



CITY OF BEVERLY HILLS  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
TRANSMITTAL

TO: Planning Commissioners

FROM: Jonathan Lait, AICP, City Planner *MLC*

SUBJECT: Rules of Procedure for the Planning Commission and the Planning Commission Sitting as the Board of Zoning Adjustments

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Please find Planning Commission Resolution Numbers 1212 and 884, establishing Planning Commission rules of procedure as requested at the meeting of July 10, 2008.

RESOLUTION NO. 1212

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS REPEALING RESOLUTION NO. 1080 AND AMENDING RESOLUTION 884 ESTABLISHING REVISED RULES OF PROCEDURE FOR THE PLANNING COMMISSION AND THE PLANNING COMMISSION SITTING AS THE BOARD OF ZONING ADJUSTMENTS

The Planning Commission of the City of Beverly Hills does hereby resolve as follows:

Section 1. Resolution No. 1080 of the Planning Commission of the City of Beverly Hills amending Resolution 884 establishing revised rules of procedure for the Planning Commission and the Planning Commission sitting as the Board of Zoning Adjustments is hereby rescinded in its entirety.

Section 2. Section 6 of Resolution 884 of the Planning Commission of the City of Beverly Hills establishing revised rules of procedure for the Planning Commission and the Planning Commission sitting as the Board of Zoning Adjustments shall be amended to read as follows:

"Section 6. DUTIES OF THE PRESIDING OFFICER.  
The Chairperson and Vice Chairperson shall be elected at the regular meeting in March of each year, and shall serve for a period of one (1) year or until a successor is elected. The Chairperson, or in the Chairperson's absence, the Vice Chairperson, shall be the presiding officer and shall assume the Chairperson's place and duties as such immediately following his/her election.

The Chairperson shall preserve strict order and decorum at all meetings of the Commission, state questions coming before the Commission, announce its decision on all subjects and decide all questions of order, subject, however, to an appeal to the Commission as a whole, in which event a majority vote shall govern and conclusively determine such question of order. The Chairperson shall vote on all questions, and on roll call the Chairperson's name shall be called last.

The Chairperson shall sign all resolutions that are adopted by the Commission at meetings at which the Chairperson is in attendance. The Vice Chairperson shall sign resolutions in the Chairperson's absence. In the absence of the Chairperson and the Vice Chairperson, the temporary Chairperson shall sign such resolutions as have been adopted during the formal meeting at which the temporary Chairperson presided."

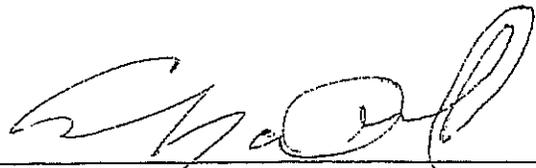
Section 3. Except as specifically amended herein, Resolution 884 shall remain in full force and effect.

Section 4. This resolution supersedes and rescinds all prior resolutions by this Commission pertaining to rules of procedure.

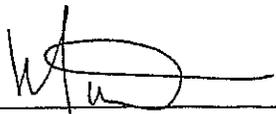
Section 5. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Section 6. This resolution shall go into effect and be in full force and effect at 12:01 a.m. on the first (1st) day after its passage.

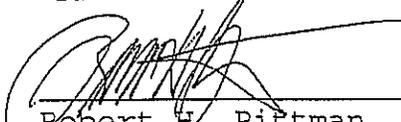
Adopted: 1-23-02

  
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STEPHEN P. WEBB  
Chairman of the Planning  
Commission of the City of  
Beverly Hills

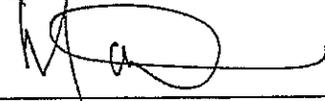
ATTEST:

  
\_\_\_\_\_  
Secretary

Approved as to form:

  
\_\_\_\_\_  
Robert H. Pittman  
Assistant City Attorney

Approved as to content:

  
\_\_\_\_\_  
Mahdi Aluzri  
Deputy Director of Planning &  
Community Development

1/02/02



RESOLUTION NO. 884

RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF BEVERLY HILLS ESTABLISHING REVISED  
RULES OF PROCEDURE FOR THE PLANNING COMMISSION  
AND THE PLANNING COMMISSION SITTING AS A BOARD  
OF ZONING ADJUSTMENTS

The Planning Commission does hereby resolve, find,  
determine and declare as follows:

Section 1. GENERAL. The following rules of procedure shall govern all meetings of the Planning Commission and the Planning Commission sitting as a Board of Zoning Adjustments.

Section 2. MEETINGS. The Commission and the Commission sitting as a Board of Zoning Adjustments shall hold meetings at City Hall, 455 North Rexford Drive, Beverly Hills, California, on the fourth Wednesday of each month at 1:30 o'clock p.m., and on such other days, and at such other times and places, as may be designated in an order for a special or adjourned formal meeting. A special formal meeting may be ordered by the Chair or by a majority of members of the Planning Commission.

Section 3. AGENDA. All reports, resolutions, or other matters to be submitted to the Commission at a scheduled meeting shall be delivered to the Secretary of the Planning Commission not later than 10:00 a.m., on the eighth calendar day preceding the meeting. The Secretary, in consultation with the Chairperson of the Commission, shall prepare the agenda of all such matters and

deliver or mail to each Commissioner a complete copy of such agenda not later than 5:00 p.m. on the Friday preceding the meeting. The agenda and all planning staff reports shall be available to the public in the office of the Secretary and/or in the Beverly Hills Public Library beginning 72 hours prior to the time of the meeting. Items may be placed on the agenda by the Secretary, the Chairperson, or an affirmative vote of the Commission.

Section 4. RECORD OF HEARING. Any person may request a record of the hearing on any contested matter by notifying the Secretary forty-eight (48) hours in advance of the meeting. The person requesting such record shall pay the cost thereof, and shall be entitled to a copy thereof. At the time of the written request for a record, a deposit of One Hundred and Fifty Dollars (\$150) shall be made with the Secretary, and this amount shall be applied toward the cost of obtaining the record. When the total cost of preparation of the record has been ascertained, the person requesting the record shall pay the amount of the cost thereof within forty-eight hours after notification by the Secretary; provided further, that if the cost of the record is less than One Hundred and Fifty Dollars (\$150), any amount in excess of the actual cost shall be refunded to the person making such request. The records provided for in this section shall be furnished by a certified court reporter designated by the Secretary. Any person

may request an audio taped record of the meeting. The person requesting such taped record shall pay the cost thereof and shall be entitled to a copy thereof.

Section 5. CONSIDERATION AND DISPOSITION OF BUSINESS.

All meetings of the Commission shall be open to the public; provided, however, in conformity with the provisions of the California State law, the public may be excluded from closed sessions. The business of the Commission shall be taken up for consideration and disposition at such public meetings and shall include but not be limited to the following:

1. Roll Call
2. Consideration of the minutes
3. Oral communications from the audience
4. Consent Calendar (which may include any of the following items)
  5. Planning Commission items:
    - A. Staff reports
    - B. Public hearings
    - C. Consideration of ordinances and resolutions
    - D. Unfinished business
  6. Board of Zoning Adjustment items:
    - A. Public hearings
    - B. Consideration of resolutions

C. Unfinished business

7. Communication from Commissioners (Reports and General Information)
8. Adjournment

Section 6. DUTIES OF THE PRESIDING OFFICER. The Chairperson and Vice Chairperson shall be elected at the February meeting of each year, and shall serve for a period of one (1) year or until a successor is elected. The Chairperson, or in the Chairperson's absence, the Vice Chairperson, shall be the presiding officer and shall assume the Chairperson's place and duties as such immediately following his/her election. The Chairperson shall preserve strict order and decorum at all meetings of the Commission, state questions coming before the Commission, announce its decision on all subjects and decide all questions of order, subject, however, to an appeal to the Commission as a whole, in which event a majority vote shall govern and conclusively determine such question of order. The Chairperson shall vote on all questions, and on roll call the Chairperson's name shall be called last.

The Chairperson shall sign all resolutions that are adopted by the Commission at meetings at which the Chairperson is in attendance. The Vice Chairperson shall sign resolutions in the

Chairperson's absence. In the absence of the Chairperson and the Vice Chairperson, the temporary Chairperson shall sign such resolutions as have been adopted during the formal meeting at which the temporary Chairperson presided.

Section 7. CALL TO ORDER -- PRESIDING OFFICER. The Chairperson, or in the Chairperson's absence, the Vice Chairperson, shall take the Chair at the hour appointed for the meeting, and shall call the Commission to order. In the absence of the Chairperson and the Vice Chairperson, the Secretary or his/her assistant shall call the Commission to order, whereupon a temporary Chairperson shall be elected by the Commissioners present. Upon the arrival of the Chairperson or the Vice Chairperson, the temporary Chairperson shall relinquish the chair at the conclusion of the business then before the Commission.

Section 8. ROLL CALL. Before proceeding with the business of the Commission, the Secretary shall call the roll of the Commissioners and the names of those present shall be entered in the minutes.

Section 9. QUORUM. A majority of the Commission shall constitute a quorum. A majority of such quorum is required to take action. Less than a quorum may adjourn from time to time. When

there is no quorum for a meeting, the Chairperson, Vice Chairperson, or any Commissioner shall adjourn such meeting, or if no Commissioner is present the Secretary shall adjourn the meeting.

Section 10. PREPARATION OF MINUTES. The minutes of the Commission shall be kept by the Secretary and shall be neatly recorded in a book kept for that purpose, with a record of each particular type of business transacted set off in paragraphs, with proper subheads; provided that the Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Commission, and shall not be required to record any remarks of Commissioners, or of any other person except at the special request of a Commissioner; provided further that a record shall be made of the names and addresses, if stated, of persons addressing the Commission, the title of the subject matter to which their remarks related and whether they spoke in support of or in opposition to such matter.

As soon as possible after each meeting the Secretary shall cause a copy of the minutes thereof to be forwarded to each Commissioner and the City Manager.

Section 11. READING OF MINUTES. Unless the reading of the minutes of a meeting is requested by a Commissioner, such

minutes may be approved without reading if the Secretary has previously furnished each Commissioner with a copy thereof.

Section 12. RULES OF DEBATE.

(a) Presiding Officer May Debate and Vote. The Chairperson may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all Commissioners and shall not be deprived of any of the rights and privileges of a Commissioner by reason of acting as presiding officer.

(b). Getting the Floor--Improper References to be Avoided.

Every Commissioner desiring to speak shall request permission from the Chair, and upon recognition by the Chair, shall confine the remarks to the question under debate. Each Commissioner shall treat each speaker and Commissioner with respect, avoiding all disparaging or derogatory personal remarks, indecorous language and comments likely to bring disrespect to the Commission.

(c) Interruptions. A Commissioner once recognized shall not be interrupted when speaking unless he or she is called to order, or as herein otherwise provided. If a Commissioner, while speaking, is called to order, the Commissioner shall cease speaking

until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.

(d) Motion to Reconsider. A motion to reconsider any action taken by the Commission at a meeting may be made only at the meeting such action was taken. It may be made either immediately or at a recessed or adjourned meeting. Such motion must be made by one of the prevailing side, but may be seconded by any Commissioner and may be made at any time and have precedence over all other motions, or while a Commissioner has the floor. Such a motion shall be debatable.

(e) Rules of Order. Except as otherwise provided in this Chapter, "Robert's Rules of Order, Newly Revised" shall govern the conduct of the meetings of the Commission.

Section 13. ADDRESSING THE COMMISSION.

(a) Any person desiring to address the Commission during a meeting shall first secure the permission of the Chair to do so; provided, however, that any qualified and interested person shall have the right to address the Commission upon obtaining recognition by the Chair concerning any matter on the agenda.

Section 14. MANNER OF ADDRESSING COMMISSION--

TIME LIMIT.

(a) Each person addressing the Commission shall provide

the Secretary with his/her name legibly written or printed. All remarks shall be addressed to the Commission as a body and not to any member thereof. Each person addressing the Commission shall first be recognized by the Chair, shall speak into the microphone in front of the rail, shall provide his/her name and affiliation if appearing in a representative capacity, shall speak and address in an audible tone of voice for the record, and shall restrict comment to the time limits imposed by the Chair. No person, other than a Commissioner and the person having the floor, shall be permitted to enter into any discussion without the permission of the Chairperson. The Chairperson may require any person addressing the Commission to identify his/her address if the Chairperson believes that the address may be relevant to the testimony being given by that person.

(b) Whenever a group of persons wishes to address the Commission on the same subject matter, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Commission, and in case additional matters are to be presented at the time by any other member of said group, to limit the number of persons so addressing the Commission, so as to avoid unnecessary repetition before the Commission.

(c) The presiding officer may establish a maximum time limit to limit the time within which each person may address the

Commission.

Section 15. SILENCE CONSTITUTES VOTE WITH THE MAJORITY

Unless a Commissioner states that he or she is not voting, his or her silence shall be recorded as a vote with the majority.

Section 16. TIE VOTE.

When the recorded vote of the Commission reflects a tie vote and a tie vote is the result of the absence of a Commissioner, the decision shall be continued to the next meeting.

Section 17. DECORUM.

(a) By Commissioners. While the Commission is meeting, the Commissioners must preserve order and decorum, and no Commissioner shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission or disturb any Commissioner while speaking or refuse to obey the orders of the Commission or the Chairperson, except as otherwise herein provided.

(b) By Other Persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Commission shall be forthwith, by the Chairperson, barred from further addressing the Commission at said meeting and shall be compelled to leave the meeting room, unless

permission to continue or remain is granted by a majority vote of the Commission.

Section 18. ENFORCEMENT OF DECORUM. The Chief of Police shall be ex-officio Sergeant at Arms of the Commission. The Chief of Police shall carry out all orders and instructions given to the Chief by the Chairperson for the purpose of maintaining order and decorum at a meeting.

Section 19. PERSONS AUTHORIZED TO BE WITHIN RAIL. No person, except City officials, their representatives, and representatives of news-gathering agencies shall be permitted within the rail in front of the Council Chamber without the consent of the Chairperson.

Section 20. MEMBERS MAY REQUEST ENTRY OF PROTEST AGAINST COMMISSION ACTION IN MINUTES.

Any Commissioner, at his or her request, shall have the right to have the reasons for his or her dissent from or protest against any action of the Commission entered in the minutes.

Section 21. ROLL CALL VOTE. A roll call vote shall be taken upon the passage of all resolutions and shall be entered in the minutes of the Commission showing those Commissioners voting

aye, those voting no and those not voting or absent. Upon request of any Commissioner, a roll call vote shall be taken and recorded on any vote.

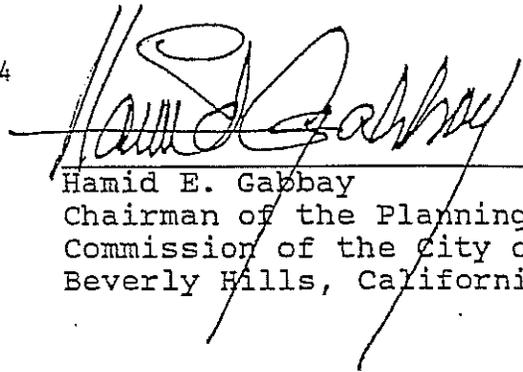
Whenever a recorded or roll call vote of the Commission is in order, the Secretary shall call the names of the Commissioners in order of reverse seniority, except that the name of the Chairperson shall be called last.

Section 22. This resolution supersedes and rescinds all prior resolutions by this Commission pertaining to rules of procedure.

Section 23. The Secretary of the Planning Commission shall certify to the passage, approval and adoption of this resolution and shall cause this resolution and the certification thereto to be entered in the Book of Resolutions of the Planning Commission of this City, and shall publish this resolution pursuant to Government Code Section 65804.

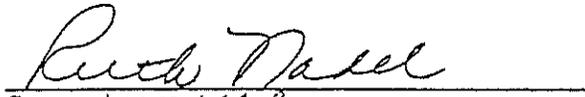
Section 24. This resolution shall become effective and in full force and effect at 12:01 a.m. on the day next following its passage.

Adopted: March 23, 1994

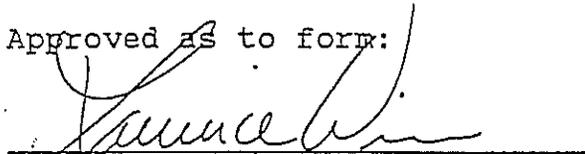


Hamid E. Gabbay  
Chairman of the Planning  
Commission of the City of  
Beverly Hills, California

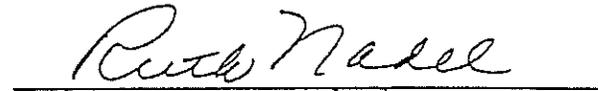
ATTEST:

  
Secretary *M.B.*

Approved as to form:

  
Laurence S. Wiener  
Assistant City Attorney

Approved as to content:

  
Ruth Nadel *M.B.*  
Director of Planning and  
Community Development

3/17/94