

# ORDINANCE 2018-01

## CITY OF DUNDAS COUNTY OF RICE, MINNESOTA

### *An Ordinance Amending Chapter 301 Planning Commission*

#### **THE CITY COUNCIL FOR THE CITY OF DUNDAS DOES HEREBY ORDAIN:**

**SECTION 1:** Dundas City Code Chapter 301 “PLANNING COMMISSION”, Section 301.02 “COMPOSITION” is amended by deleting subsection 301.02 (A) 5 entirely, shown below in strikeout:

#### **§ 301.02 COMPOSITION.**

(A) The Planning Commission shall consist of seven (7) voting members.

1. Three (3) members shall be appointed by the Mayor and approved by the City Council who are ~~either residents, owners of property or owners of a business within~~ of the City of Dundas.

2. Three (3) members shall be appointed by the Mayor and approved by the City Council who are residents or owners of property within Bridgewater Township.

3. One (1) member shall be a City Council member or the City Clerk, to be appointed by the Mayor with the approval of the City Council. This member shall serve for a one (1) year term, to expire on December 31<sup>st</sup> of each year.

4. All appointees shall be appointed to serve staggered terms of four (4) years except as noted below, commencing on the 1<sup>st</sup> day of January in the year of appointment. Upon expiration of a term, the appointee shall continue until reappointed or until a successor is appointed. Absences from any three (3) meetings in a year, unless excused by the Chair, constitute a vacancy. In the event of any vacancy, the Mayor shall appoint and the City Council shall approve a person to complete the unexpired term.

The members of the Planning Commission to be appointed from Bridgewater Township shall be nominated by the Bridgewater Town Board. Two (2) individuals shall be nominated for each open position.

~~5. The City Attorney and City Engineer shall serve as ex officio members of the Planning Commission.~~

**SECTION 2:** Dundas City Code Chapter 301 “PLANNING COMMISSION”, Section 301.03, “ORGANIZATION, MEETINGS, MINUTES AND EXPENDITURES”, is amended by deleting the words shown in strikeout and adding the underlined words as follows:

(A) At ~~the~~ its first regular meeting ~~in January of each year~~, the Planning Commission shall elect a Chairperson and a Vice -Chairperson ~~and a Secretary~~ from among its appointed members, each for a term of one year, to expire on December 31 of each year. The Planning Commission may create and fill other offices as it may determine.

(B) The Planning Commission shall ~~hold at least one meeting each month~~ establish regular meeting dates at the time and place as it may fix by resolution. Special meetings may be called at any time by the Chairperson, or in the Chairperson's absence, by the Vice-Chairperson, in accordance with the Minnesota Open Meeting Law.

(C) Written minutes of meetings shall be kept and filed with the City Clerk-Treasurer. ~~prior to the next regularly scheduled City Council meeting, but shall be subject to approval at the next Planning Commission meeting.~~

(D) ~~No expenditures by the Planning Commission shall be made unless and until authorized for the purpose by the City Council.~~

**SECTION 3.** Dundas City Code Chapter 301 "PLANNING COMMISSION", Section 301.04 "POWERS AND DUTIES; COMPREHENSIVE PLAN", is amended by deleting the words shown in ~~strikeout~~ and adding the underlined words as follows:

**§ 301.04 POWERS AND DUTIES; COMPREHENSIVE PLAN.**

(A) *GENERALLY.* The Planning Commission shall have the powers and duties given to it by statute or ordinance. ~~given to city planning agencies generally by law.~~ The Planning Commission shall also exercise the duties conferred upon it by the 2004 Orderly Annexation Agreement between the City of Dundas and Bridgewater Township this code. ~~It shall be the purpose of the Planning Commission to prepare and adopt a comprehensive plan for the physical development of the city, including proposed public buildings, street arrangements and improvements, efficient design of major thoroughfares for moving of traffic, parking facilities, public utilities services, parks and playgrounds, a general land use plan and other matters relating to the physical development of the city. This plan may be prepared in sections, each of which shall relate to a comprehensive plan program. After the Planning Commission has prepared and adopted the comprehensive plan, it shall periodically, but at least every three years, review the comprehensive plan and any ordinances or programs implementing the plan. All of the planning commission's actions shall be advisory to the city council, except with regard to the Annexation Reserve District, for which the Planning Commission is the planning and zoning authority pursuant to Minn. Stat. §414.0325, subd. 5.~~

(B) ~~*MEANS OF EXECUTING PLAN.* Upon the adoption of a comprehensive plan or any section thereof, it shall be the concern of the Planning Commission to recommend to the City Council reasonable and practical means for putting into effect the plan or section thereof in order that it will serve as a pattern and guide for the orderly physical development of the city and as a basis for judging the timely disbursements of funds to implement the objective. Means of effectuating the plan shall, among other things, consist of a zoning ordinance, subdivision regulations, capital improvement programming and technical review, and recommendations of matters referred to the Planning Commission by the City Council.~~

~~(C) — ZONING ORDINANCE. Pursuant to M.S. § 462.357(3), as it may be amended from time to time, the Planning Commission shall review all proposed amendments to the zoning ordinance, take part in public hearings, and make recommendations to the City Council as may be prescribed by the zoning ordinance.~~

~~(D) — SPECIAL PERMITS. The Planning Commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance. The Planning Commission shall report its recommendations to the City Council for action.~~

~~(E) — SUBDIVISION REGULATIONS. The Planning Commission may make recommendations in relation to the subdividing of land as prescribed by the ordinance. The Planning Commission shall report its recommendations to the City Council for action.~~

~~(F) — VARIANCES. Applications for variances may be referred to the Planning Commission by the City Council for public hearing, as provided for in M.S. ' 462.357, Subd. 6, as it may be amended from time to time. After public hearing, the Planning Commission shall forward the application, with or without recommendation directly to the City Council, which shall act as the Board of Appeals and Adjustments, for its decision. Variances may be granted from the literal provisions of the Dundas Zoning Ordinance only where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration as authorized by M.S. ' 462.357, Subd. 6 (2), as it may be amended from time to time. — HISTORY: Adopted Ord. 19.01 (1985); Amended Ord. 2003-12~~

**SECTION 4.** This ordinance becomes effective from and after its passage and publication in accordance with law.

**BE IT FURTHER ORDAINED BY THE CITY COUNCIL FOR THE CITY OF DUNDAS:**

The Attached Summary of Ordinance 2018-01 is hereby approved for publication.

**ADOPTED** by the City Council of Dundas, Minnesota, on this 8th day of January 2018.

CITY OF DUNDAS BY:

ATTEST:

\_\_\_\_\_  
Glenn Switzer, Mayor

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John McCarthy, Administrator/Clerk

Ordinance 2018-01

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CITY OF DUNDAS  
STATE OF MINNESOTA

*An Ordinance Amending Chapter 301 Planning Commission*

**The following is the official summary of Ordinance 2018-01, which was approved and adopted by the Dundas City Council on January 8, 2018:**

The City amended Chapter 301 Planning Commission to eliminate the city attorney and city engineer as exofficio members, changing the language regarding meeting dates and organization, clarifying the powers and duties of the Planning Commission and eliminating unnecessary and redundant language.

A copy of the entire Ordinance 2018-01 is available for inspection by any person during regular office hours at the Dundas City Hall, 216 Railway Street North, Dundas, MN 55019; and is posted at the Dundas city website: [www.cityofdundas.org](http://www.cityofdundas.org)

ADOPTED BY THE DUNDAS CITY COUNCIL on the 8<sup>th</sup> day of January 2018.

Published by order:

John McCarthy, City Administrator/Clerk  
in the *Faribault Daily News* on January 13, 2018