

**CHAPTER 35**  
**SITE PLAN REVIEW BOARD**

**Section 1. Creation and Membership**

A Site Plan Review Board is hereby created. The word “Board” when used in this section shall refer to the Site Plan Review Board. The Board shall consist of five members serving without compensation, one of which shall be a member of the Plan and Zoning Commission. The Board shall be appointed by the Mayor, subject to the approval of the City Council for a term of five years, excepting that when the Board shall first be created, one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. A majority of the members of the committee shall be appointed with due regard to the proper representation of such fields as: architecture, history, architectural history, planning, landscape architecture, site design, or cultural geography. Any vacancy shall be filled by appointment by the City Council for the unexpired portion of the term. Should any member be absent from the City or become incapacitated, or disqualified, the Council shall appoint a substitute to serve as a member until the regular member has returned or is able to serve on the Board.

**Section 2. Meetings and General Procedures**

1. Meetings of the Board shall be held at the call of the Chair and at such other times as the Board may determine. Such Chair, or in his absence, the acting Chair, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public.
2. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.
3. The Board shall have power to call on any municipal department or officer for assistance in the performance of its duties, and it shall be the duty of any such department to render such assistance as may reasonably be required.
4. The Board shall adopt, from time to time, such rules and regulations as it may deem necessary to carry into effect the power and authority granted it by the provisions of this Ordinance or any state law.
5. The occurring vote of three (3) members of the Board shall be necessary to render a decision. The Board shall render its decisions without unreasonable delay.

**Section 3. Jurisdiction.**

1. Jurisdiction for the Site Plan Review Board shall be for development and/or redevelopment projects located within the Historic District. The Board, or its assigned staff, shall review, make requirements, and give advice relating to the physical characteristics of the proposal, as detailed in the Site Plan Review Chapter of this Ordinance. It shall be the responsibility of the Board to protect property rights and values, enhance important environmental features of the City and to ensure that the general appearance of buildings and structures along with development of the land shall not impair or preclude the orderly and harmonious development of the community.
2. Nothing herein contained shall be construed to give or grant to the Board the power or authority to alter or change the Zoning Ordinance or the District Map, such power and authority being reserved to the City Council of Marshalltown in the manner hereinafter provided in the City Code of Ordinances.

**Section 4. Relief.**

Any person or group, which has taken an application to the Board, in disagreement with any decision of the Board, may appeal the decision to the Board of Adjustment.