

# Exhibit B

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# **MONTEREY COUNTY PLANNING COMMISSION RULES FOR THE TRANSACTION OF BUSINESS**

## **RULE 1 – Membership**

The Commission shall consist of ten appointed members and six members shall constitute a quorum. No action shall be taken by the Commission unless a quorum is present at the meeting.

## **RULE 2 – Rules of Order**

Meetings shall be conducted in accordance with the Ralph M. Brown Act (California Government Code section 54950, *et seq.*) and guided by Robert's Rules of Order, Revised, except as otherwise specifically provided herein.

## **RULE 3 – Election of Officers**

At the first regular meeting in January, the Chair shall appoint a Nominating Committee to nominate a Chair and Vice Chair. At the first regular meeting in February, the Nominating Committee shall provide its nominees and the Commission shall elect a Chair and Vice Chair.

## **RULE 4 – Secretary of the Commission**

The Director of Planning or his or her designee shall act as the Secretary without any voting rights.

## **RULE 5 – Regular Meetings**

Regular meetings of the Monterey County Planning Commission shall begin at 9:00 a.m. and be held in the Board of Supervisors' Chambers, located at 168 W. Alisal Street, Salinas, California; or at such other location within the unincorporated County as may from time to time be determined by the Commission.

Regular meetings shall be held on the second and last Wednesdays of each month except for the months of November and December in which there shall be only one meeting held on the second Wednesday of each month, unless otherwise modified by the Planning Commission at the time of the regular calendar adoption at its first meeting of each year. Public hearings shall not be scheduled to begin later than 5:30 p.m. unless the Commission expressly authorizes an evening meeting.

**RULE 6 – Special Meetings**

Special meetings of the Planning Commission may be called at any time at the direction of the Chair, a majority of Commissioners, or by the Board of Supervisors upon notice given to the members of the Commission. Special meetings may be held at a different time or location than the regular meetings of the Planning Commission, provided that the location is within the unincorporated area of the County.

**RULE 7 – Duties of the Chair**

The Chair shall preside at all regular and special meetings. The Chair shall be entitled to make or second any motion, and discuss and present any matter as a member of the Commission. The Chair may appoint committees from time to time for any purpose he or she deems proper for the conduct of Commission business.

The Vice-Chair shall assume all duties of the Chair in the latter’s absence from any meeting.

In the absence or inability of either the Chair or Vice-Chair to act, the members present shall select a member to act as Chair Pro-Tem for that meeting.

**RULE 8 – Document Submittal**

All documents and materials to be filed with the Commission, shall be filed in the office of the Secretary of the Commission (Housing Community and Development - Planning).

**RULE 9 - Agenda**

The Secretary shall prepare and distribute to the Commission an agenda for each meeting. The agenda and all related materials shall be ready for distribution by the Wednesday prior to the meeting.

**RULE 10 – Conduct of Public Hearings**

The following procedures are adopted as Rules of Order for public hearings:

1. Open hearing
2. Staff presentation
3. Applicant presentation
4. Proponent presentation
5. Opponent presentation
6. Applicant rebuttal
7. Close hearing to floor
8. Commission discussion
9. Render decision

### **RULE 10.1 – Decision**

When the Commission alters or modifies a project, the appropriate findings, evidence and conditions or modification to findings, evidence and conditions shall be clearly noted.

If a motion to approve does not pass, then the Chair shall:

1. Permit the applicant to request a continuance, if that is appropriate; or
2. Entertain a motion to deny if sufficient findings are fully articulated to support denial; or
3. Entertain a motion of intent to deny if findings for denial are not yet fully articulated.

If there is an unbreakable tie vote, the Chair shall solicit findings for both sides and direct staff to prepare a resolution with said findings for the record and for the purpose of rendering a final determination by the Planning Commission on the matter.

### **RULE 10.2 – Continuance**

The Planning Commission shall allow, as a matter of right, one continuance of any public hearing item without a public hearing on the merits of the item, provided that the continuance would not violate the Monterey County Code or state law. A request for a continuance must be received by the Secretary to the Planning Commission or his/her designee by 5:00 pm. the Wednesday preceding the hearing date. The Secretary to the Planning Commission or designee shall note the continuance on the Commission's agenda as "To Be Continued to [date]" and notify the newspaper of local circulation for high profile or controversial projects. At the Commission meeting, the Commission shall continue the item to a date certain.

The Planning Commission will consider a request for a second continuance of any public hearing item. A request for a continuance must be received by the Secretary to the Planning Commission or his/her designee by 5:00 pm. the Wednesday preceding the hearing date. The Secretary to the Planning Commission or his/her designee shall note the continuance on the Commission's agenda as "Request for Continuance to [date] Received" and notify the newspaper of local circulation for high profile or controversial projects. At the Commission meeting, the Commission will consider and may grant or deny the request for a continuance.

After two continuances the Planning Commission will conduct a full public hearing on the item and take one of the following actions:

1. Approve the item.
2. Deny the item.
3. Continue the item to a subsequent date with specific direction to the staff as to the information needed for the subsequent public hearing.

4. Table the item with specific direction to the staff as to the information needed for a subsequent, newly noticed public hearing.

### **RULE 11 – Rules of Conduct**

The Commissioners shall observe the following rules of conduct:

1. Be recognized by the Chair before speaking.
2. Acknowledge to the Chair when you are finished.
3. Address staff by name or by department.

### **RULE 12 – Majority Vote**

Actions of the Commission shall be by a majority vote of Commission members present and voting on the issue. If a Commissioner is recused or prohibited from voting due to an actual or perceived conflict of interest under the California Political Reform Act (Government Code section 8700, *et seq.*) or Government Code section 1090, *et seq.*, the Commissioner shall leave the dais and the Board chambers, and his or her presence shall not be counted towards a quorum. If the recusal of a Commissioner on a certain item will upset the quorum, such item shall be trailed to the end of the meeting and continued to a future meeting when a quorum can be obtained. The presence of any Commissioner who otherwise abstains from voting shall be counted for purposes of determining a quorum, but the vote of such abstaining members shall not be counted either for or against a measure in determining whether a majority vote has been obtained.

### **RULE 13 – Authority and Annual Review**

The Commission shall annually review these rules and any adopted policies every May.

These rules are adopted in accordance with Ordinance 1020, codified in the Monterey County Code as Chapter 2.48, Section 2.48.040.

*Last updated October 26, 2022*