

CITY PLANNING COMMISSION
Riverside, California

RULES FOR THE TRANSACTION OF BUSINESS
AND THE CONDUCT OF HEARINGS

April 4, 2019

The following Rules for the transaction of business and the conduct of hearings are hereby adopted by the Planning Commission (“Commission”) of the City of Riverside:

ARTICLE I
MEETINGS

Regular meetings of the Commission shall be held on a bi-weekly basis on Thursday at 9:00 a.m. in the Council Chambers in City Hall in the City of Riverside; provided that if such day shall be a legal holiday, such meeting shall be held on the preceding business day.

ARTICLE II
RULES

These Rules shall govern. Roberts Rules of Order, Revised, may be used as a guide in the proceedings of the Commission, unless they are in conflict with these Rules, the City Charter, the City Council Rules of Procedure and Order of Business or the laws of the State of California.

ARTICLE III
SPECIAL MEETINGS

The Chair of the Commission or a majority of the members of the Commission may call a special meeting by providing written notice and posting of an agenda at least five (5) calendar days in advance of the meeting to the Chair, all members of the Commission, to all media outlets, and to persons having requested notification pursuant to State law.

ARTICLE IV
ADJOURNMENT

The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the staff secretary of the Commission may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment.

ARTICLE V QUORUM

Fifty percent (50%), rounded to the lower whole number where a fraction, plus one of the duly appointed Commission Members shall constitute a quorum for the transaction of business.

ARTICLE VI OFFICERS

1. Positions and Terms

The Officers of the Commission shall be a Chair, a Vice-Chair, a Secretary, and a Sergeant at Arms each elected from the appointed Members of the Commission at a March meeting of every year. Officers shall hold office until their successors are elected and qualify.

a. Chair

The Chair shall preside at all meetings of the Commission. The Chair is responsible for applying these Rules, including speaker time limits, fair and consistent opportunities for the public to speak pursuant to these Rules, and recognizing Members in the proper order to speak.

b. Vice-Chair

The Vice-Chair shall preside in the absence of the Chair.

c. Secretary

The Secretary shall sign, on behalf of the Commission, maps, reports, or documents, as approved by the Commission. The Secretary shall preside in the absence of the Chair and Vice-Chair. A staff secretary, on behalf of the elected Secretary, shall keep a record of the transactions, findings, and determinations of the Commission in a permanent volume or volumes, shall deposit volumes not in current use with the City Clerk and shall send out notices of meetings as ordered.

d. Secretary Pro Tem

In the event of the absence of the Secretary, the Chair shall select a Secretary Pro Tem.

e. Sergeant at Arms

The Sergeant at Arms shall be seated closest to the public and shall ensure that the public conducts themselves in a respectful manner so as not to disrupt the Commission meetings. In the event of the absence of the Chair,

Vice-Chair and Secretary, the Sergeant at Arms shall serve as the Chair Pro Tem. In the absence of the Chair, Vice-Chair, Secretary and Sergeant at Arms, the Commission shall select a Chair Pro Tem.

2. Removal of Officers

The Member of the Commission may remove any officer for cause subject to the following procedure:

- a. New elections to replace one or more officers may be placed on a subsequent duly scheduled Commission agenda by a majority of Members present and voting.
- b. Following discussion of the agenda item to remove one or more officers, a vote shall be taken and said office(s) shall be designated as vacant upon affirmative vote of a majority of the Members present and voting.
- c. Immediately upon designating a vacancy in any office, a new officer(s) shall be elected to complete the term of office.

ARTICLE VII
HEARING PROCEDURES

The following procedures shall govern hearings before the Commission:

1. MINUTES

Minutes of all such hearings shall be made and duly preserved, a copy of which shall be available in accord with current City policy.

2. HEARING FORMAT

Hearings shall be conducted in accordance with the following format:

- a. The Chair shall announce the hearing by identifying the item from the agenda.
- b. The Community & Economic Development Department staff report shall be presented.
- c. Following the staff presentation, the public hearing is opened and the applicant or the applicant's representative shall be invited to present the proposal. The applicant's presentation is limited to a maximum of fifteen (15) minutes. By a majority vote of the Commissioners present and voting, additional time may be granted. Significant changes to a project not addressed in the staff report are subject to continuance to allow time for adequate review by the Planning Commission.

For an appeal from the Development Review Committee, the appellant or the appellant's representative will be given a maximum of fifteen (15) minutes to present their appeal. Following the appellant's presentation the applicant or the applicant's representative will have a maximum of fifteen (15) minutes to present their project.

- d. Following the presentation(s), the public is invited to comment. Those wishing to speak may do so as instructed by the Chair. Speakers shall be limited to a maximum of three (3) minutes each. Yielding of time to another speaker is not permitted
- e. The applicant or appellant, as the case may be, or their representative shall be permitted to make a rebuttal. The rebuttal is limited to a maximum of five (5) minutes.
- f. Following public comments, the Commission may then ask questions of either the staff or applicant, or, at the discretion of the Chair, any speaker.
- g. The Commission may continue the public hearing to a time and place certain, continue the matter off calendar, or shall close the public hearing. Before any vote to continue, the Chair should first ask the applicant to comment on the continuance.
- h. After the public hearing is closed, the Commission may debate the issues, make comments, discuss the proposal or ask questions of staff. Public participation after the public hearing is closed shall be limited to direct response to questions asked by the Commission, directed through and with the consent of the Chair.
- i. The Commission shall take action to approve, conditionally approve or deny the proposal after closing the public hearing. If the Commission wishes to continue the item, it must first vote to reopen the public hearing. Before any vote to continue, the Chair should first ask the applicant to comment on the continuance.
- j. The Chair shall announce the rights of appeal to the City Council.

3. HEARING OF ITEMS

It is the intent of the Commission not to start any new agenda item after 12:00 p.m., but to take up the item following a noon recess. Any items not heard prior to noontime shall be scheduled immediately following the noon recess.

ARTICLE VIII VOTING

Voting on an item shall be a yea, nay or abstention. All abstentions shall be recorded as present and not voting.

ARTICLE IX SUSPENSION OF RULES

Any provision of these Rules not governed by the City Charter or laws of the State of California may be temporarily suspended by a two-thirds vote of the Members present and voting. The vote on any suspension shall be taken and entered upon the record of the Commission.

ARTICLE X RECONSIDERATION

A motion to reconsider any action of the Commission can be made not later than the next succeeding official regular meeting of the Commission. Such a motion can only be made by a member who voted on the prevailing side. It can be seconded by any member. A two-thirds vote of the members present and voting is necessary to adopt the motion. No question shall be twice reconsidered except by unanimous consent of the Commission.

ARTICLE XI CONFLICT OF INTEREST

Any member abstaining from voting on any item due to a conflict of interest shall announce said conflict and the reason for the conflict preceding or immediately following the reading of the description of the item by the Chair and will be required to leave the dais until the completion of consideration of the item, including the vote.

ARTICLE XII ATTENDANCE GUIDELINES

In the event that any member of the Commission is absent without excuse for three (3) consecutive meetings, or absent, unless by permission of the Commission, for more than one-third (1/3) of the meetings in a calendar year, the City Council shall review the Commissioner's status.

ARTICLE XIII REVISION AND ANNUAL REVIEW OF RULES

These Rules may be amended by a two-thirds vote of the membership of the Commission present and voting. The amended Rules shall be filed with the Secretary.

These Rules shall be reviewed and adjustments made as needed upon the election of officers each year.

ARTICLE XIV MEMBERS ADDRESSING CITY COUNCIL

As a general rule, Planning Commissioners are not to address the City Council on any issue over which the Commission has or will exercise jurisdiction, unless specifically requested by the City Council.

ARTICLE XV
STAFF PRESENT

The City Engineer, City Attorney, and City Planner, or their designees, shall be present at all Commission meetings and participate in discussions of the Commissions but shall not have a vote.

ARTICLE XVI
CODE OF ETHICS

Members shall be subject to all applicable local, State and federal laws and codes of ethics adopted by the City Council.