

CHAPTER 11-35
REGIONAL PLANNING AND ZONING COMMISSIONS

11-35-01. Regional commissions - Appointment - Powers.

The governing boards of counties, cities, and organized townships may cooperate to form, organize, and administer a regional planning and zoning commission for the region defined as may be agreed upon by the governing bodies of such political subdivisions. The regional commission membership shall consist of five members, namely, one from the board of county commissioners, two from the rural region affected, and two from the city, the members from each to be appointed by the respective governing boards. The proportion of cost of regional planning, zoning, studies, and surveys to be borne respectively by each of the said political subdivisions in the region must be such as may be agreed upon by their governing boards. The regional commissions, when requested by the governing board of a political subdivision in its region, may exercise any of the powers which are specified and granted to counties, cities, or organized townships in matters of planning and zoning. Upon organization of such commission, publication and hearing procedures must be conducted pursuant to sections 11-33-08 and 11-33-09. Appeal from a decision of the commission may be taken to the district court in accordance with the procedure provided in section 28-34-01.

11-35-02. Zoning of territory adjacent to cities.

Until the organization of either a regional planning and zoning commission as provided in section 11-35-01 or township zoning board or county zoning commission pursuant to sections 58-03-11 through 58-03-15 and chapter 11-33, respectively, any city that determines to use zoning regulations has exclusive jurisdiction and power to zone over all land over which it has authority to control subdivisions and platting of land as provided in section 40-48-18.