

LANE COUNTY PLANNING COMMISSION

BYLAWS

Approved June 6, 2017

Order 17-06-06-06

ARTICLE I: ESTABLISHMENT

Pursuant to the authority granted to the Board of County Commissioners of Lane County (the Board) by ORS Chapter 215, the Lane County Home Rule Charter, and by Lane Code, Chapter 2, the Board has established the Lane County Planning Commission (the Commission). Pursuant to ORS 197.160(b) and Oregon Administrative Rule 660-015-0000(1), the Commission is also designated as the Lane County Goal 1 citizen involvement advisory committee on land use matters.

ARTICLE II: PURPOSE, FUNCTIONS, MEMBERSHIP, AND REPORTING

Section 1: Purpose

The Commission shall make recommendations to the Board regarding comprehensive planning, zoning, subdivisions, and other ordinances applicable to the land in Lane County. The Commission has jurisdiction over only the portion of Lane County located outside city limits unless modified by the Board. The Commission shall also perform the functions of the Lane County land use Goal 1 citizen involvement advisory committee.

Section 2: Function

- a. Recommend to the Board for adoption, a comprehensive plan for Lane County, or any part or element thereof, and any amendment to such plan, or part or element thereof. The official comprehensive plan is effective only after its formal adoption by the Board.
- b. Recommend to the Board ordinances intended to carry out the purpose, principles, and proposals expressed in the comprehensive plan.
- c. Perform the duties and functions imposed upon the by Lane County ordinances and orders, including but not limited to Lane Code Chapters 9, 10, 11, 12, 13, 14, 15, 16.
- d. Advise and cooperate with other planning agencies within the State and upon request, or in its own initiative, furnish advice or reports to any city, county, officer, or department on any problem comprehended in county, city urban growth boundary, regional, or metropolitan planning.
- e. Provide for citizen involvement pursuant to ORS 197.160 and Statewide Planning Goal 1 in all aspects of comprehensive planning.

- f. Promote public interest in and understanding of the comprehensive plan and of planning and zoning in general.
- g. Make recommendations and an annual report to the Board concerning the operation of the Commission and of the status of planning and zoning within its jurisdiction.
- h. Make recommendations to the Board with regard to the orderly development of Lane County.
- i. Perform such other duties as may be prescribed by County ordinance or order of the Board.
- j. Submit to the Board at the beginning of each fiscal year a recommended Long Range Work Program for the Planning Staff for the fiscal year.

Section 3: Membership

- a. The Commission consists of nine voting members appointed by the Board, each of whom must be a resident of Lane County. Advisory, nonvoting members may be designated by the Board to provide technical advice to the voting members.
- b. A voting member remains on the Commission until replaced or reappointed consistent with appointment procedures in Lane Manual 3.510(5). The Board will fill vacancies for any unexpired term.
- c. The term of office on the Commission is four years and members are not permitted to serve more than two consecutive four year terms. A member appointed to complete the unexpired term of a member who fails to complete the member's term may serve two additional four year terms if the unexpired term is two years or less. If the unexpired term is more than two years the member may only serve one additional four year term. The Board may take special action to extend a member's term of service. Terms expire on September 30.
- d. At least three voting members must reside outside of incorporated cities and at least two must reside within incorporated cities.
- e. At least one voting member must reside in the coastal area of Lane County. The coastal area of Lane County is the portion of Lane County west of the range line between Range 9 West and Range 8 West or the east boundary of Mapleton School District No. 32 whichever is most easterly.
- f. A reasonable attempt shall be made to select the voting membership from different geographic areas of the County.
- g. No more than two voting members are permitted to be engaged principally in the buying, selling, or developing of real estate for profit as individuals, or be partners or partnership members of a limited liability company or officers or employees of a corporation that is engaged principally in buying, selling, or developing real estate for profit.
- h. No more than two voting members may be engaged in the same occupation, business, trade, or profession.
- i. Voting members shall recuse themselves from participating in any Commission proceeding or action when required by Article VIII.
- j. Voting members may abstain from voting if voting would create the appearance of impropriety or partiality.

Section 4: Reporting

As of January 1 of every year the Commission shall prepare an annual report that describes the previous year's activities and other matters, for submission to the Board. It must include pertinent information on:

- a. comprehensive plan revisions considered by the Commission;
- b. miscellaneous studies and reports considered by the Commission;
- c. progress report on projects;
- d. areas that need future attention by the Commission;
- e. citizen participation and suggestions for improvement; and
- f. other information deemed appropriate by the Commission.

The Commission will include all annual reports in a special file entitled "Annual Reports" and make them available to the public at all times.

Section 5: Staffing

The Land Management Division Planning Program will provide staff support for the Commission including providing information and assistance requested by the Commission as staff resources allow.

ARTICLE III: COMMISSION MEETINGS

Section 1: Regular Meetings

- a. The Commission shall establish the time and place for holding regular meetings; special meetings may be held as necessary.
- b. The first regular meeting after September 30 each year shall be designated as the annual meeting.

Section 2: Special Meetings

- a. Special meetings of the Commission may be called by the Chairperson or by the vice-Chairperson in the absence of the Chairperson, or a majority of the Commission.
- b. The person(s) calling such meetings shall fix the time and place for holding such meetings.
- c. When there are major land use planning issues which are unique to an area or region of the county, the Commission may hold a regular or special meeting concerning such issues in that area or region.

Section 3: Notice of Meetings

- a. The Secretary shall give notice of all meetings to all members at least three days prior to such meetings.

- b. The Secretary shall give notice of all Commission meetings to interested persons and the news media which have requested notice and to the general public at least 24 hours before each meeting.
- c. Notice of all meetings must include the time and place of the meeting and a list of principal subjects anticipated to be considered at the meeting.

Section 4: Conduct of Meeting

- a. A quorum consists of 5 voting members.
- b. The act of a majority of the members in the quorum constitutes the act of the Commission. However, a recommendation to amend the comprehensive plan must be approved by the affirmative vote of a majority of the voting members of the Commission.
- c. All meetings shall be conducted in accordance with the most current addition of "Robert's Rules of Order, Newly Revised." Quasi-judicial hearings shall also be conducted in accordance with ORS 197.763 and the applicable provisions of Lane Code Chapter 14.
- d. The Chairperson, or the Vice-Chairperson in the absence of the Chairperson, shall conduct the meetings.
- e. Meetings shall not extend beyond three hours unless a majority of members in attendance agree to extend the meeting beyond three hours.

ARTICLE IV: OFFICER AND DUTIES

Section 1: Officers

- a. The officers of the Commission are the Chairperson, Vice-Chairperson, and Secretary. The Chairperson and Vice-Chairperson must be elected by the voting members at the annual meeting for a one year term. The Planning Director or the Planning Director's designee will serve as the Secretary of the Commission. The Secretary is a nonvoting member of the Commission.
- b. The Vice-Chairperson shall assume the Chairperson position if the Chairperson position becomes vacant.
- c. In the event the Vice-Chairperson is not able to complete a full term, the Commission shall elect a replacement to complete the term
- d. The Chairperson or Vice-Chairperson are limited to two consecutive terms.

Section 2: Duties

- a. The Chairperson shall chair all Commission meetings, represent the Commission before the Board, appoint members of all subcommittees, and perform such other functions as are customary for chairpersons or as directed by the Commission.
- b. The Vice-Chairperson shall perform the functions of the Chairperson in the Chairperson's absence.
- c. The Secretary shall prepare the minutes, distribute agenda material, and provide required notices of all Commission and subcommittee meetings,

ARTICLE V: SUBCOMMITTEES

Section 1: Subcommittees

- a. The Commission may establish subcommittees, as needed. Subcommittee members shall be appointed by the Chairperson.
- b. Members of subcommittees shall serve until the work of the subcommittee is completed or their successors have been appointed.
- c. Members of subcommittees may be, but not need be, members of the Commission, except that at least one member of each subcommittee shall be a voting Commission member.
- d. The Planning Director or the Planning Director's designee shall serve as non-voting members of all subcommittees.
- e. The Commission, by majority vote, may dissolve subcommittees or remove subcommittee members with or without cause.

Section 2: Subcommittee Officer

Each subcommittee shall have a Chairperson appointed by the Commission Chairperson.

Section 3: Subcommittee meetings

Meetings of each subcommittee may be called by the Chairperson or a majority of the subcommittee members. Notice of subcommittee meetings shall be given by the Commission Secretary to all subcommittee members at least two days prior to such meeting and to interested persons and the news media which have requested notice, and to the general public at least 24 hours before the meeting. The notice shall list the time and place of the meeting and a list of the principal subjects anticipated to be considered at the meeting. A majority of the members of each subcommittee shall constitute a quorum, and an act of the majority of the quorum present at the subcommittee meeting shall constitute the act of such subcommittee.

ARTICLE VI: ATTENDANCE AND REMOVAL OF MEMBERS

Section 1: Attendance

- a. Each member shall notify the Chairperson or Secretary of the member's absence in advance of any meeting the member will not attend.
- b. If the other members of the Commission determine by a majority vote that a member's lack of attendance adversely affects the Commission's ability to make timely decisions, the member shall be asked to resign.
- c. If a member fails to resign as requested under Section 1: b. above, the Commission shall recommend to the Board that the member be replaced.

Section 2: Removal

A member may be removed by the Board for nonattendance or other cause after a public hearing.

ARTICLE VII: AMENDMENTS TO BYLAWS

Section 1:

These bylaws may be amended or repealed, or new bylaws may be adopted by a majority vote of the Commission present at any regular or special meeting called for that purpose, at which a quorum is present. Written notice of proposed amendments and the nature thereof shall be given to the members of the Commission at least seven days prior to the date of the meeting at which the amendments are to be considered.

Section 2:

Amendments to these bylaws, after approval by the Commissions, will become effective upon ratification by the Board on the date specified in the Board order adopting amendments to the bylaws.

ARTICLE VIII: CONFLICT OF INTEREST

With respect to any matter before the Commission, if a Commission member is presented with an actual or potential conflict of interest as those terms are defined by ORS 244.020 (2015), the Commission member must abstain from taking part in any discussion of or deliberation on the matter. Further, the Commissioner must notify the Planning Director of the actual or potential conflict of interest, and the Planning Director will in turn notify the Board of Commissioners as the appointing authority under ORS 244.120 (2015). Nothing in this Article is intended to deprive a Commission member of the right to act as a citizen and present testimony or evidence as a citizen to the Commission.

ARTICLE IX: EX PARTE CONTACTS AND DISCLOSURE

Section 1: Ex Parte Contacts

Commission members shall avoid ex parte contacts related to quasi-judicial matters coming before the Commission. A Commission member is not disqualified from participating in quasi-judicial proceedings and actions on matters in which the member has had an ex parte contact provided the member discloses such contact as provided in Section 2: below.

Section 2: Disclosure Commission members shall disclose any ex parte contacts at the beginning of the first meeting after the contact on a quasi-judicial land use matter (i.e. a decision applicable

to an individual applicant or parcel) or a legislative land use matter (i.e. a decision that affects a class of parties or parcels).

Section 3: Form of Disclosure

The attached DECLARATION OF EX PARTE CONTACT form may be used as the method for declaring ex parte contacts described above in Section 1.