

**RULES AND BY-LAWS OF THE  
LARIMER COUNTY PLANNING COMMISSION**

**I. MEETINGS**

- A. Regular meetings shall be held on the third Wednesday of each month in the Hearing Room of the Larimer County Courthouse, Fort Collins, Colorado. Meetings shall begin at 6:00 p.m. All meetings and actions shall be in compliance with C.R.S. 24-6-402 regarding open meetings and any subsequent amendments to said statute. If the Chair and Commissioners determine that any application cannot be heard and considered for action by 10:00 p.m., it may be continued, heard, and considered at a specifically scheduled meeting or the next regularly scheduled meeting. Such application shall have priority at the next meeting and may be heard before any other matters or applications.
- B. Special meetings of the Larimer County Planning Commission may be held at any time upon call of the Chair; by a majority of the entire membership of the Planning Commission; or upon request of the Board of County Commissioners. Notice of at least seven (7) calendar days shall be given to each member of the Planning Commission by telephone or by fax. Time, place and proposed agenda of Special Meetings shall be specified with information sent to each Commissioner of the Planning Commission notifying them of a Special Meeting.

**II. MEMBERS/QUORUM**

- A. The Planning Commission shall consist of nine (9) Commissioners, appointed by the Board of County Commissioners. Term limits shall be in accordance with Larimer County Administrative Procedure 100.1. The Chair of the Planning Commission may be asked to interview applicants for vacancies by the Board of County Commissioners.
- B. A quorum for transaction of business shall consist of half of the membership, plus one.
- C. Actions shall be by a majority vote of Commissioners when a quorum is present except that any change to the Master Plan for Larimer County, or approval of a new Master Plan (Comprehensive Plan) for Larimer County, shall require an affirmative vote of not less than six (6) of the Planning Commission.
- D. In cases where a quorum is not present, applications shall be rescheduled for hearing at the next regular Planning Commission meeting, or at a special meeting set by the Chair of the Commission.

### **III. OFFICERS**

- A. The Planning Commission, at the end of their regular meeting in July of each year, shall elect a Chair, Vice- Chair, and a Secretary. The Director of Planning shall designate a Recording Secretary.
- B. The duties and powers of the officers of the Planning Commission shall be as follows:

#### **The Chair shall:**

- 1. Preside at all meetings of the Planning Commission and maintain proper decorum by controlling the meeting, avoiding duplication of testimony, and avoiding demonstration(s). In cases where decorum cannot be maintained, any commissioner may request the Chair to recess, continue the agenda item, or adjourn.
- 2. Call special meetings of the Planning commission in accordance with the by-laws.
- 3. Sign the documents of the Planning Commission.
- 4. Insure that all actions of the Planning Commission are properly taken.

#### **The Vice-Chair shall:**

- 1. During the absence, disability, recusal, or disqualification of the Chair, exercise and perform all of the duties and be subject to all the responsibilities of the Chair.

#### **The Secretary shall:**

- 1. Sign or attest to the signature of the Chair or Vice-Chair on the documents of the Planning Commission.

#### **The Designated Recording Secretary shall:**

- 1. Keep the minutes of all meetings of the Planning Commission in an appropriate and designated file.
- 2. Give and serve all notices required by State Statute, regulations or by the by-laws.
- 3. Prepare the agenda for all meetings of the Planning Commission.
- 4. Be custodian of Planning Commission records.
- 5. Inform the Planning Commission of correspondence relating to business of the Planning Commission and attend to such correspondence.

#### **IV. ATTENDANCE**

- A. Regular attendance by members of the Planning Commission is expected. Field trips are taken monthly to visit the sites scheduled for hearing. Site visits are encouraged, either with the group or separately by the Commissioners if they are unable to join the group
- B. Any Commissioner who has been absent from three consecutive regular monthly hearings, without a leave of absence or having advised the Chair of the circumstance of the absence, shall be reported to the Board of County Commissioners by the Recording Secretary. Leaves of absence shall be submitted to the Chair and the Recording Secretary 2 days in advance when possible, noting the reason for the leave and how long the Commissioner will be gone. The Recording Secretary shall forward this information to the entire Commission.
- C. When necessary because a member of the board is unable to to attend in person, one or more members the board may participate in such meetings and may vote through the use of telecommunications devices. Such participation may include but not be limited to the use of a conference telephone, video conferencing or similar communications equipment. Such participation through telecommunications devices shall constitute presence in person at such meeting.

#### **V. PROCEDURE FOR CONSIDERATION OF AGENDA ITEMS**

- A. The following procedure will generally be followed by the Planning Commission when considering agenda items:
  - 1. Introduction of the item by the Chair.
  - 2. County Staff presentation.
  - 3. Applicant presentation.
  - 4. Testimony from the audience relating to the agenda item. The Chair may set a reasonable time limit per individual and group presentations and may establish an order of testimony in support of or in opposition to the application.
  - 5. Applicant's rebuttal, limited to points of opposition. The Chair may set a reasonable time limit.
  - 6. Inquiry by the Commissioners of the applicant and staff.
  - 7. Final staff comments.
  - 8. Discussion among the Commissioners.
  - 9. Motion and second by the Commissioners.
  - 10. Discussion by the Commissioners on the motion.
  - 11. Roll Call Vote.
- B. The Chair may modify the above procedure for individual items if necessary for expeditious conduct of business.
- C. Agendas for items to be considered by the Planning Commission will be available to the public at the meeting.

#### **VI. CONSENT AGENDA**

- A. An item is placed on the consent agenda if it is non-controversial and Staff and Applicant agree on the findings and conditions of approval.



- B. The following procedure will generally be followed by the Planning Commission when considering consent agenda items:
1. Introduction of the consent item by the Chair.
  2. Any Commissioner or member of the public may request that an item be removed from the consent agenda. The reason for the request should be stated.
  3. An application pulled from the consent agenda will normally be placed at the end of the regular hearing agenda. The Chair may determine if the matter removed from the consent agenda can be expeditiously resolved or should be placed at the end of the agenda.
  4. The Chair may call for staff to provide a brief report on any item remaining on the consent agenda.
  5. The Chair may call for a motion to approve the item(s) remaining on the consent agenda.

Only one motion is required for all consent items. After being duly seconded, the consent agenda shall be voted on by a roll call vote of the Commissioners.

## **VII. GENERAL**

- A. All maps, plats, correspondence, and other documentation shall be filed in the office of the Planning Department. The staff will make every effort to provide the Commissioners with a staff report and adequate documentation, including maps and comments of referral agencies approximately one week before the scheduled meeting. Any materials presented at a hearing or meeting by the applicant or public shall become part of the official record, and at the discretion of the Chair, may not be returned.
- B. Voting on all applications shall be by roll call. The order of voting will be alternated, except that the Chair shall vote last.
- C. If a conflict of interest exists, any Commissioner shall depart from the dais and abstain from discussion and voting on the issue affected from the time such conflict of interest has been identified.
- D. The Chair may allow "personal appearances" at the beginning of each meeting by any citizen desiring to speak on any planning matter not on the agenda. The Planning Commission shall not take action on items presented under personal appearances. Any statement made shall be relevant to land use matters and shall be not more than five minutes per person in duration.
- E. In its' discretion, the Planning Commission may consider any material that may result in significant modification to a pending application even though the material has not been submitted to the staff planner assigned to that application at least ten (10) business days prior to the Planning Commission meeting at which the application is to be considered.
- F. The by-laws may be amended at any meeting of the Planning Commission by a majority of the Commissioners; provided that notice of said proposed amendment

be given to each Commissioner in writing at least ten (10) days prior to said meeting.

- G. Robert's Rules of Order shall govern the proceedings of the Planning Commission, although strict adherence is not required so long as the meetings are conducted to allow fundamental fairness to all participants
- H. Commissioners are encouraged to involve themselves in discussion before presenting a Motion. Commissioners are encouraged to clearly state their viewpoints.

Adopted pursuant to Section 30-28-103(1) C.R.S. 1973 this 5<sup>TH</sup> day of MAY, 2020.

[Signature]  
Chairperson

Date: MAY 5, 2020

Nancy L. Wallace  
Secretary

Date: 5/5/2020



Attest: [Signature]

LARIMER COUNTY BOARD OF  
COUNTY COMMISSIONERS

Steven Johnson  
Steven Johnson, Chair

Deputy Clerk: [Signature]

Date: April 28, 2020

DATE 4/20/20  
APPROVE AS TO FORM  
[Signature]  
ASSISTANT COUNTY ATTORNEY