

ORDINANCE NO. 1830
(An ordinance amending Hood River Municipal Code Chapter 2.36 to provide rules of procedure for Planning Commission meetings)

WHEREAS, Hood River Municipal Code Chapter 2.36 creates the City's planning commission and specifies the powers the Commission has;

WHEREAS, Chapter 2.36 does not specify the rules of procedure to govern Planning Commission meetings; and

WHEREAS, in the interests of fairness, it is necessary to specify the rules of procedure for Planning Commission meetings.

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Chapter 2.36 of the Hood River Municipal Code is amended as follows:

CHAPTER 2.36—PLANNING COMMISSION

Sections:

- 2.36.010 Created
- 2.36.020 Membership
- 2.36.030 President and vice-president
- 2.36.040 Compensation--Secretary
- 2.36.050 Quorum
- 2.36.060 Employment of consulting advice
- 2.36.070 Duties
- 2.36.080 Report on subdivision and plat
- 2.36.090 Submission of subdivision plats to planning commission
- 2.36.100 Procedure for proposed zone or district boundary ordinances
- 2.36.110 Recommendations—no effect of law or ordinance
- 2.36.120 Acceptance of gifts, bequests or devises
- 2.36.130 Powers under state law
- 2.36.140 Recommendations to be in writing
- 2.36.150 Expenditures to be authorized
- 2.36.160 Rules of Procedure
- 2.36.170 Tie Votes

2.36.010 Created. There is created a city planning commission for the city.

2.36.020 Membership.

A. The planning commission shall consist of seven members to be appointed and removed by the city council.

B. Five of the seven planning commissioners must have established residency within the city prior to appointment. Residency within the city must be maintained during their term of office. Two of the seven planning commissioners may have established residency outside the city but within the city urban growth boundary, prior to appointment. Residency within the city urban growth boundary of the city must be maintained during any term of office.

C. No more than two members of the planning commission may engage principally in the buying, selling or developing of real estate for profit. No more than two members shall be engaged in the same kind of occupation, business, trade or profession.

D. No employee of the city shall be appointed to the planning commission unless the employee's position is voluntary in nature.

E. Planning commissioners shall be appointed for a term of four years and any vacancy shall be filled by the city council for the expired portion of the planning commissioner's term.

F. A planning commissioner may be removed from office by the city council after a hearing for misconduct or nonperformance of duty. A planning commissioner will be subject to automatic review by the city council when the following occur:

1. Three successive absences; or
2. Eight absences within a twelve month period (October to October)

2.36.030 Chair and Vice-Chair. ~~President and vice-president.~~ The city planning commission, at its first meeting in October of each year, shall elect a ~~president~~ chair and ~~vice-president~~ vice-chair, who shall be members appointed by the mayor and who shall hold office during the pleasure of the commission.

2.36.040 Compensation—Secretary. Members of the city planning commission shall receive no compensation. The city planning commission shall elect a secretary who need not be a member of the commission. Such secretary shall keep an accurate record of all proceedings of the commission, and the commission shall, on the first day of October of each year, make and file with the city council a report of all transactions of the commission.

2.36.050 Quorum. ~~A majority~~ Four or more members of the city planning commission shall constitute a quorum.

2.36.060 Employment of consulting advice. The city planning commission shall have power and authority to recommend to the city council the employment of ~~a~~ employ consulting advice on municipal problems, a secretary and such clerks as may be necessary for, ~~and to pay for their services and for such other expenses as such commission may lawfully incur, including the necessary disbursements incurred by its members in the performance of their duties as members of the commission out of such funds as theretofore placed at the disposal of the commission by the city council.~~

2.36.070 Duties. It shall be the duty of the city planning commission, and they shall have power, except as otherwise provided by law, to recommend and make suggestions to the city council and to all other public authorities concerning the laying out, widening, extending, parking and locating of streets, sidewalks and boulevards, the establishment of setback lines, the relief of traffic congestion, the betterment of housing and sanitation conditions and the establishment of zones and districts limiting the use, height, area and bulk of buildings and structures; to recommend to the city council and all other public authorities plans for the regulation of the future growth, development and beautification of the municipality in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with the future growth and development of the city in order to secure the city and its inhabitants, sanitation, proper service of all public utilities, harbors, shipping and transportation facilities; to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter; and in general to study and to propose such measure as may be advisable for the promotion of the public interest, health, morals, safety, comfort and convenience and welfare of the city, and of the urban growth area for six miles adjacent thereto. The duties of the planning commission relative to quasi-judicial and legislative actions are located in Chapter 17.09—Review Procedures.

2.36.080 Report on subdivision and plats.

A. When used in this section and Section 2.36.090, the words "subdivision" and "plat" have the meanings given those terms in ORS 92.010.

~~B. All subdivision plats located within the city limits, and all plans or plats for vacating or laying out, widening, extending, or locating streets or plans for public buildings shall first be submitted to the city planning commission by the city engineer or other proper municipal officer, and a report thereon from the commission secured in writing before approval is given by the property municipal official. (Ord 1104 (part), 1960; Ord 915-8, 1949)~~

2.36.090 Submission of subdivision plats to planning commission. All subdivision plats and all plats or deeds dedicating land to public use in that portion of the county within the UGA six miles of the city shall first be submitted to the city planning commission and ~~approved~~ reviewed by it for consistency with the tentative plan before they are recorded.

2.36.100 Procedure for proposed zone or district boundary ordinances. Copies of all proposed ordinances for the establishment of the boundaries of any zone or district provided by Section 2.36.070, and of all proposed ordinances regulating or limiting the use, height, area, bulk, and construction of buildings to be submitted to the council shall, before the same are presented to the council, be first submitted by the city recorder to the city planning commission for recommendation. ~~and the auditor or city clerk shall immediately so notify the council of such submission to the commission, and the commission shall make its recommendation thereon in writing to the council; provided, that the city planning commission shall first hold a public hearing at such time and place as may be directed by the council, and make a careful and appropriate investigation thereon; and thereafter, before final action is taken by council. The city council may also request comment from the commission or any department of the city government, on the location or design of any public building, bridge, statue, park, parkway, boulevard, playground or public grounds, within the city. the same shall be submitted to the city planning commission for consideration and report; and provided further, that unless the city council definitely names a longer period for the return of a report specified in this section, the approval of the city planning commission to any matter so referred to it in accordance with the provisions of this chapter shall be deemed to have been given at the end of thirty days after the receipt of the same in writing by its secretary unless the city planning commission submits a report thereon prior to that time. Nothing contained in this section shall prohibit the city council from specifying a reasonable period shorter than thirty days for the return of a report specified in this section.~~

2.36.110 Recommendations—No effect of law or ordinance. The city planning commission may make recommendations to any person, copartnership, corporation or public authority with reference to the location of buildings, structure or works to be erected, constructed or altered by or for such person, copartnership, corporation or public authority; provided, however, such recommendation shall not have the forces or effect of a law or ordinance, except when so prescribed by the laws of the state or by city ordinance. Any person, copartnership, corporation or public authority having charge of the construction, placing or designing of buildings or other structures and improvements may call upon the city planning commission for a report thereon. (Ord. 915 11, 1949)

~~2.36.120 Acceptance of gifts, bequests or devises. The city planning commission may receive gifts, bequests or devises of property to carry out any of the purposes of this chapter, and shall have control and disposition over same unless the ordinance codified in this chapter is repealed, in which case such control shall be vested in the council.~~

2.36.1230 Powers under state law. The city planning commission shall also have all the powers which are now or may hereafter be given to it under the general laws of the state.

2.36.1340 Recommendations to be in writing. All recommendations made to the council by the commission shall be in writing.

2.36 1450 Expenditures to be authorized. The city planning commission shall have no authority to make any expenditures on behalf of the city, or to obligate the city for the payment of any sums of money, except as provided in this chapter, and then only after the city council of the city has first authorized such expenditures for the purpose from time to time by appropriate resolution shall provide the administrative method by which the funds shall be drawn and expended.

2.36.150 Rules of Procedure. All matters of procedure not otherwise provided for with respect to meetings of the planning commission shall be governed by Robert's Rules of Order. The applicable version of Robert's Rules of Order shall be set by council resolution. All procedural questions that may arise before the planning commission shall be resolved as follows:

- A. Robert's Rules of Order
- B. Consultation with the city attorney; and
- C. Majority vote of the planning commission.

2.36.160 Tie Votes. In cases of a tie vote by the planning commission, the motion fails, notwithstanding anything to the contrary in Robert's Rules of Order.

Read for the first time: September 23 2002.

Read for the second time and passed: October 15, 2002, to become effective thirty (30) days hence, November 15, 2002.

Signed on October 29, 2002.


Paul G. Cummings, Mayor

ATTEST: 
Terri J. Phillips, City Recorder