

ORDINANCE NO. 2023-1485

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 2.24 (PLANNING COMMISSION) OF THE LAKE ELSINORE MUNICIPAL CODE

Whereas, the City Planning Commission was established by the City Council under Chapter 2.24 of the Lake Elsinore Municipal Code in accordance with state law; and

Whereas, commencing in 2018, the City Council of the City transitioned from “at large” elections to election by Council district; and

Whereas, on May 25, 2022, the City Council revised City Council Policy 200-5A to transition the appointment of Planning Commissioner from “at large” to by Council district; and

Whereas, to implement the Council district appointment schedule, the City Council desires to amend Chapter 2.24 and adjust the terms of the existing Planning Commissioners; and

Whereas, in order to sync the Planning Commission terms and appointments by district to the City Council election cycle as envisioned by City Council Policy and this Ordinance, the terms of Planning Commissioners presently serving through June 30, 2024 shall be extended to December 31, 2024 and the terms of Planning Commissioners serving through June 30, 2026 shall be extended to December 31, 2026; and

Whereas, in order to sync the Planning Commission terms and appointments by district to the City Council election cycle as envisioned by City Council Policy and this Ordinance, the Planning Commissioner appointed from District 3 shall serve a 2-year term commencing December 31, 2024 and expiring December 31, 2026 and, thereafter, the Planning Commissioner appointed from District 3 shall serve a four-year term as set forth in Section 2.24.040 of the Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2.24 Planning Commission of the Lake Elsinore Municipal Code is amended and restated in its entirety, as follows:

Chapter 2.24 PLANNING COMMISSION

Sections:

- 2.24.010 Created.**
- 2.24.020 Membership.**
- 2.24.030 Appointment – Removal.**
- 2.24.040 Term of office.**
- 2.24.050 Powers and duties.**
- 2.24.060 Approval of obligations, expenses.**
- 2.24.070 Compensation.**

2.24.010 Created.

A City Planning Commission is created with membership, powers and duties as provided herein. Unless another official or body is designated to perform a function or make a particular decision as provided in Title 17 of this code, the Planning Commission shall serve as the City's Planning Agency within the meaning of the California Planning and Zoning laws, Government Code Section 65100 et seq.

2.24.020 Membership.

The Planning Commission shall consist of five members. Unless otherwise specifically provided by law, all members of the Planning Commission shall be at least 18 years of age and legally reside within the City limits at all times during their term. No member of any commission shall be a city employee or city official, nor shall any person be a member of more than one commission at any one time.

2.24.030 Appointment – Removal.

Except as provided hereinbelow, the members of the Planning Commission shall be appointed by the City Council "by district" with one member appointed from each of the five City Council Districts. Planning Commission members must reside in the Council District from which they are appointed. In the event the representative Council Member determines that there is no qualified applicant from the Council Member's District, that Council Member may nominate and the City Council may appoint a Planning Commission member from any remaining qualified applicants residing in the City but outside that Council District. All Planning Commission appointments and reappointments shall be made at a regularly scheduled City Council meeting, and require an affirmative vote of not less than a majority of the Council present. Planning Commissioners serve at the pleasure of the City Council and may be removed by an affirmative vote of not less than a majority of the Council present at a regularly scheduled meeting.

2.24.040 Term of office.

The members of the Planning Commission shall be appointed for a term of four years. Commencing January 1, 2025, the term of the Planning Commissioners from City Council Districts 2, 3 and 5 shall expire December 31, 2028 and the term of the Planning Commissioners from City Council Districts 1 and 3 shall commence January 1, 2027 and shall expire December 31, 2030.

2.24.050 Powers and duties.

The Planning Commission shall have the powers and duties set forth in Title 7, Chapters 3 and 4 of the California Government Code and such additional duties, powers and functions as the City Council may from time to time provide.

2.24.060 Rules of procedure and administrative matters.

Procedural rules and administrative matters regarding Commission appointments, vacancies, meetings, obligations and expenses shall be governed by policies adopted by City Council resolution.

2.24.070 Compensation.

The City Council shall from time to time, by resolution, fix the compensation of Planning Commissioners.

Section 2. CEQA. This Ordinance is exempt from the California Environmental Quality Act in accordance with Section 15061(b) (3) there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. Severability. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

Section 4. Effective Date. This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31st) day after the date of adoption.

Section 5. Certification. The City Clerk shall certify to the passage of this Ordinance and shall cause a synopsis of the same to be published according to law.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Lake Elsinore, California, on this 13th day of June 2023.

Natasha Johnson
Mayor

Attest:

Candice Alvarez, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Ordinance No. 2023-1485 was introduced by the City Council of the City of Lake Elsinore, California, at its Regular meeting of May 23, 2023 and adopted at its Regular meeting of June 13, 2023 and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk