

BYLAWS
JOHNSTOWN PLANNING AND ZONING COMMISSION
(Amended & Adopted on _____)

The following bylaws are hereby adopted by the Planning and Zoning Commission (Commission) of the Town of Johnstown, Colorado in order to:

1. Operate efficiently and effectively;
2. Improve communications between the Commission and Johnstown stakeholders; and,
3. Prepare, maintain, and help implement the Town's Comprehensive Plan and development codes, to guide development and community growth.
4. Meet the responsibilities and duties as established in the Johnstown Municipal Code, and applicable state laws.

A. COMMISSION STRUCTURE

1. **Members.** The Planning and Zoning Commission shall consist of seven (7) members who shall be appointed at the discretion of the Town Council.
2. **Term.** The term of each appointed member shall be four (4) years or until his or her successor takes office. Members are not term limited. (JMC 2-182)
3. **Officers.** The Planning and Zoning Commission shall elect its Chair from among the appointed members and create and fill such other of its offices as it may determine. The term of the Chair shall be two (2) years, with eligibility for re-election. (JMC 2-184) This bi-annual election shall be held on the last meeting of the calendar year, or first meeting of the following year, or if there is an officer vacancy.
 - a. The voting procedure for annual election of the Chair and Vice Chair is as follows: the Planning & Development Director or staff designee, acting as Moderator, calls the meeting to order and asks for a secret vote for the election of the Chair by written ballot. The Director receives the ballots, tallies the votes and announces the totals. The Commissioner receiving the greatest number of votes shall be the Chair, but a motion must be made with the majority vote to appoint the Chair. The same procedure follows for Vice-Chair. Written ballots shall be retained by the Secretary until the next election of officers.
4. **Duties of Officers:**
 - a. The Chair shall:
 - i. Preside at all meetings at which they are present.
 - ii. Ensure all meetings are conducted with decorum and efficiency.
 - iii. Appoint committees, special and/or standing and liaisons.

- iv. Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote of the members present).
 - v. Represent the Commission before the Board of Trustees and other public bodies except when this responsibility has been delegated to an appropriate official or Commission member.
 - vi. Sign the minutes, or other documents, approved by the Commission.
 - vii. Carry out other duties as assigned by the Commission.
- a. The Vice-Chair shall:
 - 1. Act in the absence or inability of the Chair to act
 - 2. Have the powers to function in the same capacity as the Chair in cases of the Chair's absence or inability to act.
 - b. The Secretary is a Town employee assigned by the Town Administrator and shall:
 - 1. Keep a file of all official records and reports of the Commission
 - 2. Record and certify all minutes of the Commission.
 - 3. Prepare and be responsible for the publishing and posting of all notices relating to public meetings and hearings of the Commission.
- 5. Chair Pro Tem. In the event the Chair and Vice Chair are both absent or unable to act in a regular or special meeting where a quorum is present, another member of the Commission shall be chosen by the Commission to perform the responsibilities of the Chair for the meeting.
 - 6. Committees. From time to time the Commission may need to establish short-term committees to accomplish specific tasks for the Commission. The Chair of the Commission shall appoint such committees with appropriate instructions and clarification of purpose as deemed necessary, including appointment of a Committee Chair. Committee Chairs shall have full responsibility for conducting the affairs of their committees and reporting to the full Commission.

B. COMMISSION APPOINTMENT AND MEMBERSHIP

- 1. Resident requirement. All members of the Planning and Zoning Commission shall be residents in the Town. If any member ceases to reside in the Town, his or her membership shall immediately terminate.
- 2. Compensation. All members of the Planning and Zoning Commission shall serve as such without compensation. (JMC 2-183)
- 3. Vacancy. Vacancies on the Commission shall be reported to Council and widely advertised on the Town's typical communication media.
 - a. Applications for vacancies shall be accepted for no less than one month, with such application form managed by the Town Clerk, and reviewed by the Director of Planning and Development.

- b. Eligible candidate applications shall be presented to the Commission for evaluation. The Commission may choose a candidate from the written applications, or request that one or more candidates appear before them at a regular meeting for a brief interview.
 - c. In the event of multiple candidates or vacancies, the Commission may determine the best course for voting on their recommendation to Council for appointment.
 - d. Once a candidate(s) is chosen, that Candidate will be presented by the Director at the next available Town Council regular meeting for appointment to the Commission.
4. Attendance. Commissioners are expected to attend all meetings. In the event that a Commissioner cannot attend a meeting, they shall notify the Secretary as soon as possible. Planned absences shall be reported as soon as that is known.
 5. Absences. If a Commissioner is absent from more than three regular meetings in a calendar year, the Commissioners may direct the Chair to recommend to the Town Council that the Council review the Commissioner's appointment and impact of their absences.
 6. Appointment & Oath. Upon Appointment to the Commission by the Town Council, the Town Clerk shall administer the oath of office on or before the first meeting attended by that Commissioner.

C. MEETINGS

1. Regular Meetings. The Planning and Zoning Commission shall hold at least one (1) regular meeting in each month, unless there is no Town business to come before the Commission during any such month. (JMC §2-184)
 - a. Regular meetings of the Johnstown Planning and Zoning Commission shall be typically be scheduled for 7:00 P.M. on the second and fourth Wednesday of each month; but may occur otherwise to accommodate holidays or conflicts in Town meetings schedules. In the event a regular meeting is cancelled due to weather or other circumstances, the business items shall be included on the agenda for the earliest available meeting.
 - b. All meetings are open to the public. Action of the Commission shall be in full compliance with Colorado statutes governing open meetings.
 - c. No new business will be considered after 10:00 P.M., unless agreed to by a majority of members present. The meetings will adjourn promptly at 10:30 P.M., or earlier, unless an extension is allowed by a majority of the members present. The typical order of business:
 - Call To Order
 - Roll Call
 - Public Comment on matters not on the Agenda
 - Old Business (Business items that are tabled or carried over from previous meetings, but are not hearings).
 - New Business
 - Public Hearings

- Consent Agenda
 - Staff Communication
 - Commissioner Comments and Questions
 - Adjournment
- d. If an agenda item is not ready for Commission consideration, the Chair may, after consulting the Commissioners, place the item at the end of the regular agenda. If the item is still not ready the Commission shall vote to postpone the item to a specific, future Commission meeting.
 - e. The Commission should not accept new information from the applicant. Applicant presentations shall be confined to discussion and display of materials included in the Commissioner meeting packets.
2. Worksessions. The second Wednesday of each month will be reserved, but not exclusively, and workload permitting, for discussion of any and all internal matters of the Commission, including reports and recommendations of any subcommittees.
 3. Special Meetings. Special Meetings may be called at any time by the Chair or three members provided standard open meeting notice, at minimum, is given once the meeting is called.
 4. Public Notice. In addition to current open meetings statutes and code requirements in the Johnstown Municipal Code, Chapter 16, all regular and special meetings of the commission shall have at least three days notice. Notice shall be posted at the Town Hall in the officially designated location. All meetings of the Commission or any of its committees shall be open to the public, except for executive sessions, which must be conducted in accordance with state and local laws.
 5. Public Hearings. Public Hearings shall allow, after presentation by applicant and staff, any individual to address the Commission regarding the business item. Individual speakers will be limited to 3 minutes unless prior approval is obtained from the Chair. Groups that are represented by a single spokesperson are allowed 10 minutes unless prior approval is obtained from the Chair.
 6. Public Comment. There shall be a time during such regular meetings for members of the public to address the Commission concerning any matter relevant to the Commission's jurisdiction and not on the agenda for specific public hearing at such meeting. The time period for such public participation, and any reasonable limitations thereon, shall be established from time to time by the Commission, typically 3 minutes unless a special presentation is arranged prior to the meeting.

D. RULES OF PROCEEDINGS

1. Rules. Meetings shall be conducted under Robert's Rules of Order, and the Commission may adopt such modified or amended procedural rules, as it deems appropriate, subject to local and state laws, including the Open Meetings Law.
2. Quorum. A majority of the membership of the Commission (4 members) shall constitute a quorum. When a quorum is present, a majority vote, that is a majority of the votes cast, ignoring abstentions, is sufficient for the adoption of any motion. Voting may be by roll call or any other method chosen by the Chair. In all cases a record shall be kept as part of the minutes. Any member shall have the right to demand a roll call vote.

3. Motions. The Commission shall take official action by approval of a motion. Motions shall clearly specify action. If conditions are imposed, the conditions should be as specific as possible, and include the result desired, deadlines or benchmarks and consequences if the condition is not met. Discussion and debate on any motion occurs after the motion has been made and seconded.
 4. Consent Agenda. A consent agenda may be utilized for typical and standard action that does not require a public hearing, such as approving minutes or reports. Any member of the Commission may request to have any item removed from the consent agenda; such request need not be seconded. The Commission shall then take up such item for discussion. A single motion and vote in favor thereof shall approve all items remaining on the consent agenda.
 5. Continue and Issue/Item. Motions to continue an issue or item may be made with a date certain for continuance of the item discussion or public hearing. No additional public notification is required.
 6. Table an Issue/Item. Motions for tabling an item should include reason(s) for tabling. A tabled issue does not have a future date set, and must be re-noticed if required initially.
- E. REVIEW & AMENDMENTS.** These by-laws shall be reviewed periodically, and may be amended by a two-thirds (2/3) vote of the entire current Commission membership.