

BYLAWS AND RULES OF PROCEDURE
Of the
CITY OF SAN MATEO
PLANNING COMMISSION

Adopted November 12, 1968
Amended January 17, 1978
Amended February 22, 1982
Amended June 24, 1985
Amended December 9, 1986
Amended November 13, 2001
Amended February 11, 2014

CHAPTER 1
RULES OF THE PLANNING COMMISSION

A. MEETINGS

1. Regular public hearing meetings of the Commission shall be held on the second and fourth Tuesdays of each month in the San Mateo City Council Chambers at 7:30 p.m. Meetings may be held at such other locations and times as may be determined, so long as the meeting agenda is properly posted as listed in Section D. All meetings shall be open to the public. Study meetings may be held at other times at the discretion of the Planning Commission.
2. Items for public hearing may be considered at other meetings provided adequate notice has been given as required by law or ordinance.
3. A quorum for conducting the business of the Commission shall be three of the voting members of the Commission, and official actions may be taken by a majority of the voting members present at any meeting unless a larger number is required by law, ordinance, or other provisions of these bylaws.
4. The Chair of the Commission, with the consent of the Commission, shall be responsible for the procedure and conduct of all meetings, and may for special problems in procedure follow the rules of parliamentary practice as set forth in *Robert's Rules of Order*.

B. ELECTION AND TERMS OF OFFICE

1. The Commission shall, at the first meeting of ~~June~~ May of each year, elect from among its members, a Chair and a Vice-Chair. Election shall be held provided that not less than four Commission members are present.

2. The officers shall hold office for one year, commencing in June or until their successors are elected.
3. In case of any vacancy in office, the vacancy shall be filled by an election held at the first regular meeting after the occurrence of such vacancy. Persons so elected shall serve the balance of the term. Election shall be held provided not less than four Commission members are present.
4. Election shall be open ballot, with ballots cast separately for each office. Balloting for Vice-Chair shall follow election of the Chair. In each case, the Commission member with the highest number of votes shall be declared elected.
5. In the case of the absence of, or the inability to act of the Chair and the Vice-Chair, the members present at any meeting shall, by an order entered in their minutes, select one of their number as Chair pro-tem to serve for that meeting.

C. DUTIES OF OFFICERS AND STAFF

1. Chair: The chair shall preside at all meetings of the Commission. The Chair may call a special meeting of the Commission when the Chair deems appropriate. The Chair shall, with the consent of the Commission, have the power to represent the Commission, establish practices for the conduct of Commission business, appoint committees or do such other things as are necessary to accomplish the purpose of the Commission and carry forward its responsibilities to the City Council and citizens of the City of San Mateo.
2. Vice-Chair: In the event of the absence of the Chair or of his/her inability to act, the Vice-Chair shall perform the duties of the Chair.
3. Director of Community Development: The Director of Community Development or designee shall be the Administrative Secretary of the Planning Commission and shall maintain minutes of the meetings and records of hearings and official actions and read correspondence received from interested citizens. The Administrative Secretary shall:
 - a. On all official actions for which a specific number of votes is required by local or state legislation, show the vote of each member, absences, and abstentions.
 - b. Certify all official documents and resolutions of the Commissions.
 - c. Report to the Commission on procedural matters pertaining to items before the Commission.
 - d. Examine incoming mail for proper referral and answer correspondence for the Commission.

- e. Maintain official records.
- f. Perform such other duties as may be assigned by the City Manager or by the Commission with the concurrence of the City Manager.

D. MEETING AGENDA

1. At least 72 hours before each Planning Commission meeting, the Administrative Secretary or designee shall post an agenda with a brief general description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. The agenda shall be posted in a location that is freely accessible to the public, to be determined by the Administrative Secretary. The Administrative Secretary or designee shall sign a declaration at the time and place of posting.
2. At least 24 hours before each Planning Commission meeting, a notice specifying the time and place of the special meeting and business to be transacted shall be posted in a location that is freely accessible to the public and shall be delivered personally or by mail to each member of the Planning Commission and to any other local newspaper of general circulation, radio, or television station requesting notice in writing. In the event notice is given less than 48 hours in advance of the meeting, it shall be delivered personally and not mailed. The Administrative Secretary or designed shall sign a declaration of the time and place of posting and delivery.
3. The order of business for regular meetings of the Planning Commission shall be as follows:
 - a. Pledge of Allegiance
 - b. Roll Call
 - c. Approval of Minutes
 - d. Public Comment
 - e. Public Hearing Items
 - f. Study Items
 - g. Communications / Announcements
 - h. Other Business of the Commission

The Chair of the Planning Commission shall have the discretion to change the order of items on the Planning Commission's agenda.

4. During the “Public Comment” period, members of the public shall be given an opportunity to speak on all items within the Planning Commission’s jurisdiction, including non-public hearing agenda items. The Chair shall determine whether the matter is within the Commission’s jurisdiction. Public testimony on public hearing items will be taken during the public hearing and not during the public comment period. Each member of the public may speak for a maximum of three minutes, with a maximum of fifteen (15) minutes of the entire Public Comment period. If no member of the public wishes to speak, then no time shall be reserved for public comment. If more members of the public wish to speak than can be accommodated with the fifteen minutes period, an additional public comment period, not to exceed fifteen (15) minutes, may be scheduled after all other Commission business has been completed.
5. At a special meeting, the Planning Commission may consider only that business shown on the notice of the special meeting.
6. At a regular meeting, the Planning Commission may take action only on items shown on the posted agenda, unless the Planning Commission takes one of the following actions:
 - a. Determination by a majority vote of the Planning Commission that an emergency situation exists, including work stoppage or crippling disaster which severely impairs public health, safety, or both.
 - b. Determination by a two-thirds (2/3’s) vote of the Planning Commission, or by a unanimous vote if less than two-thirds (2/3’s) of Commission members are present, that the need to take action arose after the agenda was posted.
 - c. Determination by a majority vote that the matter was included on a properly posted agenda for a Planning Commission meeting occurring not more than five calendar days before, and at the prior meeting the item was continued to this meeting.
7. The Planning Commission shall not act or discuss any matters raised during the public comment period which are not on the agenda, but shall refer such matters to staff for review and/or place such matters on a future agenda.

E. PUBLIC HEARINGS

The public is permitted to speak on public hearing items subject to the following conditions:

1. The Chair may limit the amount of time allotted to speakers.

2. Members of the public may only speak when recognized by the Chair.
3. Questions from the public, an applicant, or an appellant will be answered by staff at the direction of and through the Chair and not directly to the questioner.
4. Applicants, appellants, and members of the public who wish to speak on an item shall fill out a card showing their name and address and deliver it to the staff.
 - a. The following order shall be followed in the conduct of public hearings:
 - 1) Staff presentation
 - 2) Commission questions of staff
 - 3) Presentation by applicant
 - 4) Commission questions of applicant
 - 5) Presentation by appellant, if applicable
 - 6) Commission questions of appellant, if applicable
 - 7) Open public hearing for comments
 - ~~8) Final comments by applicant and/or appellant~~
 - 8) Closing of public hearing
 - 9) Further Commission questions of staff, public, appellant, or applicant
 - ~~10) Closing of public hearing~~
 - 11)10) Commission discussion and decision

F. DEADLINE FOR COMMISSION CONSIDERATION

Consistent with City Council policy, no new items shall be introduced after midnight.

G. CANCELLATION OF MEETING

Where there is no business to be transacted at a regular meeting, the meeting may be cancelled. This cancellation will be 1.) authorized by the Commission at the meeting prior to the cancelled meeting if it is known that there is no upcoming business for the Commission, or 2.) shall be communicated to the Planning Commission by the Chief of Planning. ~~by the Chair or by vote of the commission taken at a regular meeting of the~~

~~Commission. Before determining that there is no business, the Chair shall attempt to contact each Commissioner to determine if they have any business for the meeting.~~

H. ADOPTION

Upon adoption of these bylaws by a majority vote of the Planning Commission of the City of San Mateo, they shall become effective.

I. AMENDMENTS

These bylaws may be amended by the Commission at any regular meeting by a majority vote provided not less than four Commission members are present.