

LARAMIE PLANNING COMMISSION RULES OF PROCEDURE

These Rules of Procedure are promulgated pursuant to Laramie Municipal Code (LMC) Section 2.36.040 which states "The members of the planning commission shall elect from their number a president, shall create their own rules of procedure and shall designate their own times and places of meeting".

I. Name

In accordance with LMC Section 2.36.010, the name of this commission is the City of Laramie Planning Commission (hereafter referred to as the Planning Commission).

II. Establishment and membership

The Planning Commission has been established as allowed by Wyoming Statute 15-1-502. In accordance with the provisions of Enrolled Ordinance No. 122 and 1522 of the City of Laramie, Wyoming, the Commission shall consist of seven (7) members, five (5) who shall be qualified electors of the City of Laramie and two (2) whom may be a qualified elector of the City, or may be a resident of Albany County residing within five miles of the city limits, appointed by the Mayor with the consent of the City Council. Each member must be a resident of the City. In making its appointments, the Laramie City Council should attempt to have represented the different geographic areas within the city and a variety of professional and civic backgrounds or concerns.

III. Staff Attendance at Meetings

The City Planning Manager, or his designee, should attend all meetings of the Commission in order to provide necessary administrative liaison and assistance as required by the Planning Commission. The City Engineer, or his designee, is requested to be available for all meetings of the Planning Commission when a checklist or report prepared by the City Engineer is to be considered by the Planning Commission, and upon request from the Planning Commission.

IV. Term of Appointment

In accordance with LMC Section 2.36.020, members of the Planning Commission shall serve terms of three (3) years or until their successors have been appointed. Members may serve an indefinite number of terms, subject to reappointment by the Mayor.

V. Appointment of Members

In case of vacancy on the Commission for any reason, appointment should be made for the unexpired term of office in the same manner as prescribed by LMC Section 2.36.050. If a vacancy occurs or is scheduled to occur among the members of the Planning Commission, the Planning Commission shall notify the City Council of the vacancy.

VI. Removal of Planning Commission Members

The City Council may remove members from the Planning Commission. The Planning Commission may recommend the removal for cause. Reasons for removal of a member may include: failure to attend three (3) consecutive, regular meetings; or failing to abide by the rules of conduct of members. A member of the Planning Commission may also be recommended for removal if, because of personal, business, or professional ties, the member has been rendered ineffective as a member because the member is unable to participate in the decisions on a substantial share of the matters before the Commission.

VII. Officers

In accordance with LMC Section 2.36.040 the officers of the Planning Commission are a Chair (President) and a Vice-Chair (Vice President).

VIII. Election of Officers

The Planning Commission shall elect a Chair and a Vice-Chair every two years, in odd-numbered years, at the regular meeting in July by majority vote of the entire membership. The Chair and Vice-Chair shall serve a two (2) year term and may be reelected for additional terms.

IX. Duties of Officers

A. Chair

The Chair shall preside at all regular and special meetings unless incapacitated or unable to attend. The Chair may move, second and debate from the chair subject only to limitations placed on all members and shall not be deprived of rights and privileges of a member.

B. Vice-Chair

The Vice-Chair shall perform the duties or responsibilities of the Chair in the absence or disability of the Chair.

C. Temporary Chair

In the absence of the Chair and Vice-Chair, if a quorum is present it shall elect a Temporary Chair to serve until the Chair or Vice-Chair appears. The Temporary Chair shall perform the duties of the Chair in the absence or disability of the Chair and Vice-Chair.

X. Scheduling of Meetings

The commission shall hold a regular meeting twice each month at 4:30 p.m. on a schedule set by the Commission from time to time. Work sessions may be held after regular meeting sessions and on an ad hoc basis. The regular meeting time and place may be changed by the Commission. Generally, the Planning Commission will meet on

the second and fourth Mondays of each month at 4:30 PM. A regular meeting may be canceled if no business is scheduled for discussion. Work sessions may be held in place of regular meetings when no agenda items are presented for the Commission's consideration. Special meetings or work sessions may be called by either the Chair, by the Planning Division, or by a majority of the Planning Commission, as necessary, with reasonable notice to all commission members and the public. All meetings of the Planning Commission shall be open to the public.

Any meeting date which falls on a holiday, or any meeting canceled because of lack of a quorum shall be rescheduled by the Planning Division on behalf of the Planning Commission. A regular meeting may be canceled if no business is scheduled for discussion. The Planning Division shall notify the Planning Commission members if a meeting is to be canceled.

XI. Formation of Committees

Upon grant of specific authority from the Laramie City Council, the Planning Commission may form citizen committees from time to time, in order to assist the Planning Commission in examining public policy issues related to planning and regulatory measures affecting the city, conduct research requested by the Planning Commission, and develop recommendations to present to the Planning Commission. Work requested of any committee shall be performed by its members, and shall not involve support from city staff unless the Laramie City Council approves such support.

XII. Quorum and Vote

A majority of the members of the Planning Commission shall constitute a quorum for the conduct of business. All members must be physically present to count towards a quorum. Action may be taken by a majority of the voting members present, provided, however, no action may be taken with less than three affirmative votes. Adoption of a master or comprehensive plan, or any element thereof, shall require the affirmative vote of a majority of the entire membership.

Proxies cannot be used for any purpose. When a member absents themselves from consideration of an item before the Planning Commission because of conflict of interest, the member shall be considered present for purposes of maintaining a quorum. The record of voting on such items shall indicate the affected member who abstained.

A member may not vote on approval of minutes for a meeting they did not attend. A member may not vote on a project, which has been heard at more than one meeting, unless the member was present at all meetings in which the project was considered or the member has listened to the tape recording of the meeting(s).

XIII. Notice and Minutes of Meetings

In addition to any specific notice for individual items required by applicable statute, ordinance, resolution, or regulation, the Planning Commission shall publish the agenda of its regular meetings by posting a copy of the agenda in a public place within the Planning Division offices.

The Planning Commission may keep a recording and shall keep written minutes for each of its regular meetings and any special meetings. The minutes shall be prepared by Planning Division Staff or designee , and presented to the Planning Commission for approval. The recordings and approved minutes shall be maintained as public records in the Planning Division Office.

XIV. Site Visits

Site visits may be scheduled after a project has been submitted for review but before the Planning Commission's meeting. The Planning Division, not the applicant, is responsible for scheduling site visits for the Planning Commission. Individual members may visit sites on their own with or without the Planning Manager present provided no applicant or other representatives of the applicant are present. If any relevant information is obtained and considered by members as a result of any site visit, the information shall be disclosed before the vote on any decision so that all participants at the meeting may be informed of the facts that influence the disposition of the case, and have an opportunity to respond.

XVI. Work Sessions

Work sessions provide an opportunity for project proponents to obtain informal comments on a proposal, or for the Planning Commission to discuss policy issues. No formal action is taken at work sessions. Since these sessions are for discussion purposes and not for decision-making, no formal notice is required. Work sessions may be included on a regular meeting agenda or a special meeting may be called. The Planning Commission shall include a written statement of the items discussed and any direction given in the minutes if the work session is a part of a regular meeting, or in a summary to be filed with the agenda if the work session is held as a special meeting.

XVII. Conduct of Meeting

The business of all regular meetings shall be transacted in the following order unless by vote of majority of the members present the rules are suspended and the order changed:

1. Call to Order/Roll Call
2. Approval of Agenda/Minutes
 - 2.A Changes And Approval of Agenda
 - 2.B Planning Commission Meeting Minutes
3. Citizen Comments - Non Agenda Related Topics – No Action Can Be Taken

4. Planning Commission And Staff Reports And Comments
5. Disclosures – Ex-Parte Communications; Potential Conflicts Of Interest
6. Current Planning Projects
 - 6.A Old Business
 - 6.B New Business
7. Long Range Planning Projects
8. Variances
9. Adjournment

XVIII. Conduct of Meetings and Review of Current Planning Projects

Where an individual has filed an application to be acted upon by the Planning Commission, the application shall be considered at a public meeting. The procedures that follow shall be used. Members of the Planning Commission shall be recognized by the Chair before asking questions of the applicant, public, staff, or other Planning Commission members.

- A. **Opening of the Meeting**

The Chair shall open the meeting. The Chair shall explain the procedure that will be used to conduct the meeting.
- B. **Presentation of Staff Report**

The Planning Division staff shall have an opportunity to explain the nature of the project and present the staff report. Planning Commission members may direct questions concerning the report or project to staff.
- C. **Presentation of Applicant's Case**

The applicant shall have an opportunity to present evidence in support of the application and to rebut any issues or conditions identified in the staff report. Planning Commission members may direct questions concerning the report or project to the applicant.
- D. **Public Comments**

The Chair shall invite comments from the public in attendance at the hearing. Planning Commission members may direct questions concerning the comments to the applicant or public.
- E. **Deliberations by the Planning Commission**

The Planning Commission may close the public meeting and take action or take the matter under advisement to be decided at a subsequent meeting. The Planning Commission may continue the meeting to receive additional comment. The Planning Commission may re-open the meeting at a later time to receive

more comment. After closing the meeting the Chair shall ask for a motion concerning the application or matter before the Planning Commission. The Planning Commission may only deliberate a matter after the public meeting has been closed and a motion concerning the disposition of the application or matter has been made and seconded. During deliberations, the Planning Commission may direct questions to the applicant, staff, or public to clarify issues of concern to the Planning Commission after being recognized by the Chair.

F. Decision by the Planning Commission

After deliberations, the Chair shall ask for a vote of the members present. Every member present shall vote either "aye" or "no" or abstain from voting. All action taken shall conform to applicable statutory provisions on open meetings and shall be by motion.

XIX. Conduct of Members

Planning Commission members shall abide by the rules of conduct set forth below.

A. Conflict of Interest:

Members have the right and the obligation to vote on all questions before them and to participate in the business of the Planning Commission except when a conflict of interest exists, or if there is a perception of a conflict of interest.

(1) Notification of conflict of interest:

Whenever the Planning Commission is considering, or may consider a matter that raises a question of conflict of interest for a particular member, the member shall inform the Planning Division before the meeting. If, in the staff's opinion, there may be a conflict of interest, staff may ask City Attorney for an opinion. Members are responsible for determining when a conflict of interest exists. Members are also responsible for alerting the Chair before the meeting.

(2) Conduct at meetings where a member has a conflict of interest:

If any member has a conflict of interest with any particular item, the member shall notify the Planning Commission and the public in attendance of the conflict of interest. The member shall not participate in consideration of that item.

B. Ex parte Contacts

Ex-parte contacts are contacts between individuals seeking to influence a decision on a Planning Commission matters outside the meeting forum.

Examples include site visits, meetings with the applicant or applicant's representative, telephone calls, in person contact, email, letters or other forms of communication with anyone which may attempt to influence a member's opinion on a matter which will be subject to the member's vote.

It is the goal of the Commission to make its decisions based on information equally available to all members, applicants, the public, and City staff, because that allows all interested parties to respond to all information which could influence the Commission's decisions. This section should be interpreted in light of this goal.

From time to time, members may seek or receive information on matters before them other than through formal, public submissions. This could occur, for instance, when a member visits a site, or is contacted by an applicant, expert, or member of the public. If this happens, members shall 1) disclose in public any substantive information received or gleaned by them, and 2) in the case of information provided to them, urge the contacting party to provide that information to the entire Commission in person or in writing.

XX. Open Meetings

Meetings of the Planning Commission including site visits shall be open to the public except as provided by law.

XXI. Open Records

Information presented to the Planning Commission in carrying out its responsibilities, records of meetings, and any other material resulting from the conduct of its activities shall be kept on file in the City of Laramie's Planning Division Office, and shall be available for inspection by the public upon reasonable request except as provided by law.

XXII. Amendments to the Rules of Procedure

Any member of the Planning Commission or the Planning Division may propose amendments to the rules of procedure. An amendment must be approved by a majority of the entire membership after due notice and filed with the County Clerk to become effective.

XXIII. Other Rules of Procedure

The most recent edition of "Robert's Rules of Order" shall be the parliamentary rules of the Commission as required and shall be supplemental to and included as part of these rules.

XXIV. Hearings

Whenever the Commission is authorized or required by statute or ordinance to hold a hearing, the hearing shall be conducted in the manner specified in Section XVIII above, substituting "hearing" for "meeting" and "testimony" for "comments." Any procedural matters not covered by Section XVIII shall be in accord with Chapter 1.20 of the Laramie Municipal Code.

Adopted September, 25, 2017.

A large, stylized handwritten signature in black ink, appearing to be "T. J. ...", written over a horizontal line.

Chair

10/9/2017
Secretary

T. J. ... as Secretary