RULES

PLANNING COMMISSION
of the
CITY OF HUNTINGTON BEACH
(January 10, 2006)

DURING STUDY SESSIONS AND PUBLIC HEARINGS:

1. Commissioners shall not speak until recognized by the Chair or as provided in Robert's Rules of Order.

2. Commissioners shall not debate members of the public who are providing testimony.

3. Neither the Chair nor any Commissioner shall permit members of the public to engage in a dialogue with Commissioners, staff or other persons in the audience during the meeting.

4. Commissioners shall not engage in discussion with the public or applicants during the public hearing portion of the meeting or during breaks in the meeting.

5. Commissioners shall not indicate or communicate electronically, or by word or action how they intend to vote prior to a meeting and during study sessions and public hearings. Commissioners shall wait until all the testimony has been heard and the public hearing is closed.

6. Commissioners shall disclose any communications with the applicant or other interested parties, or any site visit performed, or other relevant evidence, prior to voting on the item.

7. Commissioners shall give a brief reason when making a motion for approval, denial or continuance.

8. Commissioners shall state the reason for any abstention.

9. When abstaining from an item due to a conflict of interest, Commissioners shall leave the room until the Commission concludes that item, except as otherwise provided for in state law. When abstaining from an item due to potential bias, Commissioners shall leave the dais until the Commission concludes that item.

10. Commissioners shall allow the staff to state their professional opinions even if they clash with those of the Commission.

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11. Commissioner comments deemed out of order are cause for the Chair to re-take the floor subject to Robert's Rules of Order.

12. At any public meeting of the Planning Commission, Commissioners shall not characterize any individual or entity's position on any issue unless the individual or entity's position is contained in writing, or without first asking the individual or entity, at that meeting, their position on the subject in question.

WORKING WITH STAFF:

13. Commissioners should discuss any concern relative to the agenda or procedure with the Chair. Any concern regarding staff reports, presentations, public information, staff performance, etc., should be directed to the Planning Manager and/or Planning Director.

14. Commissioners should meet or contact Planning staff prior to the meeting in order to have their questions or concerns addressed or resolved on any agenda item.

15. Commissioners should call and schedule meetings with staff in advance, as staff may not be immediately available to meet with a Commissioner.

16. Commissioners shall ask the project planner questions (information only) about their project. When seeking services (research, exhibits, revised findings and conditions, etc.) from anyone in the Planning Department, Commissioners should work only through the Planning Manager or Principal Planner.

OTHER:

17. When speaking/presenting before the City Council, Planning Commission, or other legislative bodies at a public meeting, Commissioners shall clearly and affirmatively indicate that they are not speaking on behalf of the Planning Commission, or in the capacity of a Planning Commissioner, unless authorized to do so, and shall indicate their representative capacity at the beginning of the statement (e.g., a home owner or business owner, or as a private citizen).

18. Commissioners may meet with an applicant solely to gather information, and shall not negotiate terms and conditions of approval.

19. While Commissioners may encourage the general public to appear at any Planning Commission hearing or meeting to express their views, Commissioners shall not, directly or indirectly, encourage any members of the public to attend any meeting to advocate a particular position, imagined or real, on any agendized item to be voted on by the Planning Commission.

20. Commissioners shall submit all written materials related to agenda items in time for inclusion in the staff report for the meeting that the items will be heard. These materials shall be included in the staff report that is distributed to the Commissioners, City staff, and the public for review. Any written materials that are not submitted by a Commissioner in time for inclusion in the staff report are deemed a late communication. The Commission shall consider a late communication from a Commissioner in the same manner as any other late communication received for that meeting, or may authorize by a majority vote to continue the agenda item to a future meeting in order to allow time to examine the late communications.

COMMISSIONER REQUEST AGENDA ITEMS:

21. The process for Commissioners' request to place an item on the Planning Commission agenda for consideration shall be:

    a. Item should be of general interest and not a project already in process by staff.
    b. The request shall be communicated in writing or email to the Principal Planner and Planning Commission Chair with supplemental reports and/or information prepared by the Commissioner (not staff).
    c. The request shall be submitted at least one (1) week in advance of the Planning Commission meeting at which it is to be considered.
    d. Item shall be added to the appropriate meeting agenda under PLANNING COMMISSION REQUEST ITEMS.
    e. At the meeting, the Commissioner making such request shall make a presentation of the item.
    f. The Planning Commission, upon motion and by majority vote, may accept or deny the item, or may continue the item for further consideration at a subsequent meeting and direct staff accordingly.
    g. If a continued item requires more than four (4) hours of staff time, a memo from the Commission is prepared and submitted to the City Administrator and/or the City Council for approval and direction.
    h. If a continued item requires four (4) hours or less of staff time, or if an item requires more than four (4) hours of staff time and is approved by the City Administrator or the City Council, the item shall be placed on the Planning Department Work Program and prioritized as staff resources permit.
    i. If item does not receive a majority vote of the Planning Commission, consideration of the item (and any staff time) shall be deemed denied.

ADOPTION:

APPROVED AND ADOPTED ON THE 15TH DAY OF MAY, 2006, as the Rules of the Planning Commission of the City of Huntington Beach, by a unanimous vote of 7-0-0.

ATTEST:

Howard Zelefsky, Secretary	Robert Dingwall, Chair Planning Commission