

**RULES OF PROCEDURE
PLANNING AND ZONING COMMISSION
COLUMBIA, MISSOURI**

SECTION 1. MEETING TIME AND PLACE

The Planning and Zoning Commission shall hold regular meetings on the Thursday following the first and third Monday of each month at a time and place to be designated by the Chairperson.

SECTION 2. QUORUM

A quorum of six Commissioners shall be necessary to conduct business at any regular or special meeting. In such instances where a quorum is not obtained, any items scheduled to be heard by the Commission shall be forwarded to the next regularly scheduled meeting of the Commission. No additional public notice for items carried forward shall be required; however, such items shall be included in published meeting agenda to which they were carried. Property signage shall also be updated to reflect the new meeting date.

SECTION 3. RESPONSIBILITIES OF COMMISSIONERS

All Commissioners are subject to rules adopted by the Commission. The vote of all Commissioners shall be equal. The Commissioners should carry out their duties in a serious and considerate manner. It will be the responsibility of each Commissioner to research all available background information related to past actions of the Commission and the City Council, as well as the Comprehensive Plan, and other pertinent planning and zoning documents.

Commissioners should make every effort to attend all meetings including but not limited to work sessions, regularly scheduled meetings, and special call meetings of the Commission; any extenuating circumstances which would cause repeated absence from meetings would be cause for a Commissioner's resignation to the appointing authority. Attendance and absences at or from work sessions and regularly scheduled meetings shall be evaluated in accordance with the provisions of Chapter 20 of the City Code relating to the appointment of Planning Commission members.

SECTION 4. SPECIAL MEETINGS

Special meetings of the Planning and Zoning Commission may be called by the Chairperson or by a majority of its Commissioners. At least 48 hours notice shall be given before any special meeting is held exclusive of weekends or holidays. Such notice shall comply with all Sunshine Law requirements..

SECTION 5. OFFICERS

At the second meeting in September of each calendar year, the Commission shall elect the following officers: Chairperson, Vice-Chairperson and Secretary. Election of a Chairperson: the names of all Commissioners shall be placed alphabetically on a ballot, to be distributed and marked in private by each Commissioner and returned to the Secretary or any other person appointed by the Commission

for tabulation. Tie votes shall be decided by a runoff ballot of the persons tied with the highest number of votes. The votes of individual Commissioners shall be made public following tabulation. Election of a Vice-Chairperson and a Secretary shall proceed in the same manner, with the deletion of previously elected officers from the ballot. Before distribution of the ballots, a Commissioner may request that his or her name be stricken from the list.

SECTION 6. DUTIES OF THE CHAIRPERSON

The Chairperson shall preside at all meetings in which he or she is in attendance, shall preserve order and decorum and decide all questions of order subject to an appeal to the Commission. At the hour designated for Commission meetings, the Chairperson shall call the Commission to order, and after roll call, if a quorum be present, he or she shall present the minutes of the last meeting for correction and approval. The agenda, which has been prepared by the Chairperson, or caused to have been prepared by him, shall then be followed as to the order of business unless changes in the order of business are made by a majority of the Commissioners present. The Chairperson shall conduct all meetings expeditiously and may, if the situation warrants, set reasonable time limits at public hearings. The Chairperson may introduce motions on his or her own.

SECTION 7. DUTIES OF THE VICE-CHAIRPERSON

The Vice-Chairperson shall assume the duties of the Chairperson during the Chairperson's absence or disability. If a vacancy in the office of the Chairperson should occur, the Vice-Chairperson shall become Chairperson for the completion of the unexpired term of the Chairperson.

SECTION 8. DUTIES OF THE SECRETARY

The Secretary shall be responsible for the maintenance of a record of the proceedings of all meetings of the Planning and Zoning Commission, said record to be known as the minutes of the Commission meetings. In the absence or disability of the Chairperson and Vice-Chairperson, the Secretary shall assume their duties and responsibilities. If a vacancy in the office of Vice-Chairperson occurs, the Secretary shall become Vice-Chairperson for the completion of the unexpired term of Vice-Chairperson. If a vacancy in the office of Secretary occurs, the Chairperson shall appoint a successor to fill the unexpired term.

SECTION 9. ORIENTATION OF INCOMING COMMISSIONERS

It shall be the duty of the Chairperson to see that all incoming Commissioners are:

- 1) Introduced to members of the Planning and Development staff;
- 2) Introduced to other Commissioners;
- 3) Provided with all necessary reports, ordinances and material;
- 4) Given a brief meeting on the mechanics of the Commission.

The above orientation shall be accomplished prior to the incoming Commissioner's first regular meeting.

SECTION 10. AGENDA

An agenda stating the items to be discussed at each meeting, accompanied by a copy of the minutes of the preceding meeting, shall be mailed or otherwise delivered to each member of the Commission at least 48 hours before the meeting at which the agenda is to be considered. Normally the Community Development Department shall prepare, post, and deliver the agenda to Commissioners a minimum of three working days prior to the scheduled meeting. Emergency business not on the agenda may be included in the discussion by the consent of at least five Commissioners present at the meeting.

SECTION 10A. LATE SUBMITTALS OF MATERIALS ON AGENDA

All *required* application materials and other exhibits in support of an application for zoning or subdivision approvals, including revised and supplementary information, must be received by the Community Development Department no less than seven (7) business days prior to the scheduled public hearing date for inclusion in the Planning and Zoning Commission meeting packet. Items must be complete. Materials received after that date and up to one (1) business day prior to the public hearing will be forwarded electronically to the Commission for their review. Such distribution shall not obligate the Commission to forward a recommendation to the City Council on the pending application and may result in the amended application being recommended for tabling to no less than two meetings after the scheduled public hearing date. The subject line of any email that is forwarding materials not included in the meeting packet should include reference that such transmission is supplemental to materials already distributed and shall include the case number and date of submission.

An applicant may distribute materials to the Planning and Zoning Commission at the scheduled public hearing that supplement the applicant's oral presentation, as long as the additional materials are consistent with the proposed zoning or subdivision materials distributed prior to the deadline or were provided to the Commission electronically in accordance with the preceding paragraph. Such materials may include, but are not limited to, a concise written statement responding to the staff report or addressing minor corrections to plans, exhibits, or project data. In no instance shall materials provided to the Commission at the public hearing introduce new or amended application contents.

In such instances where an applicant desires to provide new or amended application materials, such as a revised statement of intent (SOI), development plan, or similar items that would materially changes the previously distributed documents, the Commission will allow the applicant to present said materials for the purposes of information only. The Commission shall take no action to forward the application to the City Council, but rather recommend that the application be tabled for no less than two meetings following the scheduled public hearing to allow the Commission, staff, and public opportunity to review said materials.

Written public comments received prior to the scheduled public hearing will be acknowledged but

not necessarily read verbatim at the hearing. If citizens desire to submit documents more detailed than a single-page letter, such as protest petitions, professional reports, or exhibits, they should be submitted to the Community Development Department three (3) working days prior to the scheduled public hearing to permit distribution to the Planning and Zoning Commission and the applicant electronically. If the deadline is a holiday, the submittal deadline is 9:00 am on the following work day. If such materials are submitted at the scheduled public hearing, other than a protest petition, the Commission will allow the person or entity responsible for such material to present it for information purposes only and may recommend that the application be tabled for no less than two meetings following the scheduled public hearing to allow the Commission, staff and applicant opportunity to review said materials.

SECTION 11. ADDRESSING THE CHAIR

When a Commissioner is about to speak, he or she shall respectfully address himself or herself to the presiding officer, but shall not proceed with his or her remarks until recognized and named by the Chair. Commissioners shall address visitors and each other as Commissioner, Mr. or Ms.; or other honorific title ("Dr.," "Father", etc.).

SECTION 12. NAMING SPEAKER

When two or more Commissioners address themselves to the presiding officer at once, the presiding officer shall name the person who is to speak first, the other having preference to speak next.

SECTION 13. NUMBER OF SPEECHES: DISRESPECT

The Chairperson may rule that no Commissioner shall speak more than twice on the same question, nor more than once until every Commissioner choosing to speak shall have spoken; and in all discussions, disrespectful language or personalities shall be avoided.

SECTION 14. INTERRUPTING SPEAKER

While a Commissioner is speaking, other Commissioners shall not hold private discourses or in any other manner interrupt the speaker.

SECTION 15. CALLING COMMISSIONERS TO ORDER

A Commissioner called to order shall immediately desist from speaking unless permitted to explain. If there be no appeal, the decision of the Chair shall be conclusive, but if the Commissioner appeals to the Commission from the decision of the Chair, those Commissioners present shall decide the question without debate.

SECTION 16. COMMISSIONERS WHO SHALL VOTE

Every Commissioner who shall be present when a question is stated by the Chair shall vote thereon, unless excused by the Chairperson, unless he or she has a direct pecuniary interest in the question, or unless he or she feels that voting on the question would be improper for any reason. After the roll

call, any Commissioner who has a conflict of interest or other valid reason for not voting on a particular item shall ask the Chair to be excused from voting on the item. If excused, the Commissioner shall not participate in discussion, make any motion or vote on the item.

SECTION 17. REDUCING MOTIONS TO WRITING

Every motion shall be reduced to writing if the Chairperson so desires.

SECTION 18. SECRETARY TO READ MOTIONS; SECOND REQUIRED

When a motion is made and seconded, it may be read aloud before it is debated. No motion shall be debated until seconded.

SECTION 19. WITHDRAWING MOTIONS

After a motion is made and seconded, it shall be deemed to be in the possession of the Commission. The motion may be withdrawn at any time before a vote or amendment by the maker without consent of the second. The question may be reconsidered after a vote during the same meeting, only if a majority of those present vote favorably to re-open the item for another vote.

SECTION 20. VOTING ORDER FOR ROLL CALL VOTES

Commissioners shall vote in alphabetical order, rotating in succeeding meetings.

SECTION 21. TIE VOTES

In the event of a tie vote on a motion, the motion shall be sent forward to the City Council without recommendation, but with indication of the tie vote.

SECTION 22. AMENDMENT OR SUBSTITUTE MOTION OR PROPOSITION

No new motion or proposition shall be admitted as an amendment or as a substitute for any pending motion which does not relate to the subject matter of the original motion.

SECTION 23. MOTIONS WHEN QUESTION IS UNDER DEBATE

When a question is under debate, no motion shall be entertained except for: "the question"; to amend; to refer to a committee or to an office of the City or the Commission; to table; to continue; or to adjourn.

SECTION 23A: MOTION TO TABLE AT REQUEST OF APPLICANT OR THE PUBLIC

The Commission may entertain a motion to table a scheduled agenda item to a date certain at the request of the applicant provided:

1. The request is received in writing prior to the scheduled meeting;
2. The applicant cites a valid reason for tabling the public hearing;
3. The applicant requests a continued hearing date not longer than two months from the originally scheduled hearing date;
4. The applicant has not made more than one previous request to table the case.
Cases shall not be tabled more than twice or for a period of more than two months from the originally scheduled public hearing date.

After two instances of a case being tabled, or two months from the originally scheduled hearing date (whichever applies), the applicant must withdraw and resubmit the application, including a new public notice fee. Resubmitted applications will be subject to the same public hearing schedule as new applications.

Exceptions: The Planning and Zoning Commission may grant a third request to table a case, or grant a request to table for a longer period than two months from the originally scheduled date of the public hearing, in cases where circumstances beyond the control of the applicant render it difficult to comply with the public hearing schedule.

The Commission reserves the right to continue a public hearing to a date certain, without requiring new notice or a new application, for purposes of hearing additional testimony or viewing additional exhibits.

The public may request tabling of a case to provide additional facts or to allow more time to review and comment on the applicant's proposal. The Planning and Zoning Commission may grant the request to table if it agrees the proposal is sufficiently complex to warrant the additional time

SECTION 24. WHEN MOTION TO ADJOURN IS IN ORDER

A motion to adjourn shall always be in order, except: (1) when a member is in possession of the floor; (2) while the yes and no's are being called; (3) while the Commissioners are voting; (4) when it was the last preceding motion; and (5) when it has been decided that the question shall be taken.

SECTION 25. "THE QUESTION"

The motion to call for "the question" shall be in this form: "Call for the Question". When recognized by the Chairperson, the motion shall preclude all debate and amendments and the Chairperson will immediately call for a vote on the main question, motion or amendment.

SECTION 26. WHEN INDIVIDUAL YES OR NO'S ARE RECORDED

If any Commissioner so requests, the individual yes and no votes upon any question shall be taken and entered upon the minutes.

SECTION 27. SITUATIONS NOT COVERED UNDER THE ABOVE RULES

The Chairperson shall rule on all questions that arise which are not otherwise covered by the above. The ruling of the Chairperson under these circumstances may be overturned by a 2/3 majority vote of the Commissioners present.

SECTION 28. HOW RULES ARE REPEALED, ALTERED OR AMENDED

These rules shall not be repealed, altered or amended except by receiving the affirmative vote of six Commissioners.

SECTION 29. PREVIOUS RULES

All previous rules and regulations of the Commission are hereby repealed and become null and void.

Date Adopted: May 24, 2012

Chairperson

Attest:

Secretary