

ORDINANCE #4

AN ORDINANCE ESTABLISHING A PLANNING COMMISSION FOR THE CITY OF SUMMERSET, SOUTH DAKOTA, WITH ALL POWERS, AUTHORITIES, JURISDICTIONS, AND DUTIES AS PROVIDED IN SDCL 11-4, 11-6, AND ACTS AMENDATORY THEREOF, RELATING TO COMPREHENSIVE PLANNING.

BE IT ORDAINED BY THE CITY OF SUMMERSET, SOUTH DAKOTA, THAT THE FOLLOWING BE ADDED TO THE MUNICIPAL ORDINANCE OF THE CITY OF SUMMERSET:

CHAPTER 4-- Planning and Zoning Commission

4.101 **Creation of Planning Commission.** There is hereby created a City Planning Commission, which shall be referred to as the Planning and Zoning Commission for the City of Summerset, South Dakota.

4.102 **Membership and Terms.** The Planning Commission created under the terms of this ordinance shall consist of not less than five members appointed by the Mayor, and subject to approval by the City Commission. The term each member shall serve shall be for three years, except when the Planning Commission is first appointed at which time two members shall be appointed for one year, two members for two years, and one or more members for three years. Thereafter, appointments of each member shall be for terms of three years so that there will be an overlapping of tenure. Alternate members of the Planning Commission may be appointed by the Mayor and subject to approval by the City Commission as needed and necessary.

4.103 **Organization**
The Planning Commission shall elect a Chairman from among its members for a term of one year (with eligibility for re-election) and shall also elect a Vice-Chairman and Secretary in a manner prescribed by the rules of the members. The Planning Commission shall hold meetings as necessary to conduct any business as presented for the Commissions review and recommendation. The Planning Commission shall adopt rules for transaction of its business and keep a record of its resolutions, transactions, findings, and determinations which shall be a public record. The Planning Commission may contract with planners, engineers, architects and other consultants for such services as it may require, provided, however, that such appointments and contracts shall be approved by the City Commission.

(4.103 Repealed and Amended June 16, 2011 Ordinance 4.01A effective July 13, 2011)

4.104 **Preparation of Comprehensive Plan.** For the purpose of making a Comprehensive Plan for the development of the Town, the Planning Commission shall make or cause to be made careful and comprehensive studies of present conditions and future growth of the City. The Comprehensive Plan shall be made with the general purpose

of guiding and accomplishing a coordinated and harmonious development of the City.

After such Comprehensive Plan has been adopted according to law, no substantial amendment or modification thereof shall be made, without such proposed change first being referred to the Planning Commission for its recommendations.

4.105 **Zoning Regulations.** It shall be a duty of the Planning Commission to recommend the boundaries of zoning districts and appropriate regulations to be enforced therein, in accordance with the Comprehensive Plan. All applications and proposals for changes in or amendments to the zoning regulations shall first be submitted to the Planning Commission for its recommendations.

The City Commission may provide for the Planning Commission to act as a Board of Adjustment to make special exceptions or grant variances to the terms of the zoning regulations.

4.106 **Subdivision Plats and Regulations.** All plans, plats, or re-plats of subdivisions or re-subdivision of land within the jurisdiction of this ordinance shall first be submitted to the Planning Commission for its recommendation before approval by the City Commission.

The Planning Commission shall prepare and recommend to the City Commission regulations governing the subdivision of land within its jurisdiction. No amendments or changes thereto shall be made without such proposed changes first being referred to the Planning Commission for its recommendation.

4.107 **Powers and Duties.** The Planning Commission, its members and employees, shall have all powers as may be necessary to enable it to fulfill and perform its functions and to carry out all the purposes and powers provided in SDCL 11-4 and 11-6, and acts amendatory thereof.

Dated this 7th day of June, 2007.

ATTEST:

CITY OF SUMMERSET

Rebecca J. Phillips
Finance Officer

Brad Shelly
Mayor

(Seal)

Vote: Butler: Aye

First Reading: May 17, 2007

Shelly: Aye

Second Reading: June 7, 2007

Wagner: Aye

Publication: