

(PLANNING)

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending the )  
Columbia County Planning )  
Commission Ordinance )  
\_\_\_\_\_ )

ORDINANCE NO. 94-5

The Board of County Commissioners for Columbia County, Oregon, ordains as follows:

SECTION 1. TITLE.

This ordinance shall be known as Ordinance No. 94-5.

SECTION 2. AUTHORITY.

This ordinance is adopted under the authority of ORS 203.035, 215.020, 215.030, and 215.402 et seq.

SECTION 3. PURPOSE.

The purpose of this ordinance is to amend the Columbia County Planning Commission Ordinance to allow the Board of County Commissioners to appoint alternates to serve on the Planning Commission in the absence of the regular members. In addition, it would allow the Board to appoint a hearings officer in lieu of the Planning Commission or the Board of County Commissioners, or both.

SECTION 4. FINDINGS.

A. Quasi-judicial land use applications have been increasing in recent years putting more pressure on the Planning Commission to hold longer and more frequent meetings.

B. The process of periodic review, which is just beginning, will also demand the time and attention of the Planning Commission.

C. At times it has been difficult to obtain a quorum of Planning Commission members to hear quasi-judicial land use applications.

D. When a Planning Commission meeting has to be cancelled due to lack of a quorum, it adds to the backlog of quasi-judicial land use applications, adds to the delay and frustration of applicants and opponents alike, and increases the likelihood of litigation.

E. It is in the interest of the public and the County to be able to appoint alternate Planning Commission members to serve in the absence of regular members in order to provide for the prompt

resolution of applications and to meet the requirements of ORS 215.428. In addition, it is in the interest of the public and the County to be able to appoint a hearings officer for these purposes and also to relieve the burden on the Planning Commission.

SECTION 5. AMENDMENT TO SECTION 1.

Section 1 of the Columbia County Planning Commission Ordinance is amended to read as as shown on Exhibit "A" which is attached hereto and incorporated herein by this reference.

SECTION 6. SEVERABILITY.

If any provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the remaining portions thereof.

SECTION 7. EMERGENCY CLAUSE.

This ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this ordinance shall take effect immediately upon its adoption.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON THIS 17th DAY OF August, 1994.

Approved as to form

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: Tom Knight  
Office of County Counsel

By: Michael [Signature]  
Chairman

Attest:

By: [Signature]  
Commissioner

By: Jan Sprinkel  
Recording Secretary

By: [Signature]  
Commissioner

First Reading: 8-17-94  
Second Reading: 8-17-94  
Effective Date: 8-17-94

EXHIBIT "A"

[Note: Additions are shown in bold; deletions are marked by strike-thru.]

SECTION 1. PLANNING COMMISSION CREATED.

- A. The Columbia County Planning Commission is hereby created and it shall replace the Planning Commission previously established by order or resolution of the Board of County Commissioners of Columbia County, Oregon.
- B. (1) The Planning Commission shall consist of nine (9) members appointed by the Board of County Commissioners for four-year terms. The terms of the members shall be staggered so that continuity on the Planning Commission is assured. The members of the Planning Commission previously established by order or resolution of the Board of County Commissioners shall continue to serve in that capacity as members of the new Planning Commission until the expiration of their terms as if this ordinance had been in effect when they were appointed.
- (2) **The Board may appoint up to three alternate members of the Planning Commission. The alternate members may be called in to serve in the absence of a quorum of regular members. In addition, alternate members may be called in to serve when regular members take a leave of absence. The alternate members shall be called in to serve in accordance with an order of priority established by the Board of County Commissioners.**
- C. Planning Commission members may be removed by the Board of County Commissioners, after hearing, for misconduct or nonperformance of duty.
- D. Any vacancy on the Planning Commission shall be filled by the Board of County Commissioners for the unexpired term of the previous member.
- E. Members of the Planning Commission shall serve without compensation other than reimbursement for duly authorized expenses. The Board of County Commissioners may by order establish a per diem allowance and mileage expenses and otherwise authorize reimbursement of expenses incurred.

- F. **Regular** ~~M~~members of the Planning Commission shall be residents of the various geographic areas of the County. No more than two ~~voting~~ **regular or alternate** 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~~ **regular or alternate** members shall be engaged in the same kind of occupation, business, trade or profession.
- G. The Planning Commission shall appoint one of the Planning Commission members to serve as Chair of the Commission, and another member to serve as Vice-Chair with the power to act as Chair in the Chair's absence.
- H. **The Board of County Commissioners may appoint a hearings officer to serve in lieu of the Planning Commission or Board of County Commissioners for certain quasi-judicial land use applications or types of quasi-judicial land use applications as provided in Sections 1612 through 1616 of the Columbia County Zoning Ordinance.**