



## 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, applicants, and the public-at-large.
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.

### 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 first meeting after the annual appointment of new members 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 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.

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

E. Time of Adjournment. Meetings will adjourn promptly by 11:00 p.m. unless extensions are allowed by a majority of the non-recused members present. No new business will be considered after 10:30 p.m. unless agreed to by a majority of the members present who are not recused to hear the new business.

Rule 3. PUBLIC NOTICE OF MEETINGS

Notice of all meetings of the Commission and its committees shall be supplied to a newspaper of general circulation as well as posted on the City and Borough website and on the Municipal Bulletin Board.

Rule 4. STAFF ATTENDANCE

A Community Development Department staff member will attend all meetings of the Commission and its committees.

Rule 5. ORDER OF BUSINESS

The order of business for Planning Commission meetings shall be:

- I. Roll Call
- II. Request for Agenda Changes and Approval of Agenda
- III. Approval of Minutes
- IV. Public Participation on Non-Agenda Items
- V. Items for Reconsideration
- VI. Consent Agenda
- VII. Unfinished Business
- VIII. Regular Agenda
- IX. Board of Adjustment
- X. Other Business
- XI. Staff Reports
- XII. Committee Reports
- XIII. Liaison Reports
- XIV. Continuation of Public Participation on Non-Agenda Items
- XV. Planning Commission Comments and Questions
- XVI. Executive Session
- XVII. Adjournment

Rule 6. COMMITTEES

A. Appointment and Membership. The Chair of the Commission, with the approval of the Commission, shall (i) appoint members to a standing committee and appoint the committee chair; and (ii) create committees as deemed necessary, appoint members, and appoint the committee chair. Each committee shall consist of at least four Planning Commission members. The Planning Commission Chair is an ex officio of all committees; the Chair can debate and vote but does not count toward the minimum quorum if absent.

B. Committee Chair. Committee chairpersons or their designated alternate shall have full responsibility for conducting the affairs of their committees and reporting the same to the full Commission. Committee Chairpersons shall act as spokespersons for their committee at public hearings and meetings.

### C. Standing Planning Commission Committees

1. **Subdivision Review Committee.** The purpose of this committee is to study and conduct preliminary review of proposed subdivisions.
2. **Title 49 Committee.** The purpose of this committee is to review the land use code and recommend changes to the Commission.
3. **Rules and Procedures.** The purpose of this committee is to review these rules and procedures as necessary.

### D. Liaisons to 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. **Juneau Commission on Sustainability.** There will be one representative of the Planning Commission on the Juneau Commission on Sustainability.

## Rule 7. PROTOCOL FOR MEETINGS

A. Speaking on the Question. A Commission member or the Director of Community Development may speak more than once to the same question at the same stage of proceedings. In determining the order of speakers, the Chair shall give priority to members who have not spoken on the question. Members shall endeavor to provide the Commission with relevant facts and arguments and shall strive to avoid redundancy.

B. Asking Questions. After obtaining recognition from the Chair, a member may ask direct questions of another member of the Commission, staff, or of 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 or other matter in which such issues are relevant. The Chair shall admonish any member violating this rule, and may, without a vote, declare a recess not to exceed ten minutes.

### D. 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 a report and recommendation, and respond to initial Commission questions.
3. The applicant or the applicant's representative will have an opportunity to present information regarding the request and respond to initial Commission questions.
4. Public participation will be opened, and the public will be invited to comment. Commissioners may pose questions to those testifying.
5. Public participation will be closed.
6. The applicant or the applicant's representative will have an opportunity to present additional information regarding the request and respond to Commission questions.
7. The Commission will deliberate and make its decision.

E. Rules for Public Participation During Hearings. Public participation during hearings on permit applications, ordinances, resolutions, and matters other than appeals will be conducted according to the following rules:

1. **Public Participation.** Any person present desiring to be heard upon a matter which is the subject of a specific public hearing shall be given one opportunity to be heard during such public hearing portion of the meeting. In addition, there shall be a time during all regular meetings for members of the public to address the Planning Commission concerning any matter relevant to the Commission's jurisdiction and not on the agenda for specific public hearing at such meeting.
2. **Time Limits of Public Participation.** Unless otherwise specified by the Chair, public presentation is limited to five minutes per speaker. The five-minute limit shall be extended as long as necessary to answer any questions addressed to the speaker by the Commission or staff. The Chair may set a different time limit 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 changed 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.
3. **Submission of Written Material.** Members of the public are encouraged to submit written comments, reports, and exhibits. Written material, especially maps, graphics, photographs, and responses to specific code sections, generally

aids the Commission in making its decision. However, written material submitted close to the hearing date, especially voluminous written material offered at a public hearing, can present fairness problems. The Commission adopts this written material policy to give staff and the applicant a reasonable opportunity to analyze public comments, to give the public a reasonable opportunity to submit written material before and after publication of the staff report, to give the members a reasonable opportunity to review the meeting packets, and to give the Commission the ability to balance the relevance and prejudice of any late written material. Members of the public should assume that the Commission has read all materials submitted in advance of the hearing.

- a. **Staff Report.** The original staff report should be published by close of business eight days before the hearing (Monday). If justice so requires, the Director may extend the publishing deadline to close of business six days before the hearing (Wednesday).
  - b. **Timely Written Material.** Written material—including public comments, applicant comments, and supplemental staff reports—submitted to the Director's office before noon four days before the hearing (Friday at noon) is considered timely submitted and will be included in a packet for that meeting. Written material submitted less than four days before a meeting is subject to the late submittal policy below. If justice so requires and with consultation with the Chair, the Director may extend the timely written material deadline to noon the day before the hearing (Monday).
  - c. **Late Written Material.** Maps, graphics, photographs, and no more than two pages of written information are allowed to be submitted at the hearing when a person presents. Specifically, if the applicant, staff, or a member of the public who wishes to submit written comment after the timely written material deadline (Friday at noon), that person or a representative for that person must (1) attend the meeting to orally comment, and (2) provide fifteen copies of the written material.
4. The Chair will set forth the item or subject to be discussed and will rule non-germane comments out of order.
  5. All speakers, members of the public, and members of the Commission will be recognized by the chair by surname.
  6. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Chair, their place of residence. The public will write this information on the sign-in sheet provided.
  7. Written comments, with the exception of e-mail transmissions, must be signed. E-

mail transmissions must show the author's name. Anonymous written comments will not be accepted.

8. 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.
9. Members of the Commission may direct questions to members of the public who are presenting so as to obtain clarification of material presented.
10. The public may direct questions for staff or the applicant to the Chair for consideration. The questions may not be argumentative.
11. When recognized by the Chair, staff may participate in the same manner as the members of the Commission except they cannot vote.
12. Once public participation is closed, it cannot be reopened except by six votes.
13. Telephonic participation by an applicant or member of the public is not permitted. An applicant or member of the public that wishes to participate at a meeting but cannot attend the meeting may submit comments in writing pursuant to these rules or send a representative to present on their behalf.

#### 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 Commission
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.
- H. Reopen public participation.

Charter § 3.16 (e) allows the prevailing vote to be reduced by one vote for every two Commissioners who are present but who do not vote because they have a conflict of interest or have been excused from voting by a vote of all the remaining Commissioners who may vote on the question. However, the prevailing vote may not be reduced to less than one-third of the membership. A quorum of a board shall consist of a majority of the full membership.

#### 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 public participation shall not be permitted on items before the Commission for information purposes.

Unless specifically authorized at the meeting by a majority of the Commissioners or by the chair, public participation shall not be permitted at the Committee of the Whole meetings, committee meetings, and meetings advertised as work sessions 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. The motion for reconsideration is debatable to the same extent as the underlying motion.

#### 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. 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.

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

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

E. 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.

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

G. To the extent reasonably practicable, the Director shall provide backup materials to

members participating by telephone.

H. If the telephone connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled. 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.

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

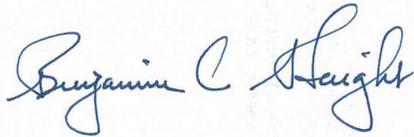
J. Remarks by members participating by telephone shall be transmitted so as to be audible by all members and the public in attendance at the meeting.

**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, 10<sup>th</sup> Edition.

**REPEAL AND EFFECTIVE DATE**

The existing Planning Commission Rules of Order are repealed, and these Rules of Order shall be effective upon filing with the City Clerk.



---

Benjamin Haight, Chair  
Planning Commission



---

Filed with City Clerk

January 29, 2018

---

Date