

TITLE 2
CHAPTER 3

PLANNING COMMISSION

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2-3-1: ESTABLISHMENT: There is hereby re-established a City Planning Commission for the City. (Ord. 541,1-7-74)

2-3-2: MEMBERSHIP: Commission shall consist of five (5) members who are not members of the City Council, employees of the City, or members of any other City board or committee. Positions one (1) through four (4) shall be held by individuals who reside within the City Limits. Position five (5) may be held by either an individual who resides within the City Limits or an individual who resides outside the City Limits but within the City's Urban Growth Boundary (Ord. No. 3, Series 2012). No more than two voting members of the Commission may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit; and no more than two members shall be engaged in the same kind of occupation, business, trade or profession. Appointees shall have resided within the City or within the City's Urban Growth Boundary, as applicable, for at least six (6) months prior to the time of appointment. The City Manager may designate two City staff members who shall be entitled to sit with the Commission and to take part in its discussions, but shall not have the right to vote. (Ord #3, Series 1993 and Ord. 20, Series 2008).

2-3-3: TERM OF OFFICE: Members of the Planning Commission shall be appointed as provided in Chapter 1 of Title 2 for a term of three (3) years. (Ord #3 Series 1993).

2-3-4: CONFLICT OF INTEREST AND BIAS: All members of the Planning Commission are public officials and must abide by the ethics laws of the State of Oregon. A member of the Planning 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; the member's spouse, brother, sister, child, parent, father-in-law or mother-in-law; 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. A member of the Planning Commission shall not participate in any quasi-judicial Commission, proceeding or action in which the member has a bias that would preclude the Commissioner from making an impartial decision.

2-3-5: VACANCIES AND REMOVAL: Appointments to fill vacancies shall be in accordance with Chapter 1 of this Title 2 for the remainder of the unexpired term. A member may be removed by the City Council, after hearing, for misconduct or nonperformance of duty. A member who is absent from three (3) consecutive meetings without an excuse, as approved by the Planning Commission, is rebuttably presumed to be in nonperformance of duty, and the City Council shall declare the position vacant unless the Council finds otherwise following the hearing.

2-3-6: PRESIDING MEMBERS: At its first meeting of each calendar year the Commission shall elect a chair and a vice-chair to serve one year terms.

2-3-7: MEETINGS: Three (3) members of the Planning Commission shall constitute a quorum. Meetings of the Commission shall be open to the public. Meetings, which will be held at times other than the time regularly scheduled for Planning Commission meetings, may be announced at a prior meeting and thereby made a part of the meeting's records. The chair, upon his or her own motion, may, or at the request of three (3) members of the Commission, shall, by giving notice to members of the Commission, call a previously unannounced special meeting of the Commission for a time not earlier than twenty four (24) hours after the notice is given. Notice of a previously unannounced meeting shall be submitted to a newspaper of general circulation in the City, posted at the City Hall and, to the extent feasible, provided to interested persons at least twenty four (24) hours prior to the meeting. All Planning Commission meeting notices shall comply with the notice requirements of the above section as well as the land use notice requirements in Title 10.

2-3-8: POWERS AND DUTIES: The Planning Commission shall have the powers and duties which are now, or may hereafter, be assigned to it by charter, ordinance or resolutions of the City and the general laws of the State of Oregon. The Planning Commission shall serve as a comprehensive planning body with the authority to propose policy and legislation to the Council, conduct hearings, and take such actions concerning specific land development proposals as required by the Florence City Code. In addition to any other powers provided by state law or the charter, ordinances, and resolutions of the City, and except as otherwise provided by the City Council, the Planning Commission:

- A. May review, recommend amendments, and implement the Florence Comprehensive Plan including associated detailed plans related to public facilities and services, and subarea plans which relate to specific areas of the community.
- B. May conduct hearings, prepare findings of fact, and take such actions as are necessary or warranted concerning specific land development proposals.
- C. May study, and propose such measures regarding land development as may be advisable for promotion of the public interest, health, safety, comfort, convenience and welfare.
- D. Shall, at the request of the City Council perform other duties relating to some aspect of community planning and development.

1-See Section 1-9-1 and Title 2, Chapter 1 of this Code

Amended by Ord #3 Series 1993

Amended by Ord #3 Series 1994 – amended by Ord. 20, 2008

Amended by Ord #13 Series 1994

Section 2-3-2: Membership was amended by Ord. 20, 2008 effective Dec 18, 2008

Amended by Ord. No.3, Series 2012 effective Nov 9, 2012