SECTION:
2-2-1 Commission Created
2-2-2 Membership and Terms of Office
2-2-3 Removal of Members and Vacancies
2-2-4 Meetings
2-2-5 Planning Commission Duties and Responsibilities
2-2-6 Adoption of Rules

2-2-1 COMMISSION CREATED
Pursuant to the provisions of Chapter 3 Title 7 of the California Government Code, there is established a planning agency which shall be known as the Livingston Planning Commission.

2-2-2 MEMBERSHIP AND TERMS OF OFFICE
(A) Membership and Compensation.
The Planning Commission shall consist of five (5) members and one (1) alternate appointed by majority vote of the City Council. The alternate member may participate, but may not vote on an item before the Planning Commission unless a Planning Commissioner is absent or is disqualified due to an expressed conflict of interest. All members shall be qualified electors of the City. The compensation of the Planning Commission shall be established by Resolution of the City Council.” (Ord. 580, 02-03-09)

(B) Terms.
Terms of office of the members of the Planning Commission are for a period of four (4) years or until their successors are appointed and such terms are staggered with terms of one member of the Planning Commission expiring each year, except that every fourth year the terms of two (2) members expire. Terms expire December 31 of each year.

(C) Chairperson and Vice Chairperson.
The Planning Commission shall rotate the positions of chair and vice chairperson among the appointed members. Officers hold offices for one year, or until their successors are appointed. Terms expire on December 31, of each year.

2-2-3 REMOVAL OF MEMBERS AND VACANCIES
(A) Removal by Commission.
Any member of the Commission may be removed from the Commission prior to the expiration of term by majority vote of the City Council. Vacancies on the Planning Commission from whatever cause shall be filled by the City Council for the unexpired term.

(B) Resignation of Members.
A member of the Commission may resign from the Commission by filing a written statement with the City Clerk stating he or she resigns from the Commission. Upon filing the written statement with the City Clerk, the resignation shall become effective at the time of the filing and said member shall cease to be a member of said Commission and a vacancy shall then exist.

(C) Absence with/Without Cause.
“Absence With/Without Cause. Any Commissioner’s seat shall automatically be deemed vacant

LIVINGSTON MUNICIPAL CODE
for failing to attend any three (3) meetings in any twelve (12) month period, unless the absence is the result of illness or family emergency, or removal of the Commissioner from office would otherwise be prohibited by law. In the event that a Commissioner is unable to attend a meeting due to illness or family emergency, the Commissioner shall inform the City Manager or the Community Development Director at the earliest opportunity before the meeting in order for the absence to be excused. The Commission shall immediately inform the City Council of such vacancy. Vacancies on the Planning Commission from whatever cause shall be filled by the City Council for the unexpired term.” (Ord. 579, 02-03-09)

2-2-4 MEETINGS
(A) Regular Meetings.
The regular meetings of the Planning Commission shall be held on the second Tuesday of each month at the hour of seven o’clock (7:00) P.M. If at any time a regular meeting falls on a holiday, the regular meeting shall be held on the next business day. The regular meeting shall be held at City Hall, 1416 “C” Street, Livingston, California. Three (3) members constitute a quorum. At least three (3) members must approve any action or recommendation to the City Council regarding rezonings, amendments to the general plan or Zoning Title, conditional use permits, tentative parcel and subdivision maps and variances from ordinances as may be acted upon by the Planning Commission.

(B) Special Meetings.
Special meetings of the Commission may be called at any time by the chairperson or by any three (3) or more members of the Commission upon written personal notice to be given all members of the Commission. If personal notice cannot be given, written notice must be hand delivered to the last known address to such members at least twenty-four (24) hours prior to the meeting, unless the notice requirement is waived, in writing, by the member.

2-2-5 PLANNING COMMISSION DUTIES AND RESPONSIBILITIES
(A) The City Planning Commission shall perform the duties and shall have all rights, powers and privileges specified and provided by State law or by City ordinance or City Council resolution.

(B) The City Planning Commission shall also act in an advisory capacity to the City Council on land-use and development issues.

2-2-6 ADOPTION OF RULES
The Planning Commission adopts rules for the transaction of business and keeps a public record of its transactions, resolutions, findings and determinations. (Ord. 562, 11-20-07)