

"Placerville, a Unique Historical Past Forging into a Golden Future"

**Development Services Department Staff Report
Map 21, 2019 Planning Commission Regular Meeting
Prepared By: Andrew Painter, City Planner**



Item 8.2 Planning Commission Bylaws Review / Amendment

At the April 16, 2019 regular meeting, the Commission by general consent requested that staff place on an upcoming agenda the opportunity to review and potentially amend the Planning Commission Bylaws. Per Article 7(g) of the Bylaws, there must be five members present to vote to repeal, amend or to add to the Bylaws.

Bylaws are attached for reference and discussion. The Planning Commission webpage also contains a link to the current adopted version of April 17, 2018:

<https://www.cityofplacerville.org/planning-commission-home>

A handwritten signature in blue ink, appearing to read "Andrew Painter", is written over a horizontal line.

Andrew Painter, City Planner

**CITY OF PLACERVILLE
PLANNING COMMISSION**

BYLAWS

ARTICLE 1. AUTHORITY

The following Bylaws of the Planning Commission of the City of Placerville, hereinafter referred to as the Commission, are hereby adopted pursuant to Section 65102 of the Government Code of the State of California, and Title II, Chapter 2 of the City Code of the City of Placerville.

ARTICLE 2. MEMBERS

The members of the Planning Commission shall be appointed pursuant to Section 2-2-3 of the Placerville City Code and their terms of appointment shall be as provided in Section 2-2-4 of the Placerville City Code. There is no limit as to the number of terms a Commissioner may serve.

ARTICLE 3. OFFICE

The principal office of the Planning Commission shall be at the City Hall of the City of Placerville, Placerville, California.

ARTICLE 4. MEETINGS

- (a) Regular meetings of the Commission shall be held in the City Council Chambers, 549 Main Street, Placerville, starting at 6:00 p.m., on the first and third Tuesday of each month. When either date falls on a legal holiday, the meeting may be held on the next City business day with the consensus of the Commission.
- (b) Special meetings of the Commission may be called in accordance with Government Code Section 54956.
- (c) The Planning Commission normally ends its meetings by 10:00 p.m. even if it necessitates carrying items over to another meeting. The Planning Commission will consider only "Reports of the Commission and Staff" on the agenda after 9:30 p.m., unless otherwise changed by a majority vote of the quorum.
- (d) Meetings may be adjourned to another time and place by the Chair. The Chair shall so announce the time and place.

ARTICLE 5. OFFICERS

- (a) The officers of the Commission shall consist of a Chair and a Vice Chair.
- (b) The Chair and Vice Chair shall be elected for a one-year term from the voting members of the Commission at the first regular meeting on or after March 1st, or the first regular meeting after the appointment of new Planning Commissioners. The Chair shall take office at the following meeting. Vacancies shall be filled in the same manner, at the regular meeting immediately following the time the vacancy occurs.
- (c) The Chair shall act as the presiding officer at all meetings of the Commission.
- (d) The Vice Chair shall preside and exercise all the duties of the Chair in the absence of the Chair. In the absence of both the Chair and Vice Chair, a Temporary Chair shall be elected by the quorum to act as Chair until the return of the Chair or Vice Chair.
- (e) The Development Services Director shall designate an Executive Secretary to the Planning Commission. The Executive Secretary shall govern the keeping of minutes of all proceedings, prepare correspondence, reports, sign all documents on behalf of the Commission and perform other duties as directed by the Commission.
- (f) The Development Services Director shall designate a Recording Secretary to the Planning Commission. The Recording Secretary shall keep the minutes of all meetings of the Commission. The Recording Secretary shall call the roll and note in the minutes of each meeting the names of the Commissioners present and absent. The Recording Secretary shall poll the Commission and show the vote of each member upon each question requiring an individual vote, or if a member is absent or fails to vote shall indicate such fact.

ARTICLE 6. COMMITTEES

- (a) When desirable or necessary, the Chair, with the approval of the Planning Commission, shall appoint standing committees and may appoint special committees.
- (b) Special committees shall be discharged at the end of their assignment.

ARTICLE 7. PROCEDURES

- (a) Meetings shall be conducted in such manner as the Chair directs, within the rules herein set forth, and any regularly adopted agenda therefore.
- (b) Three voting members of the Commission shall constitute a quorum for the transaction of business. The only action which may be taken at a meeting attended by less than a quorum is to adjourn the meeting to a time certain or sine die.
- (c) At each meeting of the Commission, the minutes of the prior meeting shall be presented for approval.
- (d) 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.
- (e) 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.
- (f) Members of the Commission who are unable to attend a meeting shall, if possible, so inform the Chair or the Executive Secretary in advance of said meeting in order to determine a quorum in advance. In addition, Members must adhere to the attendance policy of the *City of Placerville Committee, Commission and Board Policy Manual*.
- (g) There must be five members present to vote on election of officers and to repeal, amend, or add to Bylaws.
- (h) Newly appointed members may vote on items immediately after appointment provided they have reviewed the record, including, videos, tapes, minutes, reports and files on the item upon which they are voting.

ARTICLE 8. VOTING

- (a) Every official act taken by the Planning Commission shall be by resolution or motion adopted by the affirmative vote of the majority of the members constituting a quorum. Other general and routine matters may be approved by general consent.
- (b) The usual voting sign on all Planning Commission matters will be by the Recording Secretary orally polling the Commission.
- (c) In the event a formal application fails to be either approved or denied by the Planning Commission, the application will automatically be forwarded to the City Council for action.

ARTICLE 9. ORDER OF BUSINESS at regular meetings should be as follows:

- (a) Adjourn to Closed Session (if applicable)
- (b) Call to Order and Pledge of Allegiance
- (c) Roll Call
- (d) Election of Chair Pro-Tem in the event of the absence or inability to act by both the Chair and Vice Chair
- (e) Closed Session Report (if applicable)
- (f) Consent Calendar

All matters listed under the Consent Calendar are considered routine and will be enacted by general consent, unless any Commissioner requests a roll call vote, or unless any member of the Commission or Staff or audience wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Commission member requests otherwise.

Typical Consent Calendar items: Adoption of Minutes and Agenda, follow-up items or conditions specific to an approved entitlement, such as a Conditional Use Permit or site plan review.

- (g) Items Pulled From Consent Calendar
- (h) Items of Interest to the Public (the Planning Commission is not permitted to take action on issues raised under this item)

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the Agenda that is within the subject matter jurisdiction of the Planning Commission. State law prohibits the Commission from acting on items not listed on the Agenda except by special action of the Planning Commission under specified circumstances. The Chair reserves the right to limit the speaker's time to three minutes. The Chair will recognize the speaker and invite them to voluntarily state their name for the record. Personal attacks on individuals or comments which are slanderous or which may invade an individual's personal privacy will not be tolerated.

- (i) Communications
- (j) Presentations and Educational Workshop Sessions
- (k) Environmental Assessments/Public Hearings

- (l) Continued Items
- (m) New Business
- (n) Matters from Commissioners and Staff
- (o) Adjournment

ARTICLE 10. ORDER FOR EACH SPECIFIC AGENDA ITEM

- (a) Chair announces matter next to be discussed
- (b) Chair calls on Planning staff to:
 - 1) Present staff report and describe findings
 - 2) Explain application and outline any unique problems
 - 3) Present staff recommendations
 - 4) Present summary alternatives and necessary recommendations
 - 5) Read communications received which are concerned with application
- (c) Chair invites questions and clarifications of Planning staff by Commission
- (d) Chair calls on applicant, counsel or agent to:
 - 1) Present request
 - 2) Demonstrate when necessary that the granting of the request will be in the public interest
- (e) Commission hears those present:
 - 1) Chair opens the public hearing if applicable
 - 2) Each person seeking to speak is invited to the lectern and invited to voluntarily state their name and/or address for the record.
 - 3) Chair closes the public hearing if applicable

- (f) Commission acts to:
 - 1) Close or continue hearing until later date
 - 2) Discuss
 - 3) To approve, conditionally approve, deny or take under advisement
 - 4) To recommend approval, conditional approval, or denial to the City Council

ARTICLE 11. OTHER

- (a) Any person may have a matter placed on the Commission's agenda by making the request to the Executive Secretary no later than twenty-one days preceding the meeting. The Executive Secretary will plainly mark on all applications or date filed with the Development Services Department the date of filing, then set a time on the agenda, stating the name of the party and the purpose of the appearance.
- (b) The Development Services Director or his designee shall post the Planning Commission Meeting Agenda 72 hours prior to such meeting in the front window of City Hall and shall maintain record of the date and time such agenda was posted.
- (c) The Development Services Director or his designee shall act as Technical Advisor for the Planning Commission.
- (d) The City Attorney of the City of Placerville shall be the attorney for the Planning Commission and will attend its meetings upon request.
- (e) Any question of procedure not governed by the rules herein set forth, shall be decided in accordance with the latest revised edition of Robert's Rules of Order.
- (f) The Commission, by motion passed by a majority of the quorum, may suspend or vary the application of the rules with regard to any proceedings, or to any particular problem before the Commission.