



## **CITY OF CROSSLAKE PLANNING COMMISSION/BOARD OF ADJUSTMENT**

### **RULES OF BUSINESS**

1. **Regular Meetings:** The Planning Commission/Board of Adjustment shall hold regular meetings, unless otherwise determined, on the fourth Friday of each month, at the City of Crosslake Council Room, Crosslake City Hall, 37028 County Road 66, Crosslake, Minnesota, 56442. Meetings shall commence at 9:00 AM and continue until all applications on the agenda have been heard.
2. **Field Inspections:** Field inspections to review applications to be considered at the regular meeting shall be conducted prior to the meeting. Additional field inspection days may be added depending on the number of applications received. No decisions are made on field inspections and are open to the public subject to the land owner's permission to enter private property.
3. **Special Meetings:** The Chair or three members may call special meetings. Such meetings shall be called within ten (10) days advance notice to all available members, and to the public in the official newspaper. Notice shall specify: (1) the specific item or items to be considered at the special meeting, and (2) the date, time and place of the meeting. Special meetings of the Planning Commission/Board of Adjustment shall be held in the City of Crosslake Council Room, Crosslake City Hall, 37028 County Road 66, Crosslake, MN 56442, unless otherwise determined. All special meetings shall be limited to the specific item or items set forth in the notice.
4. **Presiding Officer – Roll Call:** The Chair, or in the Chair's absence, the Vice-Chair shall take the chair at the time appointed for the meeting and call the members to order. The Chair or Vice-Chair calling the meeting to order shall be the Presiding Officer for the balance of the meeting.
5. **Quorum:** A simple majority of the members shall constitute a quorum for the transaction of business. The Presiding Officer is a member and shall have the right to vote on all matters coming before it, but shall have no veto power.
6. **Minutes:** The Land Services Supervisor of Planning and Zoning ("Administrator") shall prepare written copies of the minutes of the preceding meeting and distribute them to its members no later than the start of its current session. Video recording of the meeting may be made for reference by the Administrator. The approved minutes and video recording of the meeting shall be the official record of meetings. A copy of the minutes shall be available in the City Clerk's Office and on the City of Crosslake website for examination by member of the public. Upon the appearance of a quorum at a meeting, the Presiding Officer shall inquire of the members whether they wish to approve, disapprove or amend the minutes of the previous meeting as prepared by the Administrator. Any mistake or omission in the minutes may then be corrected.

7. **Order of Business:** The Presiding Officer shall preserve order and decorum. The Administrator shall act as a parliamentarian and the Presiding Officer shall decide questions of order, subject to an appeal to the members. The Administrator shall prepare a written agenda in advance of all meetings in order of presentation which the Administrator deems best or as directed by the Planning Commission/Board of Adjustment. The Administrator shall release the proposed agenda no later than 10 days immediately preceding the meeting. Further the Administrator shall release the information packet no later than 10 days immediately preceding the meeting. A person requesting that an application be placed on the agenda shall furnish sufficient information and detail so as to enable the Planning Commission/Board of Adjustment to rule on the application in accordance with City Ordinances, and enable the Administrator to enter the item on the meeting agenda in a summary adequate to alert the public as to the nature of the matter to be discussed. If, in the opinion of the Administrator, such information and detail is not provided, the Administrator may refuse to place the application on the agenda. The Planning Commission/Board of Adjustment by majority vote may amend the proposed agenda.
8. **Applicant Representation:** The applicant or their representative should attend the meeting to represent their application. If the applicant or their representative is not present the application may be tabled until the next regular meeting. The board has the discretion to act on the application in the absence of the applicant or their representative.
9. **Citizen Comment:** Except as regulated by State Statute or Rule, citizen comment will be heard on all topics on the agenda. Each speaker will be afforded up to three minutes to present oral arguments. This time limit may be extended at the discretion of the Presiding Officer. Large groups are encouraged to select a single speaker to present their oral argument.
10. **Recognition by the Presiding Officer:** Every Planning Commission/Board of Adjustment member or member of the public shall respectfully address the Presiding Officer by the appellation "Mr. Chairman" or "Madame Chair", and shall not speak further until recognized by the Presiding Officer. Once a member of the audience has been recognized by the Presiding Officer as requesting to address the Planning Commission/Board of Adjustment, the Presiding Officer shall require the individual to identify themselves by stating their name and address.
11. **Designation by Presiding Officer:** When two or more members request to speak, the Presiding Officer shall designate who is first to speak, but in all cases the member who shall first address the chair shall speak first.
12. **Debated Motion:** No ordinary motion shall be debated, or put on the table, unless the same is seconded by a member or the Presiding Officer. Privileged motions need not be seconded. The Presiding Officer shall restate any motion if required to do so by a member. Items on the agenda may be debated prior to submission of an ordinary motion. The withdrawal of either the motion or the second to a motion shall terminate debate on the motion.
13. **Motion Being Debated-Privileged Motion:** When a question is under debate, no motion shall be received other than the following privileged motions: a) to lay on the table; b) to divide the question; c) to postpone indefinitely; d) to postpone to a certain day; e) to refer; f) to adjourn. The privileged motion shall have precedence in the order in which they are arranged. All privileged questions shall be decided immediately without debate. A member may make a negative motion to defeat a resolution or ordinance. This "objection to the consideration" of the matter is considered a privileged motion and does not require a second, but must pass by a 2/3 vote of members present.

14. Presentment of Petitions and Communication: Petitions and communications on the agenda may be presented by a member of the Planning Commission/Board of Adjustment or by the Administrator.
15. Voting: When a question is put by the Presiding Officer, every member present shall vote unless the Planning Commission/Board of Adjustment, for special reason, shall excuse a member prior to the calling of the roll or a legal conflict of interest prohibits a member from voting. Unless a member requests, all items will be decided by voice vote. Any member, who being present when his or her name is called, fails to vote upon any pending proposition, unless previously excused, shall be counted as having voted in the positive. A member may request a roll call vote at any time prior to the commencement of other business.
16. General Public Hearing Notice Requirements: The Administrator shall publish written notice of all Planning Commission/Board of Adjustment hearings in the legal newspaper(s) for the City of Crosslake and posted notice on the City website, not less than ten (10) days prior to the hearing date. The published notice shall state the purpose, time, date and place of the hearing, a brief summary of the nature of all applications. In addition to published notification, the following shall receive individual written notices of these public hearings:
  - A. Ordinance text amendment:
    1. The Commissioner of Natural Resources
    2. All City Department Heads
    3. City Council
  - B. Conditional Use Permits, Land Use District Reclassifications, Designation of Sensitive Shoreland Districts, and Variances:
    1. The Planning Commission/Board of Adjustment;
    2. Crow Wing County Highway Department – if the proposed application abuts any county highway;
    3. Commissioner of Natural Resources – if the proposed application is located in any Shoreland District or any Flood Plain District;
    4. DNR Trails and Waterways – if the proposed application is located on property adjacent to a designated State or County trail;
    5. Public Works Director – if the proposed application is connected to city sewer or adjacent to city street;
    6. Lake Associations – if the proposed application is located on a lake having an association that has filed a letter with the Administrator requesting such information;
    7. Individual landowners who have requested such notification;
    8. Property Owners Notice Per MN State Statute 462.357 Subd. 3. and published in the legal newspaper(s) for the City of Crosslake.

17. Ordinance Amendment Procedure: The City Council shall refer ordinance or ordinance amendment(s) to Planning and Zoning for review and drafting of language. The Department shall forward the draft language to the Planning Commission/Board of Adjustment, post the draft language on the City website, and provide written notice of a 30 day comment period. Within 60 days of the close of the comment period, the Planning Commission/Board of Adjustment shall conduct a public hearing on the ordinance or ordinance amendment(s) with written notice. The Presiding Officer may present the recommendations resulting from public hearing to the City Council at their request. When a proposed ordinance fails to pass, a motion to reconsider the same may be made, but such motion must be made at the session at which the same failed to pass and action thereupon shall be postponed to a future special session.
18. Absent Member: Every member that anticipates being absent from a meeting shall notify the Administrator.
19. Robert's Rules of Order: The rules of parliamentary practice, embraced in Robert's Rules of Order shall govern in all cases in which they are applicable, and in which they are not inconsistent with State Statute or the Standing Rules.
20. Committees: The Planning Commission/Board of Adjustment may establish and abolish such committees as it may determine from time to time. The Planning Commission/Board of Adjustment shall appoint the members of the committee and shall specify the purposes, duties and responsibilities of the committee. Any member of the Planning Commission/Board of Adjustment Committee may call a committee meeting. Committee meetings shall be called within a 24-hour advance notice to all members, posted at the city hall, and public notice provided on the City website. Items to be studied by the Planning Commission/Board of Adjustment Committee shall be those items contained in the notice and any other item may be presented that is within the scope of the Committee's description. Committees shall report to the Planning Commission/Board of Adjustment within 90 days after the item has been referred to committee. The Planning Commission/Board of Adjustment shall then act on the item referred or request the Committee to continue the study.
21. Suspension or Amendment of Rules: No rule shall be suspended, altered or rescinded except upon affirmation vote of four members, unless notice of such change shall have been given at a previous meeting in which case only a majority shall be required.
22. Agenda is Public: Any member of the public or the news media requesting copies of any regular or special meeting agenda shall be provided the same pursuant to Minnesota Statutes, Chapter 471.705 1c (b).
23. Annual review of Rules of Business: The Planning Commission/Board of Adjustment shall, at least annually, review and adopt necessary amendments to these Rules of Business.