

**CITY OF CLEMSON  
RULES OF PROCEDURE  
CLEMSON PLANNING COMMISSION  
ADOPTED 2012**

**ARTICLE I - RULES**

**Section 1**

These rules of procedure are adopted pursuant to S.C. Code § 6-29-360 for the City of Clemson Planning Commission, which consists of seven (7) members appointed by Council.

**ARTICLE II - MEETING DATES**

**Section 1**

The Planning Commission shall meet, **as necessary** on the second Monday of each month at 6:30 p.m. in the Council Chambers of the Clemson City Hall.

**Section 2**

The number of meetings per month and a schedule of meeting dates may be changed at any regularly scheduled meeting of the Commission by a simple majority vote of the membership. Additional meetings may be held at any time upon the call of the Chair or by a simple majority of the voting members of the Commission.

**ARTICLE III - OFFICERS**

**Section 1**

The Commission, at its first regular meeting in February of each year, shall elect a Chair and Vice-chair and shall also appoint the recording secretary who may be from the administrative staff from the Planning and Codes Administration Department.

**Section 2**

The duties and powers of the officers of the Planning Commission shall be:

A. Chair:

1. Preside at all meetings and hearings of the Commission.
2. Call special meetings of the Commission in accordance with these Rules of Procedures.
3. Sign documents on the behalf of the Commission.
4. Vote on all matters being considered by the Commission.
5. Acts as spokesperson for the Commission.

B. Vice-chair:

During the absence, disability, or disqualification of the Chair, the Vice-chair shall exercise all duties and be subject to all of the responsibilities of the Chair. In the absence of the Chair and Vice-chair, an Acting Chair shall be elected by the members present.

C. Recording Secretary:

1. Keep the minutes of all meetings of the Commission in an appropriate minute book and maintain them as the legal record of meetings.
2. Give or serve all notices required by law or by these Rules of Procedures.
3. Prepare and distribute written copies of the agenda for all meetings of the Commission no later than 5 p.m. the Friday prior to a regularly scheduled Planning Commission meeting or no less than forty-eight (48) hours prior to any special meeting of the Commission.
4. Maintain the Commission records, including records relating to compliance with State mandated training.

5. Inform the Commission of correspondence relating to business of the Commission and attend to such correspondence.
6. Handle funds allocated to the Commission in accordance with its directives, the law, and city regulations.

### **Section 3**

No member may serve more than four consecutive years as Chair.

### **Section 4**

The Vice-chair shall succeed the Chair if the Chair vacates office before the term is completed, and shall serve the unexpired term of the vacated office. A new Vice-chair shall be elected at the next regular meeting.

## **ARTICLE IV - AGENDAS**

### **Section 1**

The deadline for filing for placement on the agenda of the Planning Commission shall be fourteen (14) work days prior to the regularly scheduled monthly meeting of the Planning Commission. Application deadlines and meeting dates shall be published in a yearly calendar prepared by the Planning and Codes Administration Department. Applications shall be filed at the Planning and Codes Administration Department.

### **Section 2**

It shall be the responsibility of the planning staff to determine that all necessary plans and/or information required by all applicable ordinances have been submitted in support of the agenda application. The planning staff shall not place any item on the Commission's agenda unless such material has been submitted by the applicable deadline.

### **Section 3**

Matters referred to the Commission by the City Council shall be placed on the calendar for consideration at the first meeting of the Commission after such reference in City Council meeting minutes, subject to the agenda deadline in Section 1 above.

### **Section 4**

The agenda of the Planning Commission shall be published in a newspaper of local circulation no later than ten (10) days prior to each regularly scheduled meeting. This requirement shall not apply to any work session or other meeting of the Commission where no official action will be taken by the Commission; however, the Recording Secretary shall publish notice of these meetings when possible.

### **Section 5**

Items not on the published agenda may be added only with a positive unanimous vote of members present.

### **Section 6**

Agendas for regularly scheduled meetings shall consist of:

1. the meeting date, time, and place;
2. time allowed for public input;

3. administrative actions for applications legally filed;
4. administrative actions referred by City Council;
5. administrative actions referred by other Boards;
6. business matters resulting from previous actions of the Planning Commission;
7. staff reports and supplemental information; and
8. other issues with the approval of the Chair of the Planning Commission.

## **ARTICLE V - CONDUCT OF MEETINGS**

### **Section 1**

All meetings of the Planning Commission shall be open to the public.

### **Section 2**

A simple majority of members of the Commission entitled to vote shall constitute a quorum for the transaction of business.

### **Section 3**

Robert's Rules of Order shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.

### **Section 4**

Prior to the commencement of any discussion on an agenda item where any member of the Planning Commission feels that he or she has a conflict of interest regarding said item, the member shall voluntarily excuse himself or herself, vacate his or her seat, and refrain from discussing and voting on said item.

### **Section 5**

A public session, in which members of the public may address the Commission regarding matters within the purview of the Commission, shall be held at the beginning of each regular meeting. This session shall consist of up to 15 minutes during which speakers may speak for up to three minutes; these times may be extended by the Commission. Speakers may prepare copies of their remarks for attachment to meeting minutes.

### **Section 6**

Any person having applied to place an item on the agenda and provided necessary information may be represented in his or her presentation to the Commission. Representation of an interested person who does not attend the meeting requires that written authorization be provided to the Recording Secretary.

### **Section 7**

The following order of consideration of action items will normally be observed; however, it may be rearranged by the Chair for individual items if necessary for the expeditious conduct of business:

1. Staff report is presented to the Commission; members may question staff present, and the planning staff shall ensure that appropriate staff attend the meeting, based on the agenda item and staff recommendation. Staff presentation shall be limited to ten (10) minutes unless the Chair authorizes an extension of five (5) minutes.
2. The initiating individual or their representative of the agenda item presents the request to the Commission. The speaker shall be limited to ten (10) minutes unless the Chair

- authorizes extensions in five (5) minute increments, not to exceed two extensions.
3. The Commission will hear public comment on the agenda item. Each speaker shall be limited to three (3) minutes unless the Chair authorizes extensions in three (3) minute increments. Members of the public may cede their time to a designated spokesperson, whose time shall be limited to 20 minutes.
  4. The Commission discusses the agenda item, and may re-examine proponents and/or opponents.
  5. The Chair will call for a motion on the item; the motion shall state the action to be taken and the basis for the motion.
  6. The Commission votes and the Chair announces the result.

At any stage in the proceedings, the members may request information or clarification from the planning staff, recording secretary, or other staff. The Chair shall ensure that the meeting takes place in an orderly manner; this may include limiting time of testimony and requiring that questions by Commission members be directed through the Chair.

### **Section 8**

The informal public meeting held during a Planned Development rezoning request is hosted by the Planning Commission to facilitate discussion between the applicant and members of the public during the planned development rezoning process. The following order of business will normally be observed; however, it may be rearranged by the Chair for expeditious conduct of business:

1. The applicant of the proposed planned development shall present the plan. The applicant shall be limited to 15 minutes, however the Chair may authorize an extension of five (5) minutes.
2. Public questions and comments period lasting no more than 45 minutes. Each speaker shall be limited to three (3) minutes unless the Chair authorizes extensions in three (3) minute increments. Members of the public may cede their time to a designated spokesperson, whose time shall be limited to 20 minutes and the remaining time shall be allotted to other individuals at three (3) minutes each.
3. No action is taken in this public meeting, but the meeting is recorded electronically.

## **ARTICLE VI - MINUTES**

### **Section 1**

The proceedings of meetings of the Planning Commission, other than those limited entirely to work sessions, shall be recorded electronically. Minutes shall be maintained which record the following items:

1. actions taken on administrative matters on the agenda, including the agenda item title, full text of motions with proposer and seconder, and names of members voting in the affirmative, negative or in abstention;
2. remarks made in public session, limited to the name and address of the speaker and the topic of the remarks;
3. actions taken on business matters on the agenda and matters raised during old or new business, including the agenda item title, full text of motions with proposer and seconder, and disposition of the motion;
4. issues raised by members (such as points of order and requests to modify the agenda), including the issue raised, the member raising the issue, and its disposition;
5. topics addressed in work session periods, limited to the topic or topics discussed.

### **Section 2**

When electronic recording is not operational, the Recorder shall keep minutes in as detailed a

form as possible; these shall be notated as summary minutes with no electronic recording available.

### Section 3

Meetings devoted entirely to work sessions and scheduled at other than regular meeting dates and times need not have minutes recorded, however, the event of the work sessions and their dates, times, and topics, shall be recorded and reported at the next regularly scheduled Planning Commission meeting.

### Section 4

The minutes as recorded shall be presented, without modification, at the next regularly scheduled Planning Commission meeting for adoption, with correction made at that meeting if necessary.

## ARTICLE VII - ATTENDANCE

### Section 1

Each member of the Planning Commission who has knowledge of the fact that he or she will not be able to attend a scheduled meeting of the Commission shall notify the Planning Department at the earliest possible opportunity and, in any event, prior to 4:30 p.m. on the Friday prior to the scheduled meeting. The Recording Secretary shall notify the Chair of the Commission in the event that the projected absences will produce a lack of a quorum.

### Section 2

The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. Any member who is absent more than three (3) times in a calendar year may be removed for cause by the Clemson City Council. ~~upon receipt of a report from the Commission.~~ **The Planning and Codes Administration Director shall prepare a written report for the Commission detailing attendance history for any member failing to attend the requisite number of meetings annually. Upon review of the record, the Commission may forward a request to City Council asking that the member be replaced and a new member appointed to fulfill the remaining portion of the unexpired term.**

### Section 3

Under no circumstances shall a Commission member be allowed to cast an absentee vote on any matter before the Commission. Only those members in attendance at the Commission meeting may vote on matters before the Commission.

## ARTICLE VIII - AMENDMENTS

### Section 1

These Rules of Procedures may be amended at any meeting of the Planning Commission by a simple majority vote, provided that notice of said proposed amendment is given to each member in writing at least ten (10) days prior to said meeting.

### Section 2

An approved copy of these Rules of Procedures and a history of Rules of Procedures and Amendments shall be maintained by the Recording Secretary.

### Section 3

These rules were adopted by vote of a simple majority of the members of the Commission at a regular public meeting on \_\_\_\_\_.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

Attest: \_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Date