
JUNE



CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2823 FAX 707/961-2802

MEMO

TO: Planning Commission

FROM: Sarah McCormick

RE: MINI WORKSHOP AND DISCUSSION OF HOW AND WHEN TO POSTPONE A DECISION, MAKE A MOTION AND OTHER ISSUES RELATED TO PLANNING COMMISSION REVIEW, DISCUSSION AND DECISION MAKING WITH REGARD TO PLANNING PERMITS

The intention of this mini workshop is to provide an opportunity for discussing HOW and WHEN to postpone a decision, and/or make a motion.

After the Planning Commission receives report from staff and conducts the public comment portion of a Public Hearing, Commissioners engage in discussion and deliberation. As discussion unfolds it may become clear that there is a consensus and swift decision is at hand. If this is the case, a Commissioner makes a motion to, "approve/deny permit '*fill in the blank*' subject to the required approval findings and subject to the standard and special conditions included in staff report." The motion is then seconded by another Commissioner; a vote is taken and recorded.

However, not every decision is clear. There could be special conditions that require more time for review and/or possible modification, or maybe information is presented during the meeting that Commissioners wish to consider and additional staff time would be required to examine and formally present. If more time is necessary to reach a decision, a motion can be made to postpone the Public Hearing to a date/time/place certain, usually to the next regularly scheduled Planning Commission meeting. It is important to announce the date, time, and place to which the hearing will be continued. If this procedure is not followed, the entire process for noticing a hearing will start from the beginning, which delays the application and adds considerable staff time and cost.

There also might be instances when Commissioners wish to defer a final decision until appropriate findings and/or conditions can be prepared. Deferral of final decision is considered a tentative decision and action is deferred until appropriate findings and/or conditions are made. Although this choice is offered in Inland Land Use Development Code Section 18.96.050(C) – Hearing Procedures – staff recommends choosing one of the first two options to allow full public participation: A) make a decision at time of hearing; or B) continue the hearing to a date/time/place certain.

Procedure for Public Hearing:

1. Chair announces title from agenda;
2. Staff presents report;
3. Commissioners ask clarifying questions of staff;
4. Chair opens the Public Hearing by stating the time and striking gavel;
5. Applicant is given the first opportunity to address Commissioners from the podium and individuals from the public follow (Chair reads names from speaker card and if there are no speaker cards, asks community members present if they would like to speak);
6. After public comment, the Chair closes the Public Hearing by stating the time and striking the gavel;
7. Planning Commissioners deliberate and discuss (asking clarifying questions of staff and applicant as needed);
8. A motion is made;
9. The motion is seconded (or not, and then the motion fails, and a different motion is made);
10. Decision is recorded by Roll Call Vote (majority prevails; in instance of a split vote, the permit is denied).