

CITY ZONING COMMISSION

BY-LAWS

March 2019

ARTICLE I – CITY ZONING COMMISSION, PURPOSE

Section 1: The name of this municipal board shall be The Livingston City Zoning Commission.

Section 2: To promote health, safety, morals, or the general welfare of the community, the city or town council or other legislative body of cities and incorporated towns is hereby empowered to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of lot that may be occupied; the size of yards, courts, and other open spaces; the density of population; and the location and use of buildings, structures, and land for trade, industry, residence, or other purpose.

Specifically, the Zoning Commission shall have the power and duty to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, and to hold public meetings and to make recommendations to the City Commission on all requests to amend, supplement, change, modify or repeal the regulations, restrictions and boundaries in the zoning districts.

ARTICLE II – MEMBERSHIP

Section 1: The membership of the Livingston City Zoning Commission shall consist of five (5) citizen members appointed by the Chair of the City Commission.

ARTICLE III – MEETINGS

Section 1: The monthly meetings will be held on the second Tuesday of each month at the City-County Building. The meetings will start at 5:30 p.m.

Section 2: Special Meetings. Special meetings may be called by the Chair and one other Board member.

Section 3: Notice. All meetings will be noticed in accordance with City noticing policy, City Ordinance and State law.

ARTICLE IV – ADVISORY BOARD

Section 1: Board Role, Size, Compensation. The Livingston City Zoning Commission is responsible for making recommendations, pertaining to zoning, to the City Commission. The Zoning Commission must review and make a recommendation on zoning applications before the City Commission can act on those applications. The Board shall have five members as required by City Ordinance. The Board receives no compensation other than reasonable expenses.

Section 2: Terms. The term of the Zoning Commission shall run concurrent with the term of the City Commission Chair.

Section 3: Quorum. A quorum consists of a majority of appointed Board members. No official action can be transacted or motions made or passed without a quorum present.

Section 4: Officers and Duties. At the first meeting of each calendar year, the Zoning Commission will elect, from its members, a Chair and a Vice-Chair. The Chair will perform the following duties:

1. Control and run all meetings to include deciding who will have the floor, how debate will take place, and maintaining order.
2. Sign all official documents of the Board.
3. Assure that minutes are taken of the Board's meetings.
4. Promote efficient use of the Board's time while assuring that all interested parties have an opportunity to participate in Board activities.

The Vice-Chair shall perform the duties of the Chair in the Chair's absence.

Appointed City Staff shall act as Secretary. The Secretary shall be responsible for keeping records of the Board actions and/or recommendations, including overseeing the taking of minutes, sending out meeting announcements and distributing copies of minutes and the agenda to each Board member.

Section 5: Order. Meetings will be run under "Robert's Rules of Order". All speakers, including board members, must be recognized by the Chair and granted the floor before proceeding. Speakers should direct their comments to the Board through the Chair and avoid speaking directly to any member. Likewise, members must ask the Chair's permission to directly question a speaker.

Formality must be maintained when conducting a public hearing. Comments for and against an issue must be called for three (3) times each and the Chair needs to see that the comment stays on the subject and does not become repetitive.

When voting on an issue, the Chair shall call for those “in favor” and those “opposed”. The Chair will tally the votes and, once the vote is done, will announce whether the motion passes or fails and state the number of votes for and against. The vote of each member will be reflected in the minutes of the meeting.

Section 6: Conduct of Business and Communication. In making recommendations to the City Commission relating to zoning decisions, the Zoning Commission will seek to ensure the integrity of the public record of its proceedings. All evidence and/or testimony received by the Zoning Commission shall occur in a properly noticed public hearing. When an individual Board member inadvertently receives information outside of this venue, it is incumbent upon that member to introduce such information into the Board’s public record at the earliest possible opportunity.

The Zoning Commission’s communication with the Governing Body shall be through its formal recommendation for each zoning application. The Board’s recommendation will, at a minimum, include: A cover letter stating the recommendation; the Board’s adopted findings of fact; the Staff Report provided to the Board; the minutes of the meeting at which the public hearing took place; all written correspondence either for or against the action, and; any exhibits submitted at the public hearing or otherwise entered into the Board’s record.

Section 7: Vacancies. When a vacancy on the Zoning Commission exists, the City Administration will initiate the advertising process outlined in the City Commission’s Board policy.

Section 8: Resignation, Termination and Absences. Resignation from the Zoning Commission must be in writing and received by the Secretary. The Board shall recommend to the City Commission the removal of any member who has accumulated three unexcused absences from Board meetings in one year. A Board member may be removed for cause by the City Commission.

ARTICLE V – AMEMDMENTS

Section 1: These Bylaws may be amended when necessary by majority vote of the City Commission.

These Bylaws were approved at a regular meeting of the Livingston City Commission on April 16, 2019.