

Public Notice

(First Date of Pub.: Wed. Aug. 26, 2020)

(Dates of Pub.: Wed., Aug 26, 2020)

PUBLIC HEARING NOTICE

Notice of Public Hearing – City of Tracy, MN – Ordinance Amending the City Charter within the City of Tracy, Minnesota

PUBLIC NOTICE is given to all persons in the City of Tracy, MN that a public hearing will be held on September 14, 2020 in the City Council Chambers, City Hall at 6:45 p.m., to solicit comments regarding the amendment of the City Charter. The amendment is to make minor changes to the City Charter to be in line with State Statutes. Copies of the Proposed Ordinance are available during regular working hours at the office of the City Clerk located at City Hall.

All persons interested are invited to attend this hearing and be heard.

made by the Mayor and approved by the City Council at the first City Council meeting in March.

The term of the Councilmember shall be appointed in January of each year by the Mayor and approved by the Council for a one year period.

(C) **Removal.** Members may be removed by the City Council with or without cause by a **four-fifths two-thirds** vote of the City Council.

(D) **Vacancies.** Vacancies during the term shall be filled by the City Council for the unexpired portion of the term.

(E) **Oath.** Every appointed member shall, before exercising any of his or her duties, take an oath and code of conduct that he or she will faithfully discharge the duties of the office.

SECTION 3. ORGANIZATION, MEETINGS, MINUTES AND EXPENDITURES

(A) **Officers.** At the first regular meeting in January, the Planning Commission shall elect a Chairperson and a Vice-Chairperson from among its appointed members, each for a term of one year.

(B) **Meeting.** The Planning Commission may hold at least one meeting each month as needed at the time and place as they may fix by resolution, subject to City Council approval and file with the City Clerk. Special meetings may be called at any time by the Chairperson, or in the case of the Chairperson's absence, by the Vice-Chairperson, or as directed by the City Council or Mayor.

On or before January first of each year the Commission shall submit to the Council a report of its work during the preceding year.

(C) **Commission Policy on Meetings, Organizational Form and Rules of Order.** Subject to approval by the City Council, the Planning Commission shall adopt rules of order or bylaws for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

(D) **Minutes.** Written minutes of meetings shall be done by the City Administrator or his or her designee. The Planning Commission will approve the minutes at their next meeting and then submitted to the Council for their approval.

(E) **Expenditures.** No expenditures by the city on behalf of the Planning Commission shall be made unless and until authorized by the City Council.

SECTION 4. ATTENDANCE

Duly appointed members of the Planning Commission shall be required to attend the official meetings of the Planning Commission with no more than three unexcused absences within a calendar year. Excused absences would be authorized by the Chair of the Planning Commission and noted in the minutes. Failure to attend with more than three unexcused absences within a given calendar year, without excuse of the Chair of the Planning Commission, shall be considered as formal notice of resignation from said Planning Commission.

SECTION 5. STAFF FOR THE COMMISSION

The City Administrator and/or his/her designees may act as staff for the Planning Commission and may be required at times to attend commission meetings. City Staff may provide the Commission with information as requested by the Commission at the City Administrator discretion. The City Administrator and/or his/her designees may perform secretarial duties for the Commission, such as the keeping of minutes, and may be responsible for the keeping of records.

SECTION 6. POWERS AND DUTIES

(A) **Generally.** The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall exercise the duties conferred upon it by this

ordinance.

(B) **Comprehensive Plan.** 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 City Council has adopted the comprehensive plan, the Planning Commission may periodically, but at least every five years, **review evaluate for amendments** the comprehensive plan and any ordinances or programs implementing the plan.

(C) **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. Means of effectuating the plan, among other things, shall 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.

(D) **Zoning Ordinance.** Pursuant to M.S. 462.357, subd. 3, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed amendments to the zoning ordinance, conduct public hearings as directed by City Council or city policy, and make recommendations to the City Council concerning zoning ordinance amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

(E) **Conditional Permits.** The Planning Commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance and conduct public hearings as directed by City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

(F) **Temporary Use Permits.** The Planning Commission may make recommendations on all requests for an interim use permit if allowed by current law and under the terms of the zoning ordinance and conduct public hearings as directed by City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

(G) **Subdivision Regulations.** The Planning Commission may make recommendations about the subdividing of land as prescribed by the ordinance and conduct public hearings as directed by City Council or city policy. The Planning Commission shall report its recommendations to the City Council for action.

(H) **Zoning Variances.** All applications for variances may be referred to the Planning Commission and forwarded with or without recommendations directly to the City Council. The City Council shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. 462.357, subd. 6, as it may be amended from time to time for its decision.

(I) **Official Map.** Pursuant to M.S. 462.359, subd. 2, as it may be amended from time to time, after adoption of a major thoroughfare plan and a community facilities plan (which may be contained in the city comprehensive plan or adopted separately), the Planning Commission, for the purpose of carrying out the policies of the major thoroughfare plan and community facilities plan, may prepare and recommend to the governing body a proposed official map covering

the entire municipality or any portion thereof. The official map or maps shall be prepared in sufficient detail to permit the establishment of the future acquisition lines on the ground. In unplatted areas, a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by a licensed land surveyor.

(J) **Appeals to Denials of Zoning, Land Use or Building Permits Based on the Official Map.** All appeals to denials of zoning, land use or building permits based on the official map may be referred to the Planning Commission and forwarded with or without recommendations directly to the City Council. The City Council shall have the powers of a Board of Appeals and Adjustments as provided for in M.S. 462.359, subd. 4, as it may be amended from time to time for its decision.

(M) **Purchase and Sale of Real Property.** Pursuant to M.S. 462.356, subd. 2, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed acquisitions or disposals of publicly owned interests in real property within the city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed acquisition or disposal of real property with the comprehensive municipal plan. The City Council may by resolution adopted by two-thirds vote of those present dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive municipal plan.

(N) **Capital Improvements.** Pursuant to M.S. 462.356, subd. 2, as it may be amended from time to time, and if a comprehensive plan has been adopted, the Planning Commission shall review all proposed capital improvements within the city by the municipality, or any special district or any agency thereof, or any other political subdivision having jurisdiction within the municipality, and make findings as to the compliance of the proposed capital improvement with the comprehensive municipal plan. ~~The City Council may by resolution adopted by two-thirds vote dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property has no relationship to the comprehensive municipal plan.~~

(O) **Comprehensive Plan Amendments.** Pursuant to M.S. 462.355, subds. 2, 3, as it may be amended from time to time, after adoption of a comprehensive plan, if any, the Planning Commission shall review all proposed amendments to the comprehensive plan, hold at least one public hearing, and make recommendations to the City Council comprehensive plan amendments and their relation to the city comprehensive plan and other land use controls. The Planning Commission shall report its recommendations to the City Council for action.

SECTION 7. EFFECTIVE DATE

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by M.S. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of M.S. § 331A.01, subd. 10, as it may be amended from time to time.

PASSED BY AT LEAST FOUR-FIFTHS VOTES BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 24TH DAY OF AUGUST, 2020.

APPROVED:
Tony Peterson, Mayor
ATTEST:
Erik Hansen