

# CITY OF ALTURAS ADMINISTRATION CODE

## CHAPTER 2

### Article III. Planning Commission.

*For state law as to requirement that city establish a planning agency, see Gov. C., § 65100. As to planning commission, see Gov. C., § 65150.*

*As to subdivision of land, see Ch. 23 of this Code. As to zoning, see ch. 28.*

*Planning and Zoning Law of the state, See Gov. C., § 65000 et seq.*

#### Sec. 2-7. Created; appointment and qualification of members; election and term of chairman.

There is hereby created a planning commission for the city, which shall consist of five members. All five members of the planning commission shall be residents and electors of the city. Members of the planning commission shall be appointed by the mayor, subject to the approval of the city council. The planning commission shall elect its chairman from among its members for a term of one year. (Ord. No. 295, § 1; Ord. No. 424 § 1.)

#### Sec. 2-8. Term of members; filling of vacancies; removal of members; officers generally.

(a) Of the members of the planning commission first appointed, one member shall be appointed for a term of two years, two for a term of three years and two for a term of four years. Their successors shall be appointed for terms of four years.

(b) If a vacancy shall occur, otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of that term.

(c) Any member of the city planning commission may be removed from office by the appointing power for reason.

(d) The planning commission shall elect its chairman and vice-chairman from among its membership.

(e) The planning commission shall appoint a secretary, who need not be a member of the planning commission. Such officers shall be chosen for a period of one year. (Ord. No. 295, § 2.)

#### Sec. 2-9. Meeting date; special meetings; minutes generally; compensation of members and secretary.

(a) Meetings of the planning commission shall be held and scheduled as required by resolution of the city council .

(b) The planning commission shall establish a procedure for calling of special meetings.

(c) Minutes shall be kept of all meetings, and copies thereof shall be delivered by the secretary of the planning commission to the city clerk for filing with the city council, within five days of any city council meeting.

(d) A monthly expense allowance shall be paid to each planning commissioner and secretary as set by resolution of the city council. (Ord. No. 295, § 3; Res. No. 79-18; Ord. No. 424 §§2, 3; Res. No. 96-2.)

Sec. 2-10. Powers and duties generally; Planning and Zoning Law adopted.

The planning commission and its members shall have all the rights, privileges, powers and duties specified in the Planning and Zoning Law<sup>3</sup> set forth in the Government Code of the state, and such Law, as amended, is hereby incorporated and made a part hereof as if the same was set forth in full, insofar as such Law relates to cities, and all of the rights, privileges, powers and duties provided for therein are hereby granted to the planning commission, the city council, the members thereof and city officials, and all of the duties required to be performed therein shall be done and performed within the time and as provided therein. (Ord. No. 295, § 4.)

Sec. 2-11. Additional powers and duties.

The planning commission shall have the additional powers and duties:

(a) To act in an advisory capacity in all matters pertaining to the development and modification of streets, parks, public and private buildings and all other matters having to do with the general plan of the city, and to recommend to the city council plans for regulation, future growth, development and beautification of the city.

(b) To act as a planning commission, pursuant to the provisions of the Planning and Zoning Law of the state, as amended.

(c) To adopt such rules and regulations as may be necessary to properly carry out its duties under this article.

(d) To advise and recommend to the city council plans for securing to the city and its inhabitants proper service of all public utilities and proper sanitation.

(e) To advise and recommend to the city council, private corporations or individuals concerning the location and general style of any proposed building, structure or work.

(f) To hear and determine applications for variances or special permits or other hearings required by law, including rezoning applications.

(g) To act as the advisory agency of the city referred to in section 11509 of the Business and Professions Code of the state, with the duty of making investigations and reports on the design and improvements of proposed subdivisions in which the city has an interest. (Ord. No. 295, § 5.)

Sec. 2-12. Contents of minutes; copies and filing of minutes.

The secretary shall record in the minutes, the time and place of each meeting of the planning commission, the names of members present and all official acts of the planning commission. He shall cause the minutes to be typed forthwith for approval or amendment at the next regular meeting. Sufficient copies of such minutes shall be made to furnish a copy thereof to each member of the planning commission, to the chief administrative officer and to the consultant, if any. An original copy of such minutes approved by the chairman or vice-chairman and attested to by the secretary shall be chronologically filed with the records of the planning commission, as contained in section 2-9 (c). (Ord. No. 295 § 6.)

Sec. 2-13. Process of application.

All applications for zone changes, zone variances, modifications, conditional use permits, ordinance amendments, lot splits and subdivisions shall be submitted to and processed by the secretary of the planning commission.

The secretary, following acceptance of an application, shall set a time for public hearing of the application, and shall cause the publication of legal notices and notifications of such hearing, as required by law and resolutions adopted by the city planning commission. (Ord. No. 295, § 7.)

Sec. 2-14. Incurring of indebtedness prohibited.

The planning commission shall not incur any expense for the preparation of maps, plats or for any other purpose, but shall file its recommendations and requests on such matters with the city council, which shall incur in the name of the city in the manner provided by law, such indebtedness as the city council shall deem proper in the premises, and as authorized in the annual budget. (Ord. No. 295, § 8.)

Sec. 2-15. Tax law for defraying commission expenses.

The city council may, in making an annual tax law and as a part thereof, law and collect a tax for the purpose of defraying the lawful expenses incurred by the planning commission, not to exceed two mills on the dollar of assessed valuation. (Ord. No. 295, § 9.)

