

## CHAPTER 32: DEPARTMENTS, BOARDS AND COMMISSIONS

Section

Planning Commission

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Cross reference:

Crook County-City of Prineville Airport

Commission, see T.S.O. Table IV

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## **PLANNING COMMISSION<sup>1</sup>**

### **32.01 ESTABLISHMENT.**

There is hereby created a City Planning Commission (hereinafter referred to as the Commission) for the city.

(’91 Code, § 1-2.1) (Ord. 715, passed 1-8-74; Am. Ord. 1161, passed 1-13-09)

### **32.02 MEMBERS.**

(A) **Number of Members.** The Prineville Planning Commission shall be comprised of 7 members.

(B) **Residency.** Members should reside within the Prineville Urban Growth Boundary.

(C) **Qualifications.**

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

(2) Consideration should be given, whenever possible, to representation of backgrounds consistent with the skill set needed for the commission, a balance of viewpoints, and diversity, including representation for all of the community.

(D) Appointments. Appointments shall be made by the Mayor with confirmation by the Council. The Mayor or a Committee established by the Mayor, shall interview candidates for appointment. Unless recommended by the Mayor, Council member, or City Manager, Commission candidates seeking reappointment shall not require an interview.

(E) Terms. All members shall be appointed or re-appointed for four year terms beginning on January 1 of each year. Vacancies shall be filled for the unexpired term of the predecessor in office. All terms shall initially be staggered for one, two or three years to prevent all terms from expiring at once.

(F) Removal. A commission member serves at the pleasure of the Council and may be removed or replaced at any time following a motion approved by the Council. Removal may be based on misconduct, nonperformance of duty, or three or more successive unexcused absences from regular meetings.

~~The Commission shall consist of seven members to be appointed by the City Council for four year terms, or until their respective successors are appointed and qualified; provided, that in the first instance, the terms of the initial members shall be staggered for one, two, three or four years. Any vacancy shall be filled by the City Council for the unexpired term of the predecessor in office. All of the members of the Commission shall serve without compensation. At least five members of the Commission shall reside within Prineville city limits. Not more than two members of the Commission may be residents of the current Urban Growth Boundary of the city. No more than two voting members shall be engaged 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 is engaged principally in the buying, selling or developing of real estate for profit. No more than two voting members shall be engaged in the same kind of business, trade or profession.~~

('91 Code, § 1-2.2) (Ord. 715, passed 1-8-74; Am. Ord. 927, passed 9-27-88; Am. Ord. 1013, passed 8-1-94; Am. Ord. 1161, passed 1-13-09)

*Purpose:* Reorganized to be in a more readable format. Residency requirements were expanded to include the entire Urban Growth Boundary to increase the pool of applicants. An actual appointment process has also been established. Traditionally, the Commission interviews and presents candidates to the Council; however, this is problematic since the interviews must be conducted in an open hearing.

### **32.03 CHAIRMAN AND VICE CHAIRMAN.**

At its first meeting of each year, the Planning Commission shall elect from among its membership a Chairperson and Vice-Chairperson. The Chairperson or Vice-Chairperson, acting as Chairperson, shall have the right to make or correct motions and vote on all matters before the Commission. A majority of the Commission may replace its Chairperson or Vice-Chairperson with another member at any time during the calendar year.

~~The Commission shall elect a Chairman and Vice-Chairman, both of whom shall be members of the Commission.~~

('91 Code, § 1-2.3) (Ord. 715, passed 1-8-74; Am. Ord. 1161, passed 1-13-09)

*Purpose:* To expand on the process of selecting a Chair and Vice Chair. This is essentially how the Commission operates today.

### **32.04 PROCEDURES.**

(A) Meeting Schedule. The Commission shall meet at least once a month to conduct City business, at such times and places as may be fixed by the Commission. If no City business is scheduled the meeting may be canceled by the Chairman.

(B) Meeting Conduct. The Rules of Parliamentary Law and Practice as in Robert's Rules of Order shall govern each commission meeting. The Commission may establish rules, regulations and procedures for its operation consistent with the laws of the State, City and County.

(C) Open to the Public. All meetings shall be open to the public.

(D) Quorum. A majority of the voting members of the committee shall constitute a quorum.

(E) Special meetings. Special meetings may be called at any time by the Chairman or by two members by written notice served upon each member of the Commission at least 24 hours before the time specified for the proposed meeting and with compliance with ORS Chapter 192.

~~(A) Four members of the Commission shall constitute a quorum.~~

~~(B) The Commission may make and alter rules and regulations governing the transaction of its business consistent with laws of this state and with the City Charter and ordinances.~~

~~(C) The Commission shall meet at least once a month, at such times and places as may be fixed by the Commission.~~

~~(D) Special meetings may be called at any time by the Chairman or by three members by written notice served upon each member of the Commission at least 24 hours before the time specified for the proposed meeting, and after compliance with ORS Chapter 192.~~

('91 Code, § 1-2.5) (Ord. 715, passed 1-10-74; Am. Ord. 1161, passed 1-13-09. Formerly 32.05)

*Purpose: Reorganized to be in a more readable format. Formally establish Robert's rules of Order, which the Commission currently uses. Adjust the definition of a quorum to be consistent with the quorum definition of Council. Currently, the Code requires a fixed number, which is the majority of seven; however, this does not account for vacancies or when members must recuse themselves due to an ethical conflict of interest.*

### **32.05 ADVISORY COMMITTEES.**

(A) For the purpose of obtaining citizen participation, the Commission may establish advisory committees on specific planning categories such as but not limited to land use, economics, housing, transportation, solid waste, natural resource management, open space and recreation.

(B) The Commission shall consult with each advisory committee established under this section in the preparation, adoption, revision and implementation of a comprehensive or other plans for the city. The Commission shall furnish each such committee with technical and other assistance.

('91 Code, § 1-2.6) (Ord. 715, passed 1-10-74; Am. Ord. 1161, passed 1-13-09. Formerly 32.06)

### **32.06 POWERS.**

(A) Act in an advisory capacity to the Prineville City Council regarding the City's comprehensive planning program, using citizen input and public hearings when appropriate.

(B) Serve in a quasi-judicial capacity on land development proposals by conducting public hearings and issuing decisions on applications and appeals pursuant to the City's land use code and procedures.

(C) Act as the Citizens Involvement Committee for the Council. The Commission may be asked to make recommendations regarding the location of thoroughfares, public buildings, parks, public facilities, and any other matter relating to the planning and development of the city.

(D) Study and propose measures that are advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City and the Prineville area. The Commission may make recommendations on its own initiative or at the request of the City Council.

~~The Commission shall have all the powers which are now or hereafter granted to it by ordinance of this city or by general laws of the state. The Commission shall make recommendations regarding subdivisions of land and land use to the City Council, to public officials and to individuals and may make recommendations regarding the location of thoroughfares, public buildings, parks and other public facilities, and regarding any other matter relating to the planning and development of the city. The Commission may make studies, hold hearings and prepare reports and recommendations on its own initiative or at the request of the City Council.~~

('91 Code, § 1-2.8) (Ord. 715, passed 1-10-74; Am. Ord. 1161, passed 1-13-09. Formerly 32.08)

*Purpose: Reorganized to be in a more readable format.*

### **32.07 RECOMMENDATIONS.**

All recommendations and suggestions made to the City Council by the Commission shall be in writing.

('91 Code, § 1-2.9) (Ord. 715, passed 1-10-74; Am. Ord. 1161, passed 1-13-09. Formerly 32.09)

### **32.08 EXPENDITURES.**

The Commission shall have no authority to make expenditures on behalf of the City, or to obligate the City for the payment of any sums of money, except as herein provided, and then only after the City Council shall have first authorized the expenditures by appropriate resolution, which resolution shall provide an administrative method by which the funds shall be drawn and expended.

('91 Code, § 1-2.10) (Ord. 715, passed 1-10-74; Am. Ord. 1161, passed 1-13-09. Formerly 32.10)

## **CONTRACT REVIEW BOARD**

### **32.25 ESTABLISHMENT; POWERS AND DUTIES.**

Pursuant to ORS 279.055, the Council of the city is hereby continued as the City Contract Review Board. The Board shall have all the powers granted it by ORS 279.055.

('91 Code, § 1-9.1) (Ord. 955, passed 3-12-91)

### **32.26 RULES.**

The Board shall not exercise its authority until it has adopted rules by resolution to carry out its powers and duties.

('91 Code, § 1-9.2) (Ord. 955, passed 3-12-91)

<sup>1</sup>Prior legislation: '91 Code, §§ 1-2.4, 1-2.7.