

**ORGANIZATION AND BYLAWS  
OF THE  
EUGENE PLANNING COMMISSION**

**(As revised and effective July 11, 2008)**

**FOREWORD AND EXPLANATION:**

The following sets forth information concerning the Eugene Planning Commission and also includes certain rules and regulations governing its membership. The Eugene Planning Commission is established pursuant to Chapter 227 of the Oregon Revised Statutes and Chapter 2 of the Eugene Code, 1971. Where these Oregon Statutes and the City Code provisions apply, an indication of the section number thereof will be found immediately following the information herein contained.

The rules and regulations herein are established pursuant to authority contained in the Oregon Revised Statutes, Chapter 227, and the Eugene Code, 1971, Chapters 2, 8, and 9.

**ARTICLE I.            Establishment**

The Eugene Planning Commission was established in 1925 (Ordinance No. 4846) and its members are appointed by the City Council in conformance with ORS 227.010 through 227.120, which set forth the state requirements for establishing city planning commissions, and by authority of Eugene Code, 1971, ("EC") Sections 2.325 through 2.365.

**ARTICLE II.            Purposes and Objectives**

The purposes and objectives of the Commission shall be:

- (a) To keep current a General Plan for the city adopted by the Council as an official guide to public and private uses of land. (EC 2.350)
- (b) To prepare city legislation that will implement the purposes of the General Plan. (EC 2.350)
- (c) To cooperate with private developers and public agencies in their effort to provide an adequate supply of housing for low-income families. (EC 2.350)
- (d) To recommend and make suggestions to the Council and to all other public authorities concerning laying out, widening, extending and locating of streets and parking areas, 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. (EC 2.350 and ORS 227.090)

- (e) To recommend to the Council and all other public authorities plans for regulation of the future growth, development, and beautification of the municipality 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, and transportation facilities. (EC 2.350 and ORS 227.090)
- (f) To study and propose in general such measures as may be advisable for promotion of environmental quality as well as the public interest, health, morals, safety, comfort, convenience, and welfare of the city and of the area six miles adjacent thereto. (EC 2.350 and ORS 227.090)
- (g) To serve as the committee for citizen involvement as described in Statewide Planning Goal 1, responsible for assisting the city council with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.
- (h) To exercise any express or implied power, right, or act pursuant to the Eugene Code, 1971, or ORS Chapter 227.

### **ARTICLE III.      Membership and Voting**

Section 1      The Planning Commission shall consist of seven members to be appointed by the City Council. (EC 2.330 and ORS 227.030)

Section 2      No more than two members shall be engaged principally in buying, selling, or developing of real estate for a profit as individuals or be members of any partnership, or officers or employees of any corporation that is engaged principally in buying, selling, or developing of real estate for a profit. No more than two members shall be engaged in the same kind of business, trade, or profession. (EC 2.332 and ORS 227.030)

Section 3      Members shall be appointed for 4-year terms. (EC 2.330)

Section 4      Any vacancy shall be filled by the City Council for the unexpired term of the predecessor in office. (EC 2.330 and ORS. 227.030)

Section 5      Each member of the Commission shall be entitled to vote at all regular and special meetings of the Commission, except that a member of the Commission shall not participate in any Commission proceeding or action

in which any of the following has a direct or substantial financial interest: the member or his or her spouse, brother, sister, child, parent, father-in-law, mother-in-law; any business in which he or she is then serving or has served within the previous two years; or any business with which he or she 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. (EC 2.333 and ORS 244.135)

Section 6 Because of the importance of preserving public confidence in decisions made by the Commission, a member of the Commission may elect to abstain from a particular hearing when the member is not disqualified under Section 5 above, but desires to avoid the appearance of partiality. Abstention in such an instance shall be solely a matter of the member's own judgment. A member who feels that abstention may be necessary or desirable under this section shall seek the advice of the Commission and then state the member's decision and the reasons therefore.

Section 7 Commission members shall receive no compensation, but shall be reimbursed for duly authorized expenses. (EC 2.330)

Section 8 Any member who misses more than six consecutive regular meetings without having been given a leave of absence by the City Council shall be removed from the Commission by the City Council, and another member shall be appointed by the City Council to complete the unexpired term for such member. (EC 2.330)

#### **ARTICLE IV. Meetings of Commission**

Section 1 The Commission shall designate and make public the date, time, and place of its regular meetings in a manner reasonably calculated to give actual notice to interested persons who have requested notice and at least 24-hours in advance of such meetings. (EC 2.345)

Section 2 Four members of the Commission shall constitute a quorum. (EC 2.345)

Section 3 If a member of the Commission is unable to attend a meeting, that member is expected to notify the Chair or the Secretary in advance of the meeting.

Section 4 All Commission members shall be sent advance written notice of regular meetings or special meetings where action is to be taken. Commission members may be notified of study sessions at regular meetings or by telephone at least 24 hours in advance of the meeting time.

Section 5 The Commission may postpone action on any land use application if at the first hearing on the application the applicant (or appellant) or a representative is not present. A written explanation for the applicant or appellant's absence, coupled with a request that action not be delayed, may be honored if the Commission has sufficient information to proceed. If at the request of the applicant or appellant the Commission agrees to postpone the application to a subsequent hearing date, the applicant or appellant may be held responsible for additional costs incurred by the City in meeting public notice requirements for the later meeting. All land use application and appeal forms shall state this policy, and a written notice of this policy shall be mailed to the applicant or appellant at the time of the mailing of the Planning Commission agenda on which the application or appeal is scheduled.

Section 6 A Planning Commission member who attends a meeting of the City Council as an authorized Commission representative should follow the following guidelines:

- (a) The official representative need not speak on every issue referred to the Council, but should participate in Council discussion when it appears necessary.
- (b) The representative should answer questions about Commission policies if these are addressed to him or her by the Council.
- (c) The representative should support the Commission's majority report and should not present his or her own point of view, or that of the minority, unless specifically asked.

Section 7 In the interest of avoiding bias, an individual Planning Commission member shall not discuss with an applicant, or others interested in the application, any request that is to be heard by the Commission and on which the member will vote, except that answering questions relating to time, place, and Commission procedures will not be considered violations of this rule.

## ARTICLE V.            Officer's Duties

Section 1 The officers of the Commission shall be a Chair, Vice-Chair, and a Secretary.

Section 2 The Chair and Vice-Chair shall be elected to one-year terms, and shall serve at the pleasure of the Commission. The election shall take place following Council action on appointments to the Commission. The new officers shall assume their duties immediately.

Section 3 The Chair shall preside at all meetings and is eligible to vote on all matters, except as provided in Article III.

Section 4 The Vice-Chair shall perform all the duties of the Chair in the Chair's absence.

Section 5 The Secretary shall be designated by the Commission and shall be responsible for keeping the records of the Commission, arranging for meetings, preparing agendas, and performing such other services of the Commission as are customary in that role. The Secretary need not be a member of the Commission.

**ARTICLE VI. Subcommittees**

Section 1 The Chair shall appoint subcommittees as needed.

Section 2 The Chair may appoint a chair for each subcommittee, or he or she may serve in that capacity.

Section 3 The Chair shall be an ex officio member of all subcommittees.

**ARTICLE VII. Advisory Committees**

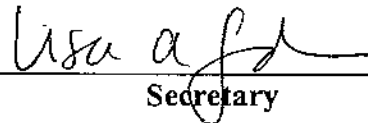
Advisory committees to the Commission may be appointed by the Chair with concurrence of Commission members.

**ARTICLE VIII. Amendments to By-Laws**

These By-Laws may be amended by an affirmative vote of at least four (4) members at any regular meeting, providing notice of such amendment is given at a preceding regular meeting.

The above By-Laws were approved by a majority vote of the Eugene Planning Commission on July 7, 2008, to become effective July 11, 2008.

**EUGENE PLANNING COMMISSION**

  
Secretary

