

## Rock Island Planning Commission Agenda

Council Chambers (3<sup>rd</sup> Floor), City Hall

1528 3rd Avenue

August 2, 2023

5:30 PM



1. Call to Order and Roll Call
  - Mike Creger
  - Bruce Harding
  - Reshanda Johnson
  - Ted Johnson
  - Maureen Riggs
  - Sarah Wright
  - Norm Moline
  - David Parker
2. Public Comment
3. Opening Items
  - A. Approval of the Written Agenda for August 2, 2023  
*Recommended Motion: Move to approve the written agenda for August 2, 2023*
  - B. Approval of the June 7, 2023 Meeting Minutes  
*Recommended Motion: Move to approve the meeting minutes for June 7, 2023.*
4. Old Business
  - None*
5. New Business
  - A. 2023-06 Public Hearing: David VanDerGinst of Route Six Equity Growth Corporation – Consider an amendment to a Special Use Permit to operate a dough manufacturing facility on the first floor of the former Aqualetic Swim Club building at 3204 27<sup>th</sup> Avenue in an R-1 (one unit residential) district.  
*Recommended Motion: Move to recommend the denial of the amendment to the Special Use Permit.*
  - B. 2023-07 Public Hearing: Barry Reuther – Consider a Special Use Permit to operate a produce stand business from the garage on the property at 2963 9<sup>th</sup> Street in an R-2 (one-to-two unit residential) district.  
*Recommended Motion: Move to recommend the approval of the Special Use Permit with stipulations*
6. Other Business
  - C. Discussion on the consolidation of Planning Commission and Board of Zoning Appeals
7. Adjournment
  - Recommended Motion: Move to adjourn.*

## Rock Island Planning Commission Minutes

Council Chambers (3<sup>rd</sup> Floor), City Hall

1528 3rd Avenue

June 7, 2023

5:30 PM



### Voting Members

#### Present

Mike Creger  
Reshanda Johnson  
Ted Johnson  
Maureen Riggs  
Sarah Wright

### Voting Members

#### Absent

Bruce Harding  
Paula Rummels  
Norm Moline  
David Parker

### Staff Present

Tanner Osing

### Guests

### Call to Order and Roll Call

Chair Creger called the meeting to order at 5:30 PM and read the roll call.

### Public Comment

There were no members of the public who wished to comment.

### Approval of the Agenda

Riggs moved to approve the agenda for June 7, 2023. Wright seconded the motion. The motion carried unanimously on a vote of 5 to 0.

### Approval of the Previous Meeting Minutes

Riggs moved to approve the minutes for April 5, 2023. Wright seconded the motion. The motion carried unanimously on a vote of 5 to 0.

### Old Business

None

### New Business

2023-04 Public Hearing: Skylar Willingham of Skylight Luxury Lounge, LLC – a Special Use Permit to operate a wine bar located at 1325 30<sup>th</sup> Street in a B-1 (neighborhood business) district in the ground floor of the building.

Osing presented the staff report. He noted that the applicant Skylar Willingham is planning to continue the use of the existing wine bar but plans to limit the current menu of small

plates at the same location which will make it so the business can no longer be considered a restaurant. Skylar Willingham originally approached staff in the Fall of 2022 when the business opened, and staff considered the menu to be substantial enough to be considered a restaurant. A Special Use Permit was not needed at that time. It is however needed now because the wine bar is not permitted in a B-1 (neighborhood business) district without a restaurant element. The applicant is also requesting a variance for the 100-foot separation requirement between a bar and residentially zoned property that will go before the Board of Zoning Appeals.

He noted that staff believes the proposal meets the seven conditions for approving a special use permit identified in the zoning ordinance and that staff recommend that the Planning Commission pass a recommendation to the City Council that the request be approved with stipulations because the proposed use will not have a negative effect on the character of the adjacent neighborhood.

Chair Creger clarified staff recommendation regarding the business serving food and if they would always have to a small menu available. Osing confirmed that food being available is a stipulation on the permit so it would be required as long as the business continues to operate.

T. Johnson asked about the zoning of neighboring businesses and if a rezoning would be appropriate. Mr. Osing responded that the neighboring properties are zoned B-1 and that the property to the east has a special use permit. He also noted that a rezoning would not be appropriate given the scale of business uses and the neighboring

R. Johnson asked if Radicle Effects had the same stipulations as far as having a small food menu available. Osing responded negatively.

Chair Creger called for the applicant. He questioned Skylar Willingham about the type of food that would be prepared. Skylar Willingham responded that she initially considered different menu options, but now desires to serve different charcuterie boards to pair with the wine.

Riggs questioned Osing about the food stipulation in the permit and how other requests were handled with neighboring businesses. Osing responded that Radicle Effects is a unique example as it was originally established with no kitchen or food production, and staff went back retroactively make sure they had proper zoning approval. He also noted that Skylight Luxury Lounge currently offers food. He cited the business Sallie's as a nearby business that has a food production stipulation in their special use permit.

R. Johnson asked if it is Skylar Willingham's preference to serve food. The applicant responded that she would like to do a minimum of serving charcuterie since she is not a licensed chef and there is not a lot of space for food production.

As there were no other questions or members of the public wishing to speak, Chair Creger closed the public hearing and called for a motion.

#### Recommendation for Case 2023-04

T. Johnson moved to recommend the approval of the Special Use Permit with stipulations for operating a wine bar at 1325 30<sup>th</sup> Street. Wright seconded the motion.

Chair Creger called for a vote. The motion carried unanimously on a vote of 5 to 0.

2023-05 Public Hearing: The City of Rock Island has submitted a rezoning request from B-3 (community business) district to PUD (planned unit development) district for four (4) parcels that include 1016 6th Avenue (PIN 0734451001), 602 11th Street (PIN 0734451002), 618 11th Street (PIN 0734451006), and 630 11th Street (PIN 0734451007).

Osing presented the staff report that covered a timeline of events and the discussion of the rezoning. He noted that the parcels are part the Solomon Site, which is a set of nineteen (19) City-owned parcels spread out across two blocks on the west side of 11th Street bounded by 5th Avenue and 7th Avenue (see attached map).

He noted that a few years ago, staff began working with Gorman & Company LLC out of Wisconsin to develop the site into affordable townhomes and apartments. In November 2019, the City Council approved an intent to sell letter for Gorman, which was recently renewed. Additionally, a PUD rezoning was unanimously recommended by the Planning Commission and approved by the City Council in 2020. The approved site plan is a multi-family residential development with a total of ten (10), two-story townhouses with 49 dwelling units, which fits the Comprehensive Plan's designation of "Mixed Residential" land use. The Plan also identifies "Community Business" for the section of the Solomon Site between 6th Avenue and 7th Avenue.

Osing added that the rezoning is only for site assembly purposes, which will allow the newly acquired parcels to be combined with the other parcels that are part of the Solomon Site. Any future changes to the site plan are subject to review by the Planning Commission and final approval by the City Council.

He noted that staff recommend the Planning Commission pass recommendation that the City Council approve the rezoning request because it conforms to the comprehensive plan and will support the project for new and affordable housing that will help revitalize the neighborhood.

Chair Creger asked if there were any questions from the Commissioners regarding the request.

Wright asked if the PUD includes any business. Osing responded that the approved site plan is only for a townhome development, but the developer is considering some small-scale commercial activity. He added that any changes would need to go through a site planning process with the commission.

Wright asked if a PUD allows for commercial activity. Osing responded affirmatively that it will allow for some mixed use.

R. Johnson asked if there were any predicted plans for any commercial activity. Mr. Osing responded that nothing official has been put in place yet, but the developer was doing some siting analysis.

As there were no other questions or members of the public wishing to speak, Chair Creger closed the public hearing and called for a motion.

#### Recommendation for Case 2023-05

T. Johnson made a motion to recommend approval of the rezoning. Riggs seconded the motion. The motion carried unanimously on a vote of 5 to 0.

#### **Other Business**

Chair Creger asked Osing where to direct questions regarding building concerns. Osing responded that the Inspections Division would be the appropriate contact.

#### **Adjournment**

Chair Creger asked for a motion to adjourn. T. Johnson made a motion to adjourn. Wright seconded the motion. The motion carried unanimously on a vote of 5 to 0, and the meeting adjourned

Minutes submitted by Eunice Amissah-Mensah and Tanner Osing.

**Memorandum**  
**Community and Economic Development Department**

**To:** Rock Island Planning Commission  
**Subject:** Special Use Permit for 3204 27<sup>th</sup> Avenue  
**Date:** June 30, 2023



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David VanDerGinst of Route Six Equity Growth Corporation has filed an application for an amendment to a Special Use Permit to operate a dough manufacturing facility on the first floor of the former Aqualetic Swim Club building at 3204 27<sup>th</sup> Avenue, zoned R-1 (one unit residential) district. The Comprehensive Plan identifies “one unit residential” land use for the site. The Zoning Code does not allow a dough manufacturing facility as a permitted use in an R-1 district. There are also no zoning districts nearby where that use would be permitted.

History & Nature of the Use:

In 1962, a private swim club known as the Aqualetic Swim Club was authorized by the Board of Zoning Appeals on the property. The swim club remained active for approximately 50 years before closing. During that time, different property owners were granted Special Use Permits to have apartment units on the property. The first Special Use Permit was approved in 1990 for two apartments. The permit was needed since the property has always been zoned single-family residential. Subsequent amendments to the permit have resulted in the addition of two dwelling units for a total of four dwelling units on the property.

The last amendment to the Special Use Permit was approved in 2020 to allow a private office/storage area for a rental business in addition to the four (4) dwelling units. Stipulations included that the private office only be used by the two property owners and that the use be limited to two days in a seven day period. Shortly after, the property sale fell through so the amendment did not go into effect.

At present, the Special Use Permit is granted to Route Six Equity Growth Corporation and allows for four (4) individual dwelling units on the property. The applicant now proposes to add a dough manufacturing facility on the lower level of the old swim club building. The dough made at the facility will be pizza dough that will be used by local Happy Joe’s restaurants. The hours for the facility are proposed to be from 9:00 a.m. to 3:00 p.m., Monday through Sunday, with a maximum of two (2) employees on the premise. One (1) delivery is proposed to be made from the facility every day. An amendment to the Special Use Permit is required because dough manufacturing is not a permitted use in an R-1 zoning district.

Parking:

The Zoning Code requires two off-street parking spaces for each residence. A total of eight (8) spaces are required for the residences. The Zoning Code does not include any parking schedule for dough manufacturing facilities, but the property has adequate parking with approximately seventy (70) spaces available.

Signs:

The applicant is not requesting any sign to be placed on the property.

Analysis:

Staff believe that the proposed use does not meet some of the seven (7) standards for approving a Special Use Permit identified in Chapter 9, Section 7 of the Zoning Code. Access to the site is through a narrow driveway that extends to local streets in a residential neighborhood. The dough manufacturing facility will likely add minimal traffic with only two employees and one delivery per day. However, the site is isolated in the middle of a neighborhood and local streets must be used to get to any major streets (i.e. 30<sup>th</sup> Street & 38<sup>th</sup> Street).

The swim club has also not been in operation for well over ten (10) years, and the property has only been used for residential purposes during that time. No other similar business or manufacturing use has occurred on the property or is located nearby. Staff believe the proposed use will "...impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district" and "be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted..." found in Chapter 9, Section 7-B & C.

Additionally, the applicant must remodel the first floor to meet building and health code requirements for the use. Staff caution against approval of Special Use Permits that require significant remodeling and/or permanent construction that make it less likely for the property to be desirable for uses permitted by right in the future.

Legal Description of Property:

Supervisor of Assessment Lot Number 235-1, Sheet 23 in that part of the City of Rock Island situated in the County of Rock Island, State of Illinois, also known as 3204 27<sup>th</sup> Avenue.

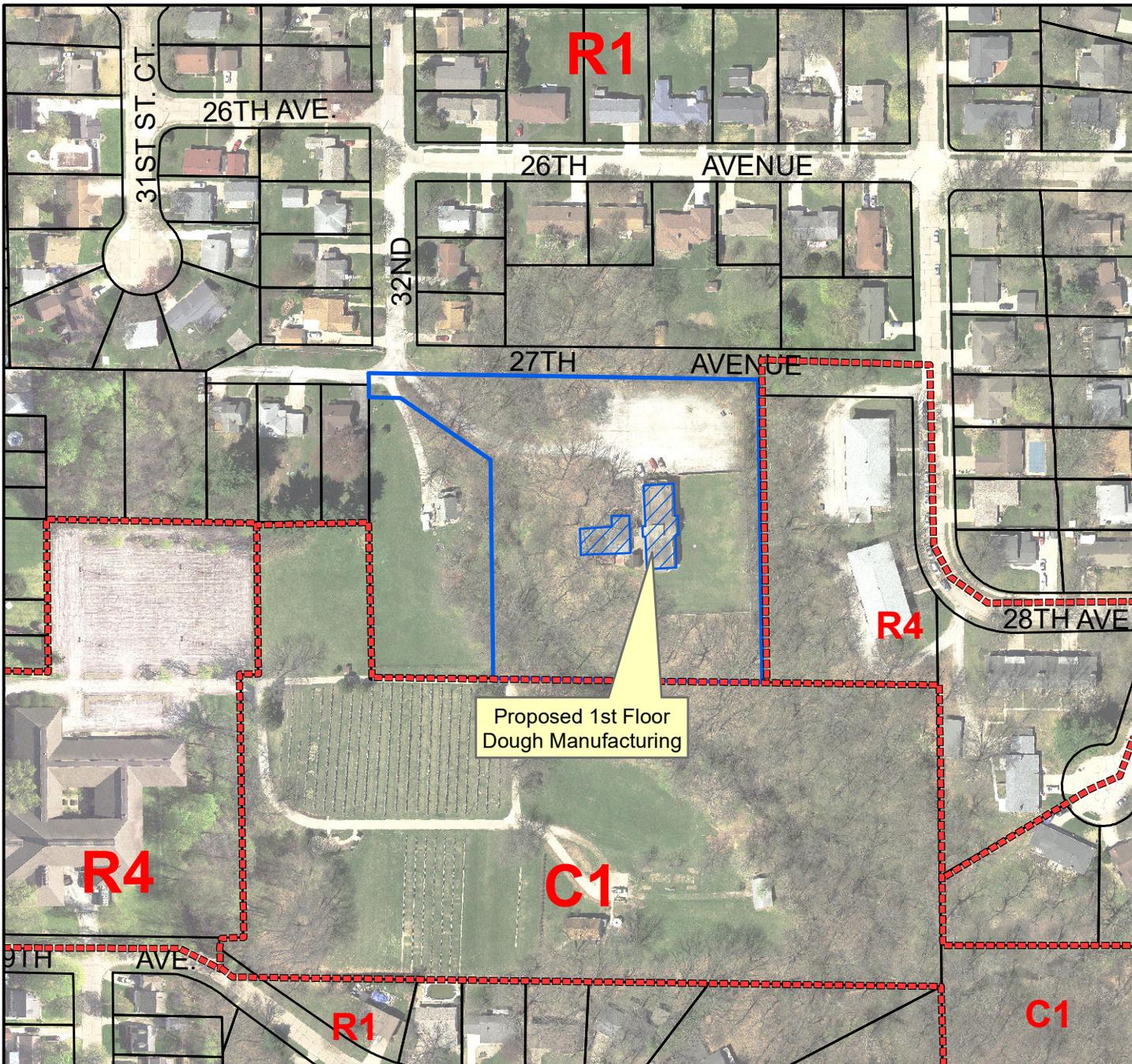
**Recommendation:**

The Community and Economic Development Department recommends that the Planning Commission pass a recommendation to the City Council that the request for an amendment to the Special Use Permit be denied since it does not meet the seven (7) standards for approval.

However, if the applicant desires, staff would consider recommending a rezoning to a residential district that allows for multiple dwelling units as the property lends itself to such classification and there are similar uses nearby. A rezoning would also allow the Special Use Permit for the four (4) dwelling units to become obsolete.

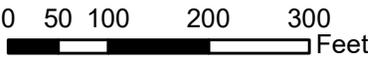
**Submitted by:** Eunice Amisah-Mensah, Urban Planner  
Tanner Osing, Planning & Zoning Manager

# PLANNING COMMISSION



## PLANNING COMMISSION 2023-6 Aerial

-  Subject Property
-  Parcels
-  Zoning District Line

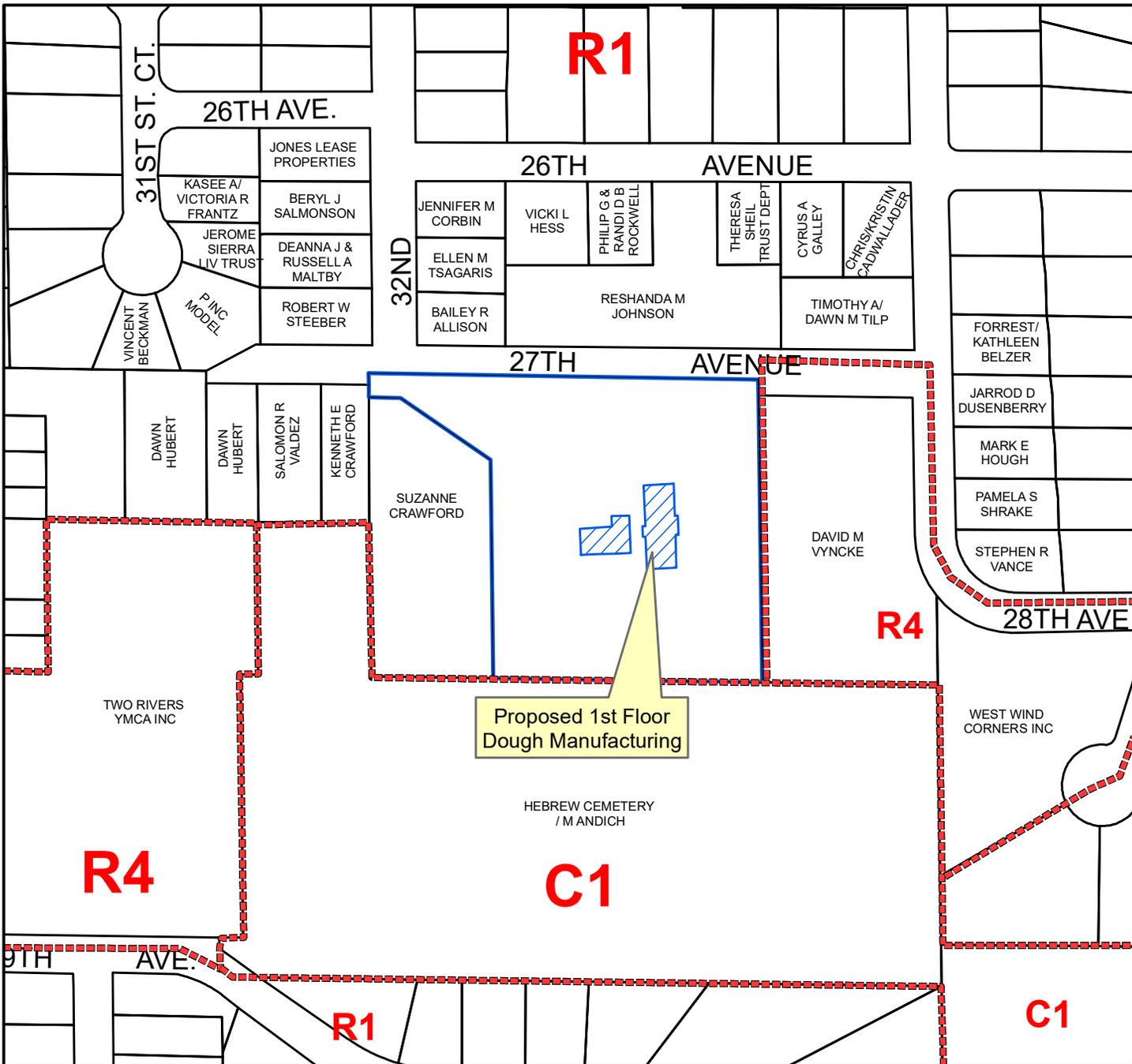
  


## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



# PLANNING COMMISSION



## PLANNING COMMISSION

### 2023-6

- Subject Property
- Parcels
- Zoning District Line



0 40 80 160 240 Feet



## City of Rock Island

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



**ROCK ISLAND**  
ILLINOIS



Figure 1: Picture of the former swim club building looking south with a yellow error pointing to first floor where the facility is proposed to be located.



Figure 2: Looking southeast at the buildings on the property with the house on the right and former swim club building on the left.



Figure 3: Picture of access driveway off of 32nd Street.

**Memorandum**  
**Community and Economic Development Department**

**To:** Rock Island Planning Commission  
**Subject:** Special Use Permit for 2963 9<sup>th</sup> Street  
**Date:** July 28, 2023



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Barry Reuther has filed an application for a Special Use Permit to operate produce stand business from a garage on the property at 2963 9<sup>th</sup> Street, zoned R-2 (two unit residential) district. The Comprehensive Plan identifies “planned mixed use” for the site. The Zoning Code does not allow a produce stand business as a permitted use in an R-2 district. The property is adjacent to other residential zoning districts to the north and west, office and residential zoning districts to the south, and business zoning districts to the east.

History & Nature of the Use:

Historically, the property was part of the Dingeldein Gardens and used for commercial purposes that included greenhouses and a sales garage that sold produce and flowers. The house on the property was built in 1892 and is currently used a rental property. It is a two-story house with 3 bedrooms and a bathroom. The property also has two (2) parking spaces and a garage.

The applicant desires to re-establish the sales garage to sell pumpkins, flowers, crafts, sweet corn, and other produce. The hours for the produce stand business are proposed to be from 8:00 a.m. to 5:00 p.m., Monday through Sunday, with a maximum of one (1) employee who is the property owner.

Parking:

Access to the proposed business is provided from 31<sup>st</sup> Avenue via a gravel/asphalt driveway. The Zoning Code does not include any parking schedule for a produce business, but the property has adequate space available to provide parking albeit not properly paved. The applicant plans to provide at least four (4) parking spaces for the produce stand business to the south of the garage and maintain at least two (2) parking spaces north of the house for the residents.

Signs:

The applicant proposes to install two (2) signs for the business. One sign is proposed to be located near the sales garage and the other freestanding sign is proposed to be near 31<sup>st</sup> Avenue. The applicant proposes both signs to be approximately 2 feet by 4 feet.

Analysis:

Staff believe that the proposed use meets the seven conditions for approving a Special Use Permit identified in Section 6.5 (G) of the Zoning Ordinance. There are adequate utilities and other necessary public facilities, drainage and access for the site since the property is located at the intersection of two (2) major streets, 31<sup>st</sup> Avenue and 9<sup>th</sup> Street. The use will also not “impede the normal and orderly development and

improvement of the surrounding property” as there are commercial uses nearby. Further, the Comprehensive Plan identifies “planned mixed use” for the site as previously discussed, which calls for a mix of commercial and residential activity. Staff believe the proposed produce stand to be a low impact commercial activity that fits within that land use category.

Legal Description of Property:

Supervisor of Assessment Map Lot Number 159, Sheet 18 in that part of the City of Rock Island situated in the County of Rock Island, State of Illinois, also known as 2963 9<sup>th</sup> Street

**Recommendation:**

The Community and Economic Development Department recommends that the Planning Commission pass a recommendation to the City Council that the request for the Special Use Permit be approved since it meets the seven (7) standards for approval. Approval should be subject to the following stipulations:

1. The use granted by the Special Use Permit shall only apply to the existing garage and shall exclude any other building space including but not limited to the dwelling on the property.
2. The hours of operation for the produce stand business shall be from 8:00 a.m. to 5:00 p.m. all days of the week.
3. A maximum of one (1) resident employee shall be allowed.
4. Two (2) signs shall be allowed on the property and shall not exceed 8 square feet for each sign. One freestanding sign shall be allowed along 31<sup>st</sup> Avenue and shall be located east of the driveway access to the sales garage. One moveable freestanding sign shall be allowed near the sales garage and shall be moved indoors when the business is not operating.
5. A minimum of two (2) parking spaces for the residents of the dwelling shall be maintained in the area north of the house and garage on the property.
6. Prior to the business commencing operations, the driveway and parking area south of the sales garage shall be cleared of weeds and grass to uncover the existing gravel and asphalt. Within two (2) years of approval, that area shall be paved with a hard surface that meets the standards of the Zoning Ordinance and shall include a minimum of three (3) parking spaces.
7. The use shall meet all other applicable codes and ordinances.

**Submitted by:** Eunice Amisah-Mensah, Urban Planner  
Tanner Osing, Planning & Zoning Manager

# PLANNING COMMISSION



## PLANNING COMMISSION 2023-7 Aerial

-  Subject Property
-  Parcels
-  Zoning District Line



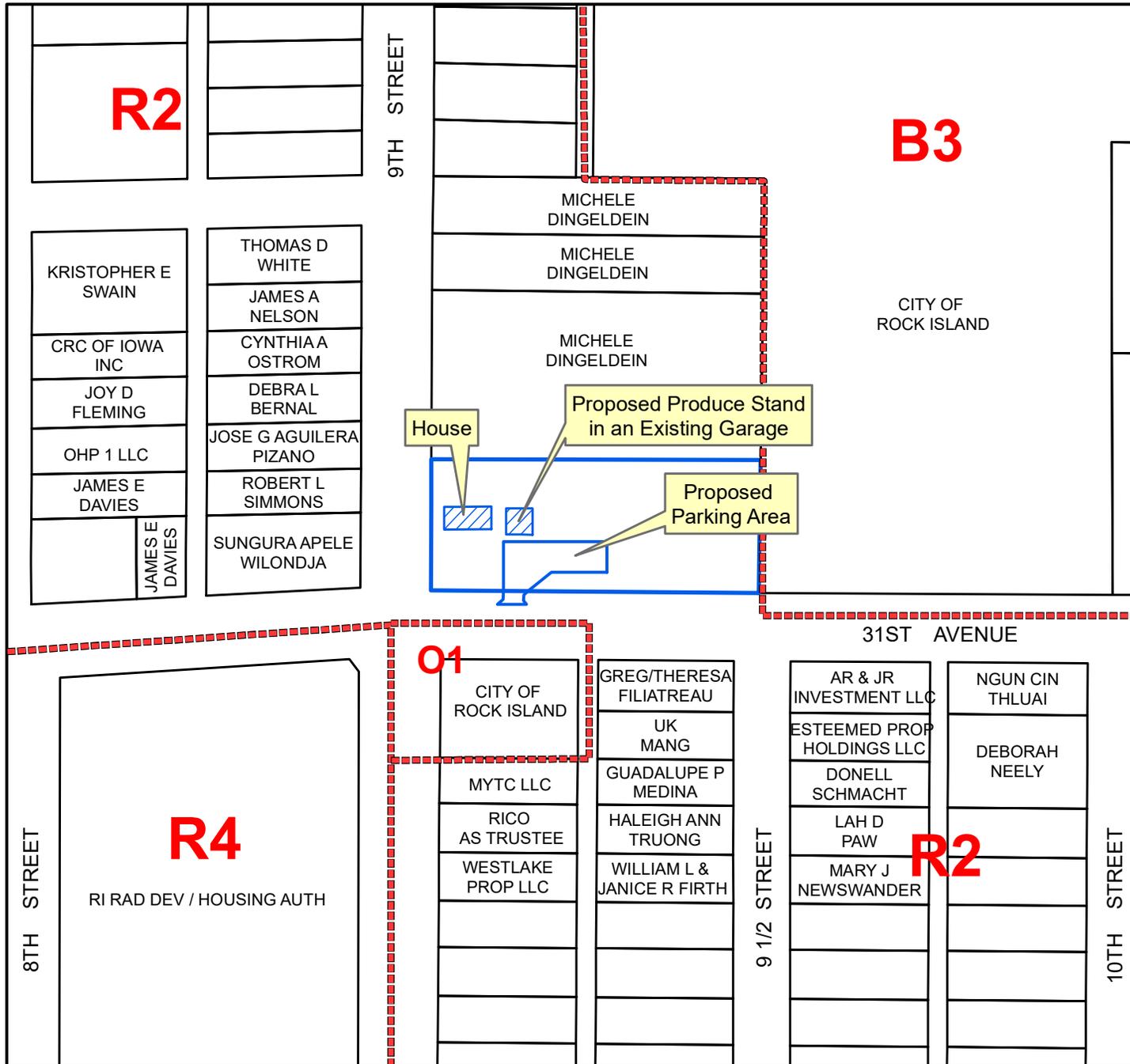
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Feet

## City of Rock Island

COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT  
Planning and Redevelopment



# PLANNING COMMISSION



**PLANNING COMMISSION**  
**2023-7**

- Subject Property
- Parcels
- Zoning District Line

0 25 50 100 150 Feet

**City of Rock Island**

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
Planning and Redevelopment

ROCK ISLAND ILLINOIS



Figure 1: Photo of the property at 2963 9th Street from 31st Avenue with the proposed sales garage on the right.

## Memorandum

### Community and Economic Development Department

**To:** Planning Commission and Board of Zoning Appeals

**Subject:** Commission Consolidation

**Date:** July 28, 2023



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The City of Rock Island has had a Planning Commission (PC) and Board of Zoning Appeals (BZA) for many years. Both bodies exercise authority over zoning and land development proposals in the City. The PC is responsible for holding public hearings and making recommendations to the City Council on rezoning & special use permit requests, text amendments to the Zoning Ordinance, subdivision plats, and updates to the City's Comprehensive Plan along with other planning documents. Similarly, the BZA holds public hearings but makes final decisions on variance requests from the Zoning & Sign Ordinance, temporary uses, and special exceptions for all properties unless they are business zoned parcels over 20,000 square feet. Overall, both bodies primarily deal with issues stemming from the City's Zoning & Sign Ordinances but have different practice areas without a clear reason for divide.

As many will remember, a consolidated commission was previously proposed by consultant, Ancel Glink, in 2017. This proposal involved other updates to the duties and authority of the commission in addition to consolidation. Staff has spent time reflecting on this proposal and agree that changes to the duties and authority of the BZA and PC is still not appropriate. However, staff does believe there is merit to a simple consolidation and is therefore proposing to consolidate the PC and BZA into one commission called the Planning & Zoning Commission (PZC).

In short, the PZC would be a nine (9) member body that would assume the responsibilities of both the PC and the BZA functioning both in an advisory and quasi-adjudicative capacity. Staff reason that there are three (3) main benefits to consolidation that are outlined as follows.

- Consolidation would offer a more efficient process for applicants needing different zoning approvals, and help staff guide them through that process. For example, an applicant seeking a rezoning and variance would only need to attend one (1) commission meeting rather than two (2) meetings before going to the City Council. Reducing the time required for applicants will encourage development as longer processes often discourage investment through added complexity and confusion, whether real or perceived. A streamlined development process will also help staff provide better customer service to each applicant by reducing the time needed to create public notices, develop reports, and coordinate meeting schedules.
- Consolidation would simplify the public hearing process to the benefit of applicants, members of the public, commissioners, and staff. One (1) public hearing rather than two (2) would not only be more efficient, but also minimize confusion regarding different aspects of a project. For example, a development that needs a rezoning may also need other setback or parking variances. It can

become difficult for the public, commissioners, and staff to discern what facts are relevant to what approval as there are often overlapping concerns and intertwined issues. With consolidation, all parties will be able to understand and evaluate a project more holistically.

- Consolidation would ensure continued knowledge building and promote greater commission activity. The BZA typically has more regular business with frequent meetings during the spring and summer months whereas the PC often meets four (4) to five (5) times a year. A consolidated commission will result in more frequent meetings thus allowing for more learning opportunities and hopefully develop a community leadership pipeline for commissioners. Additionally, the Planning & Zoning Division is fully staffed for the first time in over four (4) years and consists of three (3) full-time staff members: Planning & Zoning Manager, Urban Planner, and GIS Specialist. Staff desire to get back to more frequent and proactive planning activities given this capacity, and believe that a consolidated commission will be a dynamic group for staff to work with as a partner.

Lastly, this memo along with a draft of the establishing ordinance will be presented to both the PC and BZA. Staff hope to have a discussion with both bodies regarding the proposal and to include any feedback in a memo that will go to the City Council. Staff is also proposing that the PZC go into effect after the first of the year in 2024. This will allow ample time to make new appointments and administratively prepare for the consolidation without delaying any development projects. The ordinance is expected to go before the City Council for consideration in September.

**Submitted by:** Tanner Osing, Planning & Zoning Manager

**AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES OF  
THE CITY OF ROCK ISLAND, ILLINOIS TO CONSOLIDATE THE PLANNING  
COMMISSION AND BOARD OF ZONING APPEALS INTO THE PLANNING &  
ZONING COMMISSION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND,  
ILLINOIS:

**Section One:** The City Council has determined that it is in the best interest of the community that the Planning Commission and the Board of Zoning Appeals be combined into a single public body. This new body shall adopt all of the functions and responsibilities of the two bodies functioning both in an advisory and quasi-adjudicative fashion.

**Section Two:** Chapter 11 “Planning and Development” is hereby retitled “Community & Economic Development.”

**Section Three:** Chapter 11, Article I “Planning Commission” is hereby removed and replaced in its entirety as follows.

Article 1: Planning & Zoning Commission

Sec. 11-1. Creation of Commission:

There is created a Planning & Zoning Commission to assist the City in the development and enforcement of land use regulations and the zoning code. The Commission shall consist of nine (9) members appointed by the Mayor with the consent of the City Council. Five (5) members of the Commission shall constitute a quorum. The Commission members shall be broadly representative of the community with knowledge of land use regulations, zoning law, real estate, land development, geography, and other expertise associated with urban planning.

Sec. 11-2. Duties of Commission:

The Planning & Zoning Commission shall possess advisory powers only except in regards to their role as a code appeals board. The Commission’s duties shall include:

- A. Soliciting community input on the adoption and development of codes;
- B. Advising the Mayor and City Council on land use regulation and matters to do with urban planning;
- C. Acting as a liaison between the City, agencies, associations, and residents relative to programs and activities;
- D. Making recommendations on the development of new programs and activities;
- E. Monitoring and evaluating programs and activities; and
- F. Acting as a quasi-adjudicative board of appeals as provided in the zoning code, sign ordinance, and other applicable City codes.

Sec. 11-3. Officers:

The Commission shall have a Chair and a Vice chair elected by the Commission who shall each serve a term of one (1) year and shall be eligible for reelection. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both are absent, a temporary Chair shall be elected by those present. A staff liaison from the Community & Economic Development Department shall serve as Secretary to the Commission and be responsible for preparing and publishing agendas and meeting minutes.

Sec. 11-4. Meetings:

The Commission shall schedule regular meetings on a monthly basis. Meetings may be cancelled for lack of business. Additional meetings may be called when needed. All meetings shall be run in accordance with the most recent edition of Robert's Rules of Order as well as all applicable local, state, and Federal codes.

Sec. 11-5. Terms of Appointment:

- A. The Commission members shall be divided into three (3) groups and initially appointed for terms of one (1), two (2), and three (3) years respectively. Thereafter, members shall be eligible to serve three (3) year terms. Members may serve two (2) consecutive terms (including the initial appointment term) before being required to take at least one (1) year off of the Commission. They may thereafter serve again.
- B. During the interval between appointments, any vacancy occurring on the Commission shall be filled by the Mayor with the consent of the City Council. Each member chosen to fill a vacancy shall hold office for the remainder of the unexpired term being occupied.
- C. A member may be removed from the Commission, with or without cause, by a two-thirds (2/3<sup>rds</sup>) majority vote of the Commission. Any member who does not attend at least two-thirds (2/3<sup>rds</sup>) of the meetings in any twelve (12) month period (or, if not in office for the entire period, such portion of the period that the member was in office) shall be automatically deemed to have resigned from the Commission unless waived by the affirmative two-thirds (2/3<sup>rds</sup>) majority vote of the Commission.

Secs. 11-6 through 11-15 reserved.

**Section Four:** Appendix A, Article VIII "Board of Zoning Appeals", Section 1 "Creation, Membership and Procedure" is hereby removed and replaced entirely as follows.

Sec. 8-1: Creation and Procedure

The Planning & Zoning Commission established in Chapter 11, Article 1 of the City Municipal Code shall act as a code appeals board and shall be responsible for any matters upon which it is required to do by this Article. The chair of the commission, or in their absence, the vice chair or temporary chair, may administer oaths and compel attendance of witnesses. The Commission may call on the City's departments for assistance in the performance of its duties, and it

shall be the duty of such departments to render such assistance to the Commission as may reasonably be required.

**Section Five:** The membership of both the Planning Commission and Board of Zoning Appeals, now dissolved, is hereby invited to seek appointment to the Planning & Zoning Commission.

**Section Six:** All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict. All references to either the “Planning Commission” or the “Board of Zoning Appeals” is hereby replaced with “Planning & Zoning Commission” wheresoever such references appear in City codes, ordinances, and regulations.

**Section Seven:** This ordinance shall be in full force and effect beginning on January 1<sup>st</sup> 2024.

\_\_\_\_\_  
MAYOR OF THE CITY OF ROCK ISLAND

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

CITY CLERK