

**CITY OF DOVER, IDAHO
ORDINANCE NUMBER 89**

PLANNING AND ZONING ORDINANCE

AN ORDINANCE OF THE CITY OF DOVER, COUNTY OF BONNER, STATE OF IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ESTABLISHING AND CREATING A NEW CITY PLANNING AND ZONING COMMISSION; SETTING FORTH THE TERM OF OFFICE AND QUALIFICATION OF MEMBERS; PROVIDING FOR AND ESTABLISHING RULES FOR THE ORGANIZATION AND RECORDING OF MEETINGS; ESTABLISHING GENERAL DUTIES OF MEMBERS AND REPORTING REQUIREMENTS; SEVERABILITY AND EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE.

WHEREAS, THE CITY COUNCIL FOR THE CITY OF DOVER HAS, IN THE PAST ACTED AS THE PLANNING AND ZONING COMMISSION; AND

WHEREAS, THE CITY COUNCIL DESIRES TO RE-ESTABLISH A PLANNING AND ZONING COMMISSION.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IDAHO:

SECTION 1: CREATION OF COMMISSION

A Planning and Zoning Commission of the City of Dover is hereby created pursuant to Chapter 65, Title 67, Idaho Code. The Planning and Zoning Commission shall consist of not less than three (3) no more than twelve (12) voting members, and the initial Commission, until changed by resolution, shall consist of five (5) persons appointed by the Mayor and affirmed by a majority vote of the City Council. The term of office for the initial commission shall be as follows:

- a) One member of the Planning and Zoning Commission shall be appointed for a term of four (4) years;
- b) Two members shall be appointed for a term of three (3) years; and
- c) Two members shall be appointed for a term of two (2) years.

Their successors shall in all cases be appointed for terms of four (4) years and all appointments to fill vacancies shall be for the unexpired terms.

SECTION 2: QUALIFICATIONS FOR COMMISSION MEMBERS

An appointed member of a commission must have resided in Bonner County for two (2) years prior to his appointment and must remain a resident of the county during his service on the commission. The appointed member must also be a resident of the City of Dover or must reside in an area of city impact for the City of Dover.

SECTION 3: COMPENSATION

Members of the Planning and Zoning Commission shall receive no compensation for their services as such commissioners.

SECTION 4: ORGANIZATION

The Planning and Zoning Commission shall elect a chairman and create and fill any other office it may deem necessary for the proper conduct of the affairs and business of the commission. Such organization and expenditures for staff shall be in accordance with 67-6504 Idaho Code.

SECTION 5: RULES, RECORDS AND MEETINGS

At least one (1) regular meeting shall be held each month for not less than nine (9) months in a year. The record of meetings, hearing, resolutions, studies, findings, permits and actions taken by the Planning and Zoning Commission shall be maintained and all meetings and records shall be open to the public. The majority of voting members of the commission shall constitute a quorum.

SECTION 6: DUTIES

It shall be the duty of the Planning and Zoning Commission to work closely with the City Council to:

- a) Conduct a planning process designed to prepare, implement, review and update the comprehensive plan that includes all lands within the governing boards of jurisdiction;
- b) Hold public hearings prior to recommending the changes to the comprehensive plan ordinances;
- c) Provide ways and means to obtain citizen participation in the planning process;
- d) Provides ways and means to obtain citizen participation in the administration of ordinances;

- e) Prepare procedure for processing zoning permits, namely: special use permits, rezone applications, planned unit development proposals, lot line adjustments, and to hold hearings and make recommendations to Council for resolving said proposals;
- f) Hear all requests for amendment to the zoning ordinance, hold at least one (1) public hearing and make its recommendation to the governing board;
- g) Review and recommend changes to planning and zoning ordinances and comprehensive plan;
- h) Complete tasks as assigned by the City Council including but not limited to researching an issue and review and submit findings to the council.

SECTION 7: REPORT TO CITY COUNCIL

Whenever any matter or class of matters is filed with the City Planning and Zoning Commission the commission shall report to the City Council its recommendations in relation thereto. The City Council shall then consider the same and direct the city Planning and Zoning Commission either to certify its approval thereof or to refuse to approve the same and the Commission shall act at once in accordance with such directions.

SECTION 8: SEVERABILITY

Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remainder shall continue in effect and shall be interpreted in such a manner as to effectuate the purposes set forth therein.

SECTION 9: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its publication, as provided by law, in the Bonner County Daily Bee.

This Ordinance passed under suspension of the rules and duly enacted as an Ordinance of the City of Dover, Idaho at the regular meeting of the City Council held on the 13th day of July, 2006 upon the following roll call vote:

Maggie Becker	<u>Aye</u>
Marguerite Burge	<u>Absent</u>
Louis Collins	<u>Aye</u>
James Janish	<u>Aye</u>

Paul "Randy" Curless
Paul "Randy" Curless, Mayor

Ruth Guthrie
Ruth Guthrie, Clerk