

**CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 2024-04**

**AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH CODE OF
ORDINANCES CHAPTER 31 RELATED TO THE PLANNING COMMISSION**

RECITALS:

1. The City Council finds that updates to Rockaway Beach Code Chapter 31 are needed to clarify the powers, duties, and membership of the Planning Commission.
2. On March 21, 2024, the Rockaway Beach Planning Commission approved a new proposed Planning Commission ordinance, and recommend it to the City Council for adoption.

Now, therefore, the City of Rockaway Beach ordains as follows:

Section 1. The City of Rockaway Beach Code of Ordinances Section 31.01 is hereby amended, in total, as follows:

§ 31.01 PLANNING COMMISSION.

- A. *Establishment.* The Rockaway Beach Planning Commission is established, and shall have the authority and responsibility provided by this code and state law.
- B. *Duties and powers.* The Planning Commission is the appointed citizen body that provides recommendations to the City Council on land use policies; makes land use decisions on planning applications; and provides a public forum for ascertaining community values, visioning, and strategic thinking on long range planning. The Planning Commission shall have the following duties:
 1. Review and act on land use applications and appeals of land use decisions within its jurisdiction pursuant to applicable law.
 2. Periodically review the Comprehensive Plan, as prioritized by the City Council through its goal setting process or as otherwise directed by the City Council.
 3. Act as the Citizen Involvement Committee within the City of Rockaway Beach Urban Growth Boundary. As directed by the City Council, this role may include working with stakeholder groups or citizen advisory committees, to help inform refinement and other land use plans, and facilitating community engagement on land use issues with groups such as neighborhood associations or coalitions.
 4. Make recommendations to the City Council on Type IV legislative land use actions.
- C. *Membership.*
 1. The Rockaway Beach Planning Commission shall consist of seven voting members. The Commission members shall be appointed by the City Council.

2. A minimum of six members shall be residents of the City. One member may be a registered voter in Tillamook County and living as a full-time resident within the City's Urban Growth Boundary.
3. No more than two voting members may engage 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 members shall be engaged in the same kind of business, trade, or profession.
4. City of Rockaway Beach Charter, Chapter III, Section 7, provides that the Mayor shall serve as an ex-officio member. The Mayor shall not vote, and shall excuse themselves from the Planning Commission meeting prior to any land use hearing or land use application discussion.
5. The Mayor may nominate a Councilor to the liaison position as deemed necessary, subject to provisions of City of Rockaway Beach Charter, Chapter III, Section 7. The Mayor will consider the Council liaison appointment in January of every year. The Council liaison is a non-voting position and is not a member of the Planning Commission. The role of Council liaison is to provide an avenue for communication between the Planning Commission and the Council. The liaison shall report to the Planning Commission on the general status of the City Council and items relevant to the work of the Planning Commission. The Council liaison shall excuse themselves from the Planning Commission meeting prior to any land use hearing or land use application discussion.
6. Members shall hold office for four years. A member may be removed by the City Council, after hearing, for misconduct or nonperformance of duty.
7. A vacancy shall be filled by the Mayor with approval of the City Council for the unexpired portion of the term, subject to the provisions of the City of Rockaway Beach Charter, Chapter III, Section 7.
8. At its first meeting each July, the Planning Commission shall elect a President and Vice-President to serve one-year terms. The President and Vice-President shall be voting members.
9. Four voting members of the Planning Commission shall constitute a quorum.
10. The Planning Commission may make and alter rules and regulations for its governance and procedure consistent with the laws of Oregon, the City Charter and code.
11. The Planning Commission shall meet at least once a month, unless business does not require such a meeting, in which case the President, with the consent of the City Manager, may cancel such meeting. Planning Commission meetings shall be held at such times and places fixed by the Commission.
12. Members of the Planning Commission shall receive no compensation for their services, but shall be reimbursed for duly authorized expenses.
13. City staff shall perform administrative functions for the Planning Commission. All recommendations and suggestions by the Planning Commission shall be made in


writing by City staff and presented for consideration to the City Council at their monthly meeting in a report.

Section 2. Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 3. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council September 11, 2024 .
2nd reading by the Rockaway Beach City Council September 11, 2024 .

Adopted and Approved by the Rockaway Beach City Council September 11, 2024 .



Charles McNeilly, Mayor

City Council	Aye/Nay
Mary McGinnis	x/
Tom Martine	x/
Kristine Hayes	/x
Alesia Franken	x/
Penny Cheek	x/

Attest:



Melissa Thompson, City Recorder