

**' 31.48 POWERS AND DUTIES; COMPREHENSIVE PLAN.**

(A) *Generally.* The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by the City Council or city policy. The Planning Commission shall also exercise the duties conferred upon it by this code. It shall be the purpose of the Planning Commission to prepare and adopt a comprehensive plan for the physical development of the city, including proposed public buildings, street arrangements and improvements, efficient design of major thoroughfares for moving of traffic, parking facilities, public utilities services, parks and playgrounds, a general land use plan and other matters relating to the physical development of the city. This plan may be prepared in sections, each of which shall relate to a comprehensive plan program. After the City Council has adopted the comprehensive plan, the Planning Commission shall periodically, but at least every five years, review the comprehensive plan and any ordinances or programs implementing the plan.

(B) *Means of executing plan.* Upon the adoption of a comprehensive plan or any section thereof, it shall be the concern of the Planning Commission to recommend to the City Council reasonable and practical means for putting into effect the plan or section thereof in order that it will serve as a pattern and guide for the orderly physical development of the city and as a basis for judging the timely disbursements of funds to implement the objective. Means of effectuating the plan shall, among other things, consist of a zoning ordinance, subdivision regulations, capital improvement programming and technical review, and recommendations of matters referred to the Planning Commission by the City Council.

(C) *Zoning ordinance.* Pursuant to M.S. ' 462.357, Subd. 4, as it may be amended from time to time, the Planning Commission shall review all proposed amendments to the zoning ordinance, conduct public hearings as directed by the City Council or city policy, and make recommendations to the City Council concerning zoning ordinance amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report recommendations to the City Council for action.

(D) *Conditional permits.* The Planning Commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance and may conduct public hearings as directed by the City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

(E) *Interim Use Permits.* The Planning Commission may make recommendations on all requests for an interim use permit under the terms of the zoning ordinance and conduct public hearings as directed by the City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

(F) *Subdivision regulations.* The Planning Commission may make recommendations in relation to the subdividing of land as prescribed by the ordinance and may conduct public hearings as directed by the City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

(G) *Variances.* All applications for variances may be referred to the Planning Commission which may conduct public hearings as directed by the City Council or city policy, and forwarded with or without

recommendations directly to the City Council, which shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. ' 462.357, Subd. 6, as it may be amended from time to time for its decision.

(H) Official Map. Pursuant to M.S. ' 462.359 subd. 2, as it may be amended from time to time, after adoption of a major thoroughfare plan and community facilities plan (which may be contained in the city comprehensive plan or adopted separately), the Planning Commission, for the purpose of carrying out the policies of the major thoroughfare plan and community facilities plan, may prepare and recommend to the governing body a proposed official map covering the entire municipality or any portion thereof. The official map or maps shall be prepared in sufficient detail to permit establishment of the future acquisition lines on the ground. In unplatted areas, a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by a licensed surveyor.

(I) Appeals to denials of zoning, land use or building permits based on the official map. All appeals to denials of zoning, land use or building permits based on the official map may be referred to the Planning Commission, and forwarded with or without recommendations directly to the City Council. The City Council shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. 462.359, Subd. 4, as it may be amended from time to time for its decision.

(J) Purchase and sale of real property. Pursuant to M.S. ' 462.356, Subd. 2, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed acquisitions or disposals of publically owned interests in real property within the city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed acquisition or disposal of real property with the comprehensive municipal plan. The City Council may by resolution adopted by two-thirds vote dispense with the requirements of this section when in its judgement it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive municipal plan.

(K) Capital improvements. Pursuant to M.S. ' 462.356, Subd. 2, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed capital improvements within the city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings, as to the compliance of the proposed capital improvement with the comprehensive municipal plan. The City Council may by resolution adopted by two-thirds vote dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive municipal plan.

(L) Comprehensive Plan amendments. Pursuant to M.S. ' 462.355, Subds. 2 and 3, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed amendments to the comprehensive plan, hold at least one public hearing, and make recommendations to the City Council on comprehensive plan amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

