

CHAPTER 2.48

PLANNING COMMISSION

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2.48.010 ESTABLISHED-PURPOSE.

There is established the planning commission for the city to constitute a department of the city and to perform the city-wide functions of planning, platting and zoning for the city, and to advise the chief executive officer and city council of them. The City Council may perform any one or all of the city-wide functions of planning, platting and/or zoning. The Chief executive officer or his delegate shall serve as the city planning official until such time as he appoints, and the City Council confirms another to perform that function. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 10, 1985)(Ord. 12-04-03-01)

2.48.020 COMMISSION MEMBERSHIP.

- A.** The planning commission shall consist no more than 11 and no less than five qualified city voters from the community.
- B.** Members of the commission must keep current any accounts held with the City (i.e., utilities, lease payments, rents, sales tax, etc.) any member whose accounts fall into delinquency may be removed from the commission by the chief executive officer. City Council will consider financial or other hardship.

- C.** Any person declaring candidacy for the planning commission shall not be considered until the persons accounts are made current. City Council will consider financial or other hardships.
- D.** Members shall be appointed by the chief executive officer, subject to confirmation by the city council, for a term of three years. Appointments to fill vacancies are for the unexpired term. The compensation and expenses of the planning commission and its staff are paid as directed by the chief executive officer. (Ord. 02-06-06-02 § 4 (part), 2002: Ord. 92-18 § 4(part), 1992: Ord. 88-33 § 4, 1988; Ord. 85-02-14-01 (part), 1986: Ord. 85-02-14-01 § 20, 1985) (Ord. 12-04-03-01)

#### 2.48.025 COMPENSATION OF PLANNING COMMISSION OFFICIALS.

Each member of the planning commission shall receive a compensation at the rate of twenty-five (\$25.00) dollars for each regular meeting attended to consider applications per the City Municipal Code. No compensation shall be paid for attending special meetings unless prior approval by City Council.

#### 2.48.030 COMMISSION OFFICIALS.

The commission shall elect a chairperson to conduct the affairs of the commission, a vice chairperson to serve as chairperson in his absence, a clerk to cause the preparation of the journal of the commission's proceedings, and an assistant clerk to serve as clerk in his absence. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 30, 1985)

#### 2.48.040 VACANCIES.

- A.** A vacancy shall be declared, and filled as provided in this chapter, under the following conditions:
  - 1.** If a person nominated and confirmed to membership fails to qualify and take office within thirty days following confirmation;
  - 2.** If a member is absent from the city for a period of ninety or more days, unless excused by the commission, or moves his residence from the city's voting precinct for a period of ninety or more days;
  - 3.** If a member's resignation is submitted and accepted by the commission;
  - 4.** If a member misses three or more consecutive regular meetings, unless excused by the commission;

5. If, after written notice to the commission, the city council, by motion and vote, determines that a member's removal and replacement is necessary for the efficient or effective functioning of the commission.
- B. The clerk shall keep attendance records and notify the chairperson when vacancies occur. (Ord. 92-18 §4(part), 1992: Ord. 90-19 §5(part), 1990; Ord. 85-02-14-01 §40, 1985)

#### 2.48.050 MEETINGS.

- A. A regular meeting shall be held to consider applications and scheduled per City Municipal Code. Special meetings and workshops may be called by the commission chairperson or at the request of two commission members, the chief executive officer or two city councilmembers’.
- B. The clerk shall keep the journal of commission proceedings, which shall be public record. Minutes, resolutions, written recommendations and other written records shall be filed with the city clerk.
- C. Meetings shall be conducted under Robert's Rules of Order Newly Revised, or such modified or amended rules as may be adopted by the commission.
- D. A proposed agenda of all regular meetings shall be posted at City Hall, in a place that is available for reading by the general public, at least forty-eight hours before the regular meeting.
- E. Printed notices that announce workshops of the commission shall be posted at City Hall and in no less than five other prominent places within the city no less than twenty-four hours before the workshop is held. Proposed subjects to be discussed at the workshop shall be set forth in the notice. Other subjects not listed in the notice may be discussed at workshops. (Ord. 04-08-03-01 §4, 2004; Ord. 99-23 §6, 1999: Ord. 92-18 §4(part), 1992: Ord. 90-19 §§4(part), 5(part), 1990)

#### 2.48.055 VOTING--QUORUM.

A majority of commission members constitutes a quorum. A majority of affirmative votes are required for passage of a resolution or motion. No official action may be taken by the commission unless a quorum is present in a legally convened meeting of the commission. (Ord. 02-06-06-02 §4(part), 2002: Ord. 92-18 §4(part), 1992: Ord. 90-19 §5(part), 1990)

2.48.060 ORDER OF BUSINESS.

- A.** The order of business at regular meetings shall be as prescribed by the commission clerk and approved by the commission.
- B.** The order of business at special meetings shall be prescribed by the chairperson. (Ord. 92-18 §4(part), 1992: Ord. 85-02-14-01 §60, 1985)

2.48.070 OFFICE AND STAFF.

- A.** The commission shall be provided office space by the city council which is adequate for its needs and adequate to file its correspondence and materials, all of which shall constitute public records of the city.
- B.** The commission shall be furnished secretarial assistance at each meeting to assist in preparing its journals and resolutions, and as required to prepare its correspondence under the direction of the commission chairman and clerk. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 70, 1985)

2.48.080 FORMAL COMMISSION ACTS.

- A.** All formal actions of the commission shall be by duly approved motion or resolution. Resolutions shall be in the following format:
  - 1.** The heading "City of Thorne Bay, Planning Commission";
  - 2.** The space for the serial number to be assigned shall be headed by "Resolution No.
  - 3.** A short and concise title descriptive of its subject and purposes;
  - 4.** Short premises, or whereas clauses, descriptive of the reasons for the resolution, if necessary;
  - 5.** The resolving clause "BE IT RESOLVED"; and
  - 6.** Provision for signatures after the text, "ADOPTED (date)," and designated lines for the signatures of the commission chairperson and the commission clerk.

- B.** All resolutions adopted by the commission, whether at the instance of and presented by third parties, or on the motion of and instance of the commission, shall conform to that set forth in subsection A of this section. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 80, 1985)

#### 2.48.090 FUNDS.

All funds the commission receives as fees and charges or otherwise shall be deposited in the general fund of the city as receipts of the activities of the commission. All costs of the commission shall be paid by the city and shall be an operating cost of the city and shall be included in each annual budget ordinance. (Ord. 92-18 § 4(part), 1992: Ord. 85-02-14-01 § 90, 1985)

#### 2.48.100 PLANNING COMMISSION DUTIES.

The planning commission shall:

- A.** Subject to Title 17 of this code, prepare and submit to the city council a proposed comprehensive plan in accordance with AS 29.40.030 for the systematic and organized development of the city. Annually the commission shall review the comprehensive plan and shall recommend appropriate amendments, if any, to the city council.
- B.** Subject to the Alaska Coastal Management Act (AS 46.40) and Alaska Administrative Code; 6AAC50, 6AAC80, and 6AAC85, prepare and submit to the city council a proposed coastal management plan. Annually, the commission shall review the coastal management plan and shall recommend appropriate amendments, if any, to the city council.
- C.** Prepare, review, recommend and administer measures necessary to implement the coastal management plan and comprehensive plan, including measures provided under AS 29.40.040 and such other land use control measures as the planning commission deems necessary to supplement zoning regulations, land use permit requirements and measures to further the goals and objectives of the coastal management and comprehensive plans.
- D.** Prepare and recommend to the city council a subdivision ordinance and the official map of the city and any recommended modifications to these documents.

- E.** Publish notice of and hold at least one public hearing before submitting the commission's recommendations under subsections A, B and C of this section to the city council.
- F.** Upon adequate notice which shall be provided by the chief executive officer, review annually the capital improvements program of the city and submit the commission's recommendations thereon to the chief executive officer on or before the due date specified in the notice.
- G.** Investigate and prepare, upon city council or chief executive officer request, reports and recommendations on city land acquisitions, disposals and development. The report and recommendation shall be based upon the provisions of this chapter, the coastal management plan, the comprehensive plan and the capital improvements program.
- H.** Subject to and in accordance with the provisions of Titles 15, 16 and 17 of this code, act as the platting board, act upon requests for variances and act upon requests for conditional uses. No platting request, variance or conditional use may be granted which violates the provisions of AS Section 29.40.040 or Sections 16.36.010 and 16.36.020 of this code.
- I.** Act as an advisory commission to the chief executive officer and city council regarding planning, platting and zoning. (Ord. 92-18 § 4(part), 1992: Ord. 90-19 §§ 4(part), 5(part), 1990)

