



CITY AND BOROUGH OF JUNEAU

PLANNING COMMISSION

RULES OF ORDER

The following rules and guidelines are hereby adopted by the Planning Commission of the City and Borough of Juneau, in order to:

1. Make the most efficient use of the time of the members, the Community Development staff, applicants and the public.
2. Improve communications between the Commission and the public-at-large, including local residents, applicants for subdivision or construction, and the other administrative agencies of the City and Borough of Juneau and the State of Alaska.
3. Balance the efforts of the Commission between responding to applicants and recognizing the planning work necessary to guide the progressive development of the City and Borough of Juneau into the future.

BE IT RESOLVED THAT THE RULES OF ORDER, AS HEREINAFTER SET FORTH, BE ADOPTED BY THE PLANNING COMMISSION OF THE CITY AND BOROUGH OF JUNEAU TO GOVERN THE PROCEEDINGS ON THE COMMISSION:

Rule 1. COMMISSION STRUCTURE

The officers of the Planning Commission shall be Chair, Vice-Chair, Clerk, and Vice-Clerk. Officers shall be elected at the second meeting after the November appointment of new commissioners each year by a majority vote of the members of the Planning Commission.

Rule 2. MEETINGS

A. Date and Time of Regular Meetings. The regular meetings of the Planning Commission of the City and Borough of Juneau shall be at 7:00 p.m. on the second and fourth Tuesday of each month.

B. Place of Meetings. Regular Planning Commission meetings shall be held in the Assembly Chambers at the Municipal Building at 155 South Seward Street, Juneau, Alaska, unless public notice is provided for a different location. The alternative location must be at least as publicly accessible as the Assembly Chambers.

C. Meetings Public. All meetings of the Planning Commission and any of its committees shall be open to the public except for executive sessions.

D. Special Meetings and Committee of the Whole Meetings. Special meetings may be called at any time by the Chair, or three members.

E. Time of Adjournment. No new business will be considered after 10:30 p.m. unless agreed to by five of the members present, and the meetings will adjourn promptly at 11:00 p.m. unless an extension is allowed by five of the members present.

Rule 3. PUBLIC NOTICE OF MEETINGS

A copy of the schedule of meetings shall be supplied to all local media as well as posted on the internet and on the Municipal Bulletin Board. If a special meeting is called, the Community Development Staff shall give appropriate notice to the media.

Rule 4. STAFF ATTENDANCE

A Department staff member will be expected to attend all Planning Commission regular and special public meetings, Committee of the Whole, and subcommittee meetings.

Rule 5. AGENDA AND PUBLIC HEARINGS

A. Order of Business

The order of business shall be:

- I. Roll Call
- II. Approval of Minutes
- III. Public Participation on Non-Agenda Items
- IV. Consent Agenda
- V. Liaison Reports
- VI. Consideration of Ordinances and Resolutions
- VII. Unfinished Business
- VIII. Regular Agenda
- IX. Board of Adjustment
- X. Other Business
- XI. Planning Director's Report
- XII. Reports of Regular and Special Committees
- XIII. Planning Commission Comments and Questions
- XIV. Adjournment

Items up for reconsideration will be listed prior to the consent agenda as an item for Possible Reconsideration.

B. Order of Public Hearings

1. The Chair will open the public hearing and read the title of the matter at hand.
2. Planning staff will present its report and recommendation.
3. The applicant or the applicant's representative will make comments regarding the request and respond to initial Commission questions.
4. Public testimony will be opened, and the public will be invited to testify.
5. Public testimony will be closed.
6. The applicant will be given the opportunity to respond to issues raised by the public and to Planning Commission questions.

Rule 6. COMMITTEES

A. Appointment and Membership. The Chair of the Commission shall appoint such committees as deemed necessary. Committee membership shall, for each committee, consist of at least four Planning Commission members. Committee Chair shall be appointed by the Commission Chair. The Planning Commission Chair will not serve as a committee Chair but will be a member, ex officio, of all committees and will coordinate their activities.

B. Chair. Committee Chairpersons shall have full responsibility for conducting the affairs of their committees and reporting same to the full Planning Commission. In addition, the Chair or their designated alternate shall act as spokesperson for their committees at all public hearings and meetings.

C. Standing Planning Commission Committees

1. Subdivision Review Committee. This shall be the official subdivision committee appointed by the Chair with the approval of the Commission. It shall be the duty of this committee to study and assume responsibility for all subdivision development including site plan and subdivision review.

D. Other Committees

1. Assembly Lands Committee. There will be one representative of the Planning Commission on the Assembly Lands committee.
2. Assembly Public Works and Facilities Committee. There will be one representative of the Planning Commission on the Assembly Public Works and Facilities Committee.
3. Wetlands Review Board. There will be two representatives of the Planning Commission on the Wetlands Review Board.

4. Waterfront Development Committee. There will be one representative of the Planning Commission on the Waterfront Development Committee.

Rule 7. PROTOCOL FOR MEETINGS

A. Speaking on the Question. A member or the Director for Community Development may speak more than once to the same question at the same stage of proceedings provided that priority of access to the floor shall be given to members who have not spoken on the question. Members shall endeavor to provide the body with relevant facts and arguments and shall strive to avoid redundancy.

B. Asking Questions. After obtaining recognition from the chair, a Commissioner may ask direct questions of another member of the Commission or to a person appearing before the Commission. The questions may not be argumentative.

C. Decorum. Members shall not question the motives, competency or integrity of any person except as necessary to decide an appeal, personnel evaluation, contract award, or other matter in which such issues are clearly relevant. The chair shall admonish any member violating this rule and if violations are severe or repeated, may without a vote declare a recess not to exceed ten minutes.

D. Rules of Public Participation. When permitted by Rule 11, public participation during hearings on permit applications, ordinances, resolutions, and matters other than appeals will be conducted according to the following rules, which will be posted in the Assembly Chambers:

1. The hearing will be conducted by the Planning Commission chair.
2. The Chair will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.
3. All persons having an interest in, or desiring to be heard upon any matter which is the subject of a specific public hearing, shall be given an opportunity to be heard during such public hearing portion of the meeting, and in addition thereto, there shall be a time during such regular meetings for members of the public to address the Planning Commission concerning any matter relevant to the Planning Commission's jurisdiction and not on the agenda for specific public hearing at such meeting.
4. The Chair may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and conserve time, and may for the same reason disallow all questions from the Commission to members of the public. The time limit may be extended by a majority of the Commission. The time limit for individual speakers shall be uniform for all speakers, and shall be strictly enforced. Speakers shall not have the right to transfer their unused time to other speakers, but the Chair may grant additional time to a person speaking on behalf of a group present in the chambers.

5. Citizens will be encouraged to submit written presentations and exhibits. Material submitted to the Director's office more than three business days before a meeting and comprising 10 pages or less will be eligible for copying for that meeting. Material submitted less than three days before a meeting will be distributed by the Clerk at the meeting provided that the submission includes at least 15 copies.
6. The Chair will set forth the item or subject to be discussed and will rule non germane comments out of order.
7. All speakers, public, and members of the Commission will be recognized by the chair by surname.
8. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Chair, their place of residence.
9. Written testimony, with the exception of e-mail transmissions, must be signed. E-mail transmissions must show the author's name.
10. Members of the Commission will not direct questions to each other or to the chair during public participation except as to the conduct of the hearing.
11. Members of the Commission may direct questions to members of the public only to obtain clarification of material presented. The questions may not be argumentative, nor may they have the purpose or effect of unreasonably extending any time limit applicable to public speakers.
12. The public may direct questions to the Commission or staff. The questions may not be argumentative.
13. The public may direct questions to the chair only as it pertains to the conduct of the hearing.
14. The Director of Community Development may participate in the same manner as the members of the Commission.
15. Once public participation is closed, it cannot be reopened except by six votes.
16. There shall be no public participation in Committee of the Whole or Committee sessions of the Planning Commission except as follows:
 - a) By those persons specifically scheduled in advance to meet with the Commission or Committee on a specific application or matter; or
 - b) By those persons present upon such terms as may be specifically permitted and authorized by a majority vote of the Commission or Committee conducting the meeting.

Rule 8. MOTIONS

A. Seconds. Seconds to motions are not required.

B. Renewal of Defeated Motions. Defeated motions may be renewed only under suspension of the rules.

C. Priority of Privileged Motions. Privileged motions shall have the following priority:

1. Fix time to adjourn
2. Give notice of reconsideration
3. Adjourn
4. Recess
5. Question of privilege of the body
6. Question of personal privilege

Rule 9. CLERICAL ERRORS

Clerical errors that do not affect the substance of an ordinance or resolution, such as errors in numbering or errors in spelling may be corrected by the Attorney upon discovery of the error.

Rule 10. VOTE REQUIRED

The affirmative vote of five members of the Commission shall be sufficient to take any action except as otherwise provided by Charter or ordinance and except in the following instances, which require the affirmative vote of at least six members:

- A. Limiting, extending, or closing debates
- B. Suspension of the rules
- C. Setting of or postponement of special orders
- D. Objection to consideration of question
- E. Motion for immediate vote (previous question)
- F. Rescind
- G. To take up a motion for reconsideration at the meeting at which the action to be reconsidered was taken

Rule 11. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM

No person except a member or the Director of Community Development may participate in Commission proceedings except as provided in the agenda item for public participation and except that the Attorney, planner assigned to the agenda item, and other CBJ staff may comment on professional or procedural aspects. Public participation shall be permitted on a motion to recess into executive session prior to the vote on such a motion. Public participation shall be permitted on all items on the agenda, except for Committee of the Whole meetings, committee meetings, and meetings advertised as work sessions only, but shall not be permitted on items

before the body for information or scheduling purposes except to the extent such public participation concerns scheduling only.

Rule 12. RECONSIDERATION

A. What May Be Reconsidered. Main motions, amendments to main motions, privileged motions involving substantive questions, and appeals are subject to reconsideration. Procedural motions may not be reconsidered.

B. Who May Reconsider. Any member, whether or not that member voted on the prevailing side, may give notice of or move for reconsideration.

C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all action on the subject of the notice until a motion for reconsideration is made and acted upon or until the time within which the motion for reconsideration may be made and acted upon has expired.

D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires unless a motion for reconsideration is made and acted upon prior to adjournment of the next regular meeting succeeding the meeting at which the action to be reconsidered occurred.

E. Successive Reconsideration. There may be only one reconsideration even though the action of the Commission after reconsideration is opposite from the action of the Commission before reconsideration.

F. Precedence. A motion for reconsideration has precedence over every main motion and may be taken up at any time during the meeting when there is no other motion on the floor.

G. Effect. A motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken.

Rule 13. TELEPHONIC PARTICIPATION

A. A member may participate via telephone in a Planning Commission meeting, or a Planning Commission Committee meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Chair chooses to participate via telephone, the Vice-Chair shall preside.

B. No more than the first three members to contact the Director regarding telephonic participation in a particular meeting may participate via telephone at any one meeting.

C. The member shall notify the Director and the presiding officer, if reasonably practicable, at least four hours in advance of a meeting which the member proposes to attend by telephone and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.

D. At the meeting, the Secretary shall establish the telephone connection when the call to order is imminent.

E. A member participating by telephone shall be counted as present for purposes of quorum, discussion, and voting.

F. The member participating by telephone shall make every effort to participate in the entire meeting. From time to time during the meeting the presiding officer shall confirm the connection.

G. The member participating by telephone may ask to be recognized by the presiding officer to the same extent as any other member.

H. To the extent reasonably practicable, the Director shall provide backup materials to members participating by telephone.

I. If the telephone connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the Secretary shall attempt to establish or restore the connection, provided that if the member participating by telephone is necessary to achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the telephone connection is established or restored.

J. Meeting times shall be expressed in Alaska time regardless of the time at the location of any member participating by telephone.

K. Participation by telephone shall be allowed only for regular, special, and committee meetings of the Commission.

L. Remarks by members participating by telephone shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.

M. Any member of the public present with the member participating by telephone shall be allowed to speak to the same extent he would if physically present at the meeting.

N. As used in these rules, "telephone" means any system for synchronous two-way voice communication. "Chair" includes the Acting Chair or any other member serving as chair of the meeting.

Rule 14. ADOPTION OF ROBERT'S RULES OF ORDER

The conduct of the meetings of the Planning Commission shall be governed by the Chair of the Commission according to Robert's Rules of Order, 10th Edition, except as otherwise provided by Charter, law, or these rules.

REPEAL AND EFFECTIVE DATE

The existing Planning Commission Rules of Order are repealed, and this resolution shall be effective upon adoption.