

Chapter 151-2 Review and Decision-Making Bodies

151-2.1 County Commission

The County Commission shall have all of the powers and duties specifically assigned in this Land Development Code, including the following:

A. Land Development Code Text Amendments

The County Commission shall be responsible for reviewing Land Development Code Text amendment applications and for taking final action to approve or deny such applications. (See Sec. 151-3.2)

B. Zoning Map Amendments

The County Commission shall be responsible for reviewing Zoning Map Amendment applications and for taking final action to approve or deny such applications. (See Sec. 151-3.3)

C. Subdivisions

The County Commission shall be responsible for reviewing subdivision plat applications and for taking final action to approve or deny such applications. (See Sec. 151-3.4).

D. Planned Developments

1. Conservation District and PUD Concept Plans

The County Commission shall be responsible for reviewing Conservation District and PUD Concept Plan applications and for taking final action to approve or deny such applications. (See Sec. 151-3.7)

2. Conservation District and Final PUD Plans

The County Commission shall be responsible for reviewing Final Conservation District and PUD Plan/Plat applications and for taking final action to approve or deny such applications. (See Sec. 151-3.7)

E. Conditional Use Permits

The County Commission shall be responsible for reviewing Conditional Use Permit applications and for taking final action to approve or deny such applications. (See Sec. 151-3.9)

F. Vacations

The County Commission shall be responsible for reviewing Vacations (e.g. utility easements, rights-of-way) applications and for taking final action to approve or deny such applications. (See Sec. 151-3.12)

G. Comprehensive Plan

The County Commission shall be responsible for reviewing amendments to the County Comprehensive Plan and recommending approval or denial to the Planning and Zoning Commission.

151-2.2 Planning and Zoning Commission

The Planning and Zoning Commission shall have all of the powers and duties specifically assigned in this Land Development Code, including the following:

A. Land Development Code Text Amendments

The Planning and Zoning Commission shall be responsible for reviewing Land Development Code Text amendment applications and for making a recommendation on the applications to the County Commission. (See Sec. 151-3.2)

B. Zoning Map Amendments

The Planning and Zoning Commission shall be responsible for reviewing Zoning Map

Amendment applications and for making a recommendation on the applications to the County Commission. (See Sec. 151-3.3)

C. Subdivisions

The Planning and Zoning Commission shall be responsible for reviewing Subdivision plat applications and for making a recommendation on the application to the County Commission. (See Sec. 151-3.4).

D. Conservation District and Planned Developments

1. Conservation District and PUD Concept Plans

The Planning and Zoning Commission shall be responsible for reviewing Conservation District and PUD Concept Plan applications and for making a recommendation on the application to the County Commission. (See Sec. 151-3.7)

2. Conservation District and Final PUD Plans

The Planning and Zoning Commission shall be responsible for reviewing Final Conservation District and PUD Plan applications and for making a recommendation on the application to the County Commission. (See Sec. 151-3.7)

E. Conditional Use Permits

The Planning and Zoning Commission shall be responsible for reviewing Conditional Use Permit applications and for making a recommendation on the application to the County Commission. (See Sec. 151-3.9)

F. Vacations

The Planning and Zoning Commission shall be responsible for reviewing Vacations (e.g. utility easements, rights-of-way) applications and for taking final action to approve or deny such applications. (See Sec. 151-3.12)

G. Comprehensive Plan

The Planning and Zoning Commission shall be responsible for reviewing and taking final action on amendments to the County Comprehensive Plan.

H. Rules and Procedures

The Planning and Zoning Commission shall elect its own chairman and adopt rules of procedure consistent with the provisions of these regulations and the provisions of RSMo 64.510 to 64.690 and RSMo 64.905 and 64.906. All meetings of the Planning and Zoning Commission shall be open to the public, and minutes shall be kept of all proceedings and official actions, which minutes shall be a part of the public record, filed in the Planning and Zoning Department.

I. Hearings

Hearings of the Planning and Zoning Commission shall be held at the call of the chairman and at such times as the Planning and Zoning Commission may determine. All testimony, objections, rulings, and actions shall be electronically recorded and filed in the Planning and Zoning Department.

151-2.3 Board of Zoning Adjustment

A. Creation

A Board of Zoning Adjustment is hereby created pursuant to RSMo. 64.660.

B. Composition

The Board shall consist of 5 residents of the county, including no more than 2 residents of the incorporated area of the county and no more than 1 member of the Planning and Zoning Commission.

C. Terms

The term of each member of the Board of Zoning Adjustment shall be 4 years.

D. Removal and Vacancies

Members of the Board of Zoning Adjustment shall be removable for cause by the County Commission upon written charges and after public hearings. Vacancies shall be filled by the County Commission.

E. Rules and Procedures

The Board of Zoning Adjustment shall elect its own chairman and adopt rules of procedure consistent with the provisions of these regulations and the provisions of RSMo. 64.510 through 64.695. The chairman, or in the chairman's absence the vice-chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Zoning Adjustment shall be open to the public, and minutes shall be kept of all proceedings and official actions, which minutes shall be a part of the public record, filed in the Planning and Zoning Department.

F. Hearings

Hearings of the Board of Zoning Adjustment shall be held at the call of the chairman and at such times as the Board of Zoning Adjustment may determine. Within the budget established by the County Commission for such purpose, the Board of Zoning Adjustment will require all testimony, objections, rulings, and actions shall be electronically recorded and filed in the Planning and Zoning Department.

G. Powers and Duties

1. **Variances**

The Board of Zoning Adjustment shall be responsible for reviewing Variance applications and for taking final action to approve or deny such applications. (See Sec. 151-3.11)

2. **Appeals of Administrative Decisions**

The Board of Zoning Adjustment shall be responsible for hearing all appeals of administrative decisions and for taking final action on such appeal. (See Sec. 151-3.14)

H. Appeals of the Board of Zoning Adjustment Decisions

Appeals of the Board of Zoning Adjustment decisions shall be according to Sec. 151-3.11D4 and 151-3.14I.

151-2.4 Planning and Zoning Director and Other Administrative Staff

A. Power and Duties

The Planning and Zoning Director and other administrative staff shall have all of the powers and duties specifically assigned in this Land Development Code or otherwise assigned by the County Commission.

B. Technical Review Committee

A Technical Review Committee (TRC) reviews technical aspects of development, signs or other plans. The Technical Review Committee shall include the following:

1. Planning and Zoning Director
2. Planning and Zoning Staff
3. Building Official
4. Clay County Highway Department representative
5. Clay County Engineer or Public Works representative
6. Clay County Parks representative
7. Clay County Health Department representative
8. Other public/quasi-public agency representatives, as required for specific reviews.

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