

RESOLUTION NO. 87-87
RESOLUTION NO. 87-134
RESOLUTION NO. 92-134
RESOLUTION NO. 95-82

RESOLUTION DEFINING DUTIES AND RESPONSIBILITIES OF THE
BROOKLYN CENTER PLANNING COMMISSION THEREFOR

WHEREAS, the City of Brooklyn Center is promoting planning of development and redevelopment in the City; and

WHEREAS, provisions for an advisory Planning Commission were established in Chapter 35 of the City Ordinances; and

WHEREAS, as part of a movement towards standardization of the City Council advisory commission structure, Chapter 35 of the City Ordinances relating to the Planning Commission was amended on March 23, 1987; and

WHEREAS, the City Charter provides for the establishment of commissions to advise the City Council with respect to policy formulation for municipal functions and activities; and

WHEREAS, it is desirable for the City of Brooklyn Center to continue the function served by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that there is hereby established within the City of Brooklyn Center an advisory Planning Commission with duties and responsibilities as follows:

Subdivision 1. TITLE: This organization shall be known as the Brooklyn Center Planning Commission.

Subdivision 2. SCOPE: The scope of activity of this Commission shall consist of advising the City Council and other Brooklyn Center advisory commissions regarding matters relevant to planning functions.

Subdivision 3. PURPOSE: The general purpose of the Commission is to act in an advisory capacity to the City Council on issues related to comprehensive planning of land use and development, platting, rezoning and special use applications, plan approval, variances and appeals.

Subdivision 4. DUTIES AND RESPONSIBILITIES: In fulfillment of its purpose, the duties and responsibilities of the Commission are as follows:

1. Planning
 - a. Comprehensive Planning.

The Commission shall, from time to time, upon its own motion or upon direction of the City Council, review the Comprehensive Plan and by a majority vote of all members of the Commission recommend appropriate amendments to the City Council.

Before recommending any such amendments to the City Council, the Commission shall hold at least one public hearing to consider the proposed amendment. The staff liaison to the Commission shall publish notice of the time, place and purpose of the hearing once in the official newspaper of the municipality at least ten (10) days before the date of the hearing. Furthermore, the staff liaison shall transmit copies of the proposed amendment to the City Council prior to the publication of the notice of hearing.

Following the review and recommendation by the Commission, the City Council shall consider the proposed amendment and may, by resolution of two-thirds of its members, amend the Comprehensive Plan.

b. **Coordination with Other Agencies.**

In the performance of its planning activities, the Commission shall consult with and coordinate the planning activities of other departments and agencies of the municipality to insure conformity with and to assist in a development of the comprehensive municipal plan. Furthermore, the Commission shall take due cognizance of the planning activities of adjacent units of government and other affected public agencies.

c. **Land Uses.**

The Commission shall, from time to time, review and report to the City Council on balance among Brooklyn Center land uses, and shall review existing land uses and kindred regulations, recommending any changes to the City Council (as outlined in the Brooklyn Center Year 2000 Committee Report).

2. **Redevelopment**

The Commission shall, from time to time, upon its own motion or upon direction from the City Council, review and discuss a redevelopment policy for the City of Brooklyn Center, and make recommendations to the City Council with regard to redevelopment in the City.

3. **Platting**

Before dividing any tract of land into two or more lots or parcels, an owner or subdivider shall, unless a variance is authorized, proceed under the provisions of Chapter 15 of the Ordinances of the City of Brooklyn Center.

4. **Rezoning and Special Use Applications**

The Commission shall hear and review all applications for amendments to the Zoning Ordinance, hereinafter referred to as "Rezoning Applications", and applications for special use permits. The staff liaison to the Planning Commission shall maintain permanent files and records for each application to the Commission. The record for each application shall consist of a written application on a form provided by the municipality, the minutes of the Commission upon the hearing of the application, and the written recommendation of the Planning Commission. (See Section 35-210, Rezoning, and Section 35-220, Special Use Permits of the Ordinances of the City of Brooklyn Center.)

5. Plan Approval

Every person, before commencing the construction or major alteration of a structure (except one and two family dwellings and buildings accessory thereto), shall submit information as set out in Section 35-230 of the Ordinances of the City of Brooklyn Center.

6. Variances (Adjustments) and Appeals

The Planning Commission shall serve as the Board of Adjustment and Appeals of the municipality. When acting as the Board of Adjustments and Appeals, the Planning Commission's recommendations shall be advisory to the City Council.

The rules of parliamentary procedure governing the conduct of Planning Commission meetings shall also govern the conduct of the meetings of the Planning Commission when acting as the Board of Adjustments and Appeals. The staff liaison to the Planning Commission shall act as the staff liaison to the Board of Adjustments and Appeals and shall maintain permanent files and records for each appeal, application or petition to the Board of Adjustments and Appeals. The staff liaison shall maintain a separate file for each application, petition, or appeal to the Board of Adjustments and Appeals and shall place in said file, the record pertaining to each proceeding which shall consist of the written application, petition, or appeal; a copy of the minutes of the hearing of the Board; and a copy of the written recommendation of the Board.

The Planning Commission, acting as the Board of Adjustments and Appeals, shall hear applications for variances (adjustments) in accordance with Section 35-240 and appeals in accordance with Section 35-250 of the Ordinances of the City of Brooklyn Center.

Subdivision 5. COMPOSITION: The Commission shall be composed of a Chairperson and six (6) members, all of whom shall be appointed and serve as set forth in Subdivision 6.

Subdivision 6. MEMBERS METHOD OF SELECTION-TERM OF OFFICE-REMOVAL:

Chairperson: The Chairperson shall be elected by majority vote of the Planning Commission membership. The election shall be conducted at the Planning Commission's first regular meeting of the calendar year, or, in the case of a vacancy, within two regularly scheduled Planning Commission meetings from the time a vacancy of the chair occurs. The Chairperson may be removed by majority vote of the Planning Commission membership. The Chairperson shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:

1. Preside over meetings of the Commission;
2. Appear or appoint a representative to appear, as necessary, before City advisory commissions and the City Council to present the viewpoint of the Commission in matters relevant to planning and zoning;
3. Review all official minutes of the City Council and other advisory commissions for the purpose of informing the Planning Commission of matters relevant to planning and zoning;
4. Provide liaison with other governmental and voluntary organizations on matters relevant to planning and zoning.

Vice Chairperson: A Vice Chairperson shall be appointed annually by the Chairperson from the members of the Commission. The Vice Chairperson shall perform such duties as may be assigned by the Chairperson and shall assume the responsibilities of the chair in the absence of the Chairperson.

Members' Term of Office: Members of the Commission shall be appointed by the Mayor with majority consent of the Council. The terms of office shall be staggered two-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed only for the remainder of such term. Upon expiration of his or her term of office, a member shall continue to serve until his or her successor is appointed and shall have qualified. Terms of office for members of the Commission shall expire on December 31 of respective calendar years.

In the event an appointed Commissioner suffers from an extended illness, disability, or other activity preventing proper fulfillment of duties, responsibilities, rules and regulations of the Commission, the Commissioner may be temporarily replaced during the temporary leave by an interim Commissioner appointed by the Mayor with majority consent of the City Council.

Qualifications for Membership: Members of the Commission shall be residents of the City of Brooklyn Center while serving on the Commission, shall have been residents of said City for at least one year prior to their appointment, and shall represent a broad range of interest in the planning function.

Representation Requirements: Due regard shall be given by the Mayor and City Council in appointing Commission members which will take into consideration geographical distribution within the City, as described in Subdivision 10, and the representative nature of the Commission in terms of gender, religion, ethnic, racial, age, handicapped, employee, and employer groups.

Conflict of Interest: No Commissioner shall take part in the consideration of any matter wherein he or she is the applicant, petitioner, or appellant, nor in the consideration of any application, petition, or appeal wherein his or her interest might reasonably be expected to affect his or her impartiality.

Resignations-Removal from Office-Vacancies: Commissioners may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from the duly called Commission meetings or unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City staff liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council. The procedure for filling Commission vacancies is as follows:

1. Notices of vacancies shall be posted for 30 days before any official City Council action is taken;
2. Vacancies shall be announced in the City's official newspaper;
3. Notices of vacancies shall be sent to all members of standing advisory commissions;
4. Applications for Commission membership must be obtained in the City Clerk's office and must be submitted in writing to the City Clerk;
5. The City Clerk shall forward copies of the applications to the Mayor and City Council;
6. The Mayor shall identify and include the nominee's application form in the City Council agenda materials for the City Council meeting at which the nominee is presented;
7. The City Council, by majority vote, may approve an appointment at the City Council meeting at which the nominee is presented.

Compensation: Commissioners shall serve without compensation.

Subdivision 7. RULES AND PROCEDURES: The Commission shall adopt such rules and procedures not inconsistent with these provisions as may be necessary for the proper execution and conduct of business.

Subdivision 8. MEETINGS: Regular meetings shall be held with date and time to be determined by the Commission. Special meetings may be called by the Chairperson.

Subdivision 9. STAFF: The City Manager shall assign one member of the administrative staff to serve as staff to the Commission. The staff member assigned shall perform such clerical and research duties on behalf of the commission as may be assigned by the Chairperson or the City Manager.

Subdivision 10. NEIGHBORHOODS:

Neighborhoods Described:

Southeast Neighborhood: The Southeast neighborhood shall be bordered on the south by the south city limits; on the east by the Mississippi River; on the north by FAI-94; and on the west by Shingle Creek.

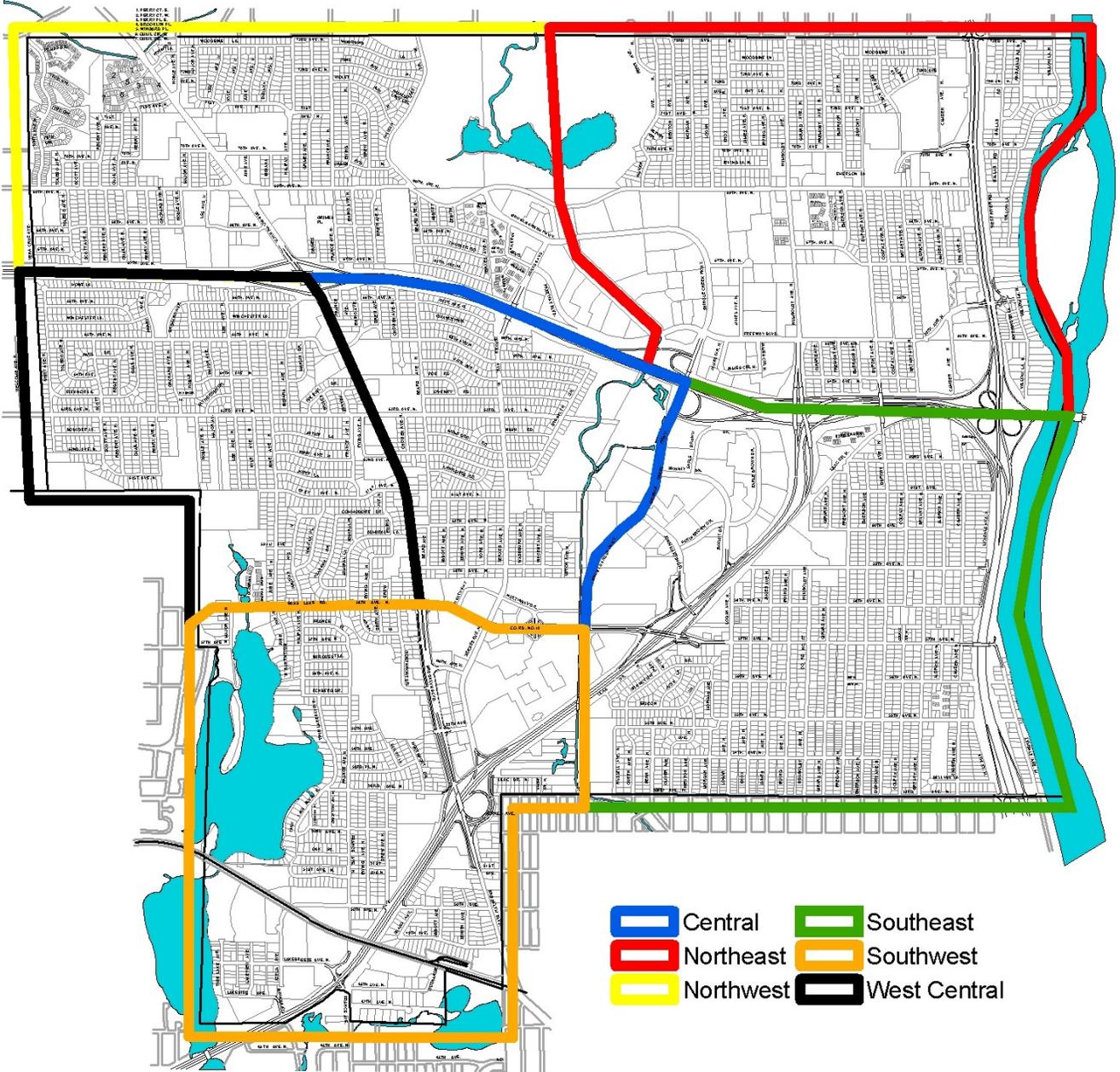
Northeast Neighborhood: The Northeast neighborhood shall be bordered on the south by FAI-94; on the east by the Mississippi River; on the north by the north city limits; and on the west by Shingle Creek.

Northwest Neighborhood: The Northwest neighborhood shall be bordered on the south by FAI-94; on the east by Shingle Creek; on the north by the north city limits; and on the west by the west city limits.

West Central Neighborhood: The West Central neighborhood shall be bordered on the south by County Road 10; on the east by Brooklyn Boulevard; on the north by FAI-94; and on the west by the west city limits.

Central Neighborhood: The Central neighborhood shall be bordered on the south by County Road 10; on the east by Shingle Creek; on the north by FAI-94; and on the west by Brooklyn Boulevard.

Southwest Neighborhood: The Southwest neighborhood shall be bordered on the south by the south city limits; on the east by Shingle Creek; on the north by County Road 10; and on the west by the west city limits.



- Central
- Northeast
- Northwest
- Southeast
- Southwest
- West Central



Commission Districts



By: SDC
 Date: 8/2/2003
 Rev: _____
