



**PLANNING COMMISSION
COUNTY OF ALPINE, STATE OF CALIFORNIA**

AGENDA

Thursday, April 29, 2021

5:00 P.M.

Nick Hartzell, Chair
Jim Holdridge, Vice-Chair
Tom Sweeney
Bob Broyer
Jeanne Mortimer

Meeting Location:
VIRTUAL MEETING ONLY

VIRTUAL MEETING NOTICE

The Planning Commission meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). The meeting will be an internet based video and phone conference. Public participation is available at the following:

Website link: <https://zoom.us/j/96093437768>
Phone number: 669-900-9128
Zoom meeting ID: **960 9343 7768**

IMPORTANT NOTICE REGARDING COVID-19 AND PARTICIPATION IN THE PLANNING COMMISSION MEETING

To participate in this Alpine County Planning Commission meeting, the public are invited to observe and address the Commission telephonically or electronically. Instructions for public participation are below:

Public Participation Instructions: The meeting will be conducted via teleconference using the Microsoft Zoom program, and Commissioners will attend electronically or telephonically. The meeting will have no physical location to physically attend. The public may observe the Zoom meeting via computer by clicking on the following link: <https://zoom.us/j/96093437768> or the public may listen via phone by dialing 1-669-900-9128 and then when prompted, entering the Meeting ID Access Code
960 9343 7768

You will be asked for a "Participant ID". You do not need a Participant ID to join the meeting, press the pound key (#) again and you will be automatically connected.

1. If a member of the public wishes to comment on a particular agenda item, the public is strongly encouraged to submit their comments in writing via email to the Community Development Department at jwood@alpinecountyca.gov by 2:00 p.m. on the day of the Commission meeting.
2. Applicants and members of the public wishing to comment on a specific agenda item while the matter is being heard during the meeting may participate by any of the following means:
 - a. When the Chair calls for public comment on an agenda item, the Secretary of the Commission or his or her designee will first ascertain who wants to testify (among those who are in the meeting

electronically or telephonically) and will then call on speakers and unmute their device one at a time. Public speakers including the applicant may be broadcast in audio form only.

b. If speakers or other members of the public have documents they wish to distribute to the Commission for an agenda item, they are encouraged to submit such documents by 2:00 p.m. the date of the meeting to: zwood@alpinecountya.gov. To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Planning Commission date and agenda number in the subject line.

c. While the matter is being heard, a member of the public may submit a comment via email, preferably limited to 250 words or less, to the Secretary of the Commission at zwood@alpinecountya.gov. To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Planning Commission date and agenda number in the subject line. If the comment is received prior to close of public comment on an agenda item, every effort will be made to read the comment into the record, but some comments may not be read out loud due to time limitations or length of the comment (if the comment exceeds 250 words). Comments received prior to the close of the public comment period on an agenda item will be made part of the record for that item.

3. Members of the public who wish to make a general public comment for items not on the day's agenda may submit their comment via email, preferably limited to 250 words or less, to zwood@alpinecountya.gov. The Planning Commission date and "general comment" should be indicated in the subject line. The comment will be placed in the record for the meeting, and every effort will be made to read the comment into the record at the appropriate time on the agenda.

4. Individuals with disabilities who desire to request a reasonable accommodation or modification to observe or participate in the meeting may make such request by sending an email to zwood@alpinecountya.gov. The request should be made no later than noon the day of the meeting in order to provide time for County to address the request.

4. The Chair may set reasonable rules as needed to conduct the meeting in an orderly manner.

The Planning Commission welcomes you to its meetings, which are regularly scheduled for the last Thursday of each month. Your participation and interest are encouraged and appreciated. All members of the public are encouraged to participate in the discussion on any items on the agenda at the time the items come up for Commission consideration. Speakers are requested to identify themselves before speaking. Whenever possible, lengthy testimony should be presented to the Commission in writing and only pertinent points presented.

All proceedings are conducted on English. The Commission is committed to making its proceedings accessible to all citizens. Individuals with special needs may call 530-694-2140. All inquiries must be made at least 48 hours prior to the meeting.

So far as practical, unless otherwise altered by the Chair of the Commission, the order of business for the Commission meeting is as follows. Please note that designated times are for that particular item only.

1. CALL TO ORDER

2. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

Any person may make comments during the Oral Communication – General Public Comment period on items of interest, within the subject matter jurisdiction of the Commission, that are not listed on the posted agenda. No action will be taken on any oral communication item. All oral communications must be directed to the Commission as a whole, not to individual Commission members and not to the audience.

3. MINUTES

3.1. Request approval of regular meeting minutes of February 25, 2021

4. UNFINISHED BUSINESS

4.1 Planning Commission Bylaws – Possible action to amend the Planning Commission Rules of Procedure related to the regular meeting date, time, and other matters.

5. NEW BUSINESS

5.1. **Housing Element Update** – Beth Thompson of De Novo Consulting has been hired by Alpine County to prepare the 6th Cycle Update of the General Plan Housing Element and will provide an overview of the update process including major changes to state law.

6. PUBLIC HEARINGS

None

7. OTHER BUSINESS

7.1. **Planner's report**

7.2. **Items initiated by Commissioners**

8. ADJOURNMENT

The Commission will adjourn to the next regular meeting of May 27, 2021 at 5:00 p.m.



UNAPPROVED: SUBJECT TO CORRECTION

**PLANNING COMMISSION
COUNTY OF ALPINE, STATE OF CALIFORNIA
Administration Building, Board Chambers
99 Water Street, Markleeville, CA 96120**

MINUTES
THURSDAY, February 25, 2021

1. CALL TO ORDER

Chair Nick Hartzell called the meeting to order at 5:03 p.m. with Commissioners Jim Holdridge, Tom Sweeney, and Bob Broyer present. Commissioner Jeanne Mortimer was welcomed as the new member of the Planning Commission.

A quorum was established.

2. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

None.

3. MINUTES

3.1. Request approval of regular meeting minutes of January 28, 2021

Commissioner Holdridge requested two corrections to the minutes: 1) The meeting was called to order by Vice-Chair Jim Holdridge, and 2) The signature block at the end of the minutes should be Vice-Chair Jim Holdridge.

MOTION: BROYER / SECOND: SWEENEY approving the regular meeting minutes as corrected.

Commissioner Hartzell – Abstain

Commissioner Holdridge – Yes

Commissioner Sweeney- Yes

Commissioner Broyer – Yes

Commissioner Mortimer - Abstain

MOTION CARRIED

4. UNFINISHED BUSINESS

None

5. NEW BUSINESS

5.1. Planning Commission regular meeting date and time – Possible action to amend the Planning Commission rules to change the regular meeting date or time

Zach Wood noted that the Planning Commission Bylaws (Rules of Procedure) set the meeting date and time as the last Thursday of the month at 6:00 p.m. During the January 2021 meeting Commissioner Broyer asked about changing the regular meeting time. There have been different meeting times and dates which have been special meetings due to the availability of the Commissioners.

Commissioner Sweeney commented that he liked the 5:00 p.m. meeting time. Commissioner Holdridge said he wouldn't mind trying a change of time but that he is happy with the 5:00 p.m. time.

Commissioner Broyer requested that there should be consideration for a 1:00 p.m. meeting. Chair Hartzell noted his preference for the 5:00 p.m. start time. Commissioner Mortimer stated her preference for a 5:00 p.m. start time.

Commissioner Sweeney inquired if Commissioner Broyer can participate by Zoom during inclement weather. Zach Wood stated the public would need to be noticed if a Commissioner is not able to attend in person. Staff can bring back more information on this topic at a later meeting.

Zach stated that the Bylaws could be brought back to the next meeting to change the start time from 6:00 p.m. to 5:00 p.m. Chair Hartzell requested staff bring the bylaws to the next meeting for the proposed change.

5.2. Planning Commissioner Brown Act and conflict of interest training – Informational training on state laws related to the function of the Planning Commission

Margaret Long, County Counsel, introduced herself to the Planning Commission and noted that she is a resource for the Commission. The concept of the Brown Act insures that the public agencies deliberate and make their decision in public. Anytime there are three or more Planning Commissioners, it is considered a "meeting." A meeting includes "serial" meetings when there is deliberation through a phone exchange or by email. Any time an email or text is sent, this is a public record. It does not matter if this is from a personal device.

The required notice is 72 hours in advance and posted on the agency web site. A special meeting only requires a 24 hours' notice.

Planning Commissioners must disclose any contact with applicants. Every agenda item is allowed to have public comment. This is not the forum to have a debate. There should not be any engagement with the public. Do not respond until after public comment is closed.

The California League of Cities has a good resource on the Brown Act related to noticing and transparency.

Margaret Long also reviewed conflicts of interest. Commissioners can't participate in items where there is a financial interest and there must be recusal. If the item involves a property within 500 feet, it is assumed there might be a conflict. If the property is 1,000 feet or more, there is assumed to be no conflict.

If there is a question about possible conflict of interest, a Commissioner can contact the Fair Political Practices Commission.

Public Comment is not required for presentations but public comments could be opened. An applicant is entitled to due process. If the Planning Commission has additional questions for the applicant, this does not require public comment to re-open. It is the Chair's discretion to re-open public comment. A person can only provide one comment on any item.

6. PUBLIC HEARINGS

6.1. Tour of the California Alps: Death Ride special event permit

Review and possible action to approve a special event permit application to allow the Tour of the California Alps: Death Ride cycling event with up to 3,500 participants to occur on July 17, 2021. The event is staged from Turtle Rock Park and the course includes State Routes 4 and 89. The event course is amended from previous years to remove State Route 88 (Carson Pass) and extended from the Hermit Valley closure to east of Lake Alpine on State Route 4 as a shared course open to vehicle traffic. Applicant: Alpine County Chamber of Commerce.

This public hearing item was continued from the January 28, 2021 Meeting.

Zach Wood noted that Alpine County staff attending included Undersheriff Tom Minder as well as Tim Bottomley from Bear Valley.

Zach Wood summarized the discussion from the January meeting. There were three Commissioners present and the Planning Commission requested more information from the applicant related to the proposed extension from Hermit Valley to Lake Alpine and whether the new route would be shared with vehicle traffic. There was a meeting on the 16th of February with agencies to discuss the issues. The applicant has now requested closing this segment so this is a change from the application discussed at the January meeting. The application was for a shared roadway and the change is to now to close this road segment.

Staff has also received comment letters from agencies including the Stanislaus National Forest and the Sheriff's office.

The action recommendation from staff is the same as from January which is to still approve the Special Event Permit with the same findings with some minor changes to the recommended conditions of approval:

- 1) New condition (LA-2) to require the applicant to notify recreation cabin owners based on 2/22 comment letter from Stanislaus National Forest
- 2) Per 1/28 Commission direction COA PH-2 is changed to require cancellation due to coronavirus by 14 days prior to the event date.

Commissioner Broyer had requested comments from the San Andreas office of the California Highway Patrol CHP). Zach Wood noted that CHP did participate in the meeting on February 16th and they have been in contact with the applicant.

Chair Hartzell reopened the public hearing on this item.

Becky DeForest from the Alpine County Chamber of Commerce stated that the Chamber has communication plans to notify people of the changes.

Curtis Fong from Bike of the West confirmed that they are formally requesting the road be closed from Hermit Valley to east gate of Lake Alpine. He has received input letters of support from the Calaveras County side as well as the Forest Service and the Alpine County Sheriff's Office as long as the campground areas are monitored by law enforcement. The media plan will be updated.

Undersheriff Tom Minder noted that the Sheriff's office has agreed to the road closure. The Sheriff's office will actively patrol the campgrounds to let people know they won't be able to leave unless there is an emergency.

Tim Bottomley, Battalion Chief at the Bear Valley Sheriff's Substation, asked if the emergency plan will be updated due to the new route. Curtis Fong stated that they are negotiating a new sponsorship contract with Cal Star, Aeromed, and REMSA to provide backup medical services as well as ski patrols in Kirkwood and Bear Valley to see who should be involved for medical back up and transport systems. Tim Bottomley wanted to note that Bear Valley does not have the staffing with the fire department to handle the call volume.

Chair Hartzell closed the public hearing.

Commissioner Sweeny asked when they would know the answers to the questions that were raised. Zach Wood responded that the agencies are responsible to carry out the conditions in the Permit. Chair Hartzell asked if there were some deadlines in the conditions. Zach Wood noted that there are some deadlines related to public health concerns. There are usually agency meetings prior to the event. The applicant will need to obtain a CalTrans Encroachment Permit. Many of the conditions have been the same conditions for this event. What has changed are the public health conditions. There are about 8 or more agency permissions that will be required for the event.

Commissioner Holdridge moved to approve the Special Event Permit based on the three findings with the new additional condition, 14 previously approved event conditions, the new Lake Alpine Traffic Mitigation Plan, the three public health conditions and the Notice of Exemption for the CEQA categorical exemption.

Commissioner Broyer seconded the motion.

Mortimer – Yes
Broyer- Yes
Sweeney – Yes
Holdridge – Yes
Chair Hartzell

7. OTHER BUSINESS

7.1. Planner's report

None

7.2. Items initiated by Commissioners

Jeanne Mortimer introduced herself and stated that she is a member of the Community Council for the Washoe Tribe and hopes she can be a valuable resource to the Planning Commission.

8. ADJOURNMENT

The Planning Commission adjourned at 7:00 p.m.

Nick Hartzell, Chair

Attest:

Zach Wood, Planner III
Alpine County Community Development

EXHIBIT A
A Resolution of the Alpine County Planning Commission
Adopting Certain Rules of Procedure
for the
Alpine County Planning Commission

(Section 10B corrected by the Commission on 3-20-03)

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Section 1. Scope.

This resolution shall establish the procedures for the conduct of all meetings of the Planning Commission of the County of Alpine. The purpose of this resolution is to provide that the County's procedures will be consistent with the Brown Act (Government Code Sections 54950 et seq.) and also to establish procedures that will be convenient for the public and contribute to the orderly conduct of business. The procedures herein, are in addition to, and not in place of, applicable ordinances and statutes, and in the event of conflict between the resolution and applicable ordinances or statutes, the latter shall govern. This resolution shall supercede and completely replace Board of Supervisor Resolution Nos. 94-06 and 98-49.

Section 2. Meetings.

(a) Regular Meetings.

The Planning Commission shall conduct a regular monthly meeting. The regular meeting shall be held in Markleeville, California at either Turtle Rock Park or the Board of Supervisors Chambers in the County Administration Building. Regular meetings shall normally be held on the last Thursday of each month, beginning at 6:00 p.m., or at such other date, time and place established by motion. Meeting locations other than Turtle Rock Park or the Board of Supervisors Chambers are acceptable when, based on a majority vote of the quorum, an alternative location is desirable to provide easier access to the meeting for the public.

(b) Special Meetings.

A special meeting may be called at any time by the Chair or by determination of the majority of the Commission. Written notice of any such meeting must be given to all members of the commission and to all newspapers, radio stations, television stations, or other media who have previously requested same in accordance with applicable provisions of the Government code. Such notice may be given either personally or by mail, but must be given at least 24 hours before the time set for the special meeting.

(c) Site Visits

The Commission may schedule site visits as part of a regular meeting or special meeting. Site visits involving public hearing items shall be noticed as such, as required by all applicable laws. Site visits shall be listed on the Commission's meeting agenda for either a regular or special meeting, and the agenda shall be posted as provided in this resolution. A written summary of the site visit including locations visited and information received shall be included in the minutes of the meeting of which the site visit is a part.

Site visits are conducted for the purpose of gathering information about a specific project location or a general area of interest with regard to development of regulations, policy or a special study being conducted by the Commission. The public may attend the site visit and may provide information about the location and general characteristics of a specific proposal. Public testimony regarding the merits of a specific proposal or application shall not be allowed. No action shall be taken at a site visit

and Commission members shall refrain from discussing the merits or giving specific directions concerning subjects of the site visit. Site visits may be conducted by less than a quorum of the Commission.

A summary report of the site visit shall be presented during the Commission's regular or special meeting at which the subject of the site visit is on the agenda for discussion or action. If the site visit is conducted in relation to a public hearing for a specific application or proposal, the summary of information gained at the site visit shall be included as part of the record. If the Commission relies on specific information acquired during the site visit in taking action on a specific application or proposal, the Commission shall reference such information in its deliberations on the application or proposal.

Section 3. Adjourned Meetings.

The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn.

Section 4. Closed Sessions.

The Commission may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by State law to hear or consider in closed session. If a closed session is included on the agenda, the description of the item need only identify the statutory basis for the closed session, and need not include the specific topic which is the subject of the closed session. During closed session, the Commission may exclude any person or persons which it is authorized by State law to exclude from a closed session. No minutes of the proceedings of the closed session are required.

Section 5. Agenda – Posting, Contents and Limitations on Actions.

(a) Posting of Agenda.

For every regular and special meeting, the planning staff shall post an agenda specifying the time and place at which the meeting will be held and a brief description of all the items of business to be discussed at the meeting.

(b) Location of Posting.

The agenda shall be posted in a place to which the public has unrestricted access during at least normal business hours and where the agenda is not likely to be removed or obscured by other posted material. Specifically, the agenda shall be posted at the places indicated below, and/or at such other location (s) as the County Clerk may designate:

County Administration Building
County Courthouse
County Planning Department Office
County Library (Markleeville and Bear Valley)

Markleeville Post Office
Bear Valley Post Office
Bear Valley Sheriff's Office Substation
Kirkwood Post Office

(c) Posting for Regular Meetings.

For any regular meeting of the Commission, the agenda shall be posted no later than seventy-two (72) hours prior to the time set for the meeting.

(d) Posting for Special Meetings.

For any special meeting of the Commission, the agenda shall be posted no later than twenty-four (24) hours prior to the time set for the meeting.

(e) Description of Matters.

All items of business to be discussed at a meeting of the commission shall be briefly described on the agenda. The description need not set out the specific action or alternatives which will be considered by the commission, but should contain sufficient detail so that a person otherwise unaware could determine the general nature or subject matter of the item by reading the agenda.

(f) Limitations of Actions.

No action shall be taken by the Commission on any item not appearing on a posted agenda, subject on to the exceptions listed in subsection (g) below. "Actions taken" as used herein shall mean a collective decision made by a majority of the members of the Commission to make a positive or a negative decision, or an actual vote by a majority of the members of the Commission upon a motion, proposal, resolution, order, or ordinance. With regards to matters not on the agenda, the members of the Commission may ask questions of persons who raise such matters during the public comment period or otherwise, and the Chair should handle such matters as provided in Section 7 (c) but such questions should be limited to informational purposes, and the Commission should avoid discussions of the merits or giving directions regarding such subjects. With regards to matter raised by members of the Commission under items from members, such matters should normally be placed on the agenda and the Chair should handle such matters as provided in Section 7 without discussion by the Commission.

(g) Exceptions to Agenda Requirement for Action Taken.

The Commission may take action at a meeting on an item not appearing on the agenda for that meeting only under one of the following circumstances:

- (1) Upon a majority determination that an "emergency situation", as that term is defined by State law, exists.
- (2) Upon a determination by a unanimous vote of those members present that the need to take action arose subsequent to the agenda posting. For the purposes of this subsection, the term "need to take action" shall mean those circumstances whose occurrence creates

a situation which is materially different from that which existed at the time the agenda was posted, and which requires the immediate attention of the Commission. The mere failure of any person to notify the commission or staff of a pre-existing situation requiring Commission attention until after the time for the posting of the agenda shall not be deemed to constitute a “need to take action” hereunder. If the commission makes a determination pursuant to this subsection, the minutes of the meeting at which the determination is made shall reflect what circumstance gave rise to the “need to take action” and why the item could not be placed on the agenda.

- (3) Where the item upon which action is to be taken was included on a properly posted agenda for a prior meeting of the commission occurring not more than five (5) calendar days prior to the date of the meeting at which action is to be taken, and at the prior meeting the item was continued to the meeting at which action is being taken.

(h) Public Comment Period.

Every agenda posted for any regular or special meeting shall contain an item consisting of an opportunity for the public to address the commission on items of interest to the public within the Commission’s subject matter jurisdiction. This public comment period shall be conducted in accordance with the procedures set forth in Section 7.

Section 6. Order of Business.

The order of business at meetings of the Commission shall be as follows, in accordance with the procedures specified below. The Commission may, by approval of majority of the quorum present, change the order of business for one or more agenda items. However, such change shall not cause a public hearing item to be heard prior to the time specified in the notice for the hearing.

- (a) Call to Order, Roll Call, Establish Quorum and Confirmation of Agenda
- (b) Approval of Minutes
- (c) Oral or Written Communication from the Floor (Public Comment Period)
- (d) Consent Calendar (optional)
- (e) Unfinished Business
- (f) New Business
- (g) Public Hearings
- (h) Staff Reports (other than for items under d-g)
- (i) Commission Member Items (to be placed on a future meeting agenda)
- (j) Discussion Items
- (k) Miscellaneous Items
- (l) Adjournment

The commission in a single motion may approve items of a routine or generally uncontested nature by adoption of the consent calendar. The approval of the consent calendar shall signify the approval of each matter or recommendation included therein. Upon the request of any member of the Commission or upon the request of a member of the public made through the Chair, an item may be removed from the consent calendar for separate discussion and/or action.

Section 7. Public Comment.

(a) Public Comment and Items from Members.

During the public comment item of the agenda, any member of the public may address the commission on items of interest to the public that are within the subject matter jurisdiction of the Commission that are not otherwise on the agenda. No action may be taken on such matters without being placed on a subsequent agenda, and members of the Commission shall refrain from discussing the merits or giving specific directions concerning such subjects.

(b) Limitations.

The Chair may limit the public comment period to five (5) minutes per speaker or no more than thirty (30) minutes for all speakers, to be apportioned among all speakers who request time.

(c) Procedure.

- (1) Upon addressing the commission, each speaker must first state his or her name and physical address and then identify the subject or subjects upon which he/she intends to speak.
- (2) At the close of the speaker's comments, the Chair may ask staff to respond to the speaker's comments. Thereafter, the Chair shall make one of the following three determinations:
 - (a) The subject(s) raised do not require investigation or response.
 - (b) The subject (s) raised should be referred to staff for investigation and/or response.
 - (c) The subject(s) raised should be placed on a future meeting agenda for action by the Commission.

(d) Other Agenda Matters

In addition to receiving comment from the public during the public comment period, the Chair shall have the discretion to recognize persons from the audience who wish to address the Commission on a particular agenda item at the time the Commission considers that item.

Section 8. Public Hearings.

Matters required to be heard in a noticed public hearing, shall be conducted in the following manner:

(a) Time for Consideration.

Matters noticed to be heard by the Commission shall commence at the time specified in the notice of hearing, if so specified, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.

(b) Hearing Procedure.

Prior to declaring the public hearing open, the Chair may establish a time limit for the entire public hearing, or establish time limits for the presentation of each individual speaker. The Chair shall conduct the hearing in such a manner as to afford due process to all affected persons. All persons interested in the matter being heard by the Commission shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained as part of the record.

When a matter for public hearing comes before the Commission, the Chair shall open the public hearing. Upon opening the public hearing, the Chair shall request that staff present the staff report and any other relevant evidence, but the presentation of the staff report prior to the formal opening of the public hearing shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing.

The Chair shall thereupon inquire if there are any persons present who desire to address the commission on the matter. Any person desiring to speak or present evidence shall then make his or her presence known to the Chair, and upon being recognized, may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Chair and stating their full name and physical address for the record. Speakers shall direct all of their comments to the Commission. Discussion, debate and argument among the speaker and the audience shall not be allowed.

Members of the Commission who wish to ask questions of the speakers or each other during the public hearing portion may do so. Members should be mindful that the purpose of the public hearing is to obtain testimony and not to debate the merits of the item under consideration. Members shall not argue or debate the merits of an item with the speakers or audience. Members should avoid debate among themselves and expressions of personal opinion until after the close of the public hearing.

Upon closing of the public hearing by the Chair no additional public testimony shall be solicited or received by the Commission without reopening the public hearing.

Section 9. Officers.

The Officers of the Commission shall be a Chair and Vice-Chair. The offices of Chair and Vice-Chair shall be elected by the Commission members and shall serve a one-year term, with a maximum of two consecutive full one-year terms. Elections shall be held at the end of the first regular meeting of the Commission following July 1 of each calendar year, or when a vacancy in one of these positions occurs.

Section 10. Procedures for the Conduct of Meetings.

(a) Chair

The meeting shall be presided over and chaired by the Chair, or, in the Chair's absence, the Vice-Chair. In the absence of the Chair and the Vice-Chair, the remaining Commission members shall, by consensus, designate a member to carry out the duties of the Chair until the Chair or Vice-Chair rejoins the meeting.

The Chair shall have the authority to rule any speaker out of order, including speakers during the public comment period if the subject raised is not within the subject matter jurisdiction of the Commission, or during a public hearing if the speaker is not presenting testimony or evidence relevant to the matter that is the subject of the public hearing or if the speaker and any audience member are engaging in debate with other audience members. The Chair shall have the responsibility for the conduct of meetings in an orderly manner and to prevent the obstruction of business, and in carrying out this responsibility shall have the authority to give the floor to any member of the Commission or public by recognizing them, to prevent the misuse of legitimate forms of motions or privileges, to take matters up out of order, and to order any persons willfully interrupting the meeting to be removed from the room.

(b) Obtaining the Floor and Making Motions.

Any member of the Commission wishing to speak, or any member of the public wishing to address the Commission, must first obtain the floor by being recognized by the Chair. The Chair must recognize any member of the Commission who seeks the floor when appropriately entitled to address the Commission.

Any member of the Commission, including the Chair, may bring a matter of business properly before the Commission by making a motion. Any member, including the Chair, except the member making the motion, may second a motion. Once a motion is seconded, it may be opened for discussion and debate.

(c) Voting.

After a full opportunity for debate, any member of the Commission may call for a vote by a Motion to call the question. If it appears that there is a consensus of opinion among the members of the Commission on the matter to be voted upon, the Chair may state the consensus of the Commission and ask if there is any objection. If there is no objection, the consensus as so states shall become the order of the Commission. Otherwise, all votes of the Commission shall be by voice vote, except voting upon any ordinance, which shall be by roll call vote. After every vote, the Chair shall declare the result, and on all but consensus votes, shall note for the record the number of votes for or against the question.

Section 11. Votes Required for Action.

The Commission may take action only with three affirmative votes for an item. Action by a 2-1 vote shall not be permitted. In the event of a 2-1 or tie vote, it shall be ruled by the Chair either that no action has been taken and the matter shall be referred to the Board of Supervisors for action or that the requested action is denied without prejudice (i.e. the Commission makes no determination or findings regarding the merits of the proposal that is the subject of the requested action) and may be appealed to the Board of Supervisors under the established County procedures regarding such appeals.

Section 12. Record of Meetings and Minutes

The proceedings of all Planning Commission meetings shall be electronically recorded on tape. The written minutes of the meeting shall be kept by the planning secretary and retained in the Planning Department files in accordance with established policies. The minutes shall contain a record summary of each item of business transacted. Verbatim minutes shall not be prepared unless directed by the Chair or the County Planning Director. For public hearing items, the minutes shall include the following information:

- (a) The name and physical address of every person addressing the Commission
- (b) Any position pro or con or otherwise regarding the subject of the public hearing that any person expressly states to be theirs
- (c) A list of all written documents submitted to the Commission regarding the subject of the public hearing

Section 13 Committees

The Commission may form sub-committees for the purpose of gathering information and conducting special studies regarding issues of concern to the Commission and preparing reports to the full Commission on implementation of the General Plan and other applicable plans, ordinances and policies. Sub-committees shall not be formed to investigate specific development proposals or permit applications that are under consideration by the full Commission. Sub-committees shall operate and conduct business in compliance with the Brown Act (Government Code Sections 54950 et seq.)

Section 14 Meeting Attendance; Removal of Members

Commission members are expected to attend all regular and special meetings. Commission members who are not in attendance at two consecutive regular meetings may be asked to provide an explanation of their absences to the Commission. Commission members who are not in attendance at three consecutive regular meetings without prior notice being provided to the Commission, may be removed at the discretion of the Board of Supervisors. Commission members who are habitually absent from regular meetings may be removed at the discretion of the Board of Supervisors. Prior to any action that may result in removal of a member, the Board of Supervisors shall provide written notice to the member along with an opportunity for the member to address the Board.

Section 15 Interpretation.

This Resolution shall be liberally construed to effectuate its purpose and no ordinance, resolution, proceeding or other action of the Commission shall be invalidated or the legality thereof otherwise affected by the failure or omission of the Commission to technically comply with, observe or follow within the rules.

Section 16. Amendments.

This Resolution may be amended from time to time as necessary by resolution passed by a majority vote of the Board of Supervisors.