

# The Rules of Procedure



## for the Planning Commission

City of Gaithersburg  
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**THE RULES OF PROCEDURE**  
**FOR THE**  
**CITY OF GAITHERSBURG PLANNING COMMISSION**  
**2015**

**Section 1 – Purpose**

The Planning Commission is tasked with preserving and protecting the public health, safety and general welfare of the inhabitants of the City. The Planning Commission directs the growth and development of the City by reviewing all annexation requests, zoning applications, subdivision plats, development review plans, applications and plans for municipal improvements. The Planning Commission also recommends updated Master Plans for Mayor and City Council adoption, and then, as part of each decision it makes, is tasked with carrying out the visions, goals and objectives of the adopted City Master Plan.

Many application reviews are in conjunction with the Mayor and City Council, and the Planning Commission frequently attends joint public hearings and work sessions with the Mayor and City Council on current development and long range planning issues. The Commission is supported by the Planning Division of the City of Gaithersburg's Department of Planning & Code Administration.

The purpose of these rules is to establish procedures under which the Planning Commission has the powers necessary to enable it to fulfill its functions, promote planning, and execute the purposes of the Gaithersburg City Code and the Maryland Land Use Code, Division 1, Title 2 (Planning Commission). These rules provide the processes for the conduct of hearings and other proceedings in all cases in which a final decision or recommendation is made by the Planning Commission after a hearing (a) required by law or (b) conducted by practice of the Commission. Hearings and related proceedings which shall be subject to these rules include, but are not limited to:

- A. Preliminary plans of subdivision;
- B. Final plans of subdivisions (Record plats);
- C. Site plan review (concept, preliminary, final and amendments to final), which may include subdivision;
- D. Recommendations to the City Council on local map amendments, text amendments, master plan amendments, annexations, and matters involving historic preservation;
- E. Amendments to optional method and schematic development plans; and
- F. Any other matters upon which the Planning Commission may be mandated to act pursuant to public hearing by law or ordinance.

## Section 1.1. – Powers

In fulfilling its legislative mandate the Commission may exercise the following powers:

A. Hold conference with parties and or their legal representatives to clarify issues and expedite full and fair handling of a case, to the extent and under the circumstances (i) permitted by the Maryland Open Meetings Act, Md. General Provisions Code Ann., §§ 3-301 et seq., as amended, and (ii) subject to the prohibition against Commission member ex parte communications with an applicant or petitioner in a quasi-judicial proceeding.

B. On request by any party, or by the Commission, dispose of procedural requests, including but not limited to the following actions: to amend, to consolidate applications or petitions, or to reopen the record of any case in order to receive additional evidence or information;

C. On request by any party, or by the Commission, introduce into the record documentary or other evidence;

D. Rule upon the admissibility of all submissions and requests to the Commission;

E. Require parties to provide additional information about the application;

F. Waive minor procedural defects or errors that do not affect substantive rights of the parties in order to proceed on the merits;

G. Take any other action necessary to carry out the intent of the Zoning Ordinance.

## Section 1.2 - Members

A. The Commission shall consist of five (5) city residents and one (1) alternate, who are appointed by the mayor with the approval of the council for a five-year term. A majority of members of the Commission shall constitute a quorum.

1. Impartiality Required – Each Commission member shall act in a fair and impartial manner and shall not show any favoritism.
2. Familiarity with Law – Each Commission member shall be as thoroughly familiar with all statutes, laws, ordinances and rules of procedure as time and circumstances permit.
3. Ethics Laws – Commission members are subject to the City's Ethics Code, Chapter 7A of the City Code, and shall recuse themselves from participating in a matter in which they have a conflict of interest. If City Staff Liaisons or Commission members have questions as to whether a conflict of interest exists, they should contact the City Attorney's Office for guidance.

4. Commission members are expected to attend Commission meetings and events, including any training. Commission members are also expected to attend Joint Public Hearings with the Mayor and City Council and other City Commissions as their participation is essential to fulfilling the Commission's mission. If a Commission member misses three consecutive meetings or events without prior notice, the Chairperson or City Staff Liaison will send the member a letter or email reminding him or her that meeting and event attendance is a membership requirement and that their membership will be reviewed at the next meeting, where the Commission may recommend to the Mayor and City Council that the member be removed. The Commission member should respond by reaffirming their commitment to the Commission and explaining the absences, and/or by resigning from the Commission.

B. Chair. A Chair of the Commission shall be elected by Commission members annually, at the first meeting of each calendar year. The Chair shall preside at all meetings, and decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at the time.

C. Vice-Chair. A Vice-Chair of the Commission shall be elected by Commission members at the same time as the election of the Chair. The Vice-Chair shall in the absence of the Chair preside at all meetings, and decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at the time.

D. Interim Chair. If neither the Chairperson nor Vice-Chair of the Commission is present at a Commission meeting, the member with the longest continuous record of service as a Commission member shall serve as Interim Chair for that meeting. As such, the Interim Chair shall preside at the meeting, and decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at the time.

E. City Staff Support. Staff support shall be provided by the Department of Planning and Code Administration, Planning Division, who shall provide information and guidance, keep all records, send out all notices required by the rules or the Gaithersburg City Code, keep the official records, minutes, and recorded tapes of the proceedings, prepare all correspondence of the Commission, and generally supervise the Commission's clerical work. Staff liaison shall attend all Commission meetings and provide advice and guidance to the Commission as needed. But the City Staff Liaison is not a Commission member, does not vote, and should not be charged with conducting a meeting.

F. Elections. Election of a Chair and Vice-Chair shall be held annually at the Commission's first regular meeting of the year. In the event the Commission does not meet during a one year period, the Chair and Vice-Chair shall continue to serve until the next regular Commission meeting.

G. Procedure for Use of Alternate Planning Commissioner:

1. The Planning Commission Alternate shall serve in the place of any regular member of the Commission who is absent, disabled from service or has recused himself or herself from participation in a matter. In such instances, the Alternate Member shall have all the powers, duties and responsibilities of a regular member and shall fully participate in all matters before the Commission.
2. The Planning Commission Alternate may also participate fully with the Planning Commission when a full complement of Commission members is present on all matters and proceedings which are not regulatory in nature. Regulatory matters involve quasi-judicial proceedings in which the Planning Commission exercises final decision-making authority. Non-regulatory matters involve all other matters coming before the Commission including, but not limited to, matters involving the rendition of recommendations to the Mayor and City Council, City Board of Appeals or other agencies of the City government.
3. The Planning Commission Alternate shall not participate in any regulatory matters coming before the Commission when a full Commission complement of members is present, but may participate on non-regulatory matters.

Section 1.3 - Sign Posting

A. All property which is the subject of public hearings subject to these rules, as set forth in Section 1, where the Planning Commission makes a final decision shall as required by Gaithersburg City Code §24-241, be posted with a sign, except for hearings placed on the Planning Commission's consent agenda. The sign shall be provided by the Planning Commission staff upon payment of an appropriate fee established by the City Council and shall be posted by the applicant at least nine (9) days before the hearing. Following the hearing, it shall be the responsibility of the applicant to remove within a five-day period after the hearing all posted signs from the property, and 4'x3' signs must be returned to the City. The sign shall have (at least) the following information shown on it:

1. The title of "Planning Commission Hearing";
2. The type of application;
3. The application number;
4. Date, time, and place at City Hall of the public hearing; and
5. A telephone number for additional information.

B. If the property has frontage on one (1) or more improved streets, there shall be one (1) sign posted for each one thousand (1,000) feet (or fraction) of frontage on each street. The sign(s) shall be posted on the property near the street right-of-way, so as to be visible from the improved portion of the street. When more than one (1) sign is required to be posted along a street, the signs shall, where practicable, be evenly spaced along the street.

C. If the property does not have frontage on an improved public street, then one (1) sign shall be placed on the property by the applicant. This sign shall be near the boundary of the property and visible from an adjoining property. Another sign shall be placed by the applicant near to, and visible from, the improved portion of the nearest, most-traveled street. This sign shall indicate it is not on the subject property.

D. The minimum size of each sign shall be two (2) feet in width by three (3) feet in height for all signs to be located abutting streets that are two (2) lanes or smaller. However, the minimum size of each sign shall be four (4) feet in width by three (3) feet in height for all signs to be located abutting streets that are larger than two (2) lanes.

E. All signs posted shall be placed on a conspicuous location observable by the general public and be legible.

F. The applicant shall be responsible for reasonable maintenance of all signs. In the event a sign is removed, falls down, or otherwise is not conspicuous and/or legible on the property or in the right-of-way during the pendency of and until the date of the hearing, it shall be the responsibility of the applicant to re-post the sign.

G. The applicant shall file a written statement in the record of posting prior to the commencement of the hearing.

#### Section 1.4 – Notification

All hearings subject to these rules, as set forth in Section 1, shall be included on the Commission's tentative meeting agenda, which is posted on the City's Website: [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov). Postcards for each application type shall be mailed at least nine (9) days before the hearing, except for hearings on the consent agenda. The Public Notice shall be in compliance with City Code § 24-241 and mailed to all abutting and fronting properties relating to the property under consideration and to the citizens associations, homeowners associations, or condominium associations for the area.

#### Section 1.5 – General Information

A. Generally the Planning Commission will hold meetings twice a month on the first and third Wednesdays of the month in the Council Chambers at City Hall, 31 S. Summit Avenue in Gaithersburg, Maryland, subject to cancellation based on holidays or the lack of agenda items. At least three (3) persons appointed to the Planning Commission must be present to constitute a quorum for the conduct of a hearing.



B. The Commission shall conduct the meetings in compliance with the Maryland Open Meetings Act, Md. General Provisions Code Ann., §§ 3-101 et seq., as amended. As such, meetings shall be open, allowing for public attendance as provided by Md. General Provisions Code Ann., § 3-303, as amended, except when an exception applies that would allow a meeting to be closed as permitted under Md. General Provisions Code Ann., § 3-305, as amended.

1. The Commission's agenda will note that the meeting is to be closed, citing the reason(s) permitting such closure under Md. General Provisions Code Ann., § 3-305(b), as amended.
2. The Commission will start the meeting in open session and then consider a motion to close the meeting, as required under Md. General Provisions Code Ann., § 3-305(d), as amended.
3. At the next meeting, the Commission will identify the closed meeting, the vote to close the meeting, the authority under which the meeting was closed, what was discussed at the closed meeting and identify any outcome, including any votes taken during the closed meeting, as required under Md. General Provisions Code Ann., § 3-305(d), as amended.

C. The Commission will ensure that minutes are taken of each meeting, as required by Md. General Provisions Code Ann., § 3-306(c)(2), as amended, which are subject to approval by a majority vote of members at the next meeting.

## **Section 2 – Order of Presentation**

A. The Chair shall have the power to control the course of the hearings to ensure a complete, fair, and orderly proceeding. Unless otherwise determined by the Chair, the following order of presentation shall apply:

1. Introduction by staff;
2. Presentation by Applicant;
3. Public agency comments, if any;
4. Public comment and questions;
5. Applicant/Staff respond;
6. Staff recommendation and suggested conditions;
7. Planning Commission discussion;
8. Applicant/Staff responds;
9. Discussion and vote by Planning Commission.

B. The Chair may request larger groups or associations to select an individual to speak for the group for the purpose of avoiding repetition of testimony. The selection of a spokesperson is not intended to prevent the non-repetitive individual testimony of group members. The Chair may also take such other actions to facilitate the orderly, expeditious receipt of testimony and other evidence and argument.

### **Section 3 - Preliminary Action**

Upon convening the hearing, there shall be a brief explanation by the Chair of the purpose of the hearing, followed by a brief introduction by staff of the application. For cases where there is an official record or index of memorandum, there shall also be a brief summary by staff of any exhibits or documentation, which has been received in the case file, before the applicant's presentation and public discussion and comments begin. The case file shall be a part of the record and shall be available to the public at reasonable times; exhibits shall also be available through the City's website, [www.gaithersburdmd.gov](http://www.gaithersburdmd.gov).

### **Section 4 - Information from the Public**

Each speaker at a hearing shall state: (a) name, and (b) address, in addition, if speaking for another individual, a group or organization, the name and address, if any, of the group or organization. The Chair may announce reasonable registration requirements for speakers to facilitate distribution of minutes and future notification. Speakers at hearings may not be limited by residency or proximity requirements. The Chair may limit comments or testimony of disruptive attendees and direct their removal from the hearings or other Commission proceedings.

### **Section 5 - Cross-Examination of Witnesses**

The Chair, upon request, shall permit any party to a case to cross-examine a witness at the conclusion of that witness' testimony. For purposes of this section, a party to a case includes the applicant and any person or group that has, in writing or orally for the record, identified themselves as being in favor or in opposition to the application. Examination should be limited and directed to information and evidence presented by the witness. The opportunity to cross-examine a witness may not be used by the examiner to begin his/her testimony. The Chair may, in the exercise of discretion, limit the number of examiners for each side. General questions about an applicant's plan may be asked separately from cross-examination.

## **Section 6 - Time Guidelines**

The Chair, in his/her discretion, may impose time limitations on the presentation of evidence and testimony at a hearing in order to facilitate the orderly and expeditious conduct of the hearing, and may also, as provided in Rules of Procedure § 2(B), request larger groups or associations to select an individual to speak for the group for the purpose of avoiding repetition of testimony. The Planning Commission normally will not begin consideration of a new site plan after 10:30 p.m.

## **Section 7 - Recess to Another Time and Place**

Any hearing may be recessed or continued to a time and place which is announced, or posted at the time and place for which notice originally has been given, and no further notice or publication shall be necessary in order to reconvene the recessed hearing. However, if the hearing is recessed to another regularly scheduled meeting of the Commission, then notice shall be provided in the agenda of the Commission.

## **Section 8 - Evidence and Submission Guidelines**

A. These submission guidelines are intended to foster the Commission's duty to inquire fully into the facts of each petition or application. In this respect, the Commission shall have the overall authority to (a) request the attendance of witnesses and submission of documents, (b) regulate the course of any hearing, (c) rule on offers of proof and receive relevant evidence, (d) exclude incompetent, irrelevant, immaterial and unduly repetitious evidence, (e) dispose of, or rule upon, procedural requests and order hearings consolidated or reopened, and (f) call, examine and cross-examine witnesses and admit or deny into the record documentary or other evidence.

B. The applicant bears the overall burden of proof to show by a preponderance of the evidence that his or her application, complaint or petition should be granted, or any steps taken against him or her should be denied or halted. A preponderance of the evidence means that the evidence, when considered and compared with that opposed to it, shows it is more likely than that the applicant's request should be granted. If the evidence is evenly balanced, then the finding must be that the applicant's request is denied.

C. In all cases in which the applicant is required to submit a plan for consideration by the Planning Commission at a hearing (i.e., preliminary plan of subdivision, site plan review, etc.), the applicant shall submit those plans and they must be accepted as complete by the Planning Chief, or his or her designee, at least fifteen (15) business days before the Planning Commission meeting, and in accord with any annual or web-published Meeting Date and Submission Calendar, as outlined in subsection 2, below, except for Consent items. The plans must be deemed complete the Planning Chief, or designee. Complete plan submittals shall be scheduled for the next applicable Planning Commission meeting taking into account appropriate staff

review time, required sign posting and notification requirements as outlined in sections 1.3 and 1.4. The following criteria shall apply to all applications:

1. All efforts will be made to ensure complete plans are taken to the Planning Commission as soon as legal requirements and staff review timelines can be met.
2. Planning staff may annually submit a Meeting Date and Submission Calendar, specifying deadlines for Planning Commission review for the upcoming year to the Planning Commission, which may be subsequently posted on the city's web site.
3. Applicants desiring to be placed on an agenda other than that determined by the Planning Chief shall state their desire in writing to the Planning Chief fifteen (15) business days prior to the requested meeting. In consultation with the Planning Commission Chair the Planning Chief shall act on the request, and notify the applicant of such action, within five (5) business days of the request.

D. Any revisions to the plan as filed shall be submitted to staff and must be accepted by the Planning Chief, or designee, for inclusion in the record no less than fifteen (15) business days before the hearing date as delineated by the Meeting Date and Submission Calendar for the Planning Commission. If the applicant has shown good cause for submission of the revised plan less than fifteen (15) business days before the hearing, the Planning Commission may, upon recommendation by the Planning Chief, or designee, proceed with the hearing.

E. Although not guided by formal rules of evidence, certain rules will be followed at hearings, as indicated below:

1. Hearsay evidence, if relevant, will normally be accepted into the record.
2. Objections to testimony by a party to a case will only be sustained for the most compelling reasons so that the purpose of providing wide latitude to witnesses will be served.
3. Objections to testimony by a party to a case must be made at the time the information or exhibit is presented or the objection will be considered waived.
4. The Commission may take administrative notice of matters of common knowledge or expertise in reaching a decision on a case.
5. Testimony which is immaterial, repetitive or irrelevant, shall not be allowed.
6. Written testimony of a witness present to be considered by the Planning Commission during a site plan review must be read into the record. Letters or electronic communications submitted by interested persons will be included, but not read, into the record.
7. Written reports, documents, plats, plans, studies and letters containing analytical contents or legal arguments must be submitted at least five (5)

business days before any scheduled public hearing with the exception of:

- (a) Photographs of site – existing conditions;
- (b) Material samples not practical to distribute via Commission's packages;
- (c) Rendered versions of previously submitted plans, elevations or other drawings or artist renderings.

Materials enumerated hereinabove which are not timely submitted may only be received at the hearing upon good cause shown as to why said evidence could not be timely submitted. The Commission may receive or reject as untimely the offered evidence in the sole discretion of the Commission.

F. The Planning Chief or his or her designee may permit amendments to correct minor errors, subject to the Planning Commission's consent.

G. The applicant may withdraw its plan from consideration by the Planning Commission at any time prior to the Planning Commission's oral votes to approve or deny the plan.

H. Appeals to the Commission from any staff decision, including minor amendments, as permitted by City Code § 24-172A(b)(6), must be filed within 15 days after the decision is mailed by the Planning Chief. The appeal shall be submitted to the Commission to set filing deadlines and a hearing date. Such appeals shall be heard on the record unless the Commission decides to consider the issue *de novo*, and thus review the initial request as a new application.

1. If the Commission decides to handle the appeal on the record, the appellant shall have the burden to show an error of fact or law in the staff decision being appealed. The Commission shall set a deadline for all statements and briefs to be submitted, which shall be not less than fourteen (14) days before the public hearing date. At the public hearing, all parties and members of the public may provide oral statements to the Commission. The Planning Department may provide a summary and recommendation, and the Commission shall by resolution issue a written decision deciding the appeal, laying out findings of fact and conclusions of law, within twenty (20) business days after the hearing.
2. If the Commission decides to handle the appeal on a *de novo* basis, as a new application, the original applicant shall have the burden to show the application for the staff decision or minor amendment should be granted. The Commission shall set a deadline for any additional documentation, which shall not be less than fourteen (14) days before the public hearing date. At the public hearing, all parties and members of the public may provide testimony. The Planning Department may provide a summary and recommendation, and the Commission shall by resolution issue a written decision deciding the appeal, laying out findings of fact and conclusions of law, within twenty (20) business days after the hearing.

## **Section 9 - Closing the Record**

Unless otherwise determined by the Commission, the record will remain open until the Commission orally votes to close the record or to approve or deny the plan. If the Commission closes the record by duly adopted motion prior to the vote to approve or deny the plan, no additional evidence will be received except (a) for good cause shown as to why the evidence was not presented while the record was open and (b) a showing that the evidence is material and relevant.

## **Section 10 – Decision**

Any Planning Commission decision shall be by a majority of the members present, and decisions on an application or petition shall be by motion of approval specifying conditions or motion of disapproval. The legal date of approval of a site plan or amendment to final plan shall be established by the date of the Site Development Approval (SDA) form, or if a written opinion is to be rendered, then the date of the adoption of the final opinion shall constitute the date of the final decision by the Planning Commission. Where the Commission issues a final decision in the form of written resolution, that resolution shall include, among other required contents, participating Commission members and their respective votes on the application or petition. Any Commission member who was not present for all or any part of a hearing may only participate, and vote on the application or petition if said member reads the official transcript or listens to the recorded testimony, as well as reviews the exhibits of record, minutes of any related public session, and so indicates at the final public hearing or in a written statement on the record.

## **Section 11 – Reconsideration**

A. A request for reconsideration of any matter in which the Commission has final decision-making authority may only be made by an aggrieved party, must be in writing, and unless waived by the Commission for just cause, must be received by the Planning Commission no later than seven (7) days after the date of the final decision. The request must specifically state the basis upon which the aggrieved party contends the Commission's decision should be reconsidered. The Commission may grant a request to reconsider, provided sufficient grounds are demonstrated. Such grounds may include:

1. A clear showing that the action of the Commission did not conform to relevant law or its rules of procedure;
2. Evidence indicating that certain pertinent and significant information relevant to the Commission's decision could not reasonably have been presented at the hearing before the Commission or otherwise included in the record, together with a statement detailing why such information was not timely presented; or

3. Such other appropriate compelling basis as determined by the Commission.

The fact that a party raises an issue worthy of reconsideration does not itself require the Commission to reconsider a prior action.

B. If a request for reconsideration is timely received, City staff shall place the written request for reconsideration on the agenda of the Commission for the next regular meeting of the Commission. Commissioners may question staff or any interested party then present to clarify points raised in the written request; otherwise, testimony need not be received. At such time, Commissioners shall determine whether the written request raises a proper and sufficient basis for reconsideration. Any Commissioner who:

1. voted in the majority on the action drawn into question, and
2. believes an issue warranting reconsideration has been raised,

may then move to reconsider the action. If no such member remains on the Commission, the Chair may make the motion on his/her own initiative or at the request of any Commissioner.

C. If a motion to reconsider has been duly adopted by the Planning Commission, the prior final decision of the Commission shall be void and the record before the Commission shall be automatically reopened. The Commission shall schedule a hearing for a subsequent date and time, providing all parties of record at least ten (10) days advance written notice of the hearing.

D. A timely filed request for reconsideration shall not operate to extend any time for appeal provided by applicable law so long as the Planning Commission holds a regular meeting within fourteen (14) days after the decision which is the subject of the reconsideration request. If the Planning Commission does not hold a regular meeting within fourteen (14) days after the decision which is the subject of the timely filed reconsideration request, then the time for appeal is automatically extended until the expiration of three (3) calendar days after the Commission next holds a regular meeting.

## **Section 12 – Appeals**

Any party aggrieved by a Planning Commission decision may, under Gaithersburg City Code § 24-188(a), appeal that decision to the Board of Appeals within 17 days of the date of the decision being appealed.

## **Section 13 – Rule Changes and Supplements**

A. Suspension of Rules -- The suspension of any rule of procedure shall require the unanimous concurrence of those members of the Commission present and voting. A separate suspension of the rules shall be necessary for each proposition.

B. Repeal or Amendment of Rules -- No motion, order or resolution to repeal or amend a rule of the Commission shall be considered or acted upon unless it shall have been submitted in writing to the Commission at least two (2) weeks prior thereto, together with the written text of any proposed amendment. The repeal or amendment of any rules of the Commission may be by majority vote of those members present and voting.

C. Robert's Rules of Order -- The rules of parliamentary practice and procedure, as set forth in the Robert's Rules of Order most current edition and except as modified by these Rules of Procedure, shall govern the Commission in all cases to which these Rules of Procedure apply.

## **Section 14 – Communications**

A. In considering an application or petition, a Planning Commission member may conduct a site visit and may seek permission from property owners to enter upon land and make appropriate examinations and surveys, as permitted by Maryland Annotated Code, Land Use Article § 2-105(a)(3). To establish the visit as part of the record, the member shall report the visit at the public hearing or submit a statement for the record.

B. For quasi-judicial proceedings, to ensure the integrity of the hearing process and a fair proceeding, the participants, including the petitioner or applicant, opposing parties, representatives, witnesses, and anyone else, may not communicate “ex parte” with any member of the Commission.

C. In quasi-judicial proceedings, the Planning Commission shall not consider any “ex parte” or private communication from any person or organization, whether oral or written, which may relate to any application, petition or appeal pending before it. Any member receiving such communication must note it on the record, and the parties shall be given an opportunity to comment thereon.

D. Nothing shall preclude the Commission in any matter from obtaining any advice, counsel or assistance from City staff which are not a party to or directly involved in a pending matter, including but not limited to staff from the Department of Planning and Code Administration and the City Attorney.

## **Section 15 – Records Retention**

All Commission agendas, minutes, documents related to any meeting, background materials, investigation materials or hearing materials shall be maintained by the City Staff Liaison in accordance with the applicable Records Retention Schedule. These records will be available to the public in accordance with the Maryland Public Information Act, Maryland General Provisions Code Ann., §4-101 et seq., as amended.