

Chapter 2.08 PLANNING COMMISSION

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2.08.010 Establishment.

There is hereby reestablished a city planning commission for the city of St. Helens, Oregon. (Ord. 2197 § 1, 1978)

2.08.020 Membership.

The commission may consist of up to seven members. The councilmember in charge of planning shall be entitled to sit with the commission and take part in its discussions, but shall not have the right to vote. The following regulations shall also apply to the planning commission:

- (1) Planning commission members may be compensated only by resolution from the city council.
- (2) No more than two voting members shall be engaged principally in the buying, selling, or developing of real estate for profit as individuals, or by 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 occupation, business, trade or profession.
- (3) A member of the planning commission shall not participate in any commission proceeding or action in which any of the following has direct or substantial financial interest: the member or his spouse,

brother, sister, child, parent, father-in-law, mother-in-law, any business in which he is then serving or has served within the previous two years, or any business with which he is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the commission where the action is being taken. (Ord. 3079 § 1, 2008; Ord. 2697, 1995; Ord. 2197 § 2, 1978)

2.08.030 Term of office.

Members of the planning commission shall be appointed by the city council for a term of four years from the first calendar day of the year in which their existing appointment to the position expires. The members of the present planning commission are hereby reappointed for the unexpired term of the office they presently hold. (Ord. 2197 § 3, 1978)

2.08.040 Vacancies and removal.

Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the city council after a hearing for misconduct or nonperformance of duty. A member who is absent from three consecutive meetings without an excuse as approved by the planning commission is rebuttably presumed to be in nonperformance of duty, and the city council shall declare the position vacant unless finding otherwise following the hearing. (Ord. 2197 § 4, 1978)

2.08.050 Presiding members.

At its first meeting of each calendar year, the commission shall elect a chairman and vice-chairman to serve one-year terms. (Ord. 2197 § 5, 1978)

2.08.060 Staff services.

The city council shall provide a secretary to the commission and such other staff and consultation services as may be appropriate. The secretary shall keep a record of commission proceedings. (Ord. 2197 § 6, 1978)

2.08.070 Meetings.

(1) 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. Upon the request and concurrence of the majority of the commission, the chairman may 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 telephoned to the newspaper, posted at the St. Helens City Hall and, to the extent feasible, provided to interested persons at least 24 hours prior to the meeting. Notice shall comply with the Development Code, as applicable.

(2) Rules of Operation.

(a) A majority of the members appointed to the planning commission shall constitute a quorum. A vacancy is not considered an appointed position when determining a majority quorum.

(b) The chairman’s role is to facilitate discussion. As such, the chairman or the commissioner presiding over the meeting in the chairman’s absence only votes in the following circumstances:

(i) To break a tie vote; or

(ii) When there are not enough concurring votes to meet the minimum number required to make a decision per the table below.

(c) When the chairman is absent or must abstain from a meeting’s agenda item, the vice chair shall preside over the meeting or the particular agenda item. When neither the chairman or vice chair can participate, the commission shall elect a commissioner to serve as temporary chairman.

(d) The table below shows the number of concurring votes (affirmative or negative) required to pass or reject a motion. Assuming a quorum is present, the number of concurring votes required varies according to the number of members voting.

(e) Unless a commissioner in attendance does not participate in the process for reasons such as conflict of interest or personal bias, they shall vote affirmative or negative. No action can be taken until all commissioners who are present and able to vote do so.

TABLE

| Number of appointed commissioners (vacant positions don’t count) | Minimum number present needed for a majority quorum | Number of members actually voting/the number of required concurring votes | | | | | | |
|---|---|---|-----|-----|-----|-----|-----|-----|
| | | An “X” indicates no action can be taken (insufficient votes). | | | | | | |
| 3 | 2 | 1/X | 2/2 | 3/2 | | | | |
| 4 | 3 | 1/X | 2/2 | 3/2 | 4/3 | | | |
| 5 | 3 | 1/X | 2/2 | 3/2 | 4/3 | 5/3 | | |
| 6 | 4 | 1/X | 2/X | 3/3 | 4/3 | 5/3 | 6/4 | |
| 7 | 4 | 1/X | 2/X | 3/3 | 4/3 | 5/3 | 6/4 | 7/4 |

(Ord. 3209 § 1, 2016; Ord. 2697, 1995; Ord. 2197 § 7, 1978)

2.08.080 Powers and duties.

The commission shall have the powers and duties, which are now or may hereafter be assigned to it by charter, ordinances or resolutions of this city and general laws of this state. Those duties and powers shall include but shall not be limited to the following:

- (1) Conduct studies appropriate to an understanding of area development and its significance to the public interest.
- (2) Develop and maintain comprehensive plan proposals for recommendation to the city council.
- (3) Develop specific plans for selected areas or functions as indicated by studies and other evidence of community need and recommend plan adoption, if appropriate.
- (4) Investigate and make recommendation regarding the implementation of the comprehensive plan as adopted by the city council.
- (5) Prepare and periodically review land development regulations including but not limited to zoning, subdivision and land partitioning and make recommendations to the city council.
- (6) Consult and advise with public agencies and private citizens on ways to carry out the comprehensive plan.
- (7) The commission shall review and submit recommendations to the council regarding any proposed major (e.g., merger, consolidation or dissolution involving the city) or minor (e.g., annexation or withdrawal of territory to or from the city) boundary changes.
- (8) Review public programs that are referred to it for recommendation, such as property acquisition or disposition, public hearing or other public facility proposals, and transportation or right-of-way plans. Report as to the program's conformity with the comprehensive plan.
- (9) Review, conduct hearings on, report on, perform delegated functions with respect to, and make recommendation regarding subdivision, partitioning, public building and new street proposals and approve those meeting city and state standards with such requirements or conditions as are found appropriate under the regulations.
- (10) Review and act on land use control ordinance change proposals, contested cases, and discretionary permits as provided by the land use control ordinances.
- (11) Approve plats or deeds dedicating land to public use within the city.

(12) Recommend and make suggestion to the city council and to all other public authorities concerning laying out, widening, extending, parking and location of streets, sidewalks, and boulevards, relief of traffic congestion, betterment of housing and sanitation conditions and establishment of zones or districts limiting the use, height, area and bulk of buildings and structures.

(13) Recommend to the city council and all other public authorities plans for regulations of the future growth, development and beautification of the city in respect to its public and private buildings and works, streets, parks, grounds and vacant lots and plans consistent with future growth and development of the city in order to secure to the city and its inhabitants sanitation, proper service of all public utilities, harbor, shipping, and transportation facilities.

(14) Recommend to the city council and all other public authorities plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged in industrial pursuits.

(15) Encourage development, advertise opportunities, make economic surveys and study needs with respect to promoting and strengthening industrial growth and employment conditions.

(16) Perform such other functions as the city council may request.

(17) Do and perform all other acts and things necessary or proper to carry out the provisions of this chapter.

(18) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the city and of the area six miles adjacent thereto within the urban growth boundary of the city. (Ord. 2197 § 8, 1978)

The St. Helens Municipal Code is current through Ordinance 3266, passed May 19, 2021.

Disclaimer: The city recorder's office has the official version of the St. Helens Municipal Code. Users should contact the city recorder's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.sthelensoregon.gov/>

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