



BYLAWS

PLANNING COMMISSION

OF THE

CITY OF LAGUNA BEACH, CALIFORNIA

Amended November 2015

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Section 1 – Title of Commission

The official title of the Commission shall be the "Planning Commission of the City of Laguna Beach." The terms "Planning Commission" and "Commission" as used in these Bylaws shall refer to and mean this Commission.

Section 2 - Responsibilities

- A. The Commission shall perform the duties assigned to it as specified in the Municipal Code of the City of Laguna Beach.
- B. The Commission shall perform the duties assigned to it under California law, including but not limited to:
 - 1. Notice and hold public hearings and make recommendations to the City Council regarding the general plan and elements thereof.
 - 2. Notice and hold public hearings and make recommendations to the City Council regarding specific plans as directed by the City Council.
 - 3. Advise the City Council on items related to subdivisions, environmental reviews, interpretations of the zoning code and various special projects.
 - 4. Periodically review the capital improvement program of the City of Laguna Beach.
- C. The Commission shall perform such other duties and responsibilities as may be assigned to it by the City Council.

Section 3 - Membership and Terms

The Planning Commission shall consist of five members appointed by the City Council. Until such time as amended by the City Council, each Planning Commissioner's term shall be two years.

Section 4 - Officers

- A. The officers of the Commission shall be:
1. The **Chairperson** shall preside at all regular and special meetings of the Commission, call special meetings and sign documents in accordance with these Bylaws and as prescribed by the Municipal Code or State law.
 2. The **Chairperson Pro Tem** shall perform all duties of the Chairperson in the absence of the Chairperson.
 3. The Director of Community Development or his or her designee shall serve as the **Secretary**. The Secretary shall keep a written record of all business transacted by the Commission, prepare the Agenda of regular and special meetings, arrange proper and legal notice of hearings, attend to correspondence of the Commission, and perform such other duties as are normally carried out by a Secretary.
- B. **Annual Election Meeting:**
- An election of the Chairperson and Chairperson Pro Tem shall be held at the first Planning Commission meeting held in July of each year. The newly elected officers shall assume office immediately for a period of one year. No person shall occupy the office of Chairperson or Chairperson Pro Tem for more than two consecutive years.

Section 5 - Advisers

The Chairperson may, with the consent of the Commission, request the attendance at Planning Commission meetings of any officer or employee of the City to assist the Commission in its deliberations in an advisory capacity.

Section 6 - Meetings

- A. **Location:** The Planning Commission shall hold all of its meetings, whether the same shall be a regular or special meeting or study session, in the Council Chambers in the City Hall Building, 505 Forest Avenue, Laguna Beach, or in any such other place after notice duly given, within the corporate limits of the City.
- B. **Regular Meetings:** Regular meetings shall be held twice a month on Wednesdays at 6:00 p.m. in the Council Chambers. Changes to the regular meeting dates and times may be made by the Planning Commission as needed including changes to accommodate Planning Commissioner schedules and holidays.
- C. **Adjourned Meetings:** Any regular meeting may be adjourned to a designated date, time and place and, when so adjourned, shall be considered as an adjourned regular meeting, and the agenda shall be the same agenda as the meeting at which the adjournment took place. Any meeting may be adjourned from time to time by the majority vote of the members present.

- D. **Meetings on Holidays:** When a Regular Meeting falls on a Holiday, the meeting shall be held on the next Wednesday that is a normal business day.
- E. **Special Meetings:** Special Meetings may be called by the Chairperson or by two or more members of the Commission by submitting a written and signed request to the Director of Community Development, specifying the time, place, and purpose of such meeting as required by State law. The Secretary, upon receipt of the request, shall immediately notify the other members of the Commission and comply with the provisions of the Ralph M. Brown Act.
- F. **Cancellation of Meetings:** Meetings may, for good and valid reasons, be canceled by the Chairperson upon such notification as may be reasonable and appropriate under the circumstances. Such notice shall state the reasons for cancellation and set forth the date to which the meeting has been continued and/or adjourned.
- G. **Attendance:** Regular attendance at meetings of the Planning Commission is required of all members to enable the Commission to discharge the duties imposed upon it by law. Each Planning Commission member who has knowledge of the fact that he or she will not be able to attend a scheduled meeting of the Planning Commission because of illness or an unavoidable absence shall notify the Community Development Department at City Hall at the earliest possible opportunity. The Director of Community Development shall notify the Chairperson in the event that the projected absences will produce a lack of quorum. Members shall not be absent from more than three meetings during any 12-month period; and upon the fourth absence within such a 12-month period, the matter will be placed on the City Council's agenda for consideration and action as may be appropriate.
- H. **Quorum:** At any meeting of the Planning Commission, a majority of the members of the Commission shall constitute a quorum for the transaction of business. In the event there is not a quorum at a Commission meeting, the Chairperson shall adjourn such meeting or shall adjourn the meeting to a date certain.
- I. **Parliamentary Procedure:** Except as otherwise provided by these Bylaws, the Municipal Code or State law, the latest edition of Roberts Rules of Order shall govern the conduct of the proceedings of this Commission to the extent feasible and appropriate.
- J. **Work Study Sessions:** Study sessions or workshops of the Commission may be held at such time and place as may be established from time to time by a majority of the members of the Commission. Items on the current or future agendas will be reviewed at this time. Field trips to the locations of those items under consideration may be conducted to better familiarize the Commissioners with the conditions involved with these matters. Notice of the time and place of study sessions and workshops shall be given in compliance with the provisions of Ralph M. Brown Act.

- K. **Special Study Sessions:** Special study sessions may be called by the Planning staff for the study of planning matters not on the Regular Meeting agenda. Such matters may include advanced planning and current planning studies. Notice of the time and place of special study sessions shall be given in compliance with the provisions of the Ralph M. Brown Act.
- L. **Meeting to be Open to the Public:** All meetings and workshops of the Commission shall be open and public to the extent required by the Ralph M. Brown Act.
- M. **Site Visits:** When a proposed project has the potential to create view equity, visual or privacy impacts, members of the Commission shall, prior to the meeting at which the project will be considered, visit the project site and neighboring properties that may be adversely affected by the project. Any Commissioner who is unable to visit a view-impacted property should abstain from participating in consideration of and action on the project application, unless the reason for not visiting the site is because the Commissioner was not provided access by the property owner or unless the Commissioner was able to assess the view-related issue from another vantage point.

Section 7 - Liaison with Council

The Commission shall endeavor to inform the City Council in a timely manner, about issues before the Commission.

- A. **Executive Summary:** An "Executive Summary" will be prepared by the Chairperson, with the advice and consent of the other Commission members present, after each regular and special meeting. This summary, which will be forwarded immediately to the City Council, shall highlight important issues for each agenda item.
- B. **Minutes:** Approved minutes of each regular and special meeting will be forwarded to the City Council with more detailed information about each agenda item.
- C. Other procedures also may be used to maintain liaison with the City Council, as deemed necessary by the Commission or as requested by the City Council.

Section 8 - Voting Procedures

The Chairperson, Chairperson Pro Tem and each Commissioner shall be entitled to cast one vote.

- A. **Proxy Votes:** No proxy votes are permitted. Voting shall be by voice vote upon calling for the vote by the Chairperson.
- B. **Roll Call:** The voting shall be by a roll call vote, unless the Chairperson determines a voice vote is sufficient. In any event, the results of each vote shall be announced in compliance with the provisions of the Ralph M. Brown Act.
- C. **Majority Vote:** A majority vote of the members of the Commission present shall be necessary for the adoption of any proposed action. Three affirmative votes shall be required for the adoption of any resolution. A tie vote shall be recorded as a failure of action to be taken. A tie vote on a motion defeats the motion.

- D. **Disqualification from Voting:** In the event that any Commission member present shall have a conflicting financial or personal interest with regard to a matter then before the Commission, he or she shall state the nature of the conflict, and shall leave the room. A disqualified Commissioner shall not be counted as a part of the quorum and shall be recorded as having been absent for the purpose of determining the outcome of any vote on such matter.

Section 9 - Planning Commission Agenda

- A. **Order of Business:** The order of business for all meetings shall generally be as follows:
1. Call to Order by the Chairperson (or if necessary, the Chairperson Pro Tem)
 2. Roll Call
 3. Public Communications on any item not listed on the agenda
 4. Consent Calendar – Any item that staff believes does not require a public hearing may be placed on the Consent Calendar. Any Planning Commissioner or any member of the public may withdraw any item from the Consent Calendar by oral request prior to a vote on the Consent Calendar. After all requests for removal have been made, the Consent Calendar shall be voted on as a single item. A majority vote for approval of the Consent Calendar shall constitute the approval of each item thereon. Each removed item shall then be considered and voted on individually.
 5. Public Hearings
 6. Regular Business
 7. Approval of Minutes
 8. Departmental Reports
 9. Commissioners' Reports
 10. Adjournment
- B. **Order of Public Hearings:**
1. Introduction of the item by the Chairperson.
 2. Disclosures by Commission members.
 3. Presentation by the staff.
 4. Questions of the staff by the Commission.

5. Public Hearing declared open.

Comments by the applicant, members of the public, then rebuttal comments by the applicant, if necessary. Each person testifying should be invited, but shall not be required, to give his or her name and/or affiliation (if any) for the public record. All comments should pertain to the item under consideration and shall be directed to the Commission as a body and not to any member thereof.

6. Public Hearing declared closed. After a public hearing has been closed and before action is taken by the Commission, no member of the audience shall address the Commission without first securing the permission of the Chairperson.
7. Additional comments or clarifications by the staff.
8. Commission discussion.
9. Commission action.
10. Announcement of vote, identifying those voting for and against the motion.

Section 10 - Purpose and Effect of Bylaws

These Bylaws are intended as guidelines for the conduct of the Planning Commission's business. No decision, proceeding or other action of the Commission shall be invalidated, or the legality thereof otherwise affected, by a failure or omission to observe or follow these Bylaws.

Section 11 - Amendment of Bylaws

These Bylaws may be amended by a majority vote of the members of the Commission and ratification by the City Council.