

AGENDA
MEETING OF THE CITY OF SUISUN CITY
PLANNING COMMISSION
7:00 P.M., APRIL 23, 2019

COUNCIL CHAMBERS
701 CIVIC CENTER BOULEVARD
SUISUN CITY, CALIFORNIA 94585

Next Resolution No. PC19-06

1. ROLL CALL:

Chairperson Clemente
Commissioner Borja
Commissioner Holzwarth
Commissioner Pal
Commissioner Ramos
Commissioner Rowe
Commissioner Thomas

Pledge of Allegiance
Invocation

2. ANNOUNCEMENTS:

3. MINUTES:

Approval of Planning Commission minutes of March 26, 2019

4. AUDIENCE COMMUNICATIONS:

This is a time for public comments for items that are not listed on this agenda. Comments should be brief. If you have an item that will require extended discussion, please request the item be scheduled on a future agenda.

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Commissioner should be identified at this time.)

5. GENERAL BUSINESS:

- A. Resolution No. PC19 - ___; A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.

6. PUBLIC HEARINGS:

For each of the following items, the public will be given an opportunity to speak. After a Staff Report, the Chair will open the Public Hearing. At that time, the applicant will be allowed to make a presentation. Members of the public will then be allowed to speak. After all have spoken, the applicant is allowed to respond to issues raised by the public, after which the Public Hearing is normally closed. Comments should be brief and to the point. The Chair reserves the right to limit repetitious or non-related comments. The public is reminded that all decisions of the Planning

Commission are appealable to the City Council by filing a written Notice of Appeal with the City Clerk within ten (10) calendar days.

7. COMMUNICATION:

A. Staff

B. Commissioners

C. Agenda Forecast

8. ADJOURN.

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MINUTES
MEETING OF THE CITY OF SUISUN CITY
PLANNING COMMISSION
7:00 P.M., MARCH 26, 2019

COUNCIL CHAMBERS
701 CIVIC CENTER BOULEVARD
SUISUN CITY, CALIFORNIA 94585

Next Resolution No. PC19-06

1. ROLL CALL:

Chairperson Clemente
Commissioner Borja
Commissioner Holzwarth
Commissioner Ramos
Commissioner Rowe
Commissioner Thomas

EXCUSED
Commissioner Pal

2. ANNOUNCEMENTS:

None.

3. MINUTES:

Commissioner Borja moved to approve the Planning Commission minutes of February 26, 2019, as is.

Commissioner Rowe seconded the motion. Motion passed 6-0-1 by roll call vote with Commissioner Pal absent.

4. AUDIENCE COMMUNICATIONS:

None.

CONFLICT OF INTEREST NOTIFICATION

None.

5. GENERAL BUSINESS:

None.

6. PUBLIC HEARINGS:

None.

7. INFORMATION ITEMS:

A. General Plan Annual Progress Report

Senior Planner John Kearns, started with background information on the Annual Report and what its significance is. He explained the Annual Report informs the Planning Commission, the City Council, and State agencies about the progress in implementing the Suisun City General Plan during the calendar year 2017. This report is the 4th annual report since the City Council adopted the 2035 General Plan Update and 2015-2023 Housing Element, respectively in May 2015. He went on to say that on March 19, the City Council accepted the 2018 Annual Report of the General Plan including Housing Element and the report has been sent to both California Housing and Community Development, as well as the California Office of Planning and Research (OPR).

Mr. Michael Zeiss commented that there has been a lack of progress on affordable housing over the past years, and hopes that the next report doesn't have zero progress.

8. COMMUNICATION:

A. Staff

i. Recreational Vehicle Parking on City Streets

Senior Planner John Kearns gave some background information on the City Council meeting that happened on March 19, 2019, and indicated the topic would be discussed in the near-term.

ii. City Noise Regulations

Senior Planner John Kearns provided background information on the history of how the development of a noise ordinance came up through the City Council.

iii. Project Updates

Senior Planner John Kearns provided a brief update on all the projects around the City of Suisun City.

B. Commissioners

C. Agenda Forecast

Staff indicated the next meeting would either be April 9 or 23.

9. ADJOURN.

AGENDA TRANSMITTAL

MEETING DATE: April 23, 2019

PLANNING COMMISSION AGENDA ITEM: Resolution No. PC19 - ___; A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.

BACKGROUND: At the January 13, 2015 Planning Commission meeting, the Commission asked staff to provide information regarding bylaws for the Planning Commission. Staff information relating to bylaws from other Commissions in California for reference.

At the February 10, 2015 Planning Commission meeting, staff provided information for the Commission to consider when considering establishing bylaws. The Commission asked staff to take a look at other Solano County jurisdictions had in the way of bylaws or rules of procedure.

At the February 24, 2015 Planning Commission meeting, the Commission reviewed bylaws from local jurisdictions and formed a sub-committee consisting of Commissioners Pal and Smith.

At the April 14, 2015 Planning Commission meeting, the Commission reviewed draft bylaws and staff to the make revisions to the draft document (including formatting) and bring the bylaws back for formal adoption.

At the April 28, 2015 Planning Commission meeting, the Commission discussed final issues, primarily related to quorum and voting procedures, and asked staff to return to its next meeting to address these questions and to bring the bylaws back for formal adoption.

On May 26, 2015 Planning Commission adopted Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure, but the item was not taken forward to the City Council for formal adoption.

STAFF REPORT: Staff and the sub-committee worked closely in developing draft bylaws for the Commission and the Planning Commission was presented details on the draft bylaws and provided the opportunity to provide revisions and amendments.

While collaborating with the sub-committee on development of bylaws, staff discovered Rules of Procedure that were adopted by the Planning Commission on January 28, 1997. Content from the 1997 document was transferred as appropriate to the 2015 Bylaws. With adoption of the attached resolution, the Commission will adopt the 2015 Bylaws and will rescind 1997 Rules of Procedure. Moving forward, the bylaws may be amended by Commission resolution.

PREPARED BY:

John Kearns, Senior Planner

APPROVED BY:

Tim McNamara, Development Services Director

STAFF RECOMMENDATION: Staff recommends that the Planning Commission **Adopt** Resolution No. PC19-___: A Resolution of the City of Suisun City Planning Commission Recommending City Council Adoption of Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.

ATTACHMENTS:

1. Resolution No. PC19-___: A Resolution of the City of Suisun City Planning Commission Recommending City Council Adoption of Planning Commission Bylaws and Rescinding the 1997 Planning Commission Rules of Procedure.
 - a. Planning Commission Bylaws
2. City of Suisun City Planning Commission Rules of Procedure (1997)

RESOLUTION NO. PC19-

**A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION
RECOMMENDING THE CITY COUCIL ADOPT PLANNING COMMISSION BYLAWS AND
RESCINDING THE 1997 PLANNING COMMISSION RULES OF PROCEDURE**

WHEREAS, the Planning Commission directed staff at their April 14, 2015 regular meeting to complete revisions to the draft Planning Commission Bylaws and prepare the document for Commission adoption; and

WHEREAS, the Planning Commission at a regular meeting on May 26, 2015 did complete its review and recommend approval of Planning Commission Bylaws; however, the bylaws were never forwarded to the City Council for adoption; and

WHEREAS, the Planning Commission at a regular meeting on April 23, 2019 completed its review of the Planning Commission Bylaws; and

WHEREAS, the Planning Commission did recommend the City Council adopt Planning Commission Bylaws (Exhibit A) and rescinding the 1997 Planning Commission Rules of Procedure.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Suisun City does hereby adopt Resolution PC19-__; A Resolution of the City of Suisun City Planning Commission Recommending the City Council Adopt Planning Commission Bylaws, and Rescinding the 1997 Planning Commission Rules of Procedure.

The forgoing motion was made by Commissioner _____ and seconded by Commissioner _____ and carried by the folowing vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

WITNESS my hand and the seal of said City this 23rd day of April 2019

Joann Martinez
Commission Secretary

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CITY OF SUISUN CITY PLANNING COMMISSION BYLAWS

1. Preface

Title 2, Administration and Personnel, of the Suisun City Municipal Code establishes the Planning Commission of Suisun City. The duties and authorities of the Planning Commission are those conferred upon it by the provisions of Title 7 of the Government Code of California, and any other laws of the state applicable thereto, and those identified in Title 18, Zoning, of the Suisun City Municipal Code. These Planning Commission Bylaws provide guidance to the Planning Commission, project applicants and members of the public on how the Planning Commission will execute its duties. If a conflict arises between these Bylaws and the Suisun City Municipal Code, the Code shall control.

2. Adoption and Amendment of Bylaws

These bylaws shall be adopted by and may be amended by resolution of a majority of the Commissioners present at any Suisun City Planning Commission meeting attended by no less than five members of the Commission.

Upon adoption or amendment by the Planning Commission, such bylaws shall be submitted to the City Council for review. The City Council may, at its sole discretion, overturn approval of these Bylaws and direct the Commission to incorporate amendments as determined appropriate.

3. Adoption of Parliamentary Procedure

The Suisun City Planning Commission shall conduct meetings consistent with the guidelines established under Rosenberg's Rules of Order, Revised 2011, and as amended. Where these Rules of Order are found to be inconsistent with State law or regulations adopted by the City Council of Suisun City, such State or local regulations shall prevail.

4. Duties and Powers of Commissioners

4.1 Responsibilities of Each Planning Commissioner

Commission members serve the City as a whole and represent no special group or interest

The Planning Commission shall have the power to recommend to the City Council, after a public hearing thereon, the adoption, amendment or repeal of the General Plan or any Specific Plan, or any part thereof, for the physical development of the City.

The Planning Commission shall exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by the Suisun City Code.

The Commission shall advise the City Council on those matters falling within its charged responsibilities in a manner reflecting concern for the overall development and environment of the City as a setting for human activities. All reports and recommendations of the Commission to the City Council shall be in writing and presented to the City Council by the Development Services Department on behalf of the Commission.

4.2 Commissioner Preparation

Each of the Commission members shall have the responsibility to keep himself or herself up to date on planning matters. In addition each member should attempt to take advantage of the various educational and training opportunities offered by such organizations as the League of California Cities, University and/or College classes, programs or seminars.

4.3 Addressing Commissioners and Members of the Public

The appropriate title should be used when acknowledging a meeting participant, such as "Mr.", "Ms.", "Commissioner", "Chair", "Vice-Chair", etc. This shows respect, professionalism and avoids the appearance of favoritism.

4.4 Communications with the Press

When speaking to the press, Commissioners should be very specific in stating that they are speaking for themselves only and not for the Commission as a whole.

4.5 Anticipated Absence

Any Commissioner who has knowledge of the fact that he will not be able to attend a scheduled meeting of the Planning Commission shall notify the Planning Director at the earliest possible opportunity and, in any event, prior to 5 p.m. on the date of the meeting. The Planning Director shall notify the Chair of the Commission in the event that the projected absences will produce a lack of quorum.

If any commissioner is absent for three consecutive regular meetings of the Planning Commission without permission of the Commission expressed in its official minutes, he/she shall relinquish his/her seat on the Commission.

4.6 Officers

Selection

The officers of the Planning Commission shall consist of Chairperson and Vice Chairperson, elected by the general membership of the Planning Commission.

The election of officers shall generally occur at the Planning Commission's second meeting in January or as otherwise determined necessary by the Planning Commission. A minimum of 5 of the current membership must be present for the election to take place.

Nominations of members for an office shall be from the floor by a current member of the Planning Commission during the meeting when elections are held. Nominations must be seconded by another member of the Commission. Nominations and elections for Chairperson and Vice-Chairperson shall be completed separately, beginning with Chairperson.

Once nominations are complete, a roll call vote of the Commission for all nominated candidates will be called. A nominee must receive a majority of the votes from Commissioners present to be elected. If no candidate receives a majority vote, the nomination and voting process will be repeated until a candidate receives a majority vote of those Commissioners present.

All terms of office shall be for one year or until the time of the next election of officers.

A member of the Planning Commission may serve in the same office of the Planning Commission for any number of terms.

The Vice-Chair shall succeed the Chair if he/she vacates the office before the term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.

In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

4.7 Duties and Responsibilities of the Chair

Preside at all meetings of the Commission.

Call special meetings of the Commission in accordance with legal requirements and the Rules of Procedure.

Sign documents of the Commission

When so directed by the Commission, represent the Planning Commission at City Council, County Planning Commission and other meetings as the Planning Commission's representative.

4.8 Duties and Responsibilities of the Vice-Chair

During the absence, disability, or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

4.9 Subcommittees

When desirable or necessary, the Chair, with the approval of the Planning Commission, shall appoint standing committees and special committees.

Residents and staff of Suisun City may, at the discretion of the Chair, be appointed to serve on Planning Commission Subcommittees.

Each subcommittee of the Planning Commission shall include no more than three members of the Planning Commission.

Special committees shall be discharged at the end of their assignment.

5. Meetings

5.1 Public Meetings

All meetings shall be held in full compliance with the provision of state law, ordinances of the City, and these Rules of Procedure.

5.2 Regular Meetings

Regular meetings shall be held on the second and fourth Tuesday of the month, at 7:00 p.m. in the Council Chambers of the City Hall unless otherwise determined by the Planning Commission or the Planning Director in consultation with the Commission Chair.

Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled by motion adopted by the Planning Commission or the Planning Director in consultation with the Commission Chair.

5.3 Adjourned Meetings

In the event it is the wish of the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

5.4 Special Meetings

Special meetings of the Planning Commission may be held at any time upon the call of the Chair, the Planning Director, or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours' notice to each member of the Commission and to the press. The time and place of the special meeting shall be determined by the convening authority.

5.5 Study Sessions/Workshops

The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.

5.6 Establishing a Quorum

A quorum of at least four (4) members of the Planning Commission must be present for the Commission to conduct normal business. If the body has less than a quorum of members present, it cannot legally transact business. If the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The only action which may be taken at a meeting attended by less than a quorum is to open the meeting and adjourn the meeting to a time certain. In such event all items on the agenda, including action items and public hearings, shall be continued to the next scheduled meeting and agendas shall be posted as required subject to Gov't Code Section 54955.

5.7 Agendas

Agendas shall be prepared by the staff of the Suisun City Planning Department and shall be posted consistent with City policies and state law.

The agenda shall be approved at the beginning of each meeting. The Planning Commission may choose to change the order of items to be heard in order to better serve the Community and the Commission.

The Planning Commission may add items to the agenda if , by an affirmative vote of at least five (5) members, the Commission determines that an emergency exists or that there is need to take action and that such need came to the attention of the City after the meeting agenda was posted.

Before the close of each meeting the Commission shall discuss future agenda items and may, by an affirmative vote of three members of the Commission, direct staff to include items on future meeting agendas of the Commission.

5.8 Minutes and Record of the Meeting

At each meeting of the Commission, the minutes of the prior meeting shall be presented for approval. Commissioners shall identify any corrections or clarifications prior to approval of the minutes.

5.9 Motions, Debates, and Voting

As noted above, the Commission has adopted Rosenberg's Rules of Order that establishes the processes for conducting meetings, including but not limited to how motions are made and amended, how debate of items shall be conducted and how voting on items is accomplished.

5.10 Conflicts of Interest

In situations where a Commissioner may have conflict of interest under the Political Reform Act, the Open Government Ordinance or other conflict laws, members of the Planning Commission are required to abstain from voting on the item and participating in the decision-making process. The following procedures should be followed:

- Declare the conflict of interest
- State the basis of the conflict of interest
- Do not discuss or vote on the mater
- Step down from the podium and leave the room until the item is completed or unless the Political Reform Act allows the member to remain in the room

5.11 Voting

To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the voting members constituting a quorum. The abstention of voting by any member shall not break the quorum.

Newly appointed members may vote on items immediately after appointment provided they have reviewed the record, including tapes, minutes, reports and files on the item upon which they are voting.

5.12 Dissents and Protests

Any Commissioner shall have the right to dissent from any action of the Commission or ruling of the Presiding Officer and have the reason therefore entered in the minutes. Such

dissent shall be in writing, couched in respectful terms and presented to the Commission not later than the next regular meeting following the date of said action.

6. Conducting a Meeting

Meetings shall be conducted in such manner as the Chair directs, within the rules herein set forth, and any regularly adopted agenda therefore.

6.1 Order of Business within a Meeting

- Call to Order
- Pledge of Allegiance, Invocation & Roll Call
- Approval of Agenda
- Approval of Minutes
- Public Comment (Items not on the Agenda)
- Consent Calendar
- Continued Items
- Public Hearings
- Regular Agenda Items
- Reports By Staff And Planning Commission
- Communications & Petitions
- Agenda Forecast/Future Agenda Items
- Adjournment

6.2 Order for Presentation or Hearing of Proposals

- The Chair shall announce the subject of the public hearing, as advertised.
- If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a specific time and date. If no specific date and time is set, the continued public hearing shall be re-noticed.
- The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.

6.3 Order of Testimony

- Presentation of Applicant's statement – The applicant's presentation shall be limited to fifteen (15) minutes.

- Public Comments – Those who wish to speak on the matter, either for or against, shall be limited five (5) minutes or as otherwise permitted by the Chair.
- If necessary, a rebuttal from the applicant
- Public hearing closed
- The Commission shall then deliberate and either determines the matter or continues the matter to another date and time certain.

6.4 Rules of Testimony

- Persons presenting testimony to the Commission are requested to give their name and address for the record.
- If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesperson should be selected to speak for the entire group. The spokesperson will thus have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
- No person shall address the Commission without first securing the permission of the Chair to do so.
- All remarks shall be addressed to the Commission as a body and not to any member thereof.
- No questions shall be asked of the Commission or member of the staff except through the Presiding Officer.
- No person, other than the Commissioners and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Presiding Officer.
- No person shall be allowed to speak twice until others desiring to do so have had the opportunity to speak.

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CITY OF SUISUN CITY PLANNING COMMISSION



RULES OF PROCEDURE

Adopted by the Planning Commission on January 28, 1997

ORGANIZATION AND OFFICERS

A. Organization

The Planning Commission shall consist of five regular members and shall be organized and exercise such powers as prescribed by the Suisun City Code and any applicable state regulations.

B. Officers

1. Selection

- a. A Chair and Vice-Chair shall be elected annually from among the Commission's membership at the first meeting in July to serve at the pleasure of the Commission.
- b. The Vice-Chair shall succeed the Chair if he/she vacates the office before the term is completed, the Vice-Chair to serve the unexpired term of the vacated office. A new Vice-Chair shall be elected at the next regular meeting.
- c. In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

2. Responsibilities

The responsibilities and powers of the officers of the Planning Commission shall be as follows:

a. Chair

- (1) Preside at all meetings of the Commission.
- (2) Call special meetings of the Commission in accordance with legal requirements and the Rules of Procedure.

- (3) Sign documents of the Commission.
- (4) See that all actions of the Commission are properly taken.
- (5) Assist staff in determining agenda items.
- (6) The Chair shall be an ex officio member of the all committees with voice but not vote.

b. Vice-Chair

During the absence, disability, or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

C. Duties and Powers

1. The Planning Commission shall have the power to recommend to the City Council, after a public hearing thereon, the adoption, amendment or repeal of the General Plan or any Specific Plan, or any part thereof, for the physical development of the City.
2. The Planning Commission shall exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by the Suisun City Code.
3. The Commission shall advise the City Council on those matters falling within its charged responsibilities in a manner reflecting concern for the overall development and environment of the City as a setting for human activities.
4. If any commissioner is absent for three consecutive regular meetings of the Planning Commission without permission of the Commission expressed in its official minutes, he/she shall relinquish his/her seat on the Commission.

D. Rules of Order

Except as otherwise provided in these Rules of Procedure, “Robert’s Rules of Order, Newly Revised,” shall be used as a guide to the conduct of the meetings of the Planning Commission provided, however, that the failure of the Commission to conform to said rules of order shall not, in any instance, be deemed to invalidate the action taken.

MEETINGS

A. Public Meetings

All meetings shall be held in full compliance with the provision of state law, ordinances of the City, and these Rules of Procedure.

B. Regular Meetings

1. Regular meetings shall be held on the second and fourth Tuesday of the month, at 7:00 p.m. in the Council Chambers of the City Hall unless otherwise determined by the Planning Commission or the Planning Director in consultation with the Commission Chair.
2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled by motion adopted by the Planning Commission or the Planning Director in consultation with the Commission Chair.

C. Adjourned Meetings

In the event it is the wish of the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time, and place must be set by the Commission prior to the regular motion to adjourn.

D. Special Meetings

Special meetings of the Planning Commission may be held at any time upon the call of the Chair, the Planning Director, or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours notice to each member of the Commission and to the press. The time and place of the special meeting shall be determined by the convening authority.

E. Study Sessions/Workshops

1. The Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
2. Such meetings shall be open to the public.

F. Agenda

1. An agenda for each meeting of the Commission shall be prepared by the Planning Director with the cooperation and approval of the Chair or in his/her absence, the Vice-Chair.
2. There shall be attached to each agenda a report of matters pending further action by the Commission.

3. A copy of the agenda shall be posted in the City Hall for a period of three full calendar days not counting the day of meeting or the day of posting except for Special Meetings which require a minimum 24 hour posting consistent with D above.

G. Order of Meetings

1. The Order of Business Shall Be as Follows:

- a. The Chair shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order.
- b. The Roll Call of Members present and absent shall be recorded and the establishment of a quorum shall be determined.
- c. Announcements are made. Any revisions to the agenda will be noted.
- d. The minutes of any preceding meeting shall be submitted for approval.
- e. Any member of the audience may comment on any matter which is not listed on the agenda.
- f. The public shall be advised of the procedures to be followed in the meeting.
- g. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing, together with such other matters of business and report as the Commission or Planning Director finds to require Commission consideration.
- h. Adjournment.

2. Presentation or Hearing of Proposals

The following shall be the order of procedure for public hearings concerning planning and zoning matters:

- a. The Chair shall announce the subject of the public hearing, as advertised.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time and date. If no specific date and time is set, the continued public hearing shall be renoticed.
- c. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.
- d. **Order of Testimony.** The order of testimony shall be as follows:

- (1) Applicant's statement
- (2) Public Comments
- (3) If necessary, a rebuttal from the applicant
- (4) Public hearing closed
- (5) The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain.

e. **Rules of Testimony.** The rules of testimony shall be as follows:

- (1) Persons presenting testimony to the Commission are requested to give their name and address for the record.
- (2) If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesperson should be selected to speak for the entire group. The spokesperson will thus have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
- (3) To avoid unnecessary repetitive evidence, the Chair may limit the number of witnesses or the time of testimony on a particular issue.
- (4) Irrelevant and off-the-subject comments will be ruled out of order.
- (5) The Chair will not permit any complaints regarding the staff or individual commissioners during a public hearing.
- (6) No person shall address the Commission without first securing the permission of the Chair to do so.
- (7) All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

H. Motions

1. A motion to adjourn shall always be in order except during roll call.
2. The Chair of the Commission, or other presiding officer, may make and second motions and debate from the Chair, subject only to such limitations of debate as are imposed on all members of the Commission.

I. Voting

1. Voting Requirements

- a. A quorum shall consist of three members eligible to vote on an item. Members abstaining due to a conflict of interest shall not be counted as part of the quorum.
- b. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, the abstention shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered.
- c. Unless otherwise specified by law, where the affirmative vote out numbers the negative vote, the motion passes.

2. Voting Order

The order of voting will be rotated each meeting except that the Chair shall vote last.

3. Recording of Votes

The minutes of the Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

4. Disqualification from Voting

A member shall disqualify himself/herself from voting in accordance with the Planning Commission Conflict of Interest Code. When a person disqualifies himself/herself, he/she shall state prior to the consideration of such matter by the Commission that he/she is disqualifying himself/herself due to a possible conflict of interest and shall then leave the voting area.

Review and Amendments Procedure

A. These Rules of Procedure may be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Commission. The review subcommittee shall present their recommendation for amending, or not amending, these rules.

B. In addition, these Rules of Procedure may be amended at any meeting of the Planning Commission by a majority of the membership of the Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.

Selection and Responsibilities of Chair and Vice Chair

Being Chair is a rewarding experience but involves a number of responsibilities in addition to running the Commission meetings. Normally, a lot of extra time is spent both preparing for such meetings and working with the Planning Director and others on various matters such as those noted below.

Those Planning Commissioners who have not served as Chair might discuss the responsibilities with the present or former chairperson to get a better idea of what is involved.

It has been the Commission's practice for Commission members to take turns being the Chair and the Vice-Chair. Sometimes members serve one term and sometimes two consecutive terms. Seniority is often a consideration but does not have to be a deciding factor. Also, consideration should be given to a member's ability and effectiveness as chair in making the selection. Of course, sometimes individual Commission members prefer not to be the Vice-Chair and/or the Chair and that should be respected.

The following is a list of many of the Planning Commission Chair's responsibilities. A number of these can fall on the Vice-Chair in the Chair's absence.

- A. Preside at all meetings of the Commission.
- B. Call special meetings of the Commission in accordance with legal requirements and the Rules of Procedure.
- C. Sign documents of the Commission.
- D. See that all actions of the Commission are proper.
- E. Assist staff in determining agenda items.
- F. Appoint committees as necessary.
- G. Assist staff in determining whether certain matters can be handled administratively or should come to the Planning Commission.
- H. Attend certain City Council, County Planning Commission and other meetings as the Planning Commission's representative.
- I. Communicate informally as necessary with the Mayor, City Councilmembers, and City Manager on certain Planning Commission matters.
- J. Assist in the orientation and education of new Planning Commission members.

- K. Write and approve letters on behalf of the Planning Commission.

Procedures for Chairing Meetings

The following steps are normally appropriate for regular Planning Commission meetings:

- A. **Call the meeting to order** promptly at the appointed hour (if a quorum exists).
- B. **Roll Call.** Ask the staff to call the roll.
- C. **Update Agenda.** Ask whether staff or commissioners have any proposed changes to the agenda and indicate when and how those new items will be considered.
- D. **Minutes.** Note the minutes on the agenda and, unless changes are necessary, ask for a motion to approve them. Voice vote is sufficient.
- E. **Communications.** Announce that this is the time on the agenda that any member of the audience may comment on any matter which is not listed on the agenda.
- F. Announce to the audience certain Planning Commission procedures:

The Planning Commission normally ends its meetings at 11:00 p.m. even if it necessitates carrying items over to another meeting. The Planning Commission will not consider a new item on the agenda after 11:00 p.m., except under unusual circumstances.

In order to assist in completing the agenda items, please be brief and to the point; preferably 2 to 5 minutes. The maximum time limit is 10 minutes unless prior arrangements have been made.

Please use the microphone and write your name and address on the speakers card and turn them into staff so that we have the information for the record.

- G. **Regular Agenda Items:**

1. **Announce** the item.
2. Ask the staff to present the **staff report**.
3. Ask the Planning Commission if they have **any questions** for the staff.
4. **Open** the public hearing. If it is necessary to continue the public hearing, make sure that the hearing is opened (and not closed) and continued to a specific time and date.

5. Invite the **applicant** to speak.
6. Invite **others who have an interest in** the application to speak.

Instructions to audience: If you decide to speak, please start by giving your name and address and completing the sign-up sheet at the podium. Then tell the Commission your concerns. We want your views; don't worry about how to say them. If several people have spoken, try not to be repetitious. If there are several with the same concerns, please try to appoint a spokesperson. The Commission is particularly interested in the specific reasons you are for or against a proposal because the Commission's decision needs to be based on specific reasons.

7. Ask the staff if any **written communications** have been re-received and, if so, have them either read into the record or summarized as appropriate.
8. Allow, if necessary, the applicant to make a **rebuttal** statement. This must be brief and limited to a rebuttal of comments made by those in opposition.
9. **Close** the public hearing.
10. Ask the Planning Commission if they have **any questions** for the staff or public hearing speakers.
11. Turn the item over to the Planning Commission for **discussion**. It may be appropriate to focus or structure the discussion regarding certain issues or questions. If the Commissioners do not volunteer comments, it may be necessary to ask individual Commissioners what they think about specific points. Normally, the Commission should first discuss land use and zoning issues, and then deliberate on specific conditions and details rather than mixing the two or beginning with details.
12. After a motion and second are made, **restate the motion** or at least get confirmation from the Planning Commission that everyone is clear on the motion prior to voting if necessary.
13. Call for **the question** (vote). **Roll call vote** may be used when necessary.
14. Following the voting, **announce** the Planning Commission's **action to the audience**. Indicate whether the action is final or whether it is a recommendation to the City Council as well as the appeal procedure, if applicable. Indicate when the City Council is scheduled to consider the matter and encourage participation. Indicate, **if there are any questions** regarding this action, possible appeal procedures, etc., that the Planning Department should be contacted for assistance.

- I. **Adjournment:** Prior to adjourning the meeting, ask staff whether the meeting needs to be adjourned to a specific time and date.

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