

ORDINANCE NO. 118

DAKOTA COUNTY PLANNING COMMISSION

The County Board of Dakota County Ordains:

ARTICLE 1. Continuation of Planning Commission.

A Planning Commission is hereby continued pursuant to Minnesota Statutes Section 394.30.

ARTICLE 2. Composition.

2.1 Membership.

The Planning Commission shall consist of ten (10) members appointed by the Chair of the County Board. At least one (1) member shall be appointed from and be a resident of each County Commissioner district and three (3) members shall be appointed at large. At least two (2) members shall be appointed from and be residents of that portion of Dakota County outside the corporate limits of municipalities. No more than one (1) member shall be an officer or employee of Dakota County.

2.2 Term.

The members of the Planning Commission, except as otherwise provided in this paragraph, shall be appointed for two-year terms, which shall begin on the first Tuesday following the first Monday in January of the first year of the term. A member shall also serve after the expiration of a term until a successor is appointed and qualified. The terms of office of persons who are members of the Planning Commission on June 17, 2005, shall end on the first Tuesday following the first Monday in January 2007.

2.3 Residency Requirement.

The seven (7) members of the Planning Commission who were appointed from and residents of County Commissioner districts shall remain residents of the districts from which they were appointed. Any such member who ceases to reside in the County Commissioner district from which appointed shall have automatically vacated the office of Planning Commission member.

2.4 Conflict of Interest.

No member of the Planning Commission shall have received, during the two (2) years prior to appointment, any substantial portion of income from business operations involving the development of land within Dakota County for urban or urban related purposes. No member of the Planning Commission may participate in any proceeding in which the member has a direct interest in its outcome.

2.5 Removal.

The County Board by majority vote upon written charges may remove any Planning Commission member for the nonperformance of duty or misconduct in office. The member shall be entitled to a hearing conducted by the County Board prior to any vote on the charges.

2.6 Vacation of Office.

Any member missing three (3) consecutive meetings or one-half of the meetings in any twelve (12) months shall have automatically vacated the office of Planning Commission member. Any member voluntarily resigning shall have automatically vacated the office of Planning Commission member.

2.7 Vacancies.

The Planning Manager or designee shall notify the chair of the County Board of any vacancy on the Planning Commission. The Chair of the County Board shall fill such vacancy by appointment for the unexpired portion of the term.

2.8 Oath of Office.

Every member of the Planning Commission, before entering upon the discharge of his duties, shall take on oath that he will faithfully discharge the duties of his office.

2.9 Compensation.

Members of the Planning Commission shall be compensated pursuant to Dakota County Policy #1015.

ARTICLE 3. Organization and Meetings.

3.1 Officers.

At its first meeting of the year the Planning Commission shall elect a chair, a vice-chair and a secretary from among its members. Officers shall take office immediately following election and shall serve for a term of one (1) year and until their successors are elected. Officers may serve for no more than two (2) consecutive one-year terms. The chair shall preside at all meetings and perform such other duties as the Planning Commission may direct. The vice-chair shall act in the capacity of the chair in the absence of the chair. If the office of chair becomes vacant, the vice-chair shall proceed to this office for the unexpected term and a successor to the office of vice-chair shall be elected for the unexpired term.

3.2 Meetings.

The Planning Commission shall adopt a regular meeting schedule, based upon the recommendation of the Planning Manager. The Planning Commission shall adopt rules for the transaction of business and shall keep a record of its transactions and findings. A quorum of the Planning Commission shall consist of at least six (6) members. The Planning Commission shall be subject to Minnesota Statutes Chapter 13D (Open Meeting Law).

ARTICLE 4. Committees.

The Planning Commission may create committees to study and report on projects, plans and programs under consideration by the Planning Commission. Committee members are not entitled to compensation pursuant to Paragraph 2.9 of this Ordinance.

ARTICLE 5. Powers and Duties.

5.1 Comprehensive Plan.

The Planning Commission shall cooperate with the Planning Manager and other employees of Dakota County in preparing and recommending to the County Board for adoption a comprehensive plan and recommendations for plan execution in the form of official controls and other measures, and amendments thereto.

5.2 Conditional Use Permits.

The Planning Commission shall review all applications for conditional use permits under the Dakota County Shoreland and Floodplain Management Ordinance and report thereon to the County Board.

5.3 Street Naming and Addressing System.

The Planning Commission shall review and hold a public hearing on all requests for street name changes submitted to Dakota County pursuant to the Dakota County Uniform Street Naming and Addressing System (USNAS) Ordinance, and provide its recommendations to the County Board.

5.4 Transportation Planning.

The Planning Commission shall review transportation planning proposals, including paratransit proposals, submitted by the Planning Manager and report thereon to the County Board.

5.5 Other.

The Planning Commission shall review any other matters referred to it by the County Board and report thereon to the County Board. The Planning Commission shall consult annually

with the County Board or a designated committee thereof regarding the matters upon which the Planning Commission will report to the County Board during the year.

ARTICLE 6. Amendments to Planning Commission Ordinance.

Amendments to the Planning Commission Ordinance shall be made in accordance with Minnesota Statutes Section 375.51 and Dakota County Policy #1017. The Planning Commission shall be responsible for holding the public hearing required by Policy #1017.

ARTICLE 7. Severability.

Should any section of this Ordinance be held unconstitutional or void, the remaining provisions shall nevertheless remain in full force and effect.

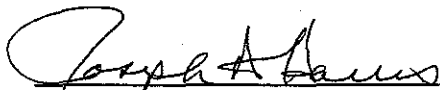
ARTICLE 8. Ordinance Repealed.

Ordinance No. 118 Establishment of the Dakota County Planning Commission is hereby repealed and the above is substituted in its place.

ARTICLE 9. Effective Date.

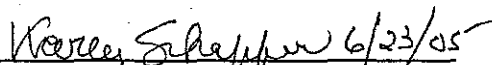
This ordinance becomes effective from and after its passage and publication in accordance with Minnesota Statutes Section 375.51.

Passed this 21 day of June, 2005.

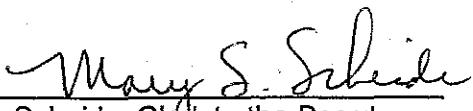


Joseph A. Harris, Chair
Dakota County Board of Commissioners
Date of Signature 6-27-05

Approved as to form:



Karen Scheffer 6/23/05
Assistant County Attorney/Date

Attest: 

Mary Scheide, Clerk to the Board
Date of Signature 6-27-05