

CITY OF PLACERVILLE PLANNING COMMISSION

BYLAWS

ARTICLE 1. AUTHORITY

The following Bylaws ~~of~~ for the City of Planning Commission ~~of the City of Placerville,~~ ~~hereinafter~~ hereafter 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 Placerville City Hall ~~of the City of Placerville, Placerville,~~ located at 3101 Center Street in Placerville, California.

ARTICLE 4. MEETINGS

- (a) Regular meetings of the Commission shall be held in the City Council Chambers, located at 549 Main Street in, Placerville, starting at 5:00 p.m., on the first 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 Section 54956 of the State of California Government Code, as that section may be amended from time to time. ~~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~~ After 9:30 p.m., the ~~Planning~~ Commission will consider only “Reports of the Matters from Commissioners and Staff” on the aAgenda ~~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 by 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, subject to Article 7(g) of these Bylaws. 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~~ In the absence of the Chair, 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 (Chair Pro-Tem) 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 Development Technician to the ~~Planning~~ Commission. The Development Technician shall govern the keeping of minutes of all proceedings; ~~prepare correspondence and;~~ 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 Development Technician to the ~~Planning~~ Commission. The Development Technician 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; ~~and~~ 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. The Chair may appoint advisory or "ad hoc" committees, as appropriate.
- (b) Advisory or "ad hoc" 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 as outlined by the rules herein set forth, the Brown Act, and Robert's Rule of Order, and any the regularly adopted agenda Agenda therefore.

- (b) A quorum of at least three Commissioners, which is a majority of five members, must be present before the Commission has legal authority to act. ~~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. A majority vote of the total Commission is required to pass all motions and resolutions.~~
- (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 a majority vote of the total membership of the Commission ~~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.~~
- € 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 Development Technician 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)
- (h) Newly appointed members may vote on items immediately after appointment provided they have reviewed the record, including, for example, and as applicable: videos, tapes, minutes, reports, and files ~~on~~ related to 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 taking a roll call vote of the Commission.
- (c) In the event of a formal application ~~fails~~ failing to be either approved or denied by the ~~Planning~~ Commission, the application will be considered denied.

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 by the Chair, Vice Chair, or the Development Technician in the absence of the Chair and Vice Chair.
- (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 Commissioner, Staff member,~~ or audience member wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Commissioner ~~member~~ requests otherwise.

Typical Consent Calendar items include: 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~~ Site Plan Review.

- (g) Items ~~Pulled From~~ 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~~ but 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 (3) 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 and Ex Parte Disclosures
- (j) Presentations and Educational Workshop Sessions

- (k) Environmental Assessments/Public Hearings/Public Meetings
- (l) Continued Items
- (m) New Business
- (n) Matters from Commissioners and Staff

~~The intent of this Bylaw~~ This portion of the meeting is for staff to update those in attendance ~~of on~~ the status of upcoming meetings; ~~of~~ recent actions taken by City Council on items previously considered by the Commission; ~~of~~ the status or completion of City and community projects; ~~of~~ community-wide activities and events (e.g. ~~Brewfest~~, National Night Out, Wagon Train, etc.). For ~~Commissioners, Members~~ this time is for: updating others ~~Members of on~~ sub-committee work (when applicable); ~~of~~ updating others ~~Members of on~~ topics and issues learned at land use and planning conferences, or workshops, webinars; general comments regarding planning and land use within Placerville; ~~or~~ other items which may be ~~within~~ related to the purview of the ~~Planning~~ Commission.

- (o) Adjournment

ARTICLE 10. ORDER FOR EACH SPECIFIC AGENDA ITEM

- (a) Chair announces matter next to be discussed and any Commissioner who has a conflict recuses self.
- (b) Chair calls on ~~Planning staff~~ City Staff to:
 - 1) Present staff report and describe findings
 - 2) Explain application and outline any unique ~~problems~~ considerations
 - 3) Present staff recommendations
 - 4) Present summary alternatives and ~~necessary~~ related recommendations
 - 5) Read communications received which are concerned with application
- (c) Chair invites questions and clarifications of ~~Planning staff by Commission Staff~~ from Commissioners
- (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~~ asked 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~~ Approve, conditionally approve, or deny.
 - 4) ~~To recommend~~ 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~~ Agenda that is within the jurisdiction of the Commission, by making the request to the Development Technician ~~no later~~ less than twenty-one (21) days preceding ~~the~~ a meeting. The Development Technician will plainly mark on all applications ~~or the~~ the date filed with the Development Services Department ~~the date of filing, and~~ and then set a time on the ~~agenda~~ Agenda, stating the name of the requesting party and the purpose of the appearance.
- (b) The Development Services Director or his or her designee shall post the regular Planning Commission Meeting Agenda no less than seventy-two (72) hours prior to such meeting in the front window of City Hall and shall maintain record of the date and time such ~~agenda~~ 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, or his or her designee, 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 state law or revised edition of Robert's

Rules of Order; provided, however, if there is a conflict as between these rules and state law, these rules will not be interpreted to violate any state law.

- (f) The Commission, by motion passed by a majority of the quorum, may suspend or vary the application of the rules ~~with regard to~~ regarding any proceedings, or to any particular problem before the Commission.