Planning Commission meeting will be expected every second Monday of the month.
- 3. It should be noted that City Council does not receive paper copies of the agenda packet, but are emailed it.

## **III. STAFF RECCOMENDATION**

- A. Staff recommends the proposed changes to the Rules of the Planning Commission.

RULES OF THE  
CITY PLANNING COMMISSION OF THE  
CITY OF SCOTTSBLUFF, NEBRASKA

Article 1

OBJECTIVES

The objectives and purposes of the Planning Commission of Scottsbluff, Scotts Bluff County, Nebraska, are those set forth in Chapter 18, Article 13, Nebraska Revised Statutes and amendments and supplements thereto and those powers and duties delegated to the Planning Commission by the City Council by ordinance from time to time in accordance with the above mentioned enabling law.

Article 2

OFFICERS AND THEIR DUTIES

Section 1. The officers of the Planning Commission shall consist of a Chairman, Vice-Chairman and a Secretary.

Section 2. The Chairman shall preside at all meetings and hearing of the Planning Commission and shall have the duties normally conferred by parliamentary usage of such officers.

Section 3. The chairman shall be one of the members of the Commission. He or She shall have the privilege of discussing all matters before the Commission and to vote thereon.

Section 4. The Vice-Chairman shall act for the Chairman in his or her absence. He or She shall be a member of the Commission.

Section 5. The Secretary shall keep the minutes and records of the Commission, prepare the agenda of regular and special meetings with the Chairman, provide notice of meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by the Secretary. The Secretary need not be a member of the Commission.

Article 3

ELECTION OF OFFICERS

Section 1. Nomination of officers shall be made from the floor at the annual organization meeting which shall be held on the 2<sup>nd</sup> Monday in October in each year and the elections shall follow immediately thereafter.

Section 2. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected and shall serve for one year or until his or her successor shall take office.

Section 3. Vacancies in offices shall be filled immediately by regular election procedure.

#### Article 4

#### MEETINGS

Section 1. Meetings will be held on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month in the Council Chambers at City Hall. Meetings will begin at 6:00 p.m. If a quorum be present, a meeting may be adjourned by a vote of a majority of all of the members of the Commission, to a late hour or date and hour. In the absence of a quorum, the Chairman may adjourn the meeting to another hour of date and hour.

Section 2. A majority of the membership of the Commission shall constitute a quorum and the number of votes necessary to transact business shall be a majority of the entire membership of the Commission. Voting shall be by roll call. A record of the roll call vote shall be kept as a part of the minutes.

Section 3. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting when requested to do so in writing by a majority of the members of the Commission. The notice of such a meeting shall specify the purposes of such a meeting and no other business may be considered except by unanimous consent of the Commission. The secretary shall notify all members of the Commission in writing not less than five (5) days in advance of such special meeting.

Section 4. All meetings at which official action is taken shall be open to the general public.

#### Article 4a

#### MEETINGS

Section 1. Notice of Meetings: The Secretary shall cause notice of each meeting of the Commission to be published in the Scottsbluff Star Herald one (1) time not less than three (3) days prior to the day on which the meeting is to be held.

Section 2. Simultaneously with publication the Secretary shall cause a copy of the Notice to be delivered to each member by U.S. Mail or hand delivery, to the usual place of the residence of the member within the City or at such other place within the City as the member shall previously have authorized in writing on file in the office of the Secretary.

Section 3. The Notice shall state whether the meeting is a regular or special meeting, and the date, hour and place of the meeting. If the meeting is a regular meeting the notice also shall

state that an agenda of the meeting kept continually current is available for public inspection at the office of the Secretary, but that other business may be transacted at the meeting if all of the members of the City Planning Commission are present and consent thereto and if, in addition, the Commission determines the business to be of an emergency nature. If the meeting is a special meeting, the notice shall state, in addition, the purpose of the meeting.

Section 4. There shall be filed in the office of the Secretary attached to a copy of each notice that has been published and delivered as provided in Sections 1 and 2 an affidavit of publication signed by an employee of the publisher having personal knowledge thereof and a certificate of the Secretary showing delivery of all copies are provided in Section 2.

Section 5. An agenda of a forthcoming meeting of the Commission kept continually current by the Secretary shall be available for public inspection at the office of the Secretary from the time when notice of the meeting if all of the members of the City Planning Commission are present and consent thereto and if, in addition, the Commission determines the business to be of an emergency nature.

Section 6. Subsequent to the meeting, there shall be filed in the office of the Secretary attached to the original agenda and, as the case may be, any additions hereto or other changes therein which were made prior to the meeting, a certificate of the Secretary identifying the original agenda and any additions thereto or other changes therein which were made prior to the meeting, and stating that the agenda as thus changed was kept continually current and available for public inspection in the office of the Secretary.

## Article 5

### COMMITTEES

Section 1. The following standing committees may be appointed by the Chairman:

- a. Subdivision
- b. Future Land Use
- c. Streets and Utilities
- d. Central Business District
- e. Public Facilities
- f. Public Relations
- g. Comprehensive Plan
- h. Zoning Committee

Section 2. The standing committees shall be appointed for one year and shall consist of 3 members. Vacancies shall be filled immediately by the Chairman of the Planning Commission.

Section 3. Special committees may be appointed by the Chairman for purposes and terms which the Commission approves.

Section 4. The Chairman shall designate one member of each committee to act as its Chairman.

#### Article 6

#### HEARINGS

Section 1. In addition to those required by law, the Commission may at its discretion hold public hearings when it decides that such hearings will be in the public interest. A public hearing will be held on preliminary subdivision plats.

Section 2. Upon application of a preliminary plat, a public hearing shall be set by the planning director, notice thereof be published, and the applicants shall notify surrounding affected property owners by mail of the public hearing at least ten days before the public hearing.

Section 3. The Planning Commission may require any application for a permit to notify all affected adjacent or surrounding property owners of the public hearing and its purpose at least one week (7 days) prior to the public hearing.

#### Article 7

#### AMENDMENTS

These rules may be amended by a two-thirds vote of the entire membership of the Planning Commission.