

ORDINANCE NO. 118

DAKOTA COUNTY PLANNING COMMISSION

The County Board of Dakota County Ordains:

ARTICLE 1. Authority.

This ordinance is adopted pursuant to Minn. Stat. § 394.30 and Laws of Minnesota 1974, chapter 296, section 1.

ARTICLE 2. Composition.

2.1 Membership.

The Planning Commission shall consist of two (2) members from each County Commissioner district appointed by the County Board. The members shall be residents of the County Commissioner district from which they are appointed. 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 one-year terms, which shall begin on the first Tuesday following the first Monday in January of each year. 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 December 11, 2012, shall end on the first Tuesday following the first Monday in January 2013.

2.3 Residency Requirement.

The members of the Planning Commission shall remain residents of the districts from which they were appointed.

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 resolution, may remove any Planning Commission member for the nonperformance of duty, misconduct in office, for engaging in conduct detrimental to the accomplishment of the Planning Commission's mission or for engaging in conduct which is contrary to the County Board statement of expectations set forth in Dakota County Policy #1015. The County Board will conduct a hearing prior to any vote to remove a member pursuant to this section if the member requests a hearing.

2.6 Vacation of Office.

Any member missing three (3) consecutive regular or special meetings or 50% of the meetings during any consecutive twelve (12) month period shall have automatically vacated the office of Planning Commission member. Any member voluntarily resigning shall have automatically vacated the office of Planning Commission member. Any member who fails to maintain a principal residence within the County Commissioner district from which the member was appointed 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 County Board may fill such vacancy by appointment for the unexpired portion of the term. The appointee must be a resident of the County Commissioner district in which the vacancy occurred.

2.8 Oath of Office.

Every member of the Planning Commission, before entering upon the discharge of duties, shall take an oath that the member will faithfully discharge the duties of the 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 in any one Officer position. 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 unexpired 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. Special meetings may be held on reasonable notice by the chair or by a majority of the Planning Commission upon terms and conditions as the Planning Commission may determine. 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 eight (8) members. The Planning Commission shall be subject to the requirements of the Open Meeting Law, Minn. Stat. ch. 13D.

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 for attending committee meetings.

ARTICLE 5. Powers and Duties.

5.1 Comprehensive Plan.

As directed by the County Board, the Planning Commission shall prepare and make recommendations to the County Board for adoption: (a) comprehensive plans, including any amendments thereto; (b) any subsidiary plans relating to the natural and physical infrastructure of Dakota County, including any amendments thereto; and (c) official controls and other measures to implement the comprehensive plan and subsidiary plans.

Subsidiary plans relating to the natural and physical infrastructure of Dakota County include, but are not limited to: transportation; transit; regional and county parks; trails and greenways; open space (natural areas and farmland); water resources; and environmental management.

5.2 Policy Oversight.

Consistent with the direction provided by the County Board, the Planning Commission shall review and make recommendations to the County Board regarding the adoption of or the amendment of policies related to managing and improving the natural and physical infrastructure of Dakota County.

5.3 Capital Projects and Programs.

As directed by the County Board, the Planning Commission shall review capital project and/or program proposals. In conducting any requested reviews, the Planning Commission shall act as an oversight committee, providing recommendations that align with County goals and serve the long-term interests of maintaining and improving the natural and physical infrastructure of Dakota County.

5.4 New Initiatives.

As directed by the County Board, the Planning Commission shall review emerging issues and provide recommendations to address those issues.

5.5 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.

5.6 Requests to Change Name of County Road.

The Planning Commission shall review and hold a public hearing on all requests to change the name of a county road submitted to Dakota County pursuant to the Dakota County Uniform Street Naming and Addressing System (USNAS) Procedural Manual; and provide its recommendations to the County Board.

5.7 Other.

The Planning Commission shall review any other matters referred to it by the County Board and report thereon as directed. When requested by the County Board, the Planning Commission shall consult with the County Board or a designated County Board committee regarding the matters that the County Board directed the Planning Commission to examine and report on.

ARTICLE 6. Amendments to Planning Commission Ordinance.

Amendments to the Planning Commission Ordinance shall be made in accordance with Minn. Stat. § 375.51 and Dakota County 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.

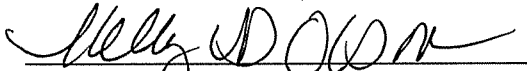
This ordinance becomes effective from and after its passage and publication in accordance with Minn. Stat. § 375.51.

Passed by the Board of County Commissioners of Dakota County this 21st day of June 2005.

Amended by the Board of County Commissioners of Dakota County this 23rd day of October 2012, with said amendments being effective January 1, 2013.

Amended by the Board of County Commissioners of Dakota County this 11th day of December 2012, with said amendments being effective January 1, 2013.

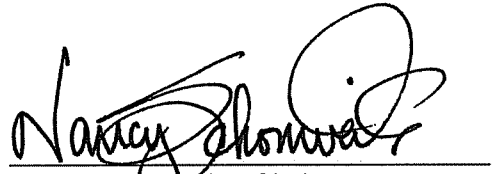
ATTEST:
COUNTY OF DAKOTA, STATE OF MINNESOTA



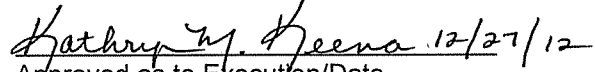
Kelly D. Olson
Senior Admin. Coordinator to the Board
Date: 12-21-12



Kathryn M. Heena 12/27/12
Approved as to Form/Date
Assistant County Attorney



Nancy Schouweiler, Chair
Dakota County Board of Commissioners
Date: 12-20-12



Kathryn M. Heena 12/27/12
Approved as to Execution/Date
Assistant County Attorney