

# **FILLMORE CITY PLANNING COMMISSION BY-LAWS**

## **I. OFFICERS**

- A. The officers of the Fillmore City Planning Commission shall be a chairperson and a vice chairperson. In the absence of both the chairperson and the vice chairperson, the members present at such meeting may elect a chairperson pro-tem.
- B. The terms of office for the chairperson and vice chairperson shall be one year, from July 1 to June 30, and for the chairperson pro-tem only for the meeting at which he/she is appointed or until relieved of the chair by the chairperson or vice chairperson.
- C. A Fillmore City office staff employee shall serve as the secretary to the planning commission.

## **II. MEMBERS**

- A. Members of the planning commission shall be appointed by the mayor with the advice and consent of the city council.
- B. The planning commission shall consist of seven voting members, one non-voting city council members, and two appointed alternates.
- C. Members of the commission shall serve three year terms with terms beginning on July 1 and expiring on June 30.
- D. Planning commissioners may serve no more than two successive terms.
- E. Vacancies on the planning commission shall be filled by the mayor with the advice and consent of the city council. Filling an unexpired term shall not be counted as a term for the two term limit.

## **III. MEETINGS**

The regular meetings of the commission shall be held the fourth Tuesday of every month and the second Tuesday of every month unless there are no pending applications (cancellation of the meeting due to no pending applications only applies to the second Tuesday of the month meeting): (amended 10-28-03, 02-15-22)

- A. A quorum of the commission at any such regular meeting may, by formal action, substitute another day for a regular meeting for the ensuing month.

- B. If, for any reason, the business to be considered at a regular meeting cannot be completed, the commission may, at such meeting, designate the time for an adjourned meeting to consider any matter that can properly be considered at a regular meeting such action shall serve as adequate notice to members present and the secretary shall notify absent members of the purpose, date and time of the adjourned meeting.
- C. If a quorum is not present at a regular meeting, the presiding chairperson or vice chairperson shall adjourn the meeting to another date in the same calendar month. Such declaration of adjournment shall serve as sufficient notice to all members and the secretary shall notify absent members of the date and time of the adjourning meeting.
- D. Special meetings may be called:
  - (1) By action of the commission at a regular or adjourned meeting;
  - (2) By order of the chairperson, or in the absence of the chairperson, by the vice chairperson.
  - (3) By written request of three or more members of the commission. The secretary shall provide written notice to members of the commission. In an emergency, a telephone notice shall suffice provided a written waiver or other notice is signed by a majority of the entire commission present at the special meeting. Action on matters at special meetings shall be limited to subjects announced in the special meeting notification.

#### **IV. MEETING ATTENDANCE**

- A. Commissioners are expected to attend all meetings. If a commissioner cannot attend a meeting for a valid reason, he/she should contact the secretary prior to the meeting to be excused.
- B. Any commissioner with four unexcused absences during the year, (July 1 to June 30) shall be removed from office.

#### **V. REGULAR MEETING AGENDA**

- A. An agenda for every regular meeting of the planning commission shall be provided to each commission member not less than five days prior to the date of the meeting.
- B. Agenda may be emailed, mailed, or hand delivered or a combination of methods.

- C. For agenda listing, the following subject matters, not initiated by motion of the planning commission, shall be filed with the secretary of the planning commission at least six working days prior to the meeting.
- (1) Subdivision plats.
  - (2) Applications for amendments to zoning or other official plan ordinances.
  - (3) Application for, or proceedings initiated by the planning commission for the consideration of comprehensive general plans or elements thereof, or precise plans or any amendments thereof.
  - (4) Any matter which, by law, is required to be considered at public hearings.
- D. When any matter filed with the secretary of the planning commission for consideration and action by the planning commission, concerns other departments of the city, the secretary shall notify each interested department and request a report or recommendation. Notification to other departments shall be accompanied by any pertinent information, maps or other related materials. The secretary shall present such reports to the commission prior to discussion or action on the matter.

## **VI. MINUTES AND RECORDS**

- A. The secretary shall keep the minutes of all official meeting of the planning commission, including all applications made under provisions of law and the complete files of proceedings and actions taken.
- B. The secretary shall furnish each member of the planning commission a full and complete copy of the minutes of the previous meeting not less than five days prior to any regular meeting of the planning commission.
- C. Formal recommendations from the planning commission to the city council shall constitute a part of the minutes of the meeting at which the recommendations were considered.
- D. All recommendations from the planning commission to the city council shall be clearly identified by nature of subject matter and date. Each recommendation shall contain the motion, the names of commissioners who voted and how they voted. Absent commissioners shall also be listed.

- (1) It shall be the commission's responsibility to make the determinations, identify the major findings of fact, and indicate the conditions to be imposed, if any.
- (2) When seconded and passed, such action, whether by motion or by resolution, shall constitute a conclusive determination and be incorporated as a part of the minutes.

## **VII. HEARINGS**

- A. Hearings conducted by the planning commission shall conform to the provisions of law in the matter of public notice, time, number and reporting. A formal hearing before the commission, which for any reason cannot be completed at the time and place originally advertised may be adjourned to a later date and the announcement of such adjournment and the time and place of such adjourned meeting shall constitute notice to all parties concerned.
- B. The planning commission secretary shall keep a record of all pertinent testimony introduced and decisions on all matters heard at such a hearing.
- C. In the absence of the chairperson or vice chairperson any member of the commission present at a hearing may represent the planning commission and conduct the hearing in the manner prescribed.

## **VIII. QUORUM**

- A. A majority of the members of the commission shall constitute a quorum for the conducting of routine business and a majority of members present at a meeting shall be sufficient to act, except when:
  - (1) Actions on official matters require a two-third majority vote of the full membership of the commission. Such actions shall include approval of a general plan or element thereof, precise plan or amendments thereof, or changes in the zoning ordinance text.
  - (2) Actions on subdivisions and ruling matters that require a majority of the full membership of the planning commission.
  - (3) Alternates appointed by the mayor and approved by the city council shall be voting members of the commission when there are insufficient members to constitute a quorum present at any meeting.
  - (4) The mayor shall appoint alternates to fill unexpired terms when members are unable to continue on the commission.

- (5) The mayor may advance alternates to regular voting members when other members' terms expire.

## **IX. RULES OF ORDER**

Meetings shall be conducted according to Roberts Rules of Order.