

A BILL FOR AN ORDINANCE RE-ESTABLISHING )  
THE LEBANON PLANNING COMMISSION: )  
PRESCRIBING THEIR POWERS AND DUTIES: )  
REPEALING ORDINANCES NO. 880, 1393 and )  
1653, AND DECLARING AN EMERGENCY. )

ORDINANCE BILL NO. 38  
for 1980  
ORDINANCE NO. 1804

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Planning Commission Re-Established. There is hereby re-established a City Planning Commission for the City of Lebanon; hereinafter referred to as "commission".

Section 2. Membership and Terms of Office. The commission shall consist of nine (9) members to be appointed by the Mayor. Not more than two members of the commission shall be engaged principally in buying, selling or developing of real estate for a profit as individuals or be members of any partnership, or officers or employees of any corporation that is engaged principally in buying, selling, or developing of real estate for a profit. No more than two members shall be engaged in the same kind of business, trade or profession. No more than three members of the commission shall be non-residents of the City. Planning Commissioner terms shall commence on the first day of April and shall be staggered in order to establish an approximately equal number of expiring terms every calendar year. The terms of commissioners in office at the effective date of this ordinance shall remain unchanged by this ordinance. No commissioner shall serve more than two consecutive terms, but any person may be re-appointed to the commission after an interval of two years.

Services in excess of 731 days shall be counted as a full term in the case of persons appointed to fill unexpired terms and in the case of commissioners resigning. Commission members shall receive no compensation, but shall be reimbursed for duly authorized expenses.

Section 3. Vacancies and Removal. Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the Mayor, after hearing, for misconduct or non-performance of duty. A member who is absent from three consecutive meetings, or is absent from five or more meetings in one year, without an excuse as approved by the Planning Commission is rebuttably presumed to be in non-performance of duty and the Mayor shall declare the position vacant unless finding otherwise following the hearing.

Section 4. Presiding Officers. The Chairperson and Vice-Chairperson shall be chosen annually at the regular meeting in April.

Section 5. Secretary. The City Planner shall serve as Secretary to the Planning Commission and shall keep a record of commission proceedings.

Section 6. Meetings. A majority of the members of the Planning Commission shall constitute a quorum. The commission shall meet at least once a month. Meetings of the commission shall be open to the public. Meetings other than at regularly scheduled times may be announced at a prior meeting and thereby be made a part of the meeting records. The Chairperson

upon his own motion may, or at the request of (three) members of the commission shall, by giving written notice to members of the commission and those officials designated to sit with it, call a previously unannounced special meeting of the commission for a time not earlier than 24 hours after the notice is given. Notice of a previously unannounced meeting shall be posted at the City Hall and, to the extent feasible, provided to interested persons at least 24 hours prior to the meeting.

Section 7. Powers and Duties. The powers and duties of the Planning Commission shall include the following:

1. Develop and maintain the Comprehensive Plan.
2. Investigate and make recommendations regarding the implementation of the Comprehensive Plan.
3. Prepare and review land development regulations including, but not limited to, zoning, subdivision, and land partitioning and make recommendations to the City Council.
4. Consult and advise with public agencies and private citizens on ways to carry out the Comprehensive Plan.
5. Review subdivision and partitioning proposals and approve those meeting city and state standards with such requirements or conditions as are found appropriate.
6. Review and submit recommendations to the Council regarding and proposed major (e.g., merger, consolidation, or dissolution, involving the City) or minor (e.g., annexation or withdrawal of territory to and from the City) boundary changes.
7. Recommend and make suggestions to the Council and other public authorities concerning layout, widening, extending vacating and locating of streets, parking areas, sidewalks, betterment of housing and living conditions, and establishment of zones or districts limiting the use, height, area and bulk of buildings and structures.

8. Conduct hearings, prepare findings of fact, conclusions and recommendations, and perform other such duties relating to the City's land use regulations as may be prescribed by law (e.g., considerations of conditional use permit, variance and other applications or appeals).
9. Perform other such functions as indicated by city or state laws or as requested by the City Council.

Section 8. Repeal. Ordinances No. 880, 1393, and 1653 are hereby repealed.

Section 9. Emergency Clause. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council by a vote of 5 for and 0 against, and approved by the Mayor this 27<sup>th</sup> day of August, 1980.

Michael J. Wheaton  
Mayor

ATTEST:

Erwin R. King  
Recorder