

Springdale Planning Commission

Bylaws and Rules of Procedures

A. Organization

1. Appointment of Chair and Vice Chair: With the advice and consent of the Mayor and Town Council, the commission, at its first regular meeting in January of each year, shall select a Chair and Vice Chair.
2. The Chair to Preside at Commission Meetings: The Chair shall preside at all meetings of the Commission and shall provide general direction for the meetings.
3. Duties of the Vice Chair: The Vice Chair, during the absence of the Chair, shall have and perform all of the duties and functions of the Chair.
4. Temporary Chair: In the event of the absence of both the Chair and Vice Chair, the Chair or the Vice Chair shall appoint another Planning Commission member to serve as the Temporary Chair. In such event, the Temporary Chair shall have all the powers and perform the functions and duties assigned to the Chair of the Commission.
5. Duties of the Chair or Vice Chair:
 - a. To call the Commission to order on the day and the hour scheduled, 'call the roll' by announcement and proceed with the order of business.
 - b. To announce the business before the Commission in the order in which it is to be acted upon.
 - c. To receive and submit in the proper manner all motions presented by the Commissioners and ensure for the recording the names of the maker and seconder of motions as well as a vocal roll call vote.
 - d. To authenticate by signature all of the acts, findings and proceedings of the Commission by signing the approved minutes
 - e. To maintain order at the meetings of the Commission.
 - f. To move the agenda along, hold down redundancy by limiting the time allowed for comment if necessary, set guidelines for public input, and reference handouts and procedures during the meetings.
 - g. Recognize speakers and Commissioners prior to receiving comments and presentations.
 - h. Serve as a meeting facilitator and not a meeting dominator.
 - i. Schedule work sessions, training sessions, or research topics as needed or based on input from members of the Commission.
 - j. Review meeting agenda and material with the Director of Community Development (DCD) before it is distributed to the Commission.

B. Rights and Duties of Members

1. Meeting Attendance: Every member of the Commission shall attend the sessions of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the Town Clerk or DCD. The Town Clerk shall inform the Chair of the excused absences. If a Planning Commissioner fails to attend three meetings during a six-month period,

whether excused or not, the Chair may recommend to the Mayor that the Town Council hold a public hearing to consider removing the Commissioner from office, in accordance with section 10-5-3 of the Town Code.

2. **Not to Vote Unless Present:** No member of the Commission shall be permitted to vote on any question unless the member shall be present when the vote is taken and when the result is announced. No member shall give his/her proxy to any other person.
3. **Additional Duties:** Commissioners shall perform work between meetings as needed, e.g., review prepared materials prior to meetings, participate in site visits, and contribute in preparing other work materials (e.g., proposed ordinance revisions).
4. **Objective Review of Applications:** Every member of the Commission shall review all agenda items in an objective, fair, and consistent manner. The members of the Commission shall use the goals and objectives of the General Plan and the requirements of the zoning and subdivision ordinance to guide their decisions on all applications. The members of the Commission shall refrain from expressing personal opinions regarding any application under their review. If a member has a conflict of interest, it should be declared before discussion of the item begins. If the Commissioner chooses to recuse himself or herself, stepping off the dais to join the audience or leave the room is appropriate.

C. Meetings

1. **Special Meetings:** Special meetings may be called:
 - a. By action of the Commission at a regular meeting; or
 - b. By order of the Chair, or in his/her absence, by the Vice Chair; or
 - c. By written request of three or more members of the Commission.
2. The Town Clerk shall provide written notice (email is sufficient) for special meetings to members of the Commission. In the event of an emergency, a telephoned notice shall suffice. A majority of the entire Commission must approve and a quorum must be present at an emergency meeting. Action on matters at special and emergency meetings shall be limited to subjects announced in the call and notice for the meeting.
3. **Agenda Deadline:** Requests for Planning Commission consideration must be properly presented (i.e., submission of completed application and associated materials, fees paid) to the Director of Community Development (DCD) according to the timelines listed below. The DCD will review the request within five (5) business days and notify the applicant of missing material. This does not guarantee all requests will be scheduled with the Planning Commission at the next regular meeting.
 - a. Applications for Design/ Development Review: Three (3) weeks prior to the regular meeting in which the applicant wishes to be heard.
 - b. Applications for Subdivisions (Preliminary and Final Plats): Seven (7) weeks prior to the regular meeting in which the applicant wishes to be heard.
 - c. Applications for Zone Changes, Ordinance Amendments, and Conditional Use Permits: Four (4) weeks prior to the regular meeting in which the applicant wishes to be heard.
 - d. Any item deemed incomplete five (5) days prior to the meeting for which it is scheduled may be removed from the agenda if the DCD and Chair so choose.

D. Agenda for Regular Meetings

1. **Public Hearings:** Public Hearings on the agenda shall be limited to three (3), unless given prior approval by the Chair, or in his/her absence, by the Vice Chair.
2. **Action Items:** Action items on the agenda shall be limited to ten (10), unless given prior approval by the Chair, or in his/her absence, by the Vice Chair.
3. **Agenda:** No subject matter shall be placed on the agenda for any regular meeting, nor shall the Commission consider at any meeting, matters that were not formally filed with the DCD in the manner provided by law.
4. **Agenda and Staff Report for Meetings:** The DCD, with the assistance of the Chair, shall prepare a written agenda and staff report to include a detailed overview, background, analysis, and findings of fact for each meeting as far in advance as possible and shall ensure such agenda and meeting packet material is provided to each member of the Commission prior to the commencement of the meeting. Email notice and digital packets will be used unless a Commissioner makes special arrangements with the staff. Such agenda and meeting packet should be delivered to the members of the Commission at least seven (7) days prior to the meeting. If the staff delivers the packet less than 7 days prior to the meeting, the Commission may still act on the items.
5. **No Incomplete Items on Agenda:** In the event that an item is incomplete, the Chair or DCD shall remove the item from the agenda and it shall not be considered at that meeting.

E. Parliamentary Procedure

1. The Commission shall adhere to the procedures listed in the Springdale Town Officials Handbook, which are roughly based on *Robert's Rules of Order* for parliamentary procedures.
2. A. In acting upon applications for non-hearing action items, the Commission shall follow this general procedure:
 1. DCD review of the application.
 2. Applicant presentation
 3. Commission discussion regarding the merits of the application.
 4. Formulation of motion to include Commission findings, second to motion.
 5. Commission discussion regarding the motion.
 6. Commission vote on the motion.B. In acting upon public hearing action items, the Commission shall follow the 'Planning Commission Hearing Guidelines as approved by the Town Council and printed on the 'flip side' of the agenda. See Exhibit 1.
3. A quorum of the Planning Commission is three voting members present. The Planning Commission shall not pass any motion with less than three concurring votes. In the event only three voting members of the Commission are present, the Commission shall continue any action item or application that does not receive a unanimous vote (either for approval or denial).

F. Ex Parte Contacts

Planning Commission members shall reveal any pre-hearing or *ex parte* contacts with regard to any matter at the commencement of the public meeting on the matter. An *ex parte* contact is any communication with a party or person, whether in person, by mail, email, social network, telephone or other form of communication regarding an application the Planning Commission is or will be considering. A short summary of the nature and content of all *ex parte* communication should be made part of the public record.

Prearranged private meetings, whether in person, by mail, email, social network, telephone or other form of communication, between a Planning Commissioner and applicants, their agents, or other interested parties to discuss items or issues the Planning Commission is or will be considering are prohibited. If such contacts have impaired the member's impartiality or ability to vote on the matter, the member shall so state and shall abstain.

G. Amendment of Bylaws and Rules of Procedure

1. These bylaws and rules of procedure may be amended at any meeting of the Commission held after the proposal to amend the rules is noticed according to the Town's legal noticing requirements. A majority vote of the members of the Planning Commission is required for passage.
2. The public shall have the opportunity to review and respond to amendments to the bylaws and rules of procedure prior to adoption by the Planning Commission though a public hearing is not required.

H. Recording of Bylaws and Rules of Procedure

1. The Town Clerk shall record these rules and all subsequent amendments and copies shall be furnished to each member of the Commission.

/s/ Jack Burns

Jack Burns, Planning Commission Chair

Ratified by the Town Council on June 24, 2020:



Stanley J. Smith, Mayor

Attest:



Darci Carlson, Town Clerk

Exhibit 1

Town of Springdale Public Hearing Guidelines – Planning Commission

A public hearing is a special type of public meeting. A public hearing provides an opportunity for the Planning Commission to accept public comment and testimony on proposed land use issues or legislation. With formal rules of procedure, a public hearing will result in respectful speakers, and a respected process.

When a public hearing agenda item is announced, the Chair will call attention to the hearing format listed below. It is the responsibility of the Chair to maintain control of the public hearing and establish rules which may include reasonable limits on speaking time and speaker conduct. A speaker decides the relevance of their comments regarding the public hearing topic; the Commission listens.

The Chair will lead the public hearing sequentially through the following format steps:

1. A summary explanation and presentation of the hearing item by Town staff
2. Question and answer period of staff by the Planning Commission
3. Question and answer period of staff by the public
4. A summary explanation and presentation of the hearing item by the applicant
5. Question and answer period of the applicant by the Planning Commission
6. Question and answer period of the applicant by the public
7. Motion by the Planning Commission to open public hearing
8. Public comment period
9. Motion by the Planning Commission to close public hearing. No further public comment is taken after the hearing is closed.
10. Planning Commission deliberation
11. Planning Commission action

Per Springdale's Conduct Policy for Elected and Appointed Officials, public officials shall:

- Make the public feel welcome;
- Be impartial, respectful and without prejudice toward the public, and refrain from directing or criticizing the public;
- Listen courteously and attentively to public comment;
- Not argue back and forth or debate with members of the public;
- Treat all members of the public equitably and fairly in terms of time allotted to speak.

The public is asked to:

- State your name for the record when at the microphone. Be brief and speak your points succinctly;
- Do not repeat what has already been said. It is better to simply agree with previous speakers or comments.
- When the public hearing is closed, no further comment, questions, or suggestions will be taken. It is the Council's time to deliberate.

Thank you for participating in the public process.