

ORDINANCE NO. ~~11-270~~ 13-275

AN ORDINANCE CONTINUING A PLANNING COMMISSION FOR THE CITY OF LAKESIDE; PRESCRIBING ITS DUTIES; AND CLARIFYING TERMS OF OFFICE; REPEALS ORDINANCE NO. ~~174-11-270~~.

THE CITY OF LAKESIDE ordains as follows:

Section 1. Continuation of the Planning Commission. There is continued a City Planning Commission, referred to in this Ordinance as “Commission”, for the City of Lakeside.

Section 2. Powers and duties of Commission. Except as otherwise provided by the City Council, the Commission may:

- (1) Recommend and make suggestions to the Council and other public authorities concerning the laying out, widening, extending, parking and locating of public thoroughfares; parking of vehicles; relief of traffic congestion; betterment of housing and sanitation conditions; and establishment of districts for limiting the use, height, area, bulk, and other characteristics of buildings and structures related to land development.
- (2) Recommend to the Council and other public authorities plans for regulating future of growth, development and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with future growth and development of the city, in order to secure to the City and its inhabitants sanitation, proper service of all public utilities and transportation facilities.
- (3) Recommend to the Council and other public authorities plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged in industrial pursuits.
- (4) Make an economic survey of present and potential possibilities of the city with a view to ascertaining its industrial needs.
- (5) Study needs of existing local industries with a view to strengthening and developing local industries and stabilizing employment conditions.
- (6) Perform all other acts and duties necessary or proper to carry out the provisions of this ordinance.
- (7) Study and propose in general measures that may be advisable for promotion of public interest, health, safety, comfort, convenience and welfare of the city and the area six miles adjacent.
- (8) Make recommendations to the Council for the amendment of the Comprehensive Plan for the City.
- (9) Recommend to the Council ordinances intended to carry out the purposes, principles, and proposals expressed in the Comprehensive Plan.
- (10) Advise and cooperate with other planning agencies within the state and upon request, or on its own initiative, furnish advice or reports to any city, county, officer or department on any problem comprehended in city planning
- (11) Promote public interest in and understanding of the comprehensive plan and of planning and zoning in general.

- (12) Make recommendations and an annual report each year to the Council concerning the operation of the commission and of the status of planning and zoning within its jurisdiction.
- (13) Make recommendations to the Council with regards to orderly development of territory within the city.
- (14) Perform all other acts and duties necessary to carry out the provisions of ORS227.010 50 227.180,1 and other duties as prescribed by ordinance.

Section 3. Membership, Appointment, Term & Removal of Members

- (1) The commission consists of ~~seven~~ five (~~7~~) (5) voting members, each of whom shall be a resident of the City of Lakeside and appointed by the Council. Positions are numbered 1-~~7~~ 5 for record keeping purposes only. Such numbers are not to be used in any posting or advertisement. The Council may set length of terms for the interim period to afford an orderly and proper staggering of terms.
- (2) The Council may designate advisory, non-voting members to provide technical advice to the voting members.
- (3) The term of office on the commission shall be four (4) years and no member shall serve for more than two consecutive full terms. The term of office shall commence on January 1, and expire on December 31.
- (4) A member may be removed by the Council during the member's term for misconduct or nonperformance of duty (defined as missing three (3) consecutive meetings without justifiable cause) after a public hearing before the Council.
- (5) Vacancies (due to resignation or removal of a commissioner) shall be filled by Council appointment for the remainder of the unexpired term of the predecessor. The opening is to be posted immediately for a period of two (2) weeks. Applications shall be submitted to City Hall and forwarded to all Planning Commissioners and City Councilors. The Planning Commission evaluates the candidates and makes their recommendation and/or nomination to the City Council. The City Council shall consider applicants and the recommendations of the Planning Commission, and make appointments.
 - A. If the remainder of the term of the vacated position is more than ~~2/3~~ 1/2 of the term, the appointment shall be considered as the first full term.
 - B. If the remainder of the vacated position is less than ~~2/3~~ 1/2 of the term, the appointee may serve an additional two full terms.
- (6) By the second week of October, prior to the expiration of any commissioner's term of office, the City ~~Administrator~~ Recorder/Manager shall cause to have the opening for a commissioner posted for two (2) weeks. Commissioners who have served their first term are eligible for a second term, and must re-apply. Applications shall be submitted to City Hall and forwarded to all Planning Commissioners and to City Councilors. The Planning Commission evaluates the candidates and makes their recommendation and/or nomination to the City Council. The City Council shall consider all applicants and make appointments at the December meeting.
- (7) Members shall serve without compensation other than reimbursement for duly authorized expenses.
- (8) No two or more voting members of the commission shall have the same business, trade, profession, or occupation: however, businesspersons engaged in different kinds of business shall not be prevented by this subsection from serving. Being retired shall not be considered an occupation within the meaning of this subsection.

Section 4. General Procedures

- (1) The commission shall adopt rules and procedures for the transaction of business and shall keep a record of its resolutions, transactions, findings, recommendations and determinations, which record shall be a public record.
- (2) The planning director shall be the secretary of the commission and shall provide staff services and recommendations and determinations.
- (3) The commission shall elect from its voting membership a chairperson and vice-chairperson to serve for the remainder of their full term, subject to annual ratification of the commission.
 - a. To be eligible for either of these offices, a Commissioner must have served a minimum of one (1) year on the Planning Commission.
 - b. Any person appointed to a subsequent term on the Planning Commission shall be eligible to be elected as Chairperson or Vice-Chairperson.
- (4) A member of the commission shall not participate in any commission proceeding or action in which any of the following has a direct or substantial financial interest: the member or the spouse, brother, sister, parent, father-in-law, mother-in-law of the member, any business in which the member is then serving or has served within the previous two years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the commission where the action is being taken.

Section 5. Repeal

- (1) Ordinance No. ~~174 11-270~~, adopted ~~May 3, 1994~~ November 13, 2011, is repealed.
- (2) This repeal shall not invalidate any action taken by the commission under Ordinance No. ~~174 11-270~~, and should be considered a continuation of that ordinance. Members appointed and presently serving under the terms of that ordinance shall continue to serve their present terms of office.

Therefore, this Ordinance shall become effective 30 days upon its passage by the City Council and approval by the mayor.

FIRST READ to the Council on the _____ day of _____, 2013.

PASSED by the Council this _____ day of _____, 2013.

SIGNED by the Mayor this _____ day of _____, 2013.

Effective this _____ day of _____, 2014.

ATTEST:

APPROVED:

Curtis Kelling, City Recorder/Manager

Dean Warner, Mayor