
Planning & Zoning Commission Meeting

DEPARTMENT: Legal and Purchasing

FROM: Matt Ribitzki, Deputy City Attorney/Compliance Manager

MEETING: November 15, 2022

SUBJECT:

Receive a report and hold a discussion on local government zoning, development, and land use laws and regulations. (*Staff Presenter: Matt Ribitzki, Deputy City Attorney/Compliance Manager*)

SUMMARY:

This report and presentation will give the Commission an overview on the laws surrounding municipal planning and zoning. Topics in the presentation on zoning will include: 1) defining zoning and discussing its origins; 2) the zoning map and ordinance; 3) considerations when making a zoning decision; 4) comprehensive plan; 5) limitations on the zoning power, including preemption under the supremacy clause, school districts, and statutory preemptions; 6) other zoning restrictions, including spot zoning, contract zoning, and exclusionary zoning; 7) explanation of the practical zoning process when a zoning case is filed with the city; 8) notice and due process considerations; 9) zoning protests; 10) judicial review of zoning decisions; and 11) takings and 42 USC 1983 claims. The presentation will also discuss land design and subdivision, in addition to zoning. The presentation will include topic such as: 1) the difference between zoning and subdivision; 2) discretion in plat reviews; 3) vested rights; and 4) rough proportionality.

OPTIONS:

n/a

RECOMMENDATION:

n/a

PRIOR ACTION/INPUT (Council, Boards, Citizens):

n/a

FISCAL IMPACT:

n/a

STAFF CONTACT:

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