



# CITY OF **BIG BEAR LAKE** *California*

## **PLANNING COMMISSION ADMINISTRATIVE REGULATIONS**

*(Exhibit A to Planning Commission Resolution 81-A)*

*Amended January 20, 2021*

### **1. Election and Term of Officers**

- A. The Planning Commission shall elect a chair and a vice chair from among its appointed members for a term of one year at its first regular meeting in July of each year.
- B. The chair and the vice chair shall hold office for one year and thereafter until their successors are elected. In case of any vacancy in office, the vacancy shall be filled by an election held at the first regular meeting after the occurrence of such vacancy.

### **2. Duties of Officers and Staff**

- A. *Chair or Chairperson.* The chair shall preside at all meetings of the Commission. He or she shall appoint all committees and shall perform all other duties necessary, customary or incidental to the office.
- B. *Vice Chair or Vice Chairperson.* The vice chair in the absence or inability of the chair to act, shall take the chair's place and perform the required duties. In the event of absence, or inability to act, by both the chair and the vice chair, the remaining members of the Commission shall elect one of their members to act as temporary chair.
- C. *Secretary.* The secretary (Planning Director) shall provide technical advice to the Planning Commission, shall assist the Commission in the discharge of their responsibilities and shall maintain minutes of meetings and records of hearings and official actions.

### **3. Meetings**

- A. *Quorum.* A quorum of the Planning Commission is required to open a meeting or to take any formal actions. A minimum of three (3) members shall represent a quorum.
- B. *Regular Meetings.* Regular meetings of the Commission shall be open to the public and shall be held on the first and third Wednesday of each month at 1:15 p.m. in the Civic and Performing Arts Center. If the regular meeting day falls on a legal holiday, the Commission or the secretary may fix another day thereafter. Any regular meeting of the Planning Commission may be adjourned to another place, date, and time within the City in accordance with State law.
- C. *Special Meetings and Study Sessions.* Special meetings and study sessions of the Commission shall be open to the public and shall be held at such time and place as the Commission may determine or they may be called by the chair or majority of the members of the Planning Commission upon 24-hour notice pursuant to the Government Code. The secretary shall be responsible for giving any necessary notice of such special meetings as prescribed by law

### **4. Agendas for Meetings**

- A. Copies of the prepared agenda should be made available to members of the public attending the regular commission meeting by placing same near the entrance of the place of meeting. No matter other than those on the agenda may be acted upon by the Planning Commission.
- B. A copy of the agenda and staff reports for every regular meeting of the Planning Commission shall be posted at least 72 hours prior to the date of the meeting at which such agenda is to be considered.
- C. It shall be the right of any Planning Commissioner to place any item on a future agenda provided such item is added at least ten (10) days prior to the meeting in which it is considered, except for public hearing items. In the case of public hearing items requested by a Planning Commissioner, a request must be considered by the entire Commission prior to scheduling.

## **5. Order of Business**

The order of business at any regular meeting shall be presented as follows:

- 1. Call to Order
  - Flag Salute
  - Roll Call
  - Staff Introductions
  - Agenda Review and Approval
- 2. Public Comments
- 3. Consent Items
- 4. Public Hearings
- 5. Other Business/Study Session
- 6. Commission Reports
- 7. Director's Announcements
- 8. Adjournment

## **6. Voting**

- A. A tie vote shall be deemed failure of a motion.
- B. In the event any Planning Commissioner votes in the minority of any item coming before the Planning Commission, it shall be the policy that such Commissioner state the reasons why he or she voted in the minority so that said reason may be recorded in the minutes.
- C. Any member of the Commission who has a conflict of interest on any matter on the agenda shall refrain from any manner of influencing or participating on that matter. Before the item is considered, the Commissioner must announce on the public record the nature of the conflict, leave the meeting room, and refrain from discussing said item. Upon completion of actions and motions on that matter, the conflicted Commissioner may return to the meeting room.
- D. Every official action taken by the Commission on a development application shall be by resolution.

- E. A roll call vote shall be taken upon the passage of all resolutions or upon request of any Planning Commission member. The chair shall vote last and will announcement the outcome of the motion.

## **7. Time Limit**

- A. The Planning Commissioners shall consider all publicized agenda items. Remaining agenda items after 6:00 p.m. shall be continued to the next regular meeting agenda, unless otherwise requested by a majority of the Planning Commission.
- B. Each speaker is limited to three (3) minutes to speak on any matter. If there are ten (10) or more such speakers, the chair has discretion to limit comments to less time.

## **8. Rules of Order for Conduct of Proceedings**

- A. The chair of the Planning Commission shall be the presiding officer and shall assume the place and duties as such immediately following such election. He or she shall preserve strict order and decorum at all meetings of the Planning Commission, state questions coming before the Planning Commission, announce its decision on all subjects and decide all questions of order; subject, however, to an appeal to the Planning Commission as a whole in which event a majority vote of the Planning Commission members shall govern and conclusively determine such question of order. The chair shall vote on all questions.
- B. In the absence of the chair, the vice chair shall call the Planning Commission to order. In the absence of the chair and vice chair, the secretary of the Planning Commission or designee shall call the Planning Commission to order, whereupon a temporary chair shall be elected by the Planning Commission present. Upon arrival of the chair or vice chair, the temporary chair shall relinquish the chair at the conclusion of the item before the Planning Commission.

## **9. Meeting Minutes**

- A. The minutes of the Planning Commission shall be retained by the secretary of the Planning Commission in permanent record. The secretary of the Planning Commission shall be required to make a record only of such business that was actually passed by a vote of the Planning Commission and shall not be required to record any remarks of Commissioners or of any other person, except a special request of a commissioner; provided further that a record shall be made of the names and addresses of persons addressing the Planning Commission, the title of the subject matter to which the remarks are related and whether they spoke in support of or in opposition to such matter.
- B. As soon as practical after each Planning Commission meeting, the secretary of the Planning Commission shall cause a copy of the minutes thereof to be made available to the public, upon request.
- C. Unless the reading of the minutes of the Planning Commission meeting is requested by a commissioner and approved by majority vote, such minutes may be approved without reading if the secretary of the Planning Commission previously has furnished each commissioner with a copy thereof. Nothing may be added to the minutes, except, that they may be amended by a majority vote of the Planning Commission members to reflect correctly the business of the Planning Commission at such meeting.

## 10. Rules of Debate

- A. *Presiding officer may debate and vote.* The presiding officer may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all commissioners, and shall not be deprived of any of the rights and privileges of a commissioner by reason of his or her role as the presiding officer.
- B. *Getting the floor; improper references to be avoided.* Every commissioner desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine him/herself to the question under debate, avoiding all personalities and indecorous language.
- C. *Interruptions.* A commissioner, once recognized, shall not be interrupted when speaking unless it is to call him or her to order or as herein otherwise provided. If a commissioner, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and if in order, they shall be permitted to proceed.
- D. *Motion to Reconsider.* Motion to reconsider any action taken by the Planning Commission may be made on the date such action was taken and must be made by a commissioner voting in favor of the Commission's decision.
- E. *Disqualification and Abstention.* No Planning Commissioner shall be permitted to disqualify him/herself and abstain from voting unless reason for such disqualification is stated. Disqualifications and abstentions shall not be counted by the secretary of the Planning Commission except as such.
- F. *Silence constitutes affirmative vote.* Unless a commissioner states that he or she is not voting, their silence shall be recorded as an affirmative vote.

## 11. Rules of Order

Except as otherwise provided in this resolution, the latest edition of "Robert's Rules of Order, Revised" shall govern the conduct of the meetings of the Planning Commission. However, no resolution, proceedings or other action of the Commission shall be invalidated, or the legality thereof otherwise affected by the failure or omission to observe or follow such rules.

It is the responsibility of the chair to control public debate so that repetitive or irrelevant remarks are not made; so that everyone has had a chance to speak before others speak for a second time, and so as to expedite the business at hand. No person shall speak more than twice during the same meeting to the same question, not longer than three (3) minutes at one time without leave of the chair or commissioner presiding at the meetings.

Whenever any group of persons wishes to address the Planning Commission on the same subject matter, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Planning Commission, and in case additional matters are to be presented at the time by any other member of said group, to limit the number of persons so addressing the Commission, so as to avoid unnecessary repetitions before the Planning Commission.

## 12. Decorum

- A. *By Commission Members.* While the Planning Commission is in session, the members shall preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Planning Commission, nor disturb any member while speaking or refuse to obey the orders of the Planning Commission or the presiding officer, except as otherwise herein provided.
- B. *By Other Persons.* Any person, while in attendance at any Commission meeting, shall preserve order and decorum, and any person shall neither, by conversation or otherwise, delay or interrupt the Planning Commission proceedings or the peace of the Commission. All speakers and presentations before the Commission shall be directed to the Planning Commission, and not to staff or other members of the public. No person shall disturb any Planning Commission member while speaking or refuse to obey the orders of the Commission or the presiding officer.

## 13. Motion to Adjourn

A motion to adjourn shall always be in order and shall be decided without debate.

## 14. Planning Commission Policies

- A. *Publicity.* The secretary shall release all official information or stories to the press at the approval of the City Manager. Copies of all publicity items shall be distributed to the Commission for their review and information.
- B. *Attendance.* Each Commission member shall attend every regular or special meeting unless unavailable with prior notice being provided to the chair of the Commission and the secretary. The Commission may excuse members if prior notice is given to the chair and/or secretary. In such an instance, the absence of a Commission member shall be recorded in the minutes and classified as being excused if prior notice has been given.

A maximum of seven (7) absences (excused and unexcused) accumulated during any year beginning July 1 and ending June 30, or a maximum of three (3) unexcused absences during any year beginning July 1 and ending June 30 shall cause the Planning Commission to declare the Planning Commissioner's seat vacant and cause the Commission to recommend that the City Council remove said Commissioner.

Special Meetings called in the absence of a Planning Commissioner, whether said absence is excused or unexcused, shall not be counted against said Commissioner.

- C. *Conflict of Interest.* Any Planning Commissioner who has had a direct or indirect financial interest in any matter before the Commission shall publicly state that there is a possible conflict of interest and excuse him/herself from the hearing for that item.

## **15. Amendments**

These rules and regulations may be amended by the Commission at any regular meeting by an affirmative vote of the members of the Commission.

## **16. PROCEDURE FOR CONDUCTING A PUBLIC HEARING**

- (1) Chair reads the request.
- (2) Chair asks the Director for the staff report, and may set reasonable time limits for presentation to the Commission.
- (3) Chair asks Planning Commission if there are any questions of the staff regarding the report. The Chair may limit the time to be spent on an item.
- (4) Chair opens the Public Hearing, asks the audience, "Is the applicant present, if so, please come forward and state your name and address for the record."
- (5) Chair asks the Planning Commission if they have any questions of the applicant. Upon addressing Commission questions and comments, the applicant may be seated.
- (6) Chair asks if anyone in the audience would like to provide comments on the matter at hand. If so, they should be recognized, come forward, give their name and address for the record, and speak.
- (7) Chair asks the applicant if they wish a rebuttal. If so, chair invites Applicant up to five (5) minutes to make a rebuttal to address public comments.
- (8) Chair closes the public hearing for the item so that the Commission can deliberate on the matter at hand.

IF THERE ARE ANY ADDITIONAL QUESTIONS OF THE  
APPLICANT OR PEOPLE IN THE AUDIENCE, THE PUBLIC  
HEARING MUST BE REOPENED BY THE CHAIR

- (9) Chair begins or asks a commissioner to begin the deliberations. The Commission should disclose any ex parte communications, then proceed to discuss, motion, and vote on the matter.
- (10) Chair asks for a motion on the item, then a second.
- (11) Chair asks for any discussion on the motion, then calls for the vote. If the vote is split, chair asks for reason.
- (12) Chair makes announcement of action.