

TITLE 2
CHAPTER 3

PLANNING COMMISSION (PC) – ENABLING PROVISIONS

SECTION:

- 2-3-1: Establishment
- 2-3-2: Membership
- 2-3-3: Term of Office
- 2-3-4: Appointments, Vacancies & Removal
- 2-3-5: Chairperson & Vice-Chairperson
- 2-3-6: Powers and Duties
- 2-3-7: Conflict of Interest and Bias
- 2-3-8: Meetings

2-3-1: ESTABLISHMENT: A Planning Commission is hereby established for the City.

2-3-2: MEMBERSHIP: The Commission shall consist of seven (7) members.

A. RESIDENCY REQUIREMENT:

1. Five (5) members of the Commission shall have their permanent residence within the city limits of the City of Florence.
2. Two (2) members may have their permanent residence outside the city limits but within the Florence Urban Growth Boundary.
3. 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.

B. COMMITTEE REPRESENTATION:

1. No more than two (2) 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.
2. No more than two (2) members shall be engaged in the same kind of occupation, business, trade or profession.

C. EX-OFFICIO MEMBERSHIP: In addition to the committee membership, the following non-voting ex-officio positions may be appointed:

1. Up to two (2) City Staff members.

2-3-3: TERM OF OFFICE: Members shall be appointed for a term of four (4) years. Membership terms will be staggered so that approximately $\frac{1}{4}$ of the membership terms will expire each year.

2-3-4: APPOINTMENTS, VACANCIES AND REMOVAL: Appointments, vacancies and removals shall occur in the manner dictated in Title 2 Chapter 1.

2-3-5: CHAIRPERSON & VICE-CHAIRPERSON: The Commission shall elect a Chairperson & Vice-Chairperson in the manner dictated in Title 2 Chapter 1.

2-3-6: 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.
- E. Authorized to serve as the City of Florence's Citizen Involvement Advisory Committee per ORS 197.160.

2-3-7: CONFLICT OF INTEREST AND BIAS:

- A. All members of the Planning Commission are public officials and must abide by the ethics laws of the State of Oregon.
- B. **CONFLICT OF INTEREST:**
 - 1. 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:
 - a. The member;
 - b. The member's spouse, brother, sister, child, parent, father-in-law or mother-in-law;
 - c. Any business in which the member is then serving or has served within the previous two years; or
 - d. Any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
 - 2. Any actual or potential interest shall be disclosed at the meeting of the Commission where the action is being made.
- C. **BIAS:** 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.

2-3-8: MEETINGS:

- A. **QUORUM:** Four (4) members of the Planning Commission shall constitute a quorum.

B. PUBLIC MEETINGS:

1. Meetings of the Planning Commission shall be open to the public.
2. 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.
3. 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 the 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.
4. 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 notices shall comply with the notice requirements of the above section as well as the land use notice requirements in Title 10.

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

Amended by Ord. No. 5, Series 2015 – effective April 17, 2015

All sections amended by Ord. No. 17, Series 2018 – effective February 1, 2019