

RESOLUTION 15-20

A RESOLUTION APPROVING THE ESTES PARK PLANNING COMMISSION BYLAWS

WHEREAS, the Town is currently in the process of forming and appointing a new Planning Commission; and

WHEREAS, it is necessary and appropriate for Town of Estes Park Boards and Commissions to have an approved set of bylaws for conduct of business; and

WHEREAS, under section 2.1(C) of the Estes Park Development Code, effective April 1, 2020, bylaws for the Planning Commission must be approved by the Board of Trustees; and

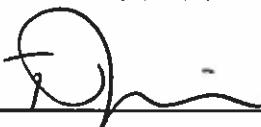
WHEREAS, Town Board approval of a standardized set of bylaws in accordance with Town Governance Policy 102 will meet the goal of an orderly meeting process:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ESTES PARK, COLORADO:

The Estes Park Planning Commission Bylaws [adopted Spring 2020] now before the Board are hereby approved.

DATED this 24 day of MARCH, 2020.

TOWN OF ESTES PARK




Mayor

ATTEST:



Town Clerk

APPROVED AS TO FORM:



Town Attorney

**ESTES PARK PLANNING COMMISSION
BYLAWS
[Adopted Spring 2020]**

I. ROLE

The Estes Park Planning Commission ("Commission") is established under section 2.1(C) of the Estes Park Development Code. The Commission exercises the authority given to it by the Town Board as outlined below:

1. Perform all of the duties and responsibilities of a municipal planning commission pursuant to Colorado law;
2. Perform all of the duties and responsibilities of the Planning Commission as described in the Estes Park Development Code; and
3. Make recommendations to Town Board regarding the Town's Comprehensive Plan, provided that final adoption of the Comprehensive Plan shall be at the discretion of the Town Board.

II. MEETINGS

A. Regular Meetings. Regular meetings shall be held the third Tuesday of each month, beginning at 1:30 PM. At meetings, the Commission shall consider all matters properly brought before the Commission as scheduled items. If any change is made to the starting time of a Commission meeting, either by the Community Development Director or by the Commission at a previous meeting, Commission members shall be notified of such change at least five days prior to the meeting.

B. Study Sessions. Study sessions of the Commission may be scheduled by the Commission or the Community Development Director as needed. No official action shall be taken and no quorum shall be required for the study session. The study session shall be open to the public. Unless requested by the Chair, no public comment shall be taken in a study session.

C. Special Meetings. Special meetings may be held at any time upon call by the Chair, the Commission, or the Community Development Director. Notice of at least three (3) calendar days shall be given to each member of the Commission. The time, place, and purpose of the special meeting shall be specified in the notice to the Commissioners. Public notice of the meeting shall be given in accordance with Colorado Revised Statutes Sec. 24-6-402(2)(c).

D. Open Meetings. All meetings are open to the public. Action of the Commission shall be in full compliance with Colorado statutes governing open meetings.

III. MEMBERS AND QUORUM

A. Membership. The Commission consists of five (5) voting members, as provided in the Development Code.

B. Quorum. A quorum for transaction of business shall consist of three (3) members. In a meeting where a quorum is not present, no action shall be taken, and all scheduled matters shall be rescheduled for hearing at the next regularly scheduled Commission meeting, or at a special meeting.

C. Action. Action by the Commission shall be by majority vote of the members attending any regular or special meeting at which a quorum is present, unless otherwise provided by law or ordinance.

D. Liaison. The Town Board may appoint one of its members as a liaison to the Commission, who shall receive copies of all notices, documents, and records of proceedings of the Commission which any Commissioner would also receive.

IV. OFFICERS

A. Officers. There shall be a Chair and a Vice Chair for the Commission. Each shall serve for a one-year term. The Chair and Vice-Chair shall be chosen by majority vote of members of the Commission. The Community Development Department Planning Division Administrative Assistant, or his or her designee, shall serve as Recording Secretary.

B. Elections. Officers shall be elected by the members annually, at the first regularly scheduled meeting of each year or as soon thereafter as practicable. Notification of who is elected Chair and Vice Chair will be sent to the Town Clerk.

C. Chairperson responsibilities:

1. Shall preside at all meetings at which (s)he is present;
2. Shall ensure that all meetings are conducted with decorum and efficiency;
3. May call special meetings in accordance with the Bylaws;
4. Shall sign any documents on behalf of the Commission;
5. Shall see that decisions of the Commission are properly taken;
6. As any other member of the Commission, shall vote on matters before the Commission, may make or second motions, and may speak for or against proposals.

D. Vice-Chairperson responsibilities:

Preside over meetings and perform the other duties of the Chair in the event the Chair is absent or unable to act.

E. Recording Secretary responsibilities:

1. Attest the signature of the Chair or Vice Chair on the documents of the Commission;
2. Prepare and keep the minutes of all meetings of the Commission in an appropriate and designated file;
3. Give and serve all notices required by law or these Bylaws;
4. Prepare the agenda in consultation with the Chair for all meetings of the Commission;
5. Be custodian of Commission records;

6. Inform the Commission of correspondence relating to business of the Commission and attend to such correspondence.

V. MEETING PROCEDURES

A. Parliamentary Procedure. The Chair shall preside in accordance with generally accepted norms for the conduct of parliamentary procedure. The Commission may overturn a parliamentary determination of the Chair by majority vote. Robert's Rules of Order may be considered as a parliamentary guide. The Town Attorney shall serve as a parliamentary procedure resource.

B. Public Invited to be Heard. The Chair may allow personal appearances at the beginning of each regular meeting by any person desiring to speak on a matter not on the agenda. The Commission shall not take action on items presented under such personal appearances. Any statement made shall be relevant to land use matters and shall be not more than three minutes per person in duration. The Chair shall request that all persons so appearing identify themselves by name and address.

C. Consent Agenda. Items on the consent agenda may be approved in the aggregate by a single motion. Any Commissioner may remove any item from the consent agenda. Removed items shall be heard following the disposition of the remaining consent agenda, and shall be discussed and voted on separately.

D. Formal Action. Each formal action required by law or ordinance shall be embodied in a formal motion or resolution.

E. Review Criteria. Those items to be considered which require review pursuant to adopted criteria shall be considered in the context of such criteria. The Commission shall state findings based on the criteria when taking action on such an item.

F. Chair Pro Tem. In the event the Chair and the Vice Chair are both absent or unable to act in a regular or special meeting where a quorum has been met, another member of the Commission shall be chosen by the Commission to perform the responsibilities of the Chair for the meeting.

G. Timely Conclusion of Meetings. Regular meetings shall end no later than 5:00 PM unless the Commission approves an extension to the meeting by a two-thirds (2/3) majority vote. Any item on the agenda which cannot be heard and considered by the conclusion of the meeting may, as provided by the Development Code, be continued until and heard at the next regularly scheduled meeting, or a special meeting, and shall have priority over any other matters to be heard and considered.

H. Cancellation of Meetings. Regularly scheduled meetings of the Commission may be canceled or rescheduled upon determination by the Chair. In the event no application has been received for hearing by the Commission at any regularly scheduled meeting, and in the absence of other pressing business, the Community Development Director may cancel the meeting.

VI. ATTENDANCE

All members shall attend all meetings, including special meetings, of the Commission, if possible. In the event any member misses three (3) consecutive regular meetings or a total of four (4) regular meetings in a calendar year, the Commission may report such absenteeism to the Town Board.

VII. COMPLIANCE WITH TOWN POLICIES

A. Compliance with Town Policies. In addition to these Bylaws, the Commission operates under the terms of the Town of Estes Park Governance Policy 102, as amended from time to time. The Policy terms are incorporated into these Bylaws by this reference. A copy of that Policy, along with these Bylaws, shall be provided to each member at the time of their appointment.

B. Volunteer Classification. Participation as a member of the Commission is done of one's own free will in the context of volunteerism. Volunteers appointed by the Town Board will act in accordance to any adopted Town volunteer manual or policy.

VIII. CONFLICT OF INTEREST

All members of the Commission are subject to the standards of conduct under the State of Colorado Code of Ethics, Sections 24-18-101 et seq., C.R.S., and Article XXIX of the Colorado Constitution (Amendment 41). At the time of introduction of an individual item on the Commission agenda in which the member has a conflict of interest, the member shall state that he or she has a conflict of interest and then abstain from participating and voting on the matter. A member having a conflict of interest on any matter shall not attempt to influence other members of the Commission at any time with regard to said matter.

Adopted this ___ day of _____, 2020

ESTES PARK BOARD OF TRUSTEES

By: 
Todd Jirsa, Mayor