

TO: Planning Commission  
FROM: Ed Gallagher, Community Development Director  
SUBJECT: Procedures and Ground Rules for Hearings  
DATE: April 8, 2014

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Needs: To adopt Procedures and Ground Rules for Planning Commission hearings.

Facts:

1. The Planning Commission has no written procedures or ground rules for conduct of public hearings.
2. A presentation made at the recent Planning Commission Academy suggested that having written procedures or ground rules would help the public understand how hearings are conducted and set some behavioral norms to foster civil discussion.
3. Attached, for discussion and adoption is a draft set of Procedures and Ground Rules for Planning Commission Hearings.
4. The procedures and ground rules can be added to the agenda as a handout. They can also be printed individually; several copies may be placed on the table with agendas and other handouts. The Planning Commission Chair can encourage members of the audience to pick up and review them as part of the beginning of Commission meetings.

Actions:

- a. Adopt the attached Procedures and Ground Rules for Planning Commission Hearings.
- b. Amend, modify, or reject the foregoing option.

## **PLANNING COMMISSION PROCEDURE FOR PUBLIC HEARINGS**

1. Staff presents overview of staff report.
2. Commissioners ask any questions they may have for staff on the report.
3. Commissioners report any “ex parte” conversations they have had prior to the hearing with the applicants or members of the public regarding the proposed project.
4. Public Hearing/Comment Period Opened
5. Project applicant, including applicant team members, presents their project.
6. Commissioners ask any questions they may have for applicant on the project.
7. Members of the public may speak on the proposed project.
8. Commissioners ask any questions they may have of speakers regarding their comments on the project.
9. Applicant may clarify proposal or rebut statements made by the public.
10. Members of the public may add any new comments, but not repeat earlier comments on the proposed project in response to applicant’s clarification/rebuttal.
11. Public Hearing/Comment Period is closed.
12. Staff responds to comments and questions posed by the public.
13. Commissioners ask questions they may have for staff.
14. Commissioners discuss proposed project.
15. Commissioners vote on proposed project. If commissioners believe additional information is needed, they may reopen the public hearing/comment and continue it to a future date.
16. If the Commission has the authority to approve a project, applicants and members of the public have 15 calendar days to file an appeal to the City Council. If the Commission only has authority to make a recommendation to the City Council on a project, the matter will be scheduled for a public hearing before the City Council at a future date.

NOTE: The Chair reserves the right to reopen the public hearing if he/she believes the applicant and/or public may have additional information pertinent to the discussion.

## **GROUND RULES FOR PUBLIC HEARINGS AND COMMENTS**

1. Planning Commissioners desire to hear from all persons that wish to speak, regardless of their point of view on a proposed project.
2. All parties: commissioners, staff, applicants, and the public, are to be courteous and civil to each other during the meeting. Personal attacks and rude remarks will not be tolerated.
3. Conversations in the audience during public hearings, comment periods, and discussion are disruptive and are not welcome.
4. Cell phones are to be put in silent mode or turned off.
5. All testimony from applicants and the public is to be given, one person at a time, from the lectern. Meetings are recorded, and the microphone on the lectern is necessary for recordation of comments. No comments, other than from the lectern, will be made or accepted.
6. Applicants and members of the public are to address their questions and comments to the Chair of the Planning Commission and not to staff or other members of the audience.
7. Members of the public wishing to speak need to state their name and address before making comments. They are encouraged to fill out a speaker card so that their names may be accurately recorded in the minutes of the meeting.
8. Where it appears that several people may want to comment on a project, the Chair of the Planning Commission may set a time limit, such as 3 minutes, for each public comment.
9. Where it appears that several people may want to comment on a project, members of the public may be asked not to repeat comments provided by others. They may, however, state that they agree with certain prior comments.
10. Members of the public are not to ask other members of the public for a show of support for their position. They may, however, ask the Planning Commission Chair if they would accept a show of hands for support.
11. In general, applause from the audience for a position is not acceptable. At the close of the agenda item, following a vote of the commission on the project, members of the public may render a polite applause.