

## **Establishing Planning Commission Hearing Procedures October 2012**

The Planning Commission of the Calaveras County finds that adoption of specific procedures to be followed in hearings before the Planning Commission will help make the hearing process more engaging and efficient.

The following procedures shall apply to all hearings, including appeals held before the Planning Commission of the County of Calaveras.

Hearings shall be conducted in the order set forth below:

### Order of Public Hearing:

- A. Opening of the hearing by the Chairman;
- B. Presentation of staff report;
- C. Presentation of correspondence, which correspondence may be read, circulated, or acknowledged and made part of the record;
- D. Applicant/appellant's presentation; 15 minutes
- E. Public comments; 5 minutes per speaker
- F. Rebuttal by applicant/appellant (including the applicant's agent, engineer, or representatives); 10 minutes total
- G. Rebuttal by stakeholders or represented groups; 10 minutes total
- H. Close of hearing;
- I. Staff summation/response to comments
- J. Discussion and deliberation by members of the Planning Commission;
- K. Entertainment of motion and second;
- L. Discussion on the question;
- M. Call for the vote by the Chair

Time limits may be expanded or contracted as determined by the Chair depending on the complexity of issues and the number of people desiring to speak.

Public comments are to stay on-topic and within the purview of the Planning Commission. If comments stray off-topic, the Planning Commission or Planning Director may re-direct the discussion.

The Chair will provide instructions on the rebuttal time limits to be adhered to by the applicant/appellant, stakeholders and represented groups with the goal of striving for a balance of time for arguments in favor and opposition of a project. The Chair may expand time limits if multiple stakeholder or represented groups seek rebuttal opportunity.

Rebuttals are restricted to addressing issues brought up in direct arguments only. Rebuttals provide corrections, counter arguments, evidence, or explanations of

issues brought up in the public hearing. Rebuttals shall not be restating prior testimony or opinions.

After closing the public hearing, the Planning Commission may pose questions to the applicant to clarify facts and issues without re-opening the public hearing, but "new information" generated during discussions by Commissioners or Applicant can be an opportunity to "re-open" the public hearing to allow the public to comment or rebut/respond to new information. The Planning Commission, staff, or members of the public may call for a "point of order" if new information is presented and request the Chair re-open the public hearing.

#### Written Comments:

Interested parties may present written comments or documentation to the Planning Commission prior to the meeting date or during the public hearing portion of the meeting. Delivery of written documents shall be delivered to the Planning Department up until the day of the meeting. On the day of the meeting, 8 copies of written comments and or documentation must be presented to the Planning Commission and staff. Photos can be presented as a single copy to be retained by the County. All display documents become the property of the County.

Depending upon the size of documents presented, the Planning Commission may temporarily recess to review documents.

#### Procedures

Public Hearings and Planning Commission deliberations may be continued to future meetings at the discretion of the Planning Commissioners.

In the interests of time and fairness, the Planning Commission shall endeavor to adhere to the time limits set forth above. The time limits shall be enforced at the discretion of the Chair.

#### Public Comment Period, Comments:

Comments to the Planning Commission on matters not appearing on the Agenda during the Public Comment period, shall be limited to five (5) minutes per person, Fifteen (15) minutes per topic.

The Planning Commission will not (cannot) respond to issues not on the agenda at the time the issue is raised.

The Planning Commission may request staff to place an item on a future agenda or report back to the Planning Commission regarding concerns raised during public comment period.