

## RESOLUTION NO. 60-13

### A RESOLUTION AMENDING THE BYLAWS OF THE GRAND JUNCTION PLANNING COMMISSION

#### Recitals:

WHEREAS, the bylaws of the Grand Junction Planning Commission were last significantly amended/adopted as a whole was in 1997; and

WHEREAS, since last adopted, changes have been considered by the Planning Commission for changes considering the operation and needs of the Planning Commission; and

WHEREAS, the Planning Commission recommended approval of the amendments to the Bylaws at its September 10, 2013 meeting; and

WHEREAS, the City Council finds that these amendments are necessary and prudent to the continued efficient function of the Planning Commission.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the Bylaws of the Grand Junction Planning Commission are amended to read as follows:

#### **CITY OF GRAND JUNCTION PLANNING COMMISSION BYLAWS**

##### **PLANNING COMMISSION OFFICERS – DUTIES, POWERS, ELECTION and TERMS OF OFFICE**

- 1 Chairperson
  - a) Presides at all meetings of the Commission.
  - b) Calls special meetings of the Commission in accordance with the bylaws.
  - c) Signs documents of the Commission.
  - d) Sees that all actions of the Commission are properly taken.
  - e) Serves as ex-officio member of all committees established by the Grand Junction Planning Commission with voice but no vote.

- f) Elected by the Commission at a regular meeting in May of each year.
- g) Votes under the same procedures as other Commission members at public hearings.
- h) Shall not serve more than two (2) consecutive full years as Chair except with the unanimous vote of the members of the Planning Commission.

## 2 Vice-Chairperson

- a) During the absence, disability, or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.
- b) Elected by the Commission at a regular meeting in May of each year.
- c) Shall succeed the Chairperson if the office is vacated before the term of the Chairperson has expired; the Vice-Chairperson shall serve the unexpired term of the vacated office. A new Vice-Chairperson shall be elected by a majority vote of the members of the Planning Commission at the next regular meeting following the Vice-Chairperson assuming the Chair.

## 3 Secretary and Staff

- a) Engineering, planning and technical staff to the Commission are provided by the City.
- b) The Secretary to the Commission shall keep the minutes of all public hearings of the Commission in an appropriate manner.
- c) The Secretary shall prepare minutes, transcripts and certifications of record(s) of the Commission.

## PLANNING COMMISSION MEMBER CONDUCT

- 1 The Chairperson, on behalf of the Commission, may recommend to the Grand Junction Planning Commission that a member be removed from the Commission after three (3) unexcused absences during a calendar year. The determination of what comprises an unexcused absence shall be left to the discretion of the Chairperson and/or Vice-Chairperson. A recommendation to the City Council for removal of a member requires a motion, only after a finding of three (3) unexcused absences as provided herein, and majority vote of the members. The Chairperson and the member considered for removal shall be entitled to vote.

- 2 Commissioners attend both the workshops and the regularly scheduled public meetings. Any Commissioner may recommend to the Grand Junction Planning Commission that a member be removed from the Commission after six (6) or more excused/unexcused absences during a calendar year. If a majority of the members find that the absence of the Commissioner is a neglect of duty or is inefficient for the actions and operations of the Commission, then the matter shall be presented to City Council for consideration for removal. The member considered for removal shall be entitled to vote.
- 3 The Planning Commission members shall not discuss applications filed, to be filed or contemplated with petitioner(s), applicant(s) or representative(s) in individual sessions or telephone conversations. Commissioners shall make no comment or input on a petition or item on the Planning Commission Agenda prior to consideration at a meeting or hearing of the Commission. This bylaw shall not be construed in such a way so as to prevent Planning Commission members from questioning or interviewing members of the development community, private citizens, City staff or other parties that may have information which will enhance a Commissioner's ability to perform his/her duties.

#### PLANNING STAFF RESPONSIBILITIES TO PLANNING COMMISSION

- 1 Gives or serves all notices by law or these rules.
- 2 Prepares the agenda for all meetings of the Commission.
- 3 Is custodian of all Commission records and documents including all maps, plats and other matters required by law, rule or regulation filed, kept or controlled by the Department.
- 4 Informs the Commission of correspondence relating to business of the Commission and attends to such correspondence as necessary.
- 5 Administers funds allocated to the Commission in accordance with its directives, the law and City regulations.

#### CONDUCT OF MEETINGS

- 1 The number of meetings per month and a schedule of meeting dates shall be established and may be altered or changed at any regularly scheduled meeting. Two regular meeting dates are established each month on the second and fourth Tuesdays of each month at 6:00 PM in the City Hall Auditorium, located at 250 North 5th Street.

- 2 Additional meetings may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Commission or upon request of the Grand Junction City Council following no less than a 24 hour notice to each member of the Commission. In addition to any other means of providing notice, the Commission shall be deemed to have given full and timely notice if the notice of the meeting is posted in the designated public place no less than 24 hours prior to the holding of the meeting.
- 3 Each member of the Planning Commission who has knowledge that he/she will not be able to attend a scheduled meeting of the Commission shall notify the Staff member designated by the Chairperson at the earliest possible opportunity and, in any event, prior to 3:00 PM on the date of the meeting. Failure to give such advance notice may result in the Chairperson determining an unexcused absence for that member. The Staff member shall notify the Chairperson of the Commission in the event that scheduled or anticipated absences will result in the lack of a quorum.
- 4 The Commission shall conduct all meetings in accordance with generally accepted parliamentary procedure unless otherwise provided for in these rules.
- 5 Grand Junction Planning Commission Order of Hearing: the following procedure will normally be observed; however, the Chairperson may designate an alternate order for the expeditious conduct of business.

a) Consent Agenda

- 1) Items of a non-controversial or minor nature may be heard and considered by the Commission on a consent agenda.
- 2) For all items on the consent agenda, the Chairperson shall read the title of each item and determine if the Petitioner or Representative is present. The Chairperson shall then ask if any of the Commissioners, the Petitioner or public want an item or items removed from the consent agenda. If not, the agenda is voted on by the Commission. If an item is removed from the agenda, it will be heard at a full hearing, in accordance with the procedures established in paragraph b, below. A Commissioner may vote no on any item without removing the item from the consent agenda, or may vote no on the entire agenda. One Planning Commission member may remove an item or items from the consent agenda. Removal may be for any or no reason; the Commission may explain the reason for removal but that is not required.
- 3) Removal of an item or items from the consent agenda or placement of an item or items on a consent agenda may occur by the Staff or a majority of the Commissioners at the workshop or at public hearing.

b) Public Hearing Agenda

- 1) Chair reads the agenda item and asks if the Petitioner or Representative is present. If the Petitioner or Representative is present, Chair opens hearing.
- 2) Petitioner or Representative presents the proposal, Review Agency and Staff comments which have not been resolved.
- 3) Planning Commission may question Petitioner or Representative to clarify any items in the presentation.
- 4) Staff presents additional information on the proposal and gives recommendation for approval, approval with conditions or denial of the proposal.
- 5) Planning Commission may question Staff for clarification, explanation, or advice.
- 6) Chair asks for public comments in favor of the proposal.
  - Chair should discourage lengthy repetitive testimony or debate. All questions/comments are to be directed to the Commission or City staff.
  - Public testimony and documents (e.g. petitions, exhibits) may be presented and may be entered into the permanent record of the hearing if presented.
  - Commission may question opponents of the proposal.
- 7) Chair asks for public comments against the proposal.
  - Chair should discourage lengthy repetitive testimony or debate. All questions/comments are to be directed to the Commission or City staff.
  - Public testimony and documents (e.g. petitions, exhibits) may be presented and may be entered into the permanent record of the hearing if presented.
  - Commission may question opponents of the proposal.

If testimony is duplicative or repetitious the Chair shall note that comments have already been received and note for agreement or disagreement with preceding testimony.

Presentations by a representative of a group are encouraged. The group representative may ask the group to raise their hands or stand so the Planning Commission can see who speaker is representing.

- 8) Petitioner or Representative gives final response/summary/rebuttal.
  - 9) Planning Commission members may question the Petitioner or Representative on points brought by Staff, proponents or opponents.
  - 10) Chair closes public hearing and asks for Commission discussion, motion, second and vote on the item.
- 6 If any member of the Planning Commission determines a conflict of interest or potential conflict of interest exists either prior to or during the proceedings concerning any item on the Planning Commission agenda, the member shall excuse him/herself, vacate his/her seat, leave the dais and refrain from discussing and voting on said item as a Planning Commission member. Members who are excused should leave the hearing room.
  - 7 If the Chairperson and Vice-Chairperson cannot be present at a scheduled meeting, the Planning Commission shall elect a temporary Chairperson to conduct that meeting.
  - 8 Matters referred to the Commission by the Grand Junction City Council may be placed on the calendar for consideration and action at the next available meeting determined by Staff.

## WORKSHOPS

- 1 Planning Commission workshops may be scheduled from time to time for the purpose of fact-finding, conducting or reviewing planning research, discussions on possible policy recommendations, engaging in comprehensive planning, training, and/or for conducting or participating in other areas of interest to the Planning Commission.
- 2 Workshops are open to the public but testimony shall not be received from Petitioners, Representatives or opponents.
- 3 If a Petitioner, Representative or other person requests an appearance before the Grand Junction Planning Commission at a workshop, the Chairperson shall evaluate the request and determine if the request is appropriate and in conformance with the bylaws, rules, regulations and law applicable to the Commission. All requests to appear before the Planning Commission at a workshop must be in writing and must contain an explanation of the person's intentions as to why the person wishes to appear, what the person intends to

present, the date requested, and any other relevant information, including the amount of time needed for a presentation. The Commission shall consider the request and, if approved, will invite the person to make an appearance at a specified workshop. An appearance before the Planning Commission at a workshop shall be expressly limited to discussion/presentation of general, non-specific information to assist the Commission in discharging its duties or in other matters related to general planning in and for the City of Grand Junction.


#### AMENDMENT OF PLANNING COMMISSION BYLAWS

These rules and regulations may be recommended to be amended at any meeting by a vote of the majority of the entire membership of the Commission provided five (5) days' notice has been given to each member of the Commission. Proposed amendments approved by the Commission, must be considered and approved by the City Council.

PASSED and APPROVED this 18<sup>th</sup> day of September, 2013.

ATTEST:

  
City Clerk

  
President of Council