

# PLANNING COMMISSION RULES AND REGULATIONS

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## I. AUTHORITY

These Rules and Regulations of the Planning Commission of the City of Santa Rosa are adopted pursuant to Chapter 2-12.030 of the Santa Rosa City Code.

## II. ORGANIZATION

- A. Section 15(d) of the City's Charter provides that the Mayor appoints the Chair of the Planning Commission with the approval of the majority of the City Council.
- B. The Planning Commission Chair shall annually ~~elect~~ appoint a Vice-Chair from its membership, subject to majority approval by the Planning Commission, at its first regular meeting in February or after completion of City Council appointments in February. In the event that the ~~election~~ appointment cannot be ~~held~~ accomplished in accordance with this schedule, it shall be ~~held~~ completed at the next regular meeting of the Planning Commission. ~~where a~~ At least five of the total voting membership of the Planning Commission are must be present. The newly ~~elected~~ appointed Vice-Chair shall assume office ~~immediately~~ at the next scheduled meeting of the Planning Commission. The term of the Vice-Chair shall expire upon ~~the election of a replacement~~ assumption of office of the newly appointed Vice-Chair. [MM1] [TA2]
- C. The duties of the Chair are as follows:
1. Perform all duties of the presiding office.
  2. Create such special subcommittees, and appoint Chairs of these committees, which, from time to time, are deemed necessary or desirable.
  3. Sign all, resolutions, and other official documents of the Commission and any transmittals to the City Council.
  4. Represent the Planning Commission before the City Council, unless the Chair designates another Commissioner to appear on behalf of the Commission.
  5. Work with the Executive Secretary, or ~~designee~~ [MM3] [TA4], to establish Planning Commission agendas.
- D. The Vice-Chair shall assume the duties of the Chair in the event of the absence, abstention or disability of the Chair. In the absence, abstention or disability of both the Chair and Vice-Chair, the Commission, by majority vote, shall appoint a chair pro tempore for the period of the absence, abstention or disability of both the Chair and Vice-Chair.

## III. EXECUTIVE SECRETARY

~~The Planning and Economic Development Director, or designee~~ designated liaison [MM5], shall be the Executive Secretary of the Planning Commission. The duties of the Executive Secretary shall include, but not be limited to, the following:

- A. ~~Provide~~ prepare and deliver to the Planning Commission the agenda and any other materials, reports and communications pertaining to the matters on the agenda, as well

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~~as~~<sup>[MM6]</sup> prepare reports and gather information as may be necessary for the Planning Commission to conduct its business.

B. ~~Attend Planning Commission meetings and~~ by signature, attest to the Chair's approval of  
sign all resolutions.

~~A.~~

~~B. Attend Planning Commission meetings and sign all minutes and~~<sup>[MM7]</sup> resolutions.

~~C. Prepare such reports and gather such information as may be necessary for the Planning Commission to conduct its business.~~

~~D.C.~~ Ensure that matters scheduled for Planning Commission consideration have been reviewed and processed by the City and other responsible agencies in compliance with the Santa Rosa City Code and applicable state and federal laws, and ensure that all records and minutes pertinent to the Planning Commission are maintained.

~~E. Maintain all records and minutes pertinent to the Planning Commission~~<sup>[MM8]</sup>.

~~F.D.~~ Maintain close communication and contact with the Chair and receive information from other Commission members.

### IV. LEGAL COUNSEL

The City Attorney, or designee, shall be the legal counsel for the Planning Commission and its subcommittees.

### V. PARLIAMENTARY RULES

Rosenberg's Rules of Order and other relevant authorities shall be utilized to resolve parliamentary questions that are not addressed by these Rules and Regulations.

### VI. MEETINGS

A. The Planning Commission shall hold at least two (2) regular meetings each month, unless the Chair, in consultation with the Executive Secretary, determines that a particular meeting shall not be held, at or after 4:00 p.m. or as otherwise specified by the Chair and set forth in the agenda. Regular meetings shall be held on the second and fourth Thursdays of each month at the Santa Rosa City Hall, 100 Santa Rosa Avenue, unless otherwise specified in the agenda for a particular meeting. For meetings held at City Hall, the agenda shall identify the room(s) at City Hall where the meeting will be conducted.<sup>[TA9]</sup>

B. Each member of the Planning Commission shall be notified of the time and place of each regular meeting, and shall receive the agenda and all appropriate materials at ~~least three working days~~ 72 hours prior<sup>[MM10]</sup> to the meeting.

C. Special meetings of the Commission shall be called, noticed and held in accordance with the provisions of the Ralph M. Brown Act (starting at Government code section 54950).

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### D. Annual Meeting of the Planning Commission:

An annual review study session meeting of the Planning Commission may be ~~shall be~~ held at the request of the Chair. in June of each year. The principal purpose of the meeting study session shall be to determine the goals of the Planning Commission for the fiscal year, consider any other policies or programs relating to the General Plan and formulate relevant recommendations to the City ~~Council~~<sup>[MM11]</sup>.

### E. Annual Review of the General Plan and the Growth Management & Housing Allocation Plan ordinances:

As set forth in General Plan 2035, it is the policy of the City of Santa Rosa that the City Council, Planning Commission and staff review the status of the General Plan and its implementation on an annual basis. To conduct this review, a joint session of the Planning Commission and City Council will be held in March of each year. To initiate this review, staff of the Planning and Economic Development Department will prepare an agenda consisting of items identified during the year as needing Planning Commission and City Council discussion and action. Regular Meetings of the Planning Commission:

### F. Regular Meetings of the Planning Commission:

The order of the agenda of regular meetings of the Planning Commission shall generally be as follows:

- |  |  |
|--|--|
| 1. Call to Order <u>and Roll Call</u>                        | <del>76.</del> Department Report                         |
| <del>2.</del> <u>Roll Call</u>                               | <del>87.</del> Statements of Abstention by Commissioners |
| <del>3-2.</del> Study Session                                | <del>98.</del> Consent Items                             |
| <del>43.</del> Approval of Minutes                           | <del>109.</del> Scheduled Items <sup>[MM12]</sup>        |
| <del>54.</del> Public <del>Appearances</del> <u>Comments</u> | <del>110.</del> Adjournment <sup>[MM13]</sup>            |
| <del>5.</del> <u>Board Business</u>                          |  |
| <del>6.</del> <u>Planning Commissioners' Reports</u>         |  |

Other items may be included in the agenda (e.g., a closed session with legal counsel) as permitted by the Brown Act, or the order of the agenda may be changed as appropriate.

The purpose of the above agenda items is as follows:

- ~~1.~~ Call to Order and Roll Call - The Chair calls the meeting to order.
- ~~2.1.~~ Roll Call - The recording secretary or designee calls the roll of the Planning Commission.
- ~~3-2.~~ Study Session – A study session is an informational and/or educational presentation to the Commission on a designated topic or topics during which Commissioners may ask questions and discuss the topic(s). The Commission may give direction to City staff on the subject matter of the session. Public comment shall be allowed on the designated topic(s) at the start of the study session.
- ~~4.3.~~ Approval of Minutes - The Commission reviews and approves the draft minutes.

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- 5.4. Public ~~Appearances~~ Comments – This is the time set aside for members of the public to make comments, suggestions or recommendations to the Planning Commission on any topic not listed on the agenda as a public hearing. Personal appearances are subject to the following:
- Speaker cards may be submitted before or at the beginning of the meeting by all persons wishing to address the Commission under Public ~~Appearances~~ Comments.
  - The Public ~~Appearances~~ Comments section of the agenda may be restricted to 30 minutes at the beginning of the agenda. ~~It may be continued to the end of the agenda if testimony exceeds the 30 minutes.~~
  - The Chair shall announce the number of speakers who have turned in cards for Public ~~Appearances~~ Comments at the beginning of the meeting and advise the public about the number of speakers who can be heard at the beginning of the meeting and those who shall be heard at the end of the meeting.
  - Each speaker shall be allowed to speak once for 3 minutes. The Chair may reduce speaking times to 2 minutes ~~modify this policy~~ in appropriate circumstances.

5. Board Business- Planning Commissioners' report, Statement of Purpose, and other activities that support board function(s) including ~~elections~~ appointment of Vice-Chair, board member recognitions and transitions.

Planning Commissioners' Report - The Commissioners may provide the members information or ask questions relevant to Planning Commission business.

Statement of Purpose: "The Planning Commission is charged with carrying out the California Planning and Zoning Laws in the City of Santa Rosa. Duties include implementing of plans, ordinances and policies relating to land use matters; assisting in writing and implementing the General Plan and area plans; holding public hearings and acting on proposed changes to the Zoning Code, Zoning Map, General Plan, tentative subdivision maps, and undertaking special planning studies as needed."

- Department Report - The Executive Secretary, or designee, staff provides information to the Commission on items of general interest or answers specific questions from the Commission. The staff shall also keep the Commission informed of communications from the City Council, state, county, and other levels of government or agencies directed to the Planning Commission.
- Statement of Abstention by Commissioners - Members of the Commission shall state from which item(s) they are abstaining, provide reason for the abstention ~~ands and why they will~~ abstain from discussion and action. Members abstaining shall leave the room-meeting during prior to review of the item. ~~the item.~~

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8. Consent Agenda - Items on this agenda are placed here for final action, or meet all provisions of the zoning code or other applicable regulations and public hearings are not necessary. The Commission acts on the Consent Agenda with one or few motions and with little or no discussion. Verbal staff reports are not usually given. At the request of an individual Commissioner, an item may be removed from the Consent Agenda and placed as the first item on the regular agenda.
9. Scheduled Items - Scheduled items are public hearings, reports, final actions or continued items. For scheduled items, the order of presentation shall be:
  - a. Introduction by the Chair
  - b. Staff presentation ~~[(Approximately 105 minutes)]~~<sup>[MM14]</sup>
  - c. Applicant presentation ~~Presentation by an applicant~~ ~~-(Approximately 10 minutes)~~
  - d. Questions from Commissioners (Optional)
  - ~~d.e.~~ Public Hearing: Comments by the Public (3 minutes per person).
  - e. ~~Public Hearing period closed.~~
  - f. Staff and Applicant's responses to Public Hearing comments ~~(3 minutes)]~~<sup>[MM15]</sup>
  - g. ~~Questions, comments and d~~Discussion by the Commission
  - h. Decision(s) by the Commission

The Chair may modify the above format in appropriate circumstances.

Dates for scheduled items will be coordinated with the applicant to ensure that the applicant will be able to attend the meeting. Once a date has been agreed upon and the public hearing has been noticed, requests for continuance will not be considered until after the scheduled item has been heard by the Planning Commission. Upon conclusion of the scheduled item, the Planning Commission may approve, conditionally approve, continue, deny without prejudice or deny an application.

10. Adjournment - At the end of the agenda, the Chair will declare that all business before the Commission has been completed and will state that the meeting is adjourned adjourned to the next scheduled meeting. when the next meeting of the Commission will be held. Usually, this will be the next regularly scheduled meeting. Occasionally, the date for a special meeting will be established at this time.<sup>[MM16]</sup>

## VII. QUORUM

- A. A quorum of the Planning Commission must be present for the Planning Commission to conduct business.

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B. A quorum of the Planning Commission shall consist of at least four members.

C. A member who is present, but is disqualified from participating in a matter, shall not be counted in determining whether a quorum is present for that matter.

C.

### VIII. VOTING

Four affirmative votes are required to adopt a recommendation to the Council regarding a legislative act including an amendment to the General Plan, a reclassification of land and an amendment to the Zoning Code. The adoption of a variance also requires four affirmative votes. Less than four affirmative votes on any of these items shall constitute a denial. All other actions of the Commission require approval of the majority of the quorum.

### IX. PLANNING COMMISSION REFERRALS/DEPARTMENT REPORT:

- A. Any matter referred by the City Council to the Planning Commission for review and report shall be brought to the attention of the Planning Commission at the next regularly scheduled meeting after such referral.
- B. Any Planning Commissioner may refer an item to the staff for review and reporting back to the Commission. The staff shall note the item under consideration and report back within thirty days of the date of the referral, unless otherwise specified by the Commission.
- C. The Planning Commission shall be informed of communications from State, County or other local agencies directed to the Planning Commission

Adopted 7/12/94

Amended 10/08/98 by Resolution No. 9372

Amended 2/22/01 by Resolution No. 9889

Amended 8/8/02 by Resolution No. 10161

Amended 8/28/03 by Resolution No. 10374

Amended 8/11/2016 by Resolution No. 11777

Amended 1/14/2021 by Resolution No. XXX