



AGENDA

VALLEJO PLANNING COMMISSION REGULAR MEETING – 7:00 P.M. VIA TELECONFERENCE

Diosdado "J.R." Matulac, Chair
Kathleen Diohep, Vice-Chair
Peggy Cohen-Thompson
Randy Larson
Jamar Stamps
Charles Palmares

VIA TELECONFERENCE

www.cityofvallejo.net

December 7, 2020

IMPORTANT NOTICE

Until further notice, meetings of the Planning Commission are being conducted using teleconference and electronic means, consistent with State of California Executive Order N-29-30 regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on television or online. Details may be found at www.cityofvallejo.net. In accordance with Executive Order N-29-30, the public may only view the meetings on television and/or online and not in the Council Chamber.

PUBLIC COMMENT: Members of the Public may provide public comments during the Planning Commission Meeting via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

For additional instructions on how to speak during public comment, please visit, www.cityofvallejo.net/publiccomment

VIEW THE MEETING: There are three different ways you can view this public meeting:

- Watch Vallejo local channel 28
- Stream from the City website: www.cityofvallejo.net/Streaming
- Join the Zoom webinar: <https://zoomregular.cityofvallejo.net>

Want more City information? Members of the public can:

- Like us on Facebook (www.facebook.com/cityofvallejo)
- Sign up to receive City Communications via e-mail (www.cityofvallejo.net/living/connect)
- Sign up to receive City updates and get connected with your neighbors on Nextdoor (www.nextdoor.com)

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Planning Commission without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Planning Commission will be available on the City of Vallejo website at www.cityofvallejo.net subject to staff's ability to post the documents prior to the meeting.

Disclosure Requirements: Government Code Section 84308 (d) sets forth disclosure requirements which apply to persons who actively support or oppose projects in which they have a "financial interest", as that term is defined by the Political Reform Act of 1974. If you fall within that category, and if you (or your agent) have made a contribution of \$250 or more to any commissioner within the last twelve months to be used in a federal, state or local election, you must disclose the fact of that contribution in a statement to the Commission.

Appeal Rights: The applicant or any party adversely affected by the decision of the Planning Commission may, within ten days after the rendition of the decision of the Planning Commission, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the Planning Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

The Council may affirm, reverse or modify any decision of the Planning Commission which is appealed. The Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.



The Council Chambers in City Hall is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

If you have any questions regarding any of the following agenda items, please call the assigned planner or project manager at (707) 648-4326.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

A. November 16, 2020

5. **WRITTEN COMMUNICATIONS**

6. **REPORT OF THE SECRETARY**

A. Upcoming Meetings:

December 21, 2020

This meeting is proposed to be canceled

7. **CITY ATTORNEY REPORT**

8. **REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS**

A. Report of the Presiding Officer and Members of the Planning Commission

B. Council Liaison to Planning Commission

9. **COMMUNITY FORUM**

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Community Forum may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

10. **CONSENT CALENDAR AND APPROVAL OF THE AGENDA**

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Consent Calendar and Approval of the agenda may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 9140075 0676#)

A. Adopt Recommendation to City Council on Planning Commission Rules of Order and Procedure

11. PUBLIC HEARING

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Public Hearing may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

A. Project Title:	Major Use Permit (UP) 20-0004 to operate a child care facility.
Applicant:	Marena Simmons
Location:	1701 Broadway / APN 0052-172-160
Project Description:	A request for a Major Use Permit to allow the conversion of an existing vacant 6,946 square-foot building and 0.61-acre site into a child care center facility/preschool for up to 69 children.
Proposed Environmental Determination:	The project is categorically exempt pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines (Class 3: "New Construction or Conversion of small structures"). Therefore, no further environmental review is required.
Staff Recommendation: Project Manager:	Cesar Orozco, (707) 648-5436, cesar.orozco@cityofvallejo

12. ACTION CALENDAR

NOTICE: Members of the public wishing to address the Planning Commission on Action Calendar Items may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#. For additional instructions on how to speak during public comment, please visit, www.cityofvallejo.net/publiccomment.

A. None

13. OTHER

Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold Planning Commission meetings via teleconference. Any interested members of the public desiring to communicate with the Planning Commission as part of the Other item may do so via ZOOM (<https://zoomregular.cityofvallejo.net>), or via phone, by dialing (669) 900-6833, enter meeting id: 914 0075 0676#

A. Discussion of Future Agenda Items

14. ADJOURNMENT

I, Narcissa Wilson, Planning Executive Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Vallejo Planning Commission, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 5:00 p.m. Monday, November 30, 2020.

Dated November 30, 2020



Narcissa Wilson, Planning Executive Secretary

Minutes

**CITY OF VALLEJO PLANNING COMMISSION
REGULAR MEETING MINUTES
COUNCIL CHAMBERS
November 16, 2020**

1. CALL TO ORDER

The meeting was called to order by Chairman Matulac at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Palmares, Cohen-Thompson

Absent: Commissioners Larson

Staff present: Interim Deputy City Manager Hayes, Interim Planning and Development Services Director Ratcliffe, Deputy City Attorney Brady

4. APPROVAL OF MINUTES

A. October 5, 2020

On a motion of Commissioner Cohen-Thompson, the commission approve the minutes with the following vote:

VOTE:

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Palmares, Cohen-Thompson

NOES: None

ABSENT: Commissioner Larson

ABSTAIN: None

5. WRITTEN COMMUNICATIONS – Dr. Robert Schussel

6. REPORT OF THE SECRETARY

A. Upcoming Meetings:

December 7, 2020 1701 Broadway, Childcare Center (Tentative)

December 21, 2020 *This meeting is proposed to be canceled.*

Interim Deputy City Manager Hayes and Interim Planning and Development Services Director Ratcliffe commented on item A.

7. CITY ATTORNEY REPORT

Deputy City Attorney Brady updated the Planning Commission on the City's new City Attorney Nebb.

8. REPORT OF THE PRESIDING OFFICE AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS

- A. Report of the Presiding Office and Members of the Planning Commission - None
- B. Council Liaison to Planning Commission - None

9. COMMUNITY FORUM – Dr. Robert Schussel

10. CONSENT CALANDER AND APPROVAL OF THE AGENDA

Chair Matulac opened for public comments.

Public comments – Dr. Robert Schussel

Chair Matulac closed for public comments.

Action: Moved by Vice-Chair Diohep to approve the consent calendar and agenda.

VOTE:

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Palmares, Cohen-Thompson
NOES: None
ABSENT: Commissioner Larson
ABSTAIN: None

11. PUBLIC HEARING - None

12. ACTION CALENDAR - None

13. OTHER

- A. Adopt Recommendation to City Council on Planning Commission Rules of Order and Procedure

This is an action item; Planning Commission action will be taken.

Interim Planning and Development Services Director Ratcliffe presented the item.

Commissioners commented on item, asked questions and staff responded.

Chair Matulac opened for public comments.

Public comments – Dr. Robert Schussel

Chair Matulac closed for public comments.

Action: Consensus of the Commission as stated by Vice-Chair Diohep, the Commission directs staff to bring back the rules with the changes to align it to the Council rules on abstentions, clean up any numbering, spelling and grammar, but no other changes; and to the 1991 document to show the 2020 changes.

VOTE:

AYES: Chair Matulac, Vice-Chair Diohep, Commissioners Stamps, Palmares, Cohen-Thompson

NOES: None

ABSENT: Commissioner Larson

ABSTAIN: None

B. Discussion of Future Agenda Items

Commissioners commented on future agenda items.

14. ADJOURNMENT

Chair Matulac adjourned the meeting at 7:43 p.m.

DIOSDADO "J.R." MATULAC, CHAIRPERSON

ATTEST:

CESAR OROZCO
ASSOCIATE PLANNER

Consent



MEMORANDUM
PLANNING DIVISION

DATE: December 7, 2020
TO: Planning Commission
FROM: Christina Ratcliffe, Interim Planning and Development Services Director
SUBJECT: Proposed Changes to the Planning Commission Rules and Procedures

BACKGROUND

The Commission discussed this item on July 20, 2020, and voted on September 21, 2020. At the September meeting action was taken to recommend amended Rules and Procedures to the Council. At the September 21, 2020 hearing a previous version of the item was discussed which was not attached to the agenda for the public to view and comment. To cure any potential Brown Act violations this item was brought back to vote on November 16, 2020. The Chair, Vice-Chair, and Staff reviewed the document prior to it being brought to the Commission.

At the meeting of November 16, Staff recommended a minor alteration to bring the rules in conformance with City Council Rules regarding abstentions. Commission gave staff direction to return to the Commission with a clean version of the Rules and Procedures with only that and spelling and grammar changes. The Commission also directed Staff to create a redline version of the document redlining the changes from the 1991 version (revised in 1992). These two items are attached.

RECOMMENDATION

The revised item is returning for a formal recommendation to the City Council to adopt the attached Rules and Procedures.

ATTACHMENTS:

1. Revised Draft Rules and Procedures, dated 12-7-2020
2. Redline of 1992 Rules and Procedures showing changes



City of Vallejo

Planning Commission

Rules of Order and Procedure

June 1991

REVISED 12-7-2020

Approved as to form:

By: *Veronica A.F. Nebb* for
Veronica A.F. Nebb
City Attorney

TABLE OF CONTENTS

Section 1.0	Preamble	Page 4
Section 2.0	General Rules	4
2.1	Meetings to be Public	4
2.2	Attendance of Media at the Commission Meetings	4
2.3	Quorum	4
2.4	Rules of Procedure	4
2.5	Journal of Proceedings	5
2.6	Secretary	5
2.7	Committees	5
2.8	Seniority of Commissioners	5
Section 3.0	Types of Meetings	5
3.1	Regular Meetings	6
3.2	Cancellation of Regular Meetings	6
3.3	Special Meetings	6
3.4	Study Sessions	6
3.5	Closed Sessions	6
Section 4.0	Chamber Attendance and Facilities	6
4.1	Council Chamber Attendance	6
4.2	Facilities	7
Section 5.0	Duties and Privileges of the Commission	7
5.1	Elections and Terms of Officers	7
5.2	Seating Arrangement During Meetings	7
5.3	Presiding Officer	7
Section 6.0	Agenda Content	7
6.1	Preparation and Posting	7
6.2	Items Included	8
6.3	Order of Business	8
6.4	Call to Order	9
6.5	Pledge of Allegiance	9
6.6	Roll Call	9
6.7	Minutes	9
6.8	Written Communications	9
6.9	Report of the Secretary	9
6.10	Report of the City of Attorney	9
6.11	Report of the Presiding Officer and Commissioners	9
6.12	Report of the City Council Liaison	10
6.13	Community Forum	10
6.14	Consent Calendar and Approval of the Agenda	10
6.15	Public Hearings	11

	6.16	Other Agenda Items	12
	6.17	Adjournment	12
Section 7.0		Voting	12
	7.1	Quorum	12
	7.2	Abstention	12
	7.3	Tie Vote	12
	7.4	Roll Call	13
Section 8.0		Public Participation	13
	8.1	Policy	13
	8.2	Addressing the Commission	13
	8.3	Time Limits	13
	8.4	Discussion Between Citizens and the Commission	13
	8.5	Topic for Discussion	13
	8.6	Manner of Addressing the Commission	13
	8.9	Repetition	14
Section 9.0		Amendments	14
	9.1	Notice of Amendment	14
	9.2	Submission for Council Approval	14

**PLANNING COMMISSION
OF THE
CITY OF VALLEJO, CALIFORNIA**

RESOLUTION NO. XX-MR-XX

RULES OF ORDER AND PROCEDURE

BE IT RESOLVED by the Planning Commission of the City of Vallejo, California that the following Rules of Order and Procedures be adopted for the organization of the Commission and conduct of its meetings, and these rules shall supersede all previous rules for this purpose:

SECTION 1.0

PREAMBLE

The objective of these rules of order and procedure is to ensure the orderly and efficient conduct of the meetings of the Planning Commission. These rules are intended to assure the right of the majority of the Commission to decide matters and issues brought before the Commission; the right of the minority on any issue to be heard; and the right of absentee Commissioners to be protected. These rules also are intended to foster and promote the right of the citizens to have adequate notice of business scheduled for consideration by the Commission and a fair and reasonable opportunity to appear and be heard on the items of business presented to the Commission.

SECTION 2.0

GENERAL RULES

2.1 Meetings to be Public

All regular and special meetings of the Commission shall be open to the public, except for such closed sessions which are permitted to be held in private under the provisions of the Ralph M. Brown Act or other laws of the State of California

2.2 Attendance of Media at the Commission Meetings

All the public meetings of the Planning Commission shall be open to the news media, freely subject to recording by radio, television and photographic services, provided that such activities do not interfere with the orderly conduct of the meetings.

2.3 Quorum

A quorum shall be a majority of the commissioners appointed, but fewer adjourn from time to time and compel attendance of absent members in such manner as may be prescribed by these rules of order and procedure.

2.4 Rules of Procedure

Rosenberg's Rules of Order shall be the rules of order and procedure for

the transaction of business.

2.5 Journal of Proceedings

An account of all public proceedings of the Commission shall be kept by the Secretary of the Commission, and shall be entered in a permanent book or other permanent form constituting the official record of the Commission.

2.6 Secretary

The Planning and Development Services Director or their designee shall serve as the Secretary to the Commission. The Secretary may make recommendations to the Commission and offer technical and professional assistance, but shall have no vote. The Secretary shall also keep the official minutes and perform such other duties as may be requested by the Commission.

2.7 Committees

- A. The Commission may create committees in accordance with the rules and procedures contained herein to assist the Commission in carrying out its functions and responsibilities.
- B. Every committee created by the Commission shall be advisory only. Any committee may be directed to undertake steps and/or study matters which are within the authority of the Commission.
- C. Committees may be occupied entirely of Commissioners or a combination of Commissioners and other persons. Any committee composed shall be less than a quorum.
- D. When requested by the Presiding Officer, the chairperson of each committee shall report or advise the Commission on the progress or result of work/projects assigned to or undertaken by the committee.

2.8 Seniority of Commissioners

Seniority shall be determined by the length of time on the Commission. In the event two or more commissioners have been on the Commission for the same length of time, seniority shall be determined by lot.

Section 3.0

TYPES OF MEETINGS

3.1 Regular Meetings

Regular meetings of the Commission shall be held on the first and third Mondays of every month at seven (7) p.m. If the first or third Monday falls on a legal holiday, the meeting shall be held on the following Wednesday at the same hour. If at any regular meeting, business before the Commission remains unfinished, the Commission may adjourn from time to time to dispose of the same or to transact any other unfinished business. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 3.3 for special meetings, unless such notice is waived

as provided for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of adjournment.

The Commission shall hold at least one regular meeting each month.

3.2 Cancellation of Regular Meetings

The Commission may cancel any of its forthcoming regular meetings by a majority vote of the commissioners. A copy of the notice of cancellation shall be posted on the bulletin board located immediately outside City Hall within twenty-four (24) hours after action by the Commission.

3.3 Special Meetings

Special meetings may be called by the Presiding Officer, Planning Commission Secretary, or a quorum of the Commission by, emailing or by mailing written notice to each Commissioner, staff, and to each local newspaper requesting such notice. Such notice must be delivered personally or by email, or mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Commission. The Secretary shall post as required by law at least twenty-four (24) hours prior to the special meeting.

3.4 Study Sessions

The Commissions shall have the right to assemble in special meetings so as to be apprised of the various matters coming up at a regular meeting or special meeting and obtain such detailed information in regard thereto as will enable them to dispose of such matters with more knowledge at the regular or special meeting to follow. The public may attend, as provided in Section 2.1; however, discussion by the public will not be encouraged so that the Commission may use the time to ask and answer questions of the staff and other resource people. The public with the Presiding Officer's permission may address the Commission in study sessions following the same procedures as provided in Section 3.3. The twenty-four (24) hour notice and posting requirements of Section 3.3 shall also be applicable.

3.5 Closed Sessions

The Commission may hold closed sessions during the course of any regular or special meeting in the manner permitted by law.

Section 4.0 CHAMBER ATTENDANCE AND FACILITIES

4.1 Council Chamber or Other Facility Attendance

Council Chamber or other facility attendance shall be limited to the posted seating capacity thereof. Entrance to City Hall or the meeting facility will be appropriately regulated by the Secretary on occasions when the Council Chamber capacity is likely to be exceeded.

4.2 Facilities

Regular and special meetings of the Planning Commissions shall be held in the Council Chamber, City Hall, Vallejo, California. Whenever at a regular or special meeting of the Commission a matter is set for public hearing, the Secretary may make arrangements for the use of a suitable alternate facility for such meeting of the Commission. If a suitable alternate facility is not available, the public hearing may be continued to a date when a suitable alternate facility will be available. The Commission shall not conduct any regular or special meeting in any facility that prohibits the admittance of any person or persons on the basis of race, religion, creed, color, national origin, ancestry or sex. Facilities shall be accessible by the handicapped.

Section 5.0

DUTIES AND PRIVILEGES OF THE COMMISSION

5.1 Elections and Terms of Officers

At the first regular meeting of the Commission held in July of each year, the Commission shall hold an organizational meeting, at which the Commission shall elect a Chairperson and a Vice-Chairperson who shall serve for one year. A commissioner may serve a maximum of two years as the Chair over an 8-year period. In the case of a vacancy in any office, it shall be filled by an election held in the first two months subsequent, and such replacement shall be for the duration of the unexpired term of such office. Elections shall be by nomination and open ballot; the member receiving the highest number of votes shall be declared elected.

5.2 Seating Arrangement During Meetings

After the Chairperson and Vice-Chairperson have been elected and seated, Commissioners shall select their seats in the order of relative seniorities on the Commission, and shall occupy selected seats until the next election of officers. However, two Commissioners may exchange seats at any time by mutual consent.

5.3 Presiding Officer

The Chairperson, if present, shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of the Chairperson and the Vice-Chairperson, the senior Commissioner shall preside.

Section 6.0

AGENDA CONTENT

6.1 Preparation and Posting

The Secretary shall prepare and furnish to each Commissioner and to the City Attorney, and to such other persons as the Commission shall designate a written agenda for every regular meeting. The Secretary shall endeavor to arrange the agenda in such a manner that adjournment if at all possible may be had no later than 10PM of the date scheduled for the meeting. The agenda shall be posted as required by law.

6.2 Items Included

- A. Any items of business for future meetings shall be placed upon the written agenda prior to the deadline announced or observed for the preparation thereof at the request of the Planning Commission Secretary, or the City Attorney. The Commission may request an item be placed on the agenda through a majority vote of the Commission at a prior meeting.
- B. The Written agenda shall include the following information:
 - 1. Disclosure requirements for political contributions;
 - 2. Appeal rights;
 - 3. Name of the staff person responsible for each agenda item;
 - 4. Planning Division telephone number;
 - 5. Speaker time limits

6.3 Order of Business

The business of the Commission shall be taken up for consideration and disposition in the following order as set forth in the agenda published by the Secretary, except that with the majority consent of the Commission, matters may be taken up out of order. Any item not on the agenda may be added and considered only in the manner prescribed by Section 7.1.

- A. Call to Order;
- B. Pledge of Allegiance;
- C. Roll Call;
- D. Approval of Minutes;
- E. Written Communications;
- F. Secretary's Report;
- G. City Attorney's Report;
- H. Report of the Presiding Officer and Members of the Planning Commission;
- I. Report of the subcommittees
- J. Report of the City Council Liaison
- K. Community Forum;
- L. Consent Calendar and Approval of the Agenda;
- M. Public Hearings;
- N. Other Agenda Items;
 - 1. Future Agenda Items
- O. Adjournment

6.4 Call to Order

The Presiding Officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order. If the Presiding Officer is not the Chairperson or Vice-Chairperson, upon the arrival of the Chairperson or Vice-Chairperson, as the case may be, the person who is then presiding shall relinquish the chair at the conclusion of the item of business then before the Commission.

6.5 Pledge of Allegiance

Immediately following the call to order, the Presiding Officer shall lead the Commission and audience in the recitation of the Pledge of Allegiance to the flag of the United States of America.

6.6 Roll Call

Before the Commission shall proceed with the business of the meeting, the Secretary or his or her designee shall call the roll of the Commissioners, and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes with the time of arrival noted.

6.7 Minutes

- A. The Secretary shall distribute copies of the draft minutes to each Commissioner along with the agenda and accompanying materials.
- B. Unless reading of the minutes of the Commission meeting is requested by a member of the Commission, with consent of the majority of the Commissioners, such minutes may be adopted without reading.

6.8 Written Communications

Written communications from the public will be received and filed. Written communications regarding items on the agenda will be noted at the time the item is considered.

6.9 Report of the Secretary

The Secretary may, from time to time, report on items that may be of interest to the Commission and general public.

6.10 Report of the City Attorney

The City Attorney may, from time to time, report on items that may be of interest to the Commission and general public.

6.11 Report of the Presiding Officer and Commissioners

The Presiding Officer and any Commissioner may, from time to time, wish to make certain unagendized announcements, request information from staff, and to report on items of activity that may be of interest to the Commission and the general public.

6.12 Report of the City Council Liaison

The City Council Liaison, from time to time, may wish to make certain unagendized announcements, and report on items of activity that may be of interest to the Commission and the general public.

6.13 Community Forum

The Presiding Officer shall announce that members of the public have the opportunity to directly address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission and not on the current agenda. Fifteen (15) minutes shall be set aside for the community forum, and each speaker shall be allocated up to three (3) minutes, unless time is extended by the Presiding Officer with the Commission's consent. Except as provided in Section 7.1, no action shall be taken on matters brought up during community forum. Items of business listed on the agenda shall not be further discussed under the community forum.

6.14 Consent Calendar and Approval of the Agenda

- A. The Secretary or City Attorney may recommend that items appearing on the agenda be placed on the consent calendar for action by the Commission. Any item placed on the consent calendar shall appear in its regular order on the agenda together with a recommendation of the Secretary or City Attorney as to the action to be taken by the Commission with respect to such item. Upon motion of any Commissioner, all items placed upon the consent calendar may be acted upon collectively, and each shall be deemed to have received the action recommended by the Secretary or City Attorney; except that if any Commissioner objects to the placement of an item on the consent calendar, or if any member of the public wishes to address the Commission on any such item, the item shall be removed from the consent calendar and shall be heard and acted upon in its proper place on the agenda as designated by the Presiding Officer.
- B. After making changes in the agenda, if any, as permitted under these rules of order and procedure, the Commission shall approve the agenda which shall constitute the agenda of business to be considered at the meeting. The motion offered to approve the agenda shall include the adoption of the consent calendar.

6.15

Public Hearings

- A. The commission may from time to time order that public hearings be conducted on items of public interest even though such may not be required by law.
- B. Anyone desiring to address the Commission on the subject of the public hearing may indicate such interest in any of the three following ways:
 - 1. Persons may submit a written request to the Secretary in advance of the meeting.
 - 2. If a virtual meeting, persons will be called on by the presiding officer within the platform procedures.
 - 3. Persons may fill out a card that will be available at the start of all Planning Commission meetings, and submit the card to the Secretary during the meeting.
 - 4. Persons may approach the podium to speak when the Presiding Officer opens the public hearing and indicates that persons wishing to address the Commission may do so at that time.
- C. Procedures for Public Hearings
 - 1. The Chair shall announce the public hearing and the Secretary shall note any correspondence received concerning the matter, if any.
 - 2. The report shall be presented by Staff.
 - 3. The Presiding Officer shall declare the public hearing open.
 - 4. The Presiding Officer shall call on the applicant and/or appellant of the matter. The Presiding Officer may determine the amount of time for a presentation.
 - 5. The Presiding Officer shall call on the Commissioners for any questions or clarifications that they may have.
 - 6. After Commissioners have asked their questions the Presiding Officer will open Public Comment.
 - 7. The Presiding Officer:
 - a. Shall allow up to three minutes per person for public comment;
 - b. May use the card system provided for in Section 6.15(B)(3).
 - 8. A Commissioner:
 - a. May question any speaker during the hearing;
 - b. Will ask if a Commissioner wishes to make a motion.
 - c. May debate the motion and provide any comments they have.
 - 9. The Presiding Officer will restate the motion or ask the originator to do so then request that the Secretary record the vote.
 - 10. The Secretary announces the results.
 - 11. The Presiding Officer shall close the hearing.

D. Continuance of Hearing

Any continuance of a hearing shall be in conformance with current law.

6.16 Other Agenda Items

The Secretary, City Attorney, or the Presiding Officer may place items on the agenda of interest to the Commission and the general public or for action by the Commission.

6.17 Adjournment

It shall be the policy of the Commission to adjourn its regular meeting by **ten (10) p.m.** of each meeting date. The Secretary shall endeavor to arrange the agenda in such a manner that the Commission can adhere to this adjournment policy.

Section 7.0

VOTING

7.1 Quorum

A majority of the commission appointed constitutes a quorum for the transaction of business.

7.1 Abstention

It shall be the duty of each commissioner present at a meeting of the Planning Commission to vote on each matter or question before the Commission for action, unless:

- A. Disqualified under the terms of the Political Reform Act (Government Code, Sections 87100, et seq.) wherein it is reasonably foreseeable that the decision would have a material financial effect on the Commissioner, the Commissioner's immediate family, or on specified economic interests of the Commissioner if that financial effect is different from the effect on the general public; or
- B. Abstention for any reason other than those mentioned above shall constitute consent to the action proposed, and the Commission Secretary shall announce at the meeting and enter in the minutes that the abstention was cast as an "aye" vote pursuant to this rule.
- C. Nothing in this section is intended to abrogate the judicially declared "limited rule of necessity" adopted in the state pertaining to the duty of members of public and legislative bodies to vote on matters which require their action.

7.3 Tie Vote

The vote of at least a majority present shall be necessary to adopt any resolution or motion. Any question on which the vote is tied, is lost. In the event of a tie vote, the Presiding Officer or any Commissioner may request

the Secretary to carry over the item to the next regular meeting where a full Commission will be present.

7.4 Roll Call

The votes shall be cast and displayed on the electronic voting board so that each Commissioner's vote may be recorded by the Secretary. In the event of a breakdown or malfunction of the electronic voting equipment, the Secretary shall call the roll in order of seniority beginning with the least senior members. If appointed on the same day, alphabetical order by last name will govern. In any event the Vice Chair and Chair respectively, will cast the last two votes, The Secretary at the conclusion of the voting shall announce the results of the vote by stating whether the measure carried or failed and by what vote.

Section 8.0 **PUBLIC PARTICIPATION**

8.1 Policy

It is the policy of the Planning Commission that members of the public shall be afforded the opportunity to speak on Consent Calendar and Action items on the agenda provided they are first recognized by the Presiding Officer.

8.2 Addressing the Commission

Any person desiring to address the Commission by oral communication shall first secure the permission of the Presiding Officer

8.3 Time Limits

Designated spokespersons for recognized groups or organizations will have up to three (3) minutes to address the Commission; provided, however, that they may request additional time and may be granted such by the Presiding Officer. Individuals will be given up to three (3) minutes to address the Commission.

8.4 Discussion Between Citizens and the Commission

No comment or question shall be asked of a Commissioner or a member of staff except through the Presiding Officer.

8.5 Topic for Discussion

Members of the public shall address their remarks only to the agenda item under discussion by the Commission.

8.6 Manner of Addressing the Commission

Prior to speaking, each member of the public is requested to state his or her name in a clear and audible tone of voice.

8.7 Repetition

Recognized speakers shall refrain from repetition of issues and points already raised by previous speakers.

Section 9.0 AMENDMENTS TO THESE RULES AND PROCEDURES

9.1 Notice of Amendment

These rules of order and procedures may be amended by the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each Commissioner at least three (3) days prior to the meeting date.

9.2 Submission for Council Approval

Any amendment adopted by the Commission shall be submitted to the City Council for approval at the earliest convenient time as required by Section 405 of the City Charter, and shall become effective only upon such approval being given.

RECOMMENDED TO COUNCIL as above at a regular meeting of the Planning Commission of the City of Vallejo held on November 16, 2020 by the following vote;

AYES:

NOES:

ABSENT:

Christina Ratcliffe,, Secretary



Formatted: Font: Arial

Formatted: Font: Arial

City of Vallejo

Formatted: Font: Arial, Font color: Auto

Planning Commission

Formatted: Font: Arial, Font color: Auto

Rules of Order and Procedure

Formatted: Font: Arial, Font color: Auto

June 1991

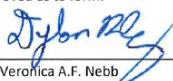
Formatted: Font: Arial, Font color: Auto

~~Revised March 1992~~

Formatted: Font: Arial

REVISED 12-7-2020

Approved as to form:

By:  for
Veronica A.F. Nebb
City Attorney

Formatted: Font: Arial

Formatted: Font: Arial

TABLE OF CONTENTS

Section 1.0	Preamble	Page 4
Section 2.0	General Rules	4
2.1	Meetings to be Public	4
2.2	Attendance of Media at the Commission Meetings	4
2.3	Quorum	4
2.4	<u>Rules of Procedure</u>	<u>4</u>
<u>2.5</u>	<u>Journal of Proceedings</u>	<u>45</u>
<u>2.56</u>	<u>Secretary</u>	<u>5</u>
<u>2.67</u>	<u>Committees</u>	<u>5</u>
<u>2.78</u>	<u>Seniority of Commissioners</u>	<u>5</u>
<u>2.8</u>	<u>Rules of Order</u>	<u>5</u>
Section 3.0	Types of Meetings	5
3.1	Regular Meetings	6
3.2	Cancellation of Regular Meetings	6
3.3	Special Meetings	6
3.4	Study Sessions	6
3.5	Closed Sessions	6
Section 4.0	Chamber Attendance and Facilities	6
4.1	Council Chamber Attendance	6
4.2	Facilities	7
Section 5.0	Duties and Privileges of the Commission	7
5.1	Elections and Terms of Officers	7
5.2	Seating Arrangement During Meetings	7
5.3	Presiding Officer	7
<u>5.4</u>	<u>Preservation of Order</u>	<u>8</u>
<u>5.5</u>	<u>Points of Order</u>	<u>8</u>
<u>5.6</u>	<u>Personal Privilege</u>	<u>8</u>
<u>5.7</u>	<u>Dissents and Protests</u>	<u>8</u>
<u>5.8</u>	<u>Excusal During Meetings</u>	<u>8</u>
Section 6.0	<u>Decorum</u>	<u>7</u>
<u>6.1</u>	<u>By the Presiding Officer</u>	<u>8</u>
<u>6.2</u>	<u>By the Commissioners</u>	<u>8</u>
<u>6.3</u>	<u>By Other Persons</u>	<u>8</u>
<u>6.4</u>	<u>Disruption of Meeting</u>	<u>9</u>
Section 7.0	<u>Agenda Preparation</u>	<u>9</u>
<u>7.1</u>	<u>Declaration of Policy</u>	<u>9</u>
<u>7.2</u>	<u>Preparation and Posting</u>	<u>10</u>

Formatted: Font: Arial

Formatted: Font: Arial

7.3 6.2 Items Included
10

3

Formatted: Font: Arial

Formatted: Font: Arial

Section 8.0	Agenda Content	10
8.1	8	6.3
10	8.2	6.4
11	8.3	9
11	6.5	
	Pledge of Allegiance	11
8.4	9	6.6
11	8.5	9
11	9	6.7
	Minutes	6.8-6
	Written	8.7
12	9	12
6.9	Report of the Secretary	12
8.8	9	6.10
12	8.9	6.11
	Report of the Presiding Officer and	6.12
12	8.10	9
	Commissioners	10
6.13	Community Forum	12
8.11	10	6.14
13	8.12	10
13	6.15	
	Public Hearings	6.16
	Other Agenda	8.14
14	12	
6.17	Adjournment	14
12		
Section 9.0	Rules of Debate	14
9.1	Presiding Officer	15
9.2	Motions and Resolutions by the Presiding Officer	15
9.3	Obtaining the Floor	15
9.4	Parliamentary Inquiries	15
9.5	Points of Information	15
9.6	Questions of Personal Privilege	15
9.7	Interruptions	16
9.8	Restriction of Discussion	16
9.9	Limitation of Debate	16
9.10	Precedence of Motions	16
9.11	Motions and Resolutions to be Stated by the Secretary	16
9.12	Discussion Allowed Prior to Formal Motion	17
9.13	Second not Required	17
9.14	Motions Out of Order	17
9.15	Motions to Adjourn	17
9.16	Motion to Lay on the Table	17
9.17	Withdrawal of Motions	17
9.18	Motion for Previous Question	17
9.19	Division of Question	18
9.20	Motion to Amend an Amendment	18
9.21	Motion to Postpone	18
9.22	Motion to Reconsider	18
9.23	Rehearing	18
Section 10.0	Section 7.0 Voting	
18	10	12
	7.1	Quorum

	19	1012	7.2	Abstention	
		19	1012		
7.3	Tie Vote			19	
1012		7.4	Roll Call		
1913					
Section 118.0 Public Participation					19
1113		8.1	Policy		
19		1113	8.2	Addressing the Commission	
		20	11.3	Spokespersons	
		20	11.4	Card System	
		20	11.5	13	8.3
	Time Limits			20	
11.613		8.4	Discussion Between Citizens and the Commission		
20		11.713	8.5	Topic for Discussion	
		20	11.13	8.6	Manner of
Addressing the Commission		20	1113		
8.9	Repetition			2114	
Section 129.0 Amendments					21
1214		9.1	Notice of Amendment		
21		1214	9.2	Submission for Council	
Approval			2114		

PLANNING ~~COMMISSION~~COMMISSION
OF THE
CITY OF VALLEJO, CALIFORNIA

RESOLUTION NO. 91XX-MR-03XX

Formatted: Highlight

Formatted: Highlight

RULES OF ORDER AND PROCEDURE

BE IT RESOLVED by the Planning Commission of the City of Vallejo, California that the following Rules of Order and Procedures be adopted for the organization of the Commission and conduct of its meetings, and these rules shall supersede all previous rules for this purpose:

SECTION 1.0 **PREAMBLE**

The objective of these rules of order and procedure is to ensure the orderly and efficient conduct of the meetings of the Planning Commission. These rules are intended to assure the right of the majority of the Commission to decide matters and issues brought before the Commission; the right of the minority on any issue to be heard; and the right of absentee Commissioners to be protected. These rules also are intended to foster and promote the right of the citizens to have adequate notice of business scheduled for consideration by the Commission and a fair and reasonable opportunity to appear and be heard on the items of business presented to the Commission.

SECTION 2.0 **GENERAL RULES**

2.1 Meetings to be Public

All regular and special meetings of the Commission shall be open to the public, except for such closed sessions which are permitted to be held in private under the provisions of the Ralph M. Brown Act or other laws of the State of California

2.2 Attendance of Media at the Commission Meetings

All the public meetings of the Planning Commission shall be open to the news media, freely subject to recording by radio, television and photographic services, provided that such activities do not interfere with the orderly conduct of the meetings.

2.3 Quorum

A quorum shall be ~~four (4) or more Commissioners~~ a majority of the commissioners appointed, but fewer adjourn from time to time and compel attendance of absent members in such manner as may be prescribed by these rules of order and procedure.

2.4 Rules of Procedure

Formatted: Font: Arial

Formatted: Font: Arial

Rosenberg's Rules of Order shall be the rules of order and procedure for the transaction of business. Added back in [Changed to match 2.26.110]

2.5

Journal of Proceedings

An account of all public proceedings of the Commission shall be kept by the Secretary of the Commission, and shall be entered in a permanent book or other permanent form constituting the official record of the Commission.

2.56

Secretary

The Planning ~~Manager~~ and Development Services Director or their designee shall serve as the Secretary to the Commission. The Secretary may make recommendations to the Commission and offer technical and professional assistance, but shall have no vote. The Secretary shall also keep the official minutes and perform such other duties as may be requested by the Commission.

2.67

Committees

- A. The Commission may create committees in accordance with the rules and procedures contained herein to assist the Commission in carrying out its functions and responsibilities.
- B. Every committee created by the Commission shall be advisory only. Any committee may be directed to undertake steps and/or study matters which are within the authority of the Commission.
- C. Committees may be occupied entirely of Commissioners or a combination of Commissioners and other persons. ~~Any~~ committee composed ~~entirely of Commissioners~~ shall ~~consist of no more~~ be less than ~~three (3) Commissioners~~ a quorum.
- D. When requested by the Presiding Officer, the chairperson of each committee shall report or advise the Commission on ~~actions taken or~~ the progress or result of work/projects assigned to or undertaken by the committee.

2.7

Seniority of Commissioners

Seniority shall be determined by the length of time on the Commission. In the event two or more commissioners have been on the Commission for the same length of time, seniority shall be determined by lot.

Formatted: List Paragraph, Indent: Left: 0.56", Hanging: 0.94", Space Before: 0 pt, Tab stops: Not at

Section 3.0

TYPES OF MEETINGS

3.1

Regular Meetings

Regular meetings of the Commission shall be held on the first and third Mondays of every month at seven (7) p.m. If the first or third Monday falls on a legal holiday, the meeting shall be held on the following Wednesday at the same hour. If at any regular meeting, business before the Commissions remains unfinished, the Commission may adjourn from time to time to dispose of the same or to transact any other unfinished business. Less than a quorum may so adjourn from time to time. If all members are

Formatted: Font: Arial

Formatted: Font: Arial

absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 3.3 for special meetings, unless such notice is waived as provided for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within twenty-four (24) hours after the time of adjournment.

The Commission shall hold at least one regular meeting each month.

3.2 Cancellation of Regular Meetings

The Commission may cancel any of its forthcoming regular meetings by a majority vote of the Commission quorum. A copy of the notice of cancellation shall be posted on the bulletin board located immediately outside City Hall within twenty-four (24) hours after action by the Commission.

3.3 Special Meetings

Special meetings ~~may be~~ called by the Presiding Officer, Planning Commission Secretary, or at a quorum of the request of four (4) Commissioners by ~~delivering personally, emailing~~ or by mailing written notice to each Commissioner, staff, and to each local newspaper requesting such notice. Such notice must be delivered personally or by email, or mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Commission. The Secretary shall post ~~the call and notice on the bulletin board located immediately outside City Hall as required by law~~ at least twenty-four (24) hours prior to the special meeting.

3.4 Study Sessions

The Commissions shall have the right to assemble in special meetings so as to be apprised of the various matters coming up at a regular meeting or special meeting and obtain such detailed information in regard thereto as will enable them to dispose of such matters with more knowledge at the regular or special meeting to follow. The public may attend, as provided in Section 2.1; however, discussion by the public will not be encouraged so that the Commission may use the time to ask and answer questions of the staff and other resource people. The public with the Presiding Officer's permission may address the Commission in study sessions following the same procedures as provided in Section 3.3. The twenty-four (24) hour notice and posting requirements of Section 3.3 shall also be applicable.

3.5 Closed Sessions

The Commission may hold closed sessions during the course of any regular or special meeting in the manner permitted by law.

Section 4.0

CHAMBER ATTENDANCE AND FACILITIES

4.1 Council Chamber or Other Facility Attendance

Council Chamber or other facility attendance shall be limited to the posted seating capacity thereof. Entrance to City Hall or the meeting facility will be appropriately regulated by the Secretary on occasions when the Council Chamber capacity is likely to be exceeded. ~~While the Commission is in session, members of the public shall not remain standing in the Council Chamber except to address the Commission, and sitting in the floor shall not be permitted. During Commission meetings, no musical instruments, firearms (except in the possession of peace officers), toy firearms, placards or other items of potentially disruptive nature, shall be brought into the Council Chamber, nor shall any handbills or flyers be passed out in the Council Chamber. The Commission proceedings may be conveyed to those who have been unable to enter the Council Chamber.~~

4.2 Facilities

Regular and special meetings of the Planning Commissions shall be held in the Council Chamber, City Hall, Vallejo, California. Whenever at a regular or special meeting of the Commission a matter is set for public hearing, ~~if it is anticipated that the attendance will be substantially greater than the capacity of the Council Chamber,~~ the Secretary may make arrangements for the use of a suitable alternate facility for such meeting of the Commission. If a suitable alternate facility is not available, the public hearing may be continued to a date when a suitable alternate facility will be available. The Commission shall not conduct any regular or special meeting in any facility that prohibits the admittance of any person or persons on the basis of race, religion, creed, color, national origin, ancestry or sex. Facilities shall be accessible by the handicapped.

Section 5.0

DUTIES AND PRIVILEGES OF THE COMMISSION

5.1 Elections and Terms of Officers

At the first regular meeting of the Commission held in July of each year, the Commission shall hold an organizational meeting, at which the Commission shall elect a Chairperson and a Vice-Chairperson who shall serve for one year. A commissioner may serve a maximum of two years as the Chair over an 8-year period. In the case of a vacancy in any office, it shall be filled by an election held in the first two months subsequent, and such replacement shall be for the duration of the unexpired term of such office. Elections shall be by nomination and open ballot; the member receiving the highest number of votes shall be declared elected.

5.2 Seating Arrangement During Meetings

After the Chairperson and Vice-Chairperson have been elected and seated, Commissioners shall select their seats in the order of relative seniorities on the Commission, and shall occupy selected seats until the next election of officers. However, two Commissioners may exchange seats at any time by mutual consent.

5.3 Presiding Officer

The Chairperson, if present, shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of the Chairperson and the Vice-Chairperson, the senior Commissioner shall preside. ~~The Presiding Officer shall have the authority to appoint committees pursuant to Section 2.6~~

~~5.4 Preservation of Order~~

~~The Presiding Officer shall preserve order and decorum, prevent attacks on personalities or the impugning of Commissioners' motives, and confine Commissioners in debate to the question under discussion.~~

~~5.5 Points of Order~~

~~The Presiding Officer shall determine all points of order, subject to the right of any Commissioner to appeal the Commission. If an appeal is taken, the question shall be "Shall the decision of the Presiding Officer be sustained?"~~

~~5.6 Personal Privilege~~

~~The right of a Commissioner to address the Commission on a question of privilege shall be limited to cases in which that member's integrity, character, or motives are assailed, questioned or impugned.~~

~~5.7 Dissents and Protest~~

~~Any Commissioner shall have the right to dissent from any action of the Commission or ruling of the Presiding Officer, and shall have the reason thereof entered in the minutes. Such dissent shall be in writing, couched in respectful terms, and presented to the Commission not later than the next regular meeting.~~

~~5.8 Excusal During Meetings~~

~~A Commissioner shall leave the Council Chamber while the Commission is in session only with the permission of the Presiding Office. The Council Chamber for this purpose shall be defined as those rooms where the Commission meets, the Executive Conference Room, and its rest room facility.~~

Section 6.0 DECORUMAGENDA CONTENT

6.1 By the Presiding Officer

~~The Presiding Officer shall preserve order and decorum in the manner prescribed in Section 5.4.~~

~~6.2 By the Commissioners~~

~~While the Commission is in session the members must preserve order and decorum, and a Commissioner shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner, nor refuse to obey the orders of the Commission or the Presiding Officer, except as otherwise provided in these rules.~~

~~6.3 By Other Persons~~

~~No member of the public shall approach the Commission table while the Commission is in session, unless specifically requested to do so by the Presiding Officer. Any message to or contact with any Commissioner while the Commission is in session shall be through the Secretary. Unruly conduct, such as undue noise, hissing, profanity, insult or physical disturbance shall not be permitted. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission shall be forthwith barred by the Presiding Officer from further audience before the Commission at that meeting, unless permission to continue is granted by a majority vote of the Commission.~~

~~6.4 Disruption of Meeting~~

~~In the event that any meeting is willfully disrupted by a group or groups of persons so as to render the orderly conduct of such meeting infeasible, and order cannot be restored by removal of individuals who are willfully disrupting the meeting, the Presiding Officer with the Commission's consent may, or upon motion of any Commissioner adopted by the Commission shall order the Council Chamber or other place of meeting cleared without awaiting completion of the item of business at hand and when the disruption has ceased, resume the meeting. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any such sessions. As a matter of public policy, it is in the public interest to allow duly accredited representatives of the press or other news media who were not involved in the disturbance to attend the sessions from which members of the general public have been excluded by reason of a willful disturbance.~~

Section 7.0 AGENDA PREPERATION

~~7.1 Declaration of Policy~~

~~A. It is established as the policy of the Planning Commission that no resolution, motion or item of business shall be introduced before the Commission at a regular meeting without having prior thereto been~~

Formatted: Font: Arial

Formatted: Font: Arial

~~placed upon the written agenda prepared and posted for that meeting. All Commission meetings shall follow the prepared agenda unless changed by the Presiding Officer with the Commission's consent or upon a majority vote of the Commission.~~

~~B. Notwithstanding subsection A of this section, the Planning Commission may take action on items of business not appearing on the posted agenda under any of the following conditions:~~

~~1. Upon a determination by a two-thirds vote of the Commission (at least five Commissioners) or, if less than two-thirds of the members are present, a unanimous vote of those members present that the need to take action arose subsequent to the agenda being posted as specified in Section 7.2.~~

~~2. The item was posted pursuant to Section 7.2 for a prior meeting of the commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which the action is being taken.~~

~~C. Nothing in this section shall be construed to prevent the Commission from discussing and referring to staff for appropriate study or placement on a subsequent agenda, items that are brought to the Commission's attention during community forum.~~

7.2

Preparation and Posting

The Secretary shall prepare and furnish to each Commissioner and to the City Attorney, and to such other persons as the Commission shall designate a written agenda for every regular meeting. The Secretary shall endeavor to arrange the agenda in such a manner that adjournment if at all possible may be had no later than ~~eleven (11) p.m. of the date scheduled for the meeting. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, and shall so specify the time and location of the meeting. The agenda shall be posted on the bulletin board located immediately outside the front entry to City Hall or other location that is freely accessible to members of the public at least seventy-two (72) hours prior to the regular meeting. Except as provided in Section 7.1, no action shall be taken on any item not appearing on the posted agenda. Copies of the agenda, with all attachments, shall be available at the Planning Division and J.F. Kennedy Library for perusal by members of the public commencing at three (3) p.m. of the Friday before the Monday on which the meeting will be held. A copy of the Agenda, plus all attachments, shall be available to members of the public during the Commission meeting. 10PM of the date scheduled for the meeting. The agenda shall be posted as required by law.~~

Formatted: Space After: 0 pt

7.36.2

Items Included

A. Any items of business for future meetings shall be placed upon the written agenda prior to the deadline announced or observed for the

Formatted: Font: Arial

Formatted: Font: Arial

preparation thereof at the request of the ~~Chairperson or any individual member of the commission, by the Planning Commission~~ Secretary, or the City Attorney. The Commission may request an item be placed on the agenda through a majority vote of the Commission at a prior meeting.

B. The Written agenda shall include the following information:

1. Disclosure requirements for political contributions;
2. Appeal rights;
3. Name of the staff person responsible for each agenda item;
4. Planning Division telephone number;
5. Speaker time limits

Section 8.0 **AGENDA CONTENT**

8.1 6.3

Order of Business

The business of the Commission shall be taken up for consideration and disposition in the following order as set forth in the agenda published by the Secretary, except that with the majority consent of the Commission, matters may be taken up out of order. Any item not on the agenda may be added and considered only in the manner prescribed by Section 7.1.

- A. Call to Order;
- B. Pledge of Allegiance;
- C. Roll Call;
- D. Approval of Minutes;
- E. Written Communications;
- F. Secretary's Report;
- G. City Attorney's Report;
- H. Report of the Presiding Officer and Members of the Planning Commission;

I. Report of the subcommittees

J. Report of the City Council Liaison

K. Community Forum;

L. Consent Calendar and Approval of the Agenda;

M. Public Hearings;

N. Other Agenda Items;

1. Future Agenda Items

O. Adjournment

8.2

6.4

Call to Order

The Presiding Officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Commission to order. If the Presiding Officer is not the Chairperson or Vice-Chairperson, upon the arrival of the Chairperson or Vice-Chairperson, as the case may be, the

Formatted: Indent: Left: 0.63", First line: 0.06"

Formatted: Indent: Hanging: 0.5"

Formatted: Indent: Hanging: 0.5"

Formatted: Indent: Hanging: 0.5"

Formatted: Font: Arial

Formatted: Font: Arial

person who is then presiding shall relinquish the chair at the conclusion of the item of business then before the Commission.

8-36.5

Pledge of Allegiance

Immediately following the call to order, the Presiding Officer shall lead the Commission and audience in the recitation of the Pledge of Allegiance to the flag of the United States of America.

8-46.6

Roll Call

Before the Commission shall proceed with the business of the meeting, the Secretary or his or her designee shall call the roll of the Commissioners, and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes with the time of arrival noted.

8-56.7

Minutes

- A. The Secretary shall distribute copies of the ~~unadopted~~draft minutes to each Commissioner along with the agenda and accompanying materials.
- B. Unless reading of the minutes of the Commission meeting is requested by a member of the ~~commission~~Commission, with consent of the majority of the Commissioners, such minutes may be adopted without reading.

8-6.8

Written Communications

~~A. Written communications from the public will be received and filed, unless added to the agenda at the time the Commission has under consideration approval of the agenda and consent calendar. If any Commissioner objects to the addition of a written communication to the agenda, then a majority vote of the Commission shall be required to place an item on the agenda. A written request to address the Commission on a subject not scheduled for discussion will be treated the same as and considered at the time "Written Communications" is before the Commission. The Commission will determine if it wishes to have such a matter discussed and, if so, will designate the meeting at which it will be discussed.~~

~~B. Anonymous or unsigned communications shall not be introduced to the Commission or placed under written communications.~~

8.7 — Written communications from the public will be received and filed. Written communications regarding items on the agenda will be noted at the time the item is considered.

6.9

Report of the Secretary

The Secretary may, from time to time, report on items that ~~maybe~~may be of interest to the Commission and general public.

~~8.8~~6.10 Report of the City Attorney

The City Attorney may, from time to time, report on items that may be of interest to the Commission and general public.

~~8.9~~6.11 Report of the Presiding Officer and Commissioners

The Presiding Officer and any Commissioner may, from time to time, wish to make certain unagendized announcements, request information from staff, and to report on items of activity that may be of interest to the Commission and the general public.

~~8.10~~6.12 Report of the City Council Liaison

The City Council Liaison, from time to time, may wish to make certain unagendized announcements, and report on items of activity that may be of interest to the Commission and the general public.

6.13 Community Forum

The Presiding Officer shall announce that members of the public have the opportunity to directly address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission ~~and not on the current agenda~~. Fifteen (15) minutes shall be set aside for the community forum, and each speaker shall be allocated up to three (3) minutes, unless time is extended by the Presiding Officer with the Commission's consent. Except as provided in Section 7.1, no action shall be taken on matters brought up during community forum. Items of business listed on the agenda shall not be further discussed under the community forum ~~without the Commission's consent.~~

~~8.11~~6.14 Consent Calendar and Approval of the Agenda

- A. The Secretary or City Attorney may recommend that items appearing on the agenda be placed on the consent calendar for action by the Commission. Any item placed on the consent calendar shall appear in its regular order on the agenda together with a recommendation of the Secretary or City Attorney as to the action to be taken by the Commission with respect to such item. Upon motion of any Commissioner, all items placed upon the consent calendar may be acted upon collectively, and each shall be deemed to have received the action recommended by the Secretary or City Attorney; except that if any Commissioner objects to the placement of an item on the consent calendar, or if any member of the public wishes to address the Commission on any such item, the item shall be removed from the consent calendar and shall be heard and acted upon in its proper place on the agenda as designated by the Presiding Officer.

- B. After making changes in the agenda, if any, as permitted under these rules of order and procedure, the Commission shall approve the agenda which shall ~~be and~~ constitute the agenda of business to be considered at the meeting. The motion offered to approve the agenda shall include the adoption of the consent calendar.

8.12

6.15

Public Hearings

- A. The commission may from time to time order that public hearings be conducted on items of public interest even though such may not be required by law.
- B. Anyone desiring to address the Commission on the subject of the public hearing may indicate such interest in any of the three following ways:

1. Persons may submit a written request to the Secretary in advance of the meeting.

2. If a virtual meeting, persons will be called on by the presiding officer within the platform procedures.

2-3. Persons may fill out a card that will be available at the start of all Planning Commission meetings, and submit the card to the Secretary during the meeting.

3-4. Persons may approach the podium to speak when the Presiding Officer opens the public hearing and indicates that persons wishing to address the Commission may do so at that time.

C. Procedures for Public Hearings

1. The ~~Secretary~~Chair shall announce the public hearing and ~~the Secretary~~ shall note any correspondence received concerning the matter, if any.

2. The report shall be presented ~~by Staff~~.

3. The Presiding Officer shall declare the public hearing open.

~~4.—The Presiding Officer shall first call on the applicant; proponent and/or appellant of the matter.~~

~~5.—The Commission shall hear those interested in the matter.~~

~~6.—The Presiding Officer~~

4. May limit individual presentations and may limitdetermine the amount of time for a presentation.

a.—The Presiding Officer shall call on the number of speakers with similar positions;

b-5. May orderCommissioners for any questions or clarifications that no person speak more than once until all other persons wishing to speakthey may have spoken once;.

Formatted

Formatted: Font: Arial

Formatted: Font: Arial

6. After Commissioners have asked their questions the Presiding Officer will open Public Comment.

7. The Presiding Officer:

a. Shall allow up to three minutes per person for public comment;

~~e.b.~~ May use the card system provided for in Section 11.4;6.15(B)(3).

~~d.~~ Shall close the hearing

~~7-8.~~ A Commissioner:

a. May question any speaker during the hearing;

~~b.~~ Shall not indicate his or her decision regarding the matter, nor introduce a motion or resolution to approve, modify or deny the matter being heard until the public hearing is closed by the Presiding Officer.

~~b.~~ Will ask if a Commissioner wishes to make a motion.

~~c.~~ May debate the motion and provide any comments they have.

9. The Presiding Officer will restate the motion or ask the originator to do so then request that the Secretary record the vote.

10. The Secretary announces the results.

11. The Presiding Officer shall close the hearing.

Formatted: Indent: Left: 2.25"

Formatted: Indent: Left: 2.25"

D. Continuance of Hearing

~~Any hearing being held, or noticed or ordered to be held, by the Commission at any meeting may by order or notice of continuance adopted by the Commission be continued or recontinued to any subsequent meeting in the same manner and to the same extent set forth in Section 3.1 for the adjournment of meetings; provided, however, if the hearing is continued to a time less than twenty-four (24) hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted.~~

~~8.13~~ Any continuance of a hearing shall be in conformance with current law.

6.16

Other Agenda Items

The Secretary, City Attorney, or the Presiding Officer may place items on the agenda of interest to the Commission and the general public or ~~the~~ for action by the Commission.

8.146.17

Adjournment

It shall be the policy of the Commission to adjourn its regular meeting by ~~eleven (11) ten (10) p.m.~~ of each meeting date. The Secretary shall endeavor to arrange the agenda in such a manner that the Commission

Formatted: Font: Bold

Formatted: Font: Arial

Formatted: Font: Arial

can adhere to this adjournment policy. ~~A public hearing in progress shall not be interrupted and continued to a subsequent meeting for the sole purpose of satisfying the adjournment deadline. Items of business that remain on the agenda at eleven (11) p.m. shall be carried over to the next regular meeting, unless the Commission by the majority vote agrees to continue in session or agrees to adjourn the meeting to a date sooner than the next regular meeting to dispose of the remaining agenda items.~~

Section 97.0

RULES OF DEBATE

9.1 Presiding Officer

~~The Presiding Office may debate and vote. The Presiding Officer shall not be deprived of any rights and privileges of a Commissioner by reason of acting as the Presiding Officer except as set forth in Section 9.2.~~

9.2 Motions and Resolutions by the Presiding Officer

~~Prior to making a motion or resolution, the Presiding Officer shall relinquish the chair to the Vice-Chairperson or the next senior member of the Commission. Upon completion of the vote on the motion or resolution, the Presiding Officer will automatically regain the gavel and continues to chair the meeting.~~

9.3 Obtaining the Floor

~~Commissioners desiring to speak shall address the Presiding Officer, and upon recognition by the Presiding Officer, shall confine themselves to the question under debate, avoiding all indecorous language.~~

9.4 Parliamentary inquiries

~~A Commissioner may, without obtaining the floor, make an inquiry of the Presiding Officer for information on a point of order, a matter of parliamentary procedure or the rules of Commission bearing on the business at hand. The Presiding Officer's reply to a parliamentary inquiry is not subject to an appeal or reconsideration. However, if a Commissioner acts contrary to the Presiding Officer's opinion and is ruled out of order, an appeal may be taken to the Commission. If an inquiry is made when another Commissioner has the floor and an immediate answer is not necessary, the Presiding Officer can defer a reply until the floor has been yielded. The Presiding Officer is not obligated to answer hypothetical questions.~~

9.5 Points of Information

~~A Commissioner may make a request for information relevant to the business at hand but not related to parliamentary procedure. The request may be directed to the Presiding Officer or through the Presiding Officer to another Commissioner or an officer or employee of the City. The request must always be put in the form of a question. If directed to a Commissioner~~

who has the floor, the Presiding Officer will ask consent of the speaker to the interruption.

~~9.6 Questions of Personal Privilege~~

~~A commissioner may, without obtaining the floor, raise a question of personal privilege. An inquiry shall be addressed to the Presiding Officer and may be made without waiting for recognition. When disposed of, the business shall be resumed at exactly the point at which it was interrupted. The Presiding Officer shall rule whether the question put is one of personal privilege, as defined in Section 5.6, and, if so, whether it is of sufficient urgency to warrant interrupting the business then in progress. A no debatable appeal to the Commission may be taken from the Presiding Officer's ruling.~~

~~9.7 Interruptions~~

~~A Commissioner, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer. When called to order while speaking, the Commissioner must cease speaking until the point of order be determined and, if in order, shall be permitted to proceed.~~

~~9.8 Restriction of Discussion~~

~~Commissioners shall confine their remarks and inquiries to the agenda item under consideration and speak only when recognized by the Presiding Officer, except as otherwise provided in these rules of order and procedure. A Commissioner shall not call for a showing of hands or other demonstration of those present in the audience, unless granted permission to do by the Presiding Officer.~~

~~9.9 Limitation of Debate~~

~~No Commissioner may speak for longer than ten (10) minutes at any time; unless additional time is granted upon a majority vote of the Commission.~~

~~9.10 Precedence of Motions~~

~~When a question is before the Commission, no motion shall be entertained except:~~

- ~~A. To adjourn;~~
- ~~B. To fix the hour of adjournment;~~
- ~~C. To lay on the table;~~
- ~~D. To call for a previous question;~~
- ~~E. To postpone to a certain day;~~
- ~~F. To refer;~~
- ~~G. To amend;~~
- ~~H. To substitute;~~
- ~~I. To postpone indefinitely.~~

~~These motions shall have precedence in the descending order indicated. Any such motion, except a motion to adjourn, amend, or substitute, shall be put to a vote without debate.~~

~~9.11 Motions and Resolutions to be Stated by the Secretary~~

~~The Secretary shall read the title of any motion, resolution, or item of business before debate, following which the Presiding Officer may request a report from the Secretary or other designated staff member.~~

~~9.12 Discussion Allowed Prior to Formal Motion~~

~~It shall not be necessary to make a motion or resolution prior to inquiry or debates by Commissioners, or the public is allowed to speak.~~

~~9.13 Second Not Required~~

~~A second shall not be required in order to make a motion or resolution.~~

~~9.14 Motions Out of Order~~

~~The Presiding Officer or any Commissioner may introduce a resolution or motion out of the regular order of the agenda, only with the majority consent of the Commission.~~

~~9.15 Motions to Adjourn~~

~~A motion to adjourn shall be in order at any time, except as follows:~~

- ~~A. When repeated without intervening business or discussion;~~
- ~~B. When made as an interruption of a member speaking;~~
- ~~C. When previous question has been ordered; or~~
- ~~D. While a vote is being taken.~~

~~A motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.~~

~~9.16 Motion to Lay on the Table~~

~~A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, consideration of the subject may be resumed at the meeting only upon motion of a member voting with the majority.~~

~~9.17 Withdrawal of Motions~~

~~A motion may be withdrawn at any time before vote by the maker, after first gaining recognition from the presiding officer.~~

~~9.18 Motion for Previous Question~~

~~When a motion for the previous question is made by a Commissioner, the Presiding Officer shall allow no further debate and shall ask "Shall the item now be voted on?" If the question carries, the Presiding Officer shall put pending amendments to vote, without debate, in the inverse order of their introduction, before putting the main questions. If the question "Shall the main question now be voted on?" is decided negatively, the main question and its amendments remain before the Commission. The motion calling for the previous question must be decided upon by five-seventh vote in the affirmative.~~

~~9.19 Division of Question~~

~~If a question put before the Commission contains two or more separate propositions, the Presiding Officer may, and upon request of a Commissioner, shall divide the question.~~

~~9.20 Motion to Amend an Amendment~~

~~After a motion to amend an amendment has been made and installed for debate, a motion to amend the same amendment further shall not be in order.~~

~~9.21 Motion to Postpone~~

~~A motion to postpone, except one to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely carries, the main motion is lost.~~

~~9.22 Motion to Reconsider~~

~~A motion to reconsider any action taken by the Commission may be made at the meeting such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session of that meeting. Such a motion may be made only by a Commissioner who voted with the prevailing side. After such a motion for reconsideration has been acted upon, no other such motion on the same question shall be made at that meeting.~~

~~9.23 Rehearing~~

~~After the Commission has taken action on a matter or question, a motion to reconsider the action taken on such matter or question, or on a matter or question having substantially the same content or purpose of the matter or question already acted upon, shall not be made at a subsequent meeting for a least one (1) year from the date of such action, except by a Commissioner who voted in the majority on such matter or question or upon the consent in writing of the majority of the Commissioners filed with the Secretary. Such matter or question may, however, be reheard at a subsequent meeting after the one-year period has elapsed. The item before the Commission shall be whether the matter or question should be~~

Formatted: Font: Arial

Formatted: Font: Arial

reheard; and, if the Commission approves the request, it shall be placed on a future agenda for consideration.

Section 10.0 VOTING

10.1 Quorum

A quorum shall be four (4) or more members of the Commission

10.2A majority of the commission appointed constitutes a quorum for the transaction of business.

7.1 Abstention

It shall be the duty of each Commissioner, present at a meeting of the Planning Commission to cast a vote, "aye" on each matter or "nay", question before the Commission for action, unless excused because:

- A. The Commissioner has a personal or pecuniary interest in the matter.
- B. The law otherwise declares the terms of the Political Reform Act (Government Code, Sections 87100, et seq.) wherein it is reasonably foreseeable that Commissioner's participation is a conflict of interest; or
- C. The Commissioner is disqualified by reason of absence from the hearing of a matter, the decision would have a material financial effect on which under the law must be based upon findings supported by testimony or other competent evidence introduced in Commissioner, the proceeding.

If a conflict of interest does exist, Commissioner's immediate family, or on specified economic interests of the Commissioner shall declare this fact. The Commissioner is then excused from voting "aye" or "nay", and may cast an abstention vote. Other than to reflect the abstention, if that financial effect is different from the effect on the vote shall not be counted for any purpose: general public; or

B. Abstention for any reason other than those mentioned above shall constitute consent into the action proposes proposed, and the Commission Secretary shall announce at the meeting and enter in the Commission's minutes that the abstention was casecast as an "aye" vote pursuant to this rule.

C. Nothing in these rules of order and procedure this section is intended to abrogate the judicially declared "limited rule of necessity" adopted in the State of California state, pertaining to the duty of members of public and legislative and administrative bodies to vote on matters which require their action.

Abstention is defined to include a Commissioner's refusal or failure to vote when present and capable of casting a vote, unless executed for the reasons set forth above.

10.3 Tie Vote

Formatted: Tab stops: Not at 0.88"
Formatted: Font: 11 pt
Formatted: p0, Space Before: 0 pt, Tab stops: Not at 0.88"
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: list1, Left, Indent: Left: 1.8", Space Before: 0 pt, Tab stops: Not at 0.88"
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: 11 pt
Formatted: Font: Arial
Formatted: Font: Arial

The ~~affirmative~~ vote of at least ~~four (4) members~~ a majority present shall be necessary to adopt any resolution or motion. Any question on which the vote is tied, is lost. In the event of a tie vote, the Presiding Officer or any Commissioner may request the Secretary to carry over the item to the next regular meeting where a full Commission will be present.

~~107.4~~ _____ Roll Call

The votes shall be cast and displayed on the electronic voting board so that each Commissioner's vote may be recorded by the Secretary. In the event of a breakdown or malfunction of the electronic voting equipment, the Secretary shall call the roll in ~~the descending order that names of the Commissioners appear on the electronic voting board~~ order of seniority beginning with the least senior members. If appointed on the same day, alphabetical order by last name will govern. In any event the Vice Chair and Chair respectively, will cast the last two votes. The Secretary at the conclusion of the voting shall announce the results of the vote by stating whether the measure carried or failed and by what vote.

Section ~~118.0~~ Public Participation PUBLIC PARTICIPATION

~~118.1~~ _____ Policy

It is the policy of the Planning Commission that members of the public shall be afforded the opportunity to speak on ~~any~~ Consent Calendar and Action items on the agenda ~~item providing~~ provided they are first recognized by the Presiding Officer.

~~118.2~~ _____ Addressing the Commission

Any person desiring to address the Commission by oral communication shall first secure the permission of the Presiding Officer ~~by approaching the speaker's podium and waiting, silently, to be recognized by the Presiding Officer.~~

~~118.3~~ _____ Spokespersons _____ Time Limits

Designated spokespersons for recognized groups or ~~organization will be given priority over individuals who desire to address the Commission.~~

~~11.4~~ _____ Card System

~~Cards will be available at the rear of the Council Chamber for persons who wish to address the Commission at a public hearing or on another item of agenda business. After filling out the information requested, the cards shall be handed to the Secretary or designated staff member. The Presiding Officer will call on those wishing to speak in the order in which the cards are received, except as provided in Section 8.11. After such persons are heard, the Presiding Officer may then call for any additional speakers.~~

~~11.5~~ _____ Time Limits

~~Designated spokespersons for recognized groups or organizations~~ will have ~~five (5)~~ up to three (3) minutes to address the Commission; provided, however, that they may request additional time and ~~will~~ may be granted such ~~only with the permission of by~~ the Presiding Officer ~~and subject to the consent of the Commission.~~ Individuals will be given up to three (3) minutes to address the Commission ~~unless additional time is allowed as provided for spokespersons.~~

11.68.4 Discussion Between Citizens and the Commission

~~All remarks shall be addressed to the Commission as a body and not any Commissioner thereof. No person, other than the Presiding Officer, Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a Commissioner, without the permission of the Presiding Officer. No comment or~~ question shall be asked of a Commissioner or a member of staff except through the Presiding Officer.

11.78.5 Topic for Discussion

Members of the public shall address their remarks only to the agenda item under discussion by the Commission.

11.8.6 Manner of Addressing the Commission

Prior to speaking, each member of the public ~~shall~~ is requested to state his or her name ~~and business or home address~~ in a clear and audible tone of voice.

11.9

8.7 Repetition

Recognized speakers shall refrain from repetition of issues and points already raised by previous speakers.

Section 129.0 AMENDMENTS TO THESE RULES AND PROCEDURES

129.1 Notice of Amendment

These rules of order and procedures may be amended by the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each Commissioner at least three (3) days prior to the meeting date.

129.2 Submission for Council Approval

Any amendment adopted by the Commission shall be submitted to the City Council for approval at the earliest convenient time as required by Section

405 of the City Charter, and shall become effective only upon such approval being given.

ADOPTED

RECOMMENDED TO COUNCIL as above at a regular meeting of the Planning Commission of the City of Vallejo held on ~~May 20, 1991~~November 16, 2020 by the following vote;

AYES: _____ Kerstad, McDowell, Muatico, Capello, Servante, Johnson, Egklie

AYES: _____

NOES: None

ABSENT: None

~~BRIAN MATTSON~~Christina Ratcliffe, Secretary

CITY COUNCIL APPROVAL

~~The foregoing Rules of Order and Procedure were approved by Resolution No. 91-359 N.C. adopted by the City Council on June 11, 1991 pursuant to Section 405 of the City Charter of the City of Vallejo.~~

~~The foregoing Rules of Order and Procedures were revised by Resolution No. 92- N.C. adopted by the City Council on March 24, 1992 pursuant to Section 405 of the City Charter of the City of Vallejo.~~

PCRULES-92

Formatted: Left

Formatted: Position: Horizontal: 5.16", Relative to: Page, Vertical: 0", Relative to: Paragraph

Formatted Table

Formatted: Justified

Formatted: Font: Arial

Formatted: Font: Arial

|

|

26

Formatted: Font: Arial

Formatted: Font: Arial

Staff Reports



**STAFF REPORT
CITY OF VALLEJO
PLANNING COMMISSION**

I. PROJECT INFORMATION

Item No. 11-A

DATE OF MEETING: December 7, 2020

PROJECT NUMBER: Major Use Permit (UP) 20-0004

PREPARED BY: Cesar Orozco, Associate Planner

PROJECT LOCATION: 1701 Broadway / APN: 0052-172-160

APPLICABLE ZONING CODE SECTION(S): Major Conditional Use Permit (Vallejo Municipal Code Chapter 16.82)

PROJECT SUMMARY: A request for a Major Use Permit to allow the conversion of an existing vacant 6,946 square-foot building and 0.61-acre site into a child care center facility/preschool for up to 69 children.

CEQA DETERMINATION: The project is categorically exempt pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines (Class 3: "New Construction or Conversion of small structures"). Therefore, no further environmental review is required.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. PC 20-10 to **APPROVE** UP#20-0004.

PROJECT DATA SUMMARY

APPLICANT: Marena Simmons
1268 Sereno Drive
Vallejo, CA 94589

PROPERTY OWNER: Mohamed Mosleh
3198 Adeline Street
Berkeley, CA 94703

GENERAL PLAN DESIGNATION: Neighborhood Corridor (NC)

ZONING DISTRICT: Intensive Use (IU) (Interim zoning policy determines Linear Commercial (CL) is consistent)

EXISTING LAND USE: Vacant Commercial Building

SURROUNDING LAND USE:	North – Residential / Automotive Repair South - Restaurant East – Medical Office West – Sereno Transit Center
LOT AREA:	0.61 Acres (26,768 square feet)
TOTAL FLOOR AREA:	6,946 square feet (includes proposed 242 square-foot addition)
PARKING REQUIREMENTS/ PROVIDED:	14 spaces / 18 spaces

II. PROJECT DESCRIPTION

A. Background

Marena Simmons, the applicant and operator, submitted an application for a Major Use Permit to operate a child care facility at 1701 Broadway. The timeline for the application is as follows:

Table 1 – Project Timeline	
Date	Action / Event
June 9, 2020	The applicant Marena Simmons, filed an application for a Major Use Permit.
June 10, 2020.	The project plans were routed to various agencies for interdepartmental review and comment.
July 7, 2020	Staff sent a Permit Streamlining Act Letter to the applicant requesting additional information to be submitted.
September 10, 2020	The applicant resubmitted plans addressing staff's comments. The project plans were routed to various agencies for interdepartmental review and comment.
October 1, 2020	Staff sent a Permit Streamlining Act Letter to the applicant requesting additional information to be submitted.
October 7, 2020	The applicant resubmitted plans addressing staff's comments. The project plans were routed to various agencies for interdepartmental review and comment.
October 19, 2020	The application was deemed complete for processing and staff confirmed via email.
November 19, 2020	A public notice was sent to the Planning Commission (PC), all active neighborhood groups within 500 feet of the subject property, property owners within 500 feet of the subject property, and to the applicant.

The project requires the following approvals under the Vallejo Municipal Code (VMC):

Table 2 – Required Permits			
Permit Type	Description	VMC Code Section	Review Authority
Major Use Permit	Establish a childcare facility with a total of 69 children	16.22.040 (A,4)	PC

Location and Land Use Context

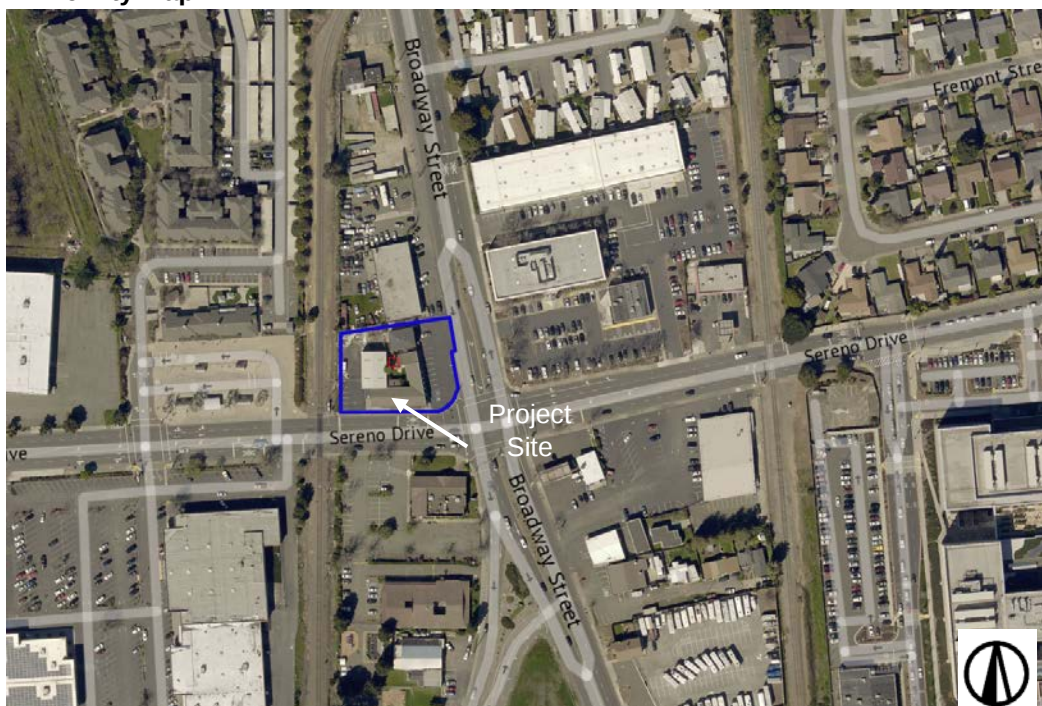
The project site is located on the corner of Broadway and Sereno Drive, northern portion of Vallejo and is surrounded by existing commercial and residential uses:

Table 3 – Surrounding Uses	
Direction	Land Uses
North	Automotive Repair – JN Autoahn Car Repair Trailer Storage
East	Broadway Kaiser Medical Offices
South	Sereno Drive Restaurant – Stockpot Restaurant
West	Rail Road easement Soltrans Sereno Transit Center

Sonoma Boulevard (Highway 29) is located approximately a quarter mile to the west and Kaiser Permanente Vallejo Medical Center is located approximately a quarter mile to the east. Sereno Village apartments is located approximately a quarter mile to the north west of the site. The immediate vicinity of the project site is characterized by existing commercial, industrial, medical and residential developments. The subject site's General Plan land use designation is Neighborhood Corridor (NC) with a zoning district of Intensive Use (IU) (Interim zoning policy determines Linear Commercial (CL) is consistent).

The subject site currently has a vacant 6,946 square-foot commercial building, a legal non-conforming stacked (two story) duplex and a 2,400 square foot metal storage building. City records indicate that the inhabited duplex was completed in 1940 and 2,400 square foot metal building was built in 1975. According to the City's business license system, Vallejo Floor Company occupied the building from April 2008 to June 2017. The vacant building is oriented primarily towards Sereno Drive and has a total of 9 surface parking spaces along Broadway and six in the rear of the building towards the train easement (see Figure 1).

Figure 1 – Vicinity Map



B. Project Description

The applicant is requesting to convert an existing vacant commercial building and site to a child care facility named CLLAIMM Academy (Pronounced "Claim"). CLLAIMM stands for Christian Foundation, Life Skills and Financial Awareness, Leadership, Academics, Innovative School Environment, Meditation and Motivational Speaking. The child care facility/preschool will have a maximum enrollment of 69 children ages of 2 to 12 years. The center would operate from 5:30 a.m. to 6:30 p.m., Monday through Friday and 6:30 a.m. to 6:30 p.m. Saturday and Sunday. Enrollment would be open to the general public. The facility will have a staff size of 9 adults. Parents and children would arrive at staggered drop-offs and pick-up times. No child care would be offered for overnight stays. Occasional events after hours or on a weekend are anticipated.

The center would have five offices, three restrooms, three classrooms, a multi-purpose room, an arts room, a kitchen, a conference room and an after school room. Care would primarily be provided indoors in an educational setting. Outdoor areas of the center include two playgrounds for the children within the existing fenced area around the building, along with a courtyard adjacent to the building. Use of playgrounds and other outdoor spaces by children would be under a staggered schedule where not all the children would be outside at a single time.

Additionally, before and after school program will be available, where parents can drop of their children as early as 5:30 a.m. and be picked up as late as 6:30 p.m. weekdays. A car pool van will be stored on the subject site for transportation needs to take the children to and from schools in Vallejo.

The site plan proposes minor addition to the current property. A new 6-foot high wrought iron fence, its location indicated on the site plan, would extend from the east side of the building down along the parking lot/driveway and then across to the property line along Sereno Drive. A 242 square-foot addition is proposed to be constructed to accommodate a conference room. A total of 18 parking spaces will be provided to the use. A total of 14 parking spaces will be used for the child care center and four of the parking spaces will be provided for the legal non-confirming duplex. A condition of approval is included to reflect this distribution of use. Additionally, a total of 3,029 square feet of new landscaping will be installed on site. The new landscaping will be provided along Broadway and Sereno Avenue, in the playground areas and in the courtyard. The new landscaping will be made up of a total of 10 street trees, shrubs and ground covering (see figure 2).

Figure 2 – Proposed Site Plan



III. STAFF ANALYSIS

General Plan Consistency

The General Plan 2040 Land Use Designation for the subject property is Neighborhood Corridor (NC). The General Plan characterizes this designation as follows:

"The NC designation is intended to promote pedestrian-oriented neighborhood "main streets" with an emphasis on shops and services catering to the daily needs of local residents, particularly at mixed-use Urban Villages. Permitted uses in the NC designation include multi-family developments, retail, personal, and automotive services, professional offices, community facilities, and other uses conducted primarily inside buildings and compatible with an eclectic neighborhood-oriented mixed-use environment. The maximum permitted FAR in the NC designation is 2.0, with minimum residential density of 18 dwelling units per acre up to 30 dwelling units per acre."¹

The project is consistent with the NC land use designation in that it involves the conversion of an existing vacant building into a child care facility for the daily needs of local residents. The child care facility will be conducted primarily inside buildings and is compatible with mix-use environment\ Therefore, the proposed child care facility will not adversely affect the land uses in close proximity.

The project is also consistent with applicable General Plan 2040 policies and actions. Key policies and actions relevant to the project are shown in **bold**, followed by staff's analysis in *italic*:

¹ General Plan 2040, page 2-21

Table 4 - General Plan 2040 Policies and Actions	
Policies and Actions	Staff's Analysis
• Policy NBE-1.8 Urban Forest. Encourage planting of street trees and landscaping to beautify the City, encourage walking and biking and create a stronger sense of identity.	- <i>Project involves the planting of new street trees, shrubs and groundcover.</i> - <i>Project contributes to the beautification of Vallejo and creates a stronger sense of identity.</i>
• Policy NBE-2.8 Infill Development. Promote infill development targets vacant and underutilized sites for community-desired and enhancing uses that is compatible with surrounding uses.	- <i>Subject building is currently vacant and underutilized.</i> - <i>The project's adaptive reuse of the building as an active child care facility with high-quality site and building improvements, contribute to both existing and anticipated mixed-use development in the vicinity.</i>
• Policy NBE-3.14 Neighborhood Corridors. Connect the community with mixed-use corridors that function as a neighborhood main streets for adjacent areas.	- <i>The project will create a stronger sense of identity within a mixed-use neighborhood that will provide services for adjacent neighborhoods.</i>
• Policy EET-2.5 Focus on Youth. Enhance primary and secondary education, increase high school graduation rates, and improve workforce readiness for youth.	- <i>The proposed use will create an environment where youth can be exposed to a rigorous and enriching academic structure.</i> - <i>The children will be exposed to early leadership positions in the classroom.</i>

Interim Zoning Determination

On August 29, 2017, the City Council adopted the Interim Zoning Policy (IZP) to facilitate development that is consistent with General Plan 2040 prior to the adoption of the new Zoning Ordinance. Under the Interim Zoning Policy, General Plan 2040 land use designations correlate to existing zoning districts for the purpose of applying development regulations in reviewing projects. The IZP has predetermined that the land use designation is not consistent to the Intensive Use zoning district.

The NC land use designation correlates to the Pedestrian Shopping and Service (CP) and Linear Commercial (CL) districts under the IZP. All of the applicable land use and development standards of the zoning district are applied in reviewing the project. General Plan 2040 prevails in the event that there is an express conflict with the zoning regulations under IZP Section five. However, the Planning Commission shall make findings under IZP Section six to determine consistency with General Plan 2040 when there is an express conflict (see IZP findings of this staff report).

Vallejo Municipal Code (VMC) Compliance

The project site is zoned Linear Commercial (CL). The CL zoning district is intended to create and establish regulations for a linear commercial district, in which well-designed, community-level commercial areas are developed along major thoroughfares. "Community Education" uses are permitted in the CL with the approval of a Major Use Permit (VMC Section 16.22.040).

The project is consistent with the applicable standards in the CL zoning district. Key development standards are analyzed as follows:

Table 5 - Linear Commercial – Development Standards			
Code Section	Development Standard	Proposal	Compliant
16.22.060 (A): Max. Building Height	75 feet; unless within 50 feet of an abutting residential district; then height may not exceed height in permitted abutting residential district.	Not within 50 feet of a residential district; 20 feet.	Yes
16.22.060(B): Permitted Uses	All uses permitted under this chapter shall be conducted entirely within an enclosed building; except when associated with a community education use.	Primarily indoors with outdoor playgrounds.	Yes
16.22.060 (C): Parking as prescribed in Chapter 16.62:			
16.62.100 (O): off-street parking	One space for each 5 students: 13.8 spaces	14 spaces	Yes
16.62.140: Min. Parking space dimensions: - A: Uncovered - B: Compact - F: Driveway serving other uses - G (2): 90-degree parking space aisle width	- A: 8 feet by 20 feet - D: 8 feet by 16 feet - E: 20 feet or greater - G (2) 25 feet	- A: 9 feet by 20 feet - D: 9 feet by 16 feet (for each garage) - E: 24 feet - G (2) 25 feet	Yes Yes Yes Yes

16.62.150: Parking space and area design standards: - J: Compact Car Spaces - M: Bicycle Parking	- J: Parking lot with 10 or more spaces, up to 40 percent may be compact spaces - M: Bicycle parking shall be provided in a secure area for all nonresidential uses.	- J: 22.2 percent - M: 0 bicycle parking spaces	Yes No ²
16.22.060 (E): Screening and Landscaping as prescribed in Chapter 16.70			
16.70.060: Height Standards applicable to fencing and screening - D: Parking Facilities	- D: screening around an unenclosed off-street parking facility shall not be more than six feet in height	- D: Six feet	Yes
16.70.070 (B): Required Landscaping - 1. Boundary Landscaping	- 1. Minimum of two feet along all property lines abutting streets; except for openings	- 1: Varies from two to eight feet	Yes
- 2. Additional Landscaping	All portions of the building site, exclusive of structures, parking areas, recreational uses, driveways and walkways, shall be landscaped.	All areas of the site will be landscaped except for areas of existing buildings, parking areas, playground areas, driveways, and walkways	Yes
- 3. Trees	One street tree is required for each fifty feet of street frontage: 6 Trees	10 Trees	Yes

The intention of the CL development standards is to provide specific development criteria. The proposed child care facility / preschool use is permitted with a Major Use Permit approval, and is compliant with all development standards.

Additionally, the Water Efficiency Landscape Ordinance (WELO) requirements of Chapter 16.71 of the VMC apply to new construction projects with an aggregate landscape area equal to or greater than five hundred square feet requiring a building or landscape permit, plan check or design review. Pursuant to section 16.74.030 of the VMC, required landscaping shall consist of drought tolerant species. In

² Staff has added a condition of approval to include secured bicycle parking on site.

accordance with the above VMC provisions, the landscape plan has been designed to conform to State (Executive Order No. B-29-15) and City water efficiency requirements and includes primarily California native and drought tolerant plants.

Standards and criteria for certain conditionally permitted uses

VMC section 16.82.060 (F), requires the application to demonstrate and the appropriate permit issuing authority shall certify that the use meets the following pertinent standards and criteria (the findings are in **bold**, and staff's determination follows in *italics*):

1. The facility shall not exceed a total enrollment of seventy children.

The child care facility/preschool will have a total of 69 children enrolled; not exceeding the maximum amount of 70 children.

2. The facility shall provide a minimum of forty square feet of interior space per child, and a minimum of eighty-five square feet of exterior space per child.

The child care facility/preschool will provide a total of 4,039 square feet of interior space. Storage rooms, conference rooms, restrooms, wardrobes and offices are not calculated for interior space. The provided interior square footage will allow a total of 58.5 square feet of interior space per child; exceeding the minimum of 40 square feet of interior space per child.

The child care facility/preschool will provide a total of 5,876 square feet of exterior space per child. The provided outdoor square footage will allow a total of 85 square feet of exterior space meeting the minimum square feet of exterior space per child.

3. The ratio of children to teachers shall not exceed four children under the age of two years per one teacher and nine children over the age of two years per one teacher.

The child care facility will have a total of 69 children, all between the ages of 2-12 years of age. This age group requires a minimum of one teacher per nine children. A total of 9 staff members will be on site during operation; exceeding the stated requirement.

4. The facility shall be designated to create a "residential" environment rather than an "institutional" environment through the use of design elements, such as color and materials, landscaping, and play equipment.

The project will install a total of 3,029 square feet of new landscaping on the subject site. New landscaping will be installed along the east and south property line creating a "residential" environment within a mix-used district. Additionally, a total of two play structures and six trees will be installed in the rear of the building towards the north-west property corner. The proposed courtyard will have new landscaping and a tree that will be accessible by the children and staff from the child care facility/ preschool.

5. The operator and the premises must be licensed or certified by the State Department of Social Services.

The applicant has begun the process with the State Department of Social Services to obtain a license for the operator and the premises. One of the steps is to receive approval from the local jurisdiction before continuing with the State Departments process. Staff has added a condition of approval to submit a copy of the State Department of Social Services license for the operator and the premises to the Planning Division prior to Certificate of Occupancy.

6. **The premises shall be subject to fire and health inspections by the city and the use permitted thereon shall be contingent upon compliance with fire and health regulations and requirements.**

If approval is granted, the applicant will submit for a building permit to perform the tenant improvement to the building and site. The Building Division and Fire Division will plan check the submitted plans to ensure they are consistent with the current adopted State of California Building and Fire Codes. During construction the Building Division will perform inspections to ensure the new construction is in compliance with regulations and requirements. Additionally, the Fire Division has included a condition of approval for annual inspection and permit.

Major Use Permit Findings

VMC Section 16.82.050 requires the PC to make the following findings prior to granting a Major Use Permit (the findings are in **bold**, and staff's determination follows in *italics*):

- A. **That the location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use;** *in that the proposed child care facility/preschool is located in an area characterized by a collection of commercial, industrial, medical, food services and residential uses. The child care facility/preschool is compatible with both existing and anticipated uses in close proximity and contributes to the mix of uses that is expected by the land use designation. Occupying a vacant commercial building will not result in the degradation of public facilities or utilities within proximity of the project site nor will it generate traffic beyond what can be accommodated by the street system. The proposed use typically generates traffic in early hours of the day and in the evening but will not exceed typical uses for this site, according to the City's traffic engineer.*
- B. **That the impacts, as described in subsection A of this section, and the location of the proposed conditional use are consistent with the city general plan;** *in that the project site is designated as Neighborhood Corridor (NC) on the General Plan 2040 Land Use Map. General Plan 2040 anticipates the NC designation to promote a pedestrian-oriented neighborhood "main street" with an emphasis on shops and services catering the daily needs of local residents. The project is consistent with the NC designation in that it involves establishing a child care facility/preschool use that caters to the surrounding business, employees and residents in the surrounding areas. The new use and the new landscaping will improve the site and a vacant building will be occupied. The project is also consistent with several applicable General Plan 2040 policies.*

General Plan 2040 Consistency Findings

Interim Zoning Policy Section six, requires the PC to make the following findings to determine consistency with General Plan 2040 (the findings are in **bold**, and staff's determination follows in *italics*):

1. **The proposal is appropriate in consideration of the characteristics of the surrounding area;** *in that a child care facility/preschool complements the commercial uses within the vicinity. The addition of a child care facility/preschool will diversify the range of uses that comprise the Neighborhood Corridor. Furthermore, the project utilizes a building that is of physical scale that complements existing and planned developments.*

2. **The proposal is consistent with the intent and desired character of the relevant land use designation(s) of General Plan 2040 and any associated General Plan policies;** *in that that it proposes a child care facility/preschool. The desired character of the land use designation is a place is that is pedestrian-oriented neighborhood "main streets" with an emphasis on shops and services catering to the daily needs of local residents. The addition of a child care facility/preschool will provide a service for local residents and the close proximity to the Sereno SolTrans Transit Center will help create a pedestrian-oriented Neighborhood Corridor.*
3. **The proposal will clearly promote implementation of General Plan 2040;** *in that it adds to the mix of uses and pedestrian-oriented development envisioned for the Neighborhood Corridor land use designation. It also improves a highly-visible intersection with new landscaping and an occupied building.*
4. **The proposal conforms to the zoning ordinance requirements of the applicable or "best fit" zoning district;** *in that the project conforms to the applicable standards of the Linear Commercial zoning district and the standards and criteria for conditionally permitted uses.*

IV. ENVIRONMENTAL REVIEW

Following a review of the project, staff has determined that it is exempt from the requirements of the California Environmental Quality Act (CEQA). Under CEQA, the State has identified classes of projects which have been determined to not have a significant impact on the environment and are therefore exempt from the requirements of CEQA. The project is categorically exempt pursuant to Section 15303 Class 3: "New Construction or Conversion of small structures" of the CEQA Guidelines. Furthermore, the City has considered whether or not any of the exceptions found under Section 15300.2 of the CEQA Guidelines exist, which would preclude the project from being categorically exempt from CEQA. The project is consistent with Section 15300.2 as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects due to unusual circumstances, (d) the project is not located near a scenic highway, (e) the project site is not located on an open a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not adversely affect any historical resource. Therefore, no further environmental review is required.

V. NOTICING AND PUBLIC COMMENTS

Pursuant to VMC Section 16.82.030 (C), notice of this hearing was sent to all active neighborhood groups within 500 feet of the subject property, property owners within 500 feet of the subject property and to the applicant on November 19, 2020. Staff has not received any comments or questions from the public on the application as of writing this staff report.

VI. CONCLUSION / STAFF RECOMMENDATION

Based on the analysis contained in this staff report and the project's consistency with General Plan 2040 and the Vallejo Municipal Code, staff recommends that the Planning Commission **APPROVE** Use Permit (UP) #20-0004 based on the findings and provided in the attached Resolution No. PC 20-10 and subject to the Conditions of Approval provided as Exhibit A to Resolution No. PC 20-10.

VII. EXPIRATION

Pursuant to VMC Section 16.82.090, approval of this Use Permit shall expire automatically 24 months after its approval unless authorized construction has commenced prior to the expiration date (December 7, 2022, if approved at this meeting and not appealed).

VIII. APPEAL PROCEDURE

Pursuant to VMC Chapter 16.102, the applicant or any party adversely affected by the decision of the Planning Commission may, within ten days after the rendition of the decision of the Planning Commission appeal in writing to the City Council by filing a written appeal with a fee of \$1,277 dollars with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the Planning Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within five hundred feet of the project boundary. The Council may affirm, reverse, or modify any decision of the Planning Commission that is appealed.

IX. ATTACHMENTS

1. Resolution No. PC 20-10
 - Exhibit A – Conditions of Approval
2. Project Plans

CITY OF VALLEJO PLANNING COMMISSION

RESOLUTION NO. PC 20-10

**A RESOLUTION APPROVING
MAJOR CONDITIONAL USE PERMIT (UP) #20-0004
TO ESTABLISH A CHILDCARE CENTER**

**1701 Broadway
APN #0052-172-160**

I. GENERAL FINDINGS

WHEREAS, on August 29, 2017, the City Council adopted General Plan 2040; and

WHEREAS, the property has a General Plan 2040 land use designation of Neighborhood Corridor and is zoned Linear Commercial District; and

WHEREAS, on June 9, 2020, Marena Simmons submitted an application seeking a Major Conditional Use Permit approval to convert a vacant 6,946 square-foot commercial building into a child care center and preschool for up to 69 children ("Project") located at 1701 Broadway; and

WHEREAS, on October 22, 2020, the application was deemed complete for processing; and

WHEREAS, on December 7, 2020, the City of Vallejo Planning Commission, after giving all public notices required by State law and the City of Vallejo Municipal Code, conducted a duly noticed public hearing; and

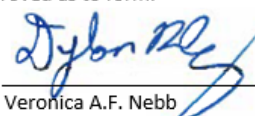
WHEREAS, the Planning Commission considered testimony and evidence, both written and oral, provided at the public hearing, as well as other documents contained in the record of proceedings relating to the Project, which are maintained in the offices of the City of Vallejo Planning Division; and

WHEREAS, based on evidence received in the staff report and at the public hearing, the Planning Commission makes the following factual findings:

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING

Following a review of the project, staff has determined that it is exempt from the requirements of the California Environmental Quality Act (CEQA). Under CEQA, the State has identified classes of projects which have been determined to not have a significant impact on the environment and are therefore exempt from the requirements of CEQA. The project is categorically exempt pursuant to Section 15301 Class 1: "Existing Facilities" of the CEQA Guidelines. Furthermore, the City has considered whether or not any of the exceptions found under Section 15300.2 of the CEQA Guidelines exist, which would preclude the project from being categorically exempt from CEQA. The project is consistent with Section 15300.2 as follows: (a) the site is not located in an environmentally

Approved as to form:

By:  for
Veronica A.F. Nebb
City Attorney

sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects due to unusual circumstances, (d) the project is not located near a scenic highway, (e) the project site is not located on an open a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not adversely affect any historical resource. Therefore, no further environmental review is required.

III. FINDINGS RELEVANT TO THE APPROVAL OF THE MAJOR CONDITIONAL USE PERMIT (VMC Section 16.82.050)

- A. That the location, size, design and operating characteristics of the proposed conditional use will be compatible with adjacent uses, building or structures, with consideration given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities, to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use; in that the proposed child care facility/preschool is located in an area characterized by a collection of commercial, industrial, medical, food services and residential uses. The child care facility/preschool is compatible with both existing and anticipated uses in close proximity and contributes to the mix of uses that is expected by the land use designation. Occupying a vacant commercial building will not result in the degradation of public facilities or utilities within proximity of the project site nor will it generate traffic beyond what can be accommodated by the street system. The proposed use typically generates traffic in early hours of the day and in the evening but will not exceed typical uses for this site, according to the City's traffic engineer.**
- B. That the impacts, as described in subsection A of this section, and the location of the proposed conditional use are consistent with the city general plan; in that the project site is designated as Neighborhood Corridor (NC) on the General Plan 2040 Land Use Map. General Plan 2040 anticipates the NC designation to promote a pedestrian-oriented neighborhood "main street" with an emphasis on shops and services catering the daily needs of local residents. The project is consistent with the NC designation in that it involves establishing a child care facility/preschool use that caters to the surrounding business, employees and residents in the surrounding areas. The new use and the new landscaping will improve the site and a vacant building will be occupied. The project is also consistent with several applicable General Plan 2040 policies.**

IV. FINDINGS RELEVANT TO GNERAL PLAN 2040 CONSISTENCY (Interim Zoning Policy Section Six):

- A. The proposal is appropriate in consideration of the characteristics of the surrounding area; in that a child care facility/preschool complements the commercial uses within the vicinity. The addition of a child care facility/preschool will diversify the range of uses that comprise the Neighborhood Corridor. Furthermore, the project utilizes a building that is of physical scale that complements existing and planned developments.**

- B. **The proposal is consistent with the intent and desired character of the relevant land use designations(s) of General Plan 2040 and any associated General Plan policies;** *in that that it proposes a child care facility/preschool. The desired character of the land use designation is a place is that is pedestrian-oriented neighborhood "main streets" with an emphasis on shops and services catering to the daily needs of local residents. The addition of a child care facility/preschool will provide a service for local residents and the close proximity to the Sereno SolTrans Transit Center will help create a pedestrian-oriented Neighborhood Corridor.*
- C. **The proposal will clearly promote implementation of General Plan 2040;** *in that it adds to the mix of uses and pedestrian-oriented development envisioned for the Neighborhood Corridor land use designation. It also improves a highly-visible intersection with new landscaping and an occupied building.*
- D. **The proposal conforms to the zoning ordinance requirements of the applicable or "best fit" zoning district;** *in that the project conforms to the applicable standards of the Linear Commercial zoning district and the standards and criteria for conditionally permitted uses.*

V. RESOLUTION APPROVING THE PROJECT AT 1701 Broadway

NOW, THEREFORE, LET IT BE RESOLVED that the Planning Commission hereby **APPROVES** Major Use Permit #20-0004 to establish a child care center use based on the above findings and subject to the Conditions of Approval attached to this Resolution.

VI. VOTE

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Vallejo, State of California, on the 7th day of December, 2020 by the following vote to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DIOSDADO MATULAC, CHAIRPERSON
City of Vallejo Planning Commission

Attest:

Christina Ratcliffe, SECRETARY
City of Vallejo Planning Commission

**CONDITIONS OF APPROVAL
MAJOR USE PERMIT (UP) #20-0004
1701 BROADWAY
APN: 0052-172-160**

PROJECT DESCRIPTION

The approval is to convert and existing vacant commercial building and site to a child care facility. The child care facility/preschool will have a maximum enrollment of 69 children ages of 2 to 12 years. The center would operate from 5:30 a.m. to 6:30 p.m., seven days a week Enrollment would be open to the general public. The facility will have a staff size of 9 adults.

A. Planning Division

Staff Contact: Cesar Orozco, (707) 648-5436, cesar.orozco@cityofvallejo.net

Pre-Building Permit:

1. Prior to building permit issuance, submit a numbered list to the Planning Division with a written response on how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project. The approved COA will be included in the permit set after the cover sheet with each condition listed and how the applicant will address each condition in writing.
2. Prior to building permit issuance, the Planning Division shall confirm that the building permit drawings and subsequent construction substantially conform with the approved Planning application drawings.
3. Prior to building permit issuance, submit for a sign permit for any permanent signs on the building or on the windows.
4. Prior to building permit issuance, include secured bicycle parking on the subject property.
5. The capacity of the day care center is 69 children, total.
6. Prior to building permit issuance, submit 3 sets of landscaping plans prepared by a registered landscape architect to the Planning Division for review and approval. The requirement for a registered landscape architect may be waived at the discretion of the Planning Manager. Landscape plans shall comply with Chapter 16.70 (VMC), and are to include the following:
 - a. Location, species and size of all mature trees six inches in trunk diameter or greater;
 - b. Replacement of any mature trees to be removed;
 - c. 10_City-approved street trees to be planted at least 6 feet from any sewer line;
 - d. Specification of low-growth-type species adjacent to doors, windows, and walkways;
 - e. Low-water-using and drought-resistant plant materials;
 - f. Screening of the required backflow preventers;
 - g. All trees to be a minimum of 15-gallon, double staked; at least 50 percent of the proposed shrubs shall be a minimum of 5-gallon;
 - h. Irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, piping and water usage; and
 - i. Six-inch-high curbing around planters.

7. Prior to building permit issuance, submit details and location of any proposed fencing to the Planning Division for review and approval. Fencing shall comply with Chapter 16.70 (VMC).
8. Prior to building permit issuance, submit design details of trash enclosure to the Planning Division for review and approval. Trash enclosure shall meet the requirements of the Vallejo Recology. Materials and colors shall be similar to those approved for the building.

Pre-Occupancy

9. Prior to occupancy, submit a copy of the State Department of Social Services license for the operator and the premises to the Planning Division prior to occupancy.
10. Prior to occupancy/final building inspection, install trash enclosure per approved plans.
11. Prior to occupancy/final building inspection, install fencing per approved plans.
12. Prior to occupancy/final building inspection, obtain a sign permit from the Planning Division prior to the erection of any sign, including flags, banners, etc. All signs shall comply with Chapter 16.64 (VMC).
13. Prior to occupancy/final building inspection, install landscaping and irrigation per approved plans. The landscape architect shall verify in writing that the landscaping and irrigation have been installed in accordance with the approved landscape plans with respect to size, health, number and species of plants, and the overall design concept.
14. Prior to occupancy/final building inspection complete the Certificate of Completion and Certification of Installation According to the Landscape Documentation in accordance with VMC Chapter 16.71: Water Efficient Landscape Requirements.

Overall Project:

15. Apply for City of Vallejo Business license and obtain a Business Compliance Inspection from the Building Division and a fire inspection from Fire Prevention.
16. All mechanical equipment and utility meters shall be screened in a manner approved by the Planning Division. Electrical transformers shall be screened or placed underground.
17. All vents, gutters, downspouts, flashings, electrical conduits, etc., shall be painted to match the color of the adjacent surface.
18. All roof-mounted mechanical devices and their components such as air conditioners, heating equipment, exhaust fans, vents or ducts, or similar equipment shall be screened from view in a manner approved by the Planning Division. All wall-mounted air conditioners shall be flush mounted.
19. Construction-related activities shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Saturday. No construction is to occur on Sunday or federal holidays. Construction equipment noise levels shall not exceed the City's maximum allowable noise levels.
20. Permanent signs shall be permitted provided the total sign area square footage does not exceed fifteen percent of the total ground floor window area or twenty-five percent of the second floor

window area. These signs shall be subject to a sign permit and shall be included as part of the total sign area. Paper or printed window signs shall be limited to no more than 10 percent of the window area of any street frontage or more than 50 percent of any single window pane (VMC section 16.64.040(B)).

21. Pennants, banners, streamers, or flags in connection with special promotions and business openings shall be permitted for a period not to exceed 30 days. The same, different, or similar pennants, banners, streamers, and flags shall not be permitted within 150 calendar days after such removal. No pennants, banners, streamers, balloons, inflatable devices, flags, or any other advertising devices shall be mounted on or above any roof or mansard, or otherwise extend above a parapet wall or ridge of a structure. (VMC section 16.64.030)
22. Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.
23. Prior to any increase in the proposed hours of operation, 5:30 a.m. to 6:30 p.m., Monday through Friday and 6:30 a.m. to 6:30 p.m. Saturday and Sunday, Planning Commission approval is required.
24. If the Planning Division, either independently or as a result of complaints from the public, becomes aware that the use is being conducted in a manner which violates the conditions of this use permit or other applicable City regulations, and Planning staff is unable to obtain compliance or abatement, staff will refer the use permit to the Planning Commission for possible suspension or revocation per Section 16.82.110, Vallejo Municipal Code.
25. The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and approved plans [UP20-0004] (dated 8/11/2020), and as amended by the following Conditions of Approval (COA). Any additional uses or facilities other than those approved with this permit as described in the project description and the approved plans will require a separate application and approval. Any deviation from the approved drawings and COA shall require prior written approval from the Planning Manager or his or her designee.
26. The Planning Manager or his/her designee shall conduct a site visit prior to the issuance of an occupancy permit by the Building Division to confirm compliance with approved plans, conditions of approval, and code requirements.
27. The Major Use Permit shall expire 24 months from the date of approval unless construction permits are obtained and work has begun. The expiration date shall be December 7, 2022 (if approved on December 7, 2022).
28. Applicant shall indemnify, hold harmless, and defend City, its officers, officials, directors, employees, agents, volunteers and affiliates and each of them from any and all claims, demands, causes of action, damages, costs, expenses, actual attorney's fees, applicant's fees, expert fees, losses or liability, in law or in equity, of every kind and nature whatsoever arising out of or in connection with Applicant's operations, or any subcontractor's operations, to be performed under this agreement for Applicant's or subcontractor's tort negligence including active or passive, or strict negligence, including but not limited to personal injury including, but not limited to bodily injury, emotional injury, sickness or disease, or death to persons and/or damage to property of anyone, including loss of use thereof, caused or alleged to be caused by any act or omission of Applicant, or any subcontractor, or anyone directly or indirectly employed by any of them or anyone for the full period of time allowed by the law, regardless to any limitation by insurance, with the exception

of the sole negligence or willful misconduct of the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the Applicant's indemnity obligation.

B. Building Division

Staff Contact: Steve Arnold, (707) 648-4387, steve.arnold@cityofvallejo.net

1. Permits required per California Code of Regulations, Title 24 and applicable City Ordinance in effect at the time of completed Building Permit application date and required fees paid at time of application.
2. Change of use triggers full Accessibility requirements.
3. 2019 California Code of Regulations apply if permit application(s) received before end of 2022.

C. Fire Prevention

Staff Contract: Vincent Sproete, (707) 654-7868, Vincent.sproete@cityofvallejo.net

1. In accordance with the 2019 California Fire Code rooms or areas containing controls for HVAC systems, electrical panels, automatic fire extinguishing systems, fire alarm equipment or other detection, suppression or control elements shall be identified with appropriate signs.
2. Label all circuit breakers for their intending use in all electrical panels. Due prior to final inspection.
3. Fire alarm system is required, please submit 2 sets of fire alarm plans, and obtain permit from the Fire Marshal's Office prior to installation. Please include listed device selections cut sheets. Fire Alarm System's must be designed and installed by a C-10 Licensed Contractor or be certified as a Fire/Life Safety Technician on all systems that exceed 100VA. FEE # 2 \$506
4. A flush-mounted (recessed) Knox Box (key box) mounted no higher than 5 feet above the finished floor containing appropriate keys for emergency Fire Department access shall be provided. The minimum size box is the 3200 series with a hinged door and recessed mounting kit. The tamper kit is not required; box color may be any of the Knox options. It takes approximately two weeks for delivery. For more information, call the Fire Prevention Division at (707) 658-4565 or visit www.knoxbox.com
5. Keys for the Knox Box entry system required by the Fire Department shall be attached to durable tags with permanent marking identifying the door(s) or lock(s) that the key functions with. i.e. "MASTER" or "MECHANICAL ROOM".
6. Prior to final inspection, in accordance with the 2019 California Fire Code approved address numbers shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall clearly contrast with their background. The characters shall be a minimum of 6" high with a 1/2" stroke. The size of the building and distance or location of the address numbers from the roadway may necessitate larger numbers.
7. Prior to final inspection, the minimum fire-extinguisher requirement shall be one 2A-10BC rated portable unit in such locations so that maximum floor-travel distance does not exceed 75' to the nearest extinguisher from any portion of the building with a maximum of 3,000 square feet of floor

area surveyed. Plan submittal shall include the proposed location of extinguishers. Final location shall be approved in the field by the Fire Department.

8. All fire extinguishers shall be mounted in a conspicuous and readily accessible location either on a bracket or within an approved storage cabinet. Fire extinguishers shall be mounted so the top of the unit is 3 feet to 5 feet off the finished floor. If the extinguisher is not readily visible, a sign shall be located directly above the extinguisher. The sign shall be legible and of a contrasting color with its background. Final installation measures and identification signage shall be approved in the field by the Fire Department prior to final inspection.
9. Provide 60 minute rated assembly & self-closing door for the mechanical room.
10. All interior curtains and decorations, including stage dressings, shall be Flame Retardant treated in accordance with the California Code of Regulations Title 19 Article 8 and 9 and the 2019 California Fire Code Chapter 8. Due prior to final inspection.
11. Means of egress illumination shall be provided and maintained at any time the building is occupied. The means of egress shall be illuminated of not less than 1-foot candle power and shall be approved by the Fire Prevention Division prior to sign-off of the final inspection.
12. In accordance with the 2019 California Fire Code Chapter 10 all exit doors shall swing in the direction egress travel where serving an occupant load of 50 or more. The front door and all other doors serving as a means of egress shall swing in the direction a travel. Panic hardware is required on all doors serving assembly areas.
13. Provide a California Building Code approved illuminated exit sign over all required exits. Due prior to final inspection.
14. In accordance with the 2019 California Fire Code Chapter 10, provide directional exit signage as needed.
15. All buildings shall comply with California Building Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.
16. Emergency exit lighting shall be provided at or near all exits and as designated by the Fire Marshal. Final exit lighting shall be approved by the Fire Marshal prior to sign-off of the final inspection.
17. In accordance with the 2019 California Fire Code Chapter 10, all emergency lighting and exit signs lights shall have two separate sources of power.
18. The proposed corridor shall be rated for 1 hour. (includes rated door assemblies)
19. Post an occupant load sign in a conspicuous place near the main exit from all rooms designated as "Assembly Areas". The sign shall read as follows; Due prior to final inspection.

Maximum Occupants;

General_____ (Calculations shall be provided by the Architect)
20. Fixed seating shall be installed in accordance with CFC 1029. If fixed seating is proposed, please submit plans to the fire department for approval prior to installation

21. Fire Department recommends a walk-through inspection be conducted prior to construction activities.
22. An annual fire department inspection and permit for Private Schools is required. A permit fee of \$263.00 will be due and payable annually.
23. A final inspection is required from the Fire Department.

D. Water Division

Staff Contact: Addison Leblanc, (707) 648-5204, Addison.LeBlanc@cityofvallejo.net

1. Show existing or proposed water meter location.
2. Include water fixture count on plans.

E. Public Works

Staff Contact: Philip Ho, (707) 554-5902, Philip.ho@cityofvallejo.net

1. APPLICANT shall complete all Improvements and construction thereof, at their sole cost and expense within the period of time hereinafter set forth; and shall abide by the "City of Vallejo Regulations and Standard Specifications for Improvements" and "Standard Specifications of the Vallejo Flood and Wastewater District.
2. APPLICANT shall furnish all tools, equipment, material, labor and permits necessary to improve all streets, easements, and rights of way, by grading and constructing storm water drainage systems and structures, all in conformance with Plans and Specifications.
3. Improvements shall be completed and accepted by the City within two years of the original date of plan approval. Should the Improvements not be accepted by the City within said two years, APPLICANT shall pay the fee for time extension of the improvement plan in accordance with the City Fee Schedule
4. APPLICANT shall provide a water supply to all contractors and subcontractors doing work within said subdivision. Water shall be provided from the nearest approved City of Vallejo water line or hydrant after proper permits are obtained and fees are paid by the APPLICANT to the City of Vallejo Water Division for metering and water usage.
5. APPLICANT shall furnish surety to City in the form of bonds for the Improvements.

PUBLIC WORKS – STANDARD CONDITIONS OF APPROVAL

The following code requirement conditions will apply prior to detailed construction plans submitted to the city for review

- PW1. **HOW PROJECT CONDITIONS SATISFIED.** Prior to building permit issuance, submit a numbered list to the **Planning Division** stating how each condition of project approval contained in this report will be satisfied. The list should be submitted to the project planner who will coordinate development of the project.
- PW2. **PUBLIC IMPROVEMENT STANDARDS.** All public improvements shall be designed to City of Vallejo standards and to accepted engineering design standards. The **City Engineer** has all such standards on file and the Engineer's decision shall be final regarding the specific standards that shall apply. (COV, Regulations & Standard Specifications, 2011).

- PW3. **IMPROVEMENT PLANS.** Prior to building permit submittals, submit three sets of plans to the **Department of Public Works** for plan check review and approval. (Improvement or civil plans are to be prepared by a licensed civil engineer.) Plans are to include, but may not be limited to, grading and erosion control plans, improvement plans, joint trench utility, street light plans, and landscaping, irrigation and fencing plans and all supporting documentation, calculations and pertinent reports. (COV, Regulations & Standard Specifications, 2011, Section 1.1.7–A).
- PW4. **GRADING** Prior to issuance of grading permit, submit a soils report for review. An independent soils and geological review of the project may be required. The City shall select the soils engineer with the cost of the study to be borne by the developer/project sponsor. Site grading shall comply with City Municipal Code. (VMC, Chapter 12.40).
- PW5. **LINE OF SIGHT CRITERION.** In design of grading and landscaping, line of sight distance shall be provided based on Caltrans standards. Installation of fencing, signage, above ground utility boxes, etc. shall not block the line of sight of traffic and must be set back as necessary. (VMC Chapter 10.14).
- PW6. **ON-SITE SOILS ENGINEER.** During grading operations, the project geologist or soils engineer and necessary soils testing equipment must be present on site. In the absence of the soils engineer or his representative on site, the **Department of Public Works** shall shut down the grading operation. (VMC Chapter 12.40.080).
- PW7. **DUST AND EROSION CONTROL.** All dust and erosion control shall be in conformance with City standards and ordinances. (VMC Chapters 12.40.050 & 12.40.070).
- PW8. **COMPACTION TESTS.** Prior to building permit issuance or acceptance of grading, compaction test results and certification letter from the project soils engineer and civil engineer confirming that the grading is in conformance with the approved plans must be submitted to the **Department of Public Works** for review and approval. Test values must meet minimum relative compaction recommended by the soils engineer (usually at least 90 percent). (COV, Regulations & Standard Specifications, 2011, Section 2.4.1).
- PW9. **DRIVEWAY STANDARDS.** Entrances to any private project must be standard driveway approaches unless deviation is permitted by the **City Engineer**. (VMC, Chapter 10.04.260).
- PW10. **STREET EXCAVATION PERMIT.** Obtain a street excavation permit from the **Department of Public Works** prior to performing any work within City streets or rights-of-way, or prior to any cutting and restoration work in existing public streets for utility trenches. All work shall conform to City standards. (VMC Chapter 10.08).
- PW11. **ENCROACHMENT PERMIT.** Prior to building permit issuance, obtain an encroachment permit from the **Department of Public Works** for all work proposed within the public right-of-way. (VMC Chapter 10.16).
- PW12. **TRAFFIC CONTROL PLAN.** Prior to start of construction; submit a traffic control plan to the **Department of Public Works** for review and approval. (CA MUTCD).
- PW13. **COORDINATION OF CONSTRUCTION INSPECTION.** Construction inspection shall be coordinated with the **Department of Public Works** and no construction shall deviate from the approved plans. (COV, Regulation & Standard Specification Sections 1.1.4 & 1.1.5).
- PW14. **PLAN CHANGES.** The project design engineer shall be responsible for the project plans. If plan deviations are necessary, the project engineer must first prepare a revised plan or details of the proposed change for review by the **Department of Public Works** and, when applicable, by **Vallejo Flood and Wastewater District**. Changes shall be made in the field only after approval

by the City. At the completion of the project, the design engineer must prepare and sign the "as built" plans. (COV, Regulation & Standard Specification Section 1.1.9).

- PW15. **BONDS AND FEES.** Prior to approval of construction plans, provide bonds and pay applicable fees. Bonding shall be provided to the City in the form of a "Performance Surety" and a separate "Labor and Materials Surety" in amounts stipulated by City ordinance. (VMC, Section 15.12.090)
- PW16. **INSTALL IMPROVEMENTS.** Prior to occupancy/final building inspection, install the improvements required by the **Department of Public Works** including but not limited to streets and utilities.
- PW17. **SIDEWALK REPAIR.** Prior to occupancy/final building inspection, remove and replace any broken curb, gutter, sidewalk or driveway approach as directed in the field by the **City Engineer**. (VMC, Section 10.04).
- PW18. **FLOOD PROTECTION.** N/A.
- PW19. **STREET TREES.** Prior to release for occupancy, plant required street trees in accordance with City Municipal Code. The list of approved trees is available in the office of the Public Works Director. The minimum standard shall be at least one tree for each 50 feet of street frontage or fraction thereof, including secondary or side streets. Street tree(s) shall be inspected by Public Works Landscape Inspector prior to release for occupancy. (VMC Chapter 15.06.190 and Regulations and Standard Specifications Section 3.3.48).
- PW20. **JOINT TRENCH.** N/A.
- PW21. **SIGNAL INTERCONNECT CABLES.** There may be fiber optic and /or copper signal inter connect cables located at the edge of the roadway or under the sidewalk. The plans should address either the relocation of these cables or a note should be made of the cable location. A warning should be included on the plans stating that if the cable damaged, the entire length of the cable between the two nearest hubs will be replaced by the contractor unless otherwise authorized by the City Engineer.
- PW22. **ADA COMPLIANCE WITHIN CITY ROW.** In order to ensure ADA compliance within any and all City ROW, ADA compliance will be addressed in accordance to the state government and federal codes:
HEALTH AND SAFETY CODE DIVISION 13 PART 5.5. ACCESS TO PUBLIC ACCOMMODATIONS BY PHYSICALLY HANDICAPPED PERSONS [19955 - 19959.5] (Part 5.5 added by Stats. 1969, Ch. 1560.)
http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&division=13.&title=&part=5.5.&chapter=&article=
GOVERNMENT CODE DIVISION 5 CHAPTER 7 ACCESS TO PUBLIC BUILDINGS BY PHYSICALLY HANDICAPPED PERSONS [4450 – 4461] (Chapter 7 added by Stats. 1968, Ch. 261.)
http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=5.&title=1.&part=&chapter=7.&article=federal
THE AMERICAN WITH DISABILITIES ACT OF 1990
https://www.ada.gov/2010_regs.htm

CLLAIMM PRESCHOOL TENANT IMPROVEMENT

1701 BROADWAY STREET
VALLEJO, CA 94589

NEW DAYCARE CENTER: 69 STUDENTS
AREA: (E) 6,946 SQUARE FEET
(N) 242 SQUARE FEET

CLLAIMM PRESCHOOL

1701 BROADWAY ST
VALLEJO, CA
94589

DESCRIPTION	DATE	MARK
		1
		2
		3

PROJECT NO:	20029.00
DATE:	11/24/20

DRAWN BY:	J.A.S.
CHECKED BY:	R.R.S.

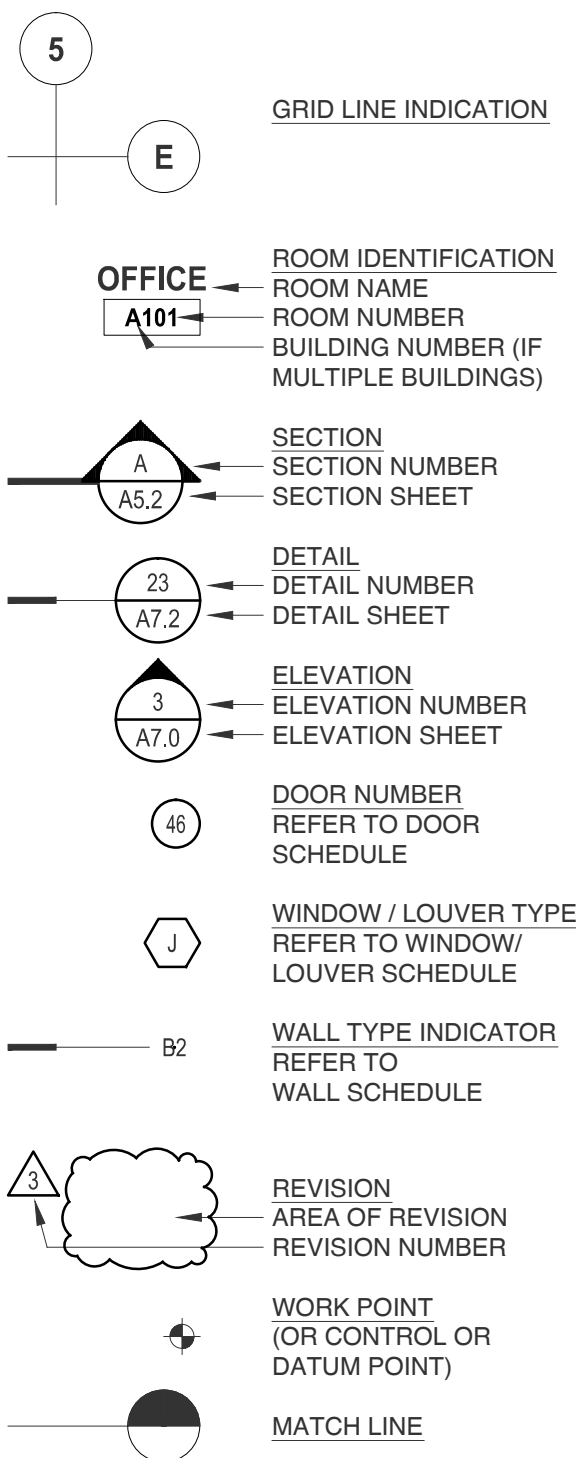
TITLE SHEET

G101

ABBREVIATIONS

L	And	F	Fire	PA	Planting Area
Angle		F.A	Fire Alarm	PIV	Post Indicator Valve
At		F.B	Flat Bar	PRCST.	Pre-cast
Center Line		F.D	Floor Drain	PL	Plate
Diameter or Round		FDC	Fire Department	P.LAM.	Plastic Laminate
Pound or Number		FDN.	Foundation	PLAS.	Plaster
Existing		F.E	Fire Extinguisher	PLYWD.	Plywood
New		F.E.C	Fire Extinguisher Cabinet	PR	Pair
ACOUST.	Acoustical	FH	Fire Hydrant	PT	Point
ACCESS DRAIN	Access Drain	F.H.C	Fire Hose Cabinet	P.T.D	Paper Towel Dispenser
ADJ.	Adjustable	FIN.	Finish	PTN.	Partition
AGGR.	Aggregate	FL	Flashing	P.T.R	Paper Towel Receptacle
AL.	Aluminum	FLASH.	Flashing	PUE	Public Utility Easement
APPROX.	Approximate	FLUOR.	Fluorescent	Q.T.	Quarry Tile
ARCH.	Architectural	F.O.C	Face of Concrete	R.	Riser
ASB.	Asbestos	F.O.S	Face of Studs	RAD.	Radius
ASPH.	Asphalt	FPRF.	Fireproof	R.D.	Roof Drain
ATC	Acoustical Tile Ceiling	FT	Foot of Feet	REF	Reference
BEW	Back Edge of Walk	FTG	Footing	REFR.	Refrigerator
BD.	Board	FUR.	Furring	RGTR.	Register
B.F.F.	Below Finish Floor	FUT.	Future	REINFR.	Reinforced
BITUM.	Bituminous	GA.	Gauge	REQ.	Required
BLDG.	Building	GALV.	Galvanized	RESIL.	Resilient
BLK.	Block	G.B	Grab Bar	RM.	Room
BLKG.	Blocking	GL	Glass	R.O	Rough Opening
BOT.	Bottom	GND.	Ground	RWD.	Redwood
CAB.	Cabinet	GR.	Grade	R.W.L.	Rain Water Leader
C.B.	Catch Basin	GYP.	Gypsum	S.	South or Slope
CEM.	Cement	G.W.B	Gypsum Wall Board	S.C	Solid Core
CER.	Ceramic	H.B	Hose Bib	S.C.D	Seat Cover Dispenser
C.I.	Cast Iron	H.C	Hollow Core	SCHED.	Schedule
C.O.	Corner Guard	HDWD	Hardwood	S.D	Scoop Dispenser
CLG.	Ceiling	HDWE	Hardware	SD	Storm Drain
CLKG.	Calking	H.M.	Hollow Metal	SECT.	Section
CLO.	Closet	HORIZ	Horizontal	SED	See Electrical Drawings
CLR.	Closer	HR.	Hour	SH	Shell
CO	Clean Out	HRT.	Height	SHR.	Shower
C.O.	Cased Opening			SHT.	Sheet
COL.	Column			SIM	Similar
CONC.	Concrete			SMD	See Mechanical Drawings
CONN.	Connection	I.D	Inside Diameter (Dim.)	S.N.D	Sanitary Napkin Dispenser
CONSTR.	Construction	INSUL.	Insulation	S.N.R	Sanitary Napkin Receptacle
CONT.	Continuous	INT.	Interior	SPEC.	Specification
CORR.	Corridor	INV	Invert	SQ.	Square
CTSK.	Countersunk	JAN.	Janitor	ST	Stainless Steel
CNTR.	Counter	JT.	Joint	S.SK	Service Sink
CTR.	Center	KIT.	Kitchen	SS	Sanitary Sewer, Sewer Service
CV	Check Valve	LAB.	Laboratory	SSD	See Structural Drawings
DBL.	Double	LKB.	Laboratory	STA	Station
DDVD	Double Check	LAM.	Laminate	STD.	Standard
DEPT.	Detector Check	LAV.	Lavatory	STL	Steel
D.F.	Detail	LKR.	Locker	STOR.	Storage
DET.	Detail	LT.	Light	STR.L	Structural
DIA.	Diameter			SUSP.	Suspended
DIM.	Dimension	MAX.	Maximum	SYM.	Symmetrical
DISP.	Dispenser	M.C.	Medicine Cabinet	TRD.	Tread
DN	Down	MECH	Mechanical	T.B.	Towel Bar
D.O.	Door Opening	MEMB.	Membrane	T.C.	Top of Curb
DP.	Door	MET.	Metal	TEL	Telephone
DWR.	Drawer	MFR.	Manufacturer	TER.	Terrazzo
DS	Downspout	MH.	Manhole	T.&G.	Tongue and Groove
D.SP	Dry Standpipe	MIN.	Minimum	THK.	Thick
DWG.	Drawing	MIR.	Mirror	T.P	Top of Pavement
E	East	MISC.	Miscellaneous	T.P.D	Toilet Paper Dispenser
EA.	Each	M.O.	Masonry Opening	T.V	Television
E.J.	Expansion Joint	MTD.	Mounted	T.W	Top of Wall
EL	Elevation	MUL.	Mullion	TYP.	Typical
ELEC.	Electrical	M.R.	Moisture Resistant	TW	To Weather
ELEV.	Elevator	N	North	UNF.	Unfinished
EMER.	Emergency	N.O.	Not in Contract	UNF.	Unless Otherwise Noted
ENCL.	Enclosure	NO.	Number	UR.	Urinal
E.P.	Electrical Panelboard	NOM.	Nominal	VERT.	Vertical
EQ.	Equal	N.T.S.	Not to Scale	VEST.	Vestibule
EQPT.	Equipment	O.A.	Overall	V.I.F.	Verify in Field
E.W.C.	Electric Water Cooler	OBS.	Obscure	W	West
EXST.	Existing	O.C.	On Center	W	Water
EXPO.	Exposed	O.D	Outside Diameter (Dim.)	W	With
EXP.	Expansion	OFF.	Office	W	With
EXT.	Exterior	OPNG.	Opening	W.C.	Water Closet
		OPP.	Opposite	WO	Wood
				W/O	Without

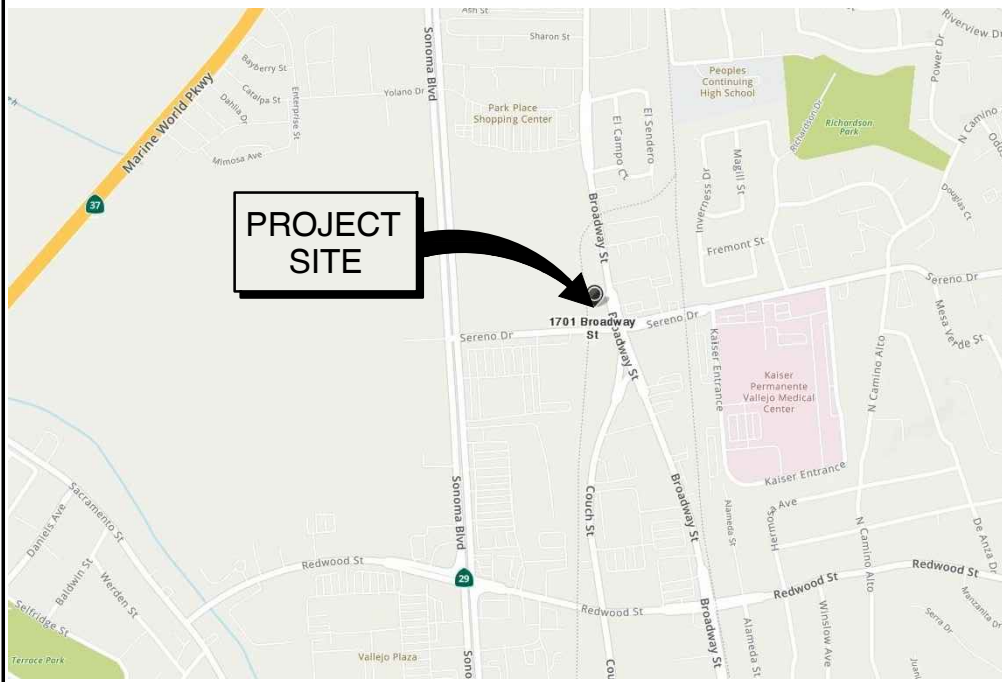
SYMBOLS



MATERIALS

	ACOUSTICAL TILE (SECTION)
	BRICK OR C.M.U. (SECTION)
	CEMENT PLASTER (ELEVATION)
	CEMENT PLASTER W/ WIRE LATH (SECTION)
	CEMENT PLASTER W/ EXPANDED LATH (SECTION)
	CERAMIC TILE (PLAN & ELEVATION)
	CONCRETE (SECTION)
	CONCRETE (PLAN)
	CONCRETE MASONRY UNITS (PLAN & SECTION)
	EARTH (SECTION)
	FINISH CARPENTRY (ELEVATION & SECTION)
	GYPSTUM BOARD (SECTION)
	INSULATION, BATT (PLAN & SECTION)
	INSULATION, RIGID (PLAN & SECTION)
	METAL (SECTION)
	POROUS FILL (SECTION)
	PLYWOOD (SECTION)
	WOOD, CONTINUOUS (SECTION)
	WOOD, BLOCKING (SECTION)

VICINITY MAP



APPLICABLE CODES

2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA ELECTRIC CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS
2019 CALIFORNIA GREEN BUILDING STANDARDS

DEFERRED APPROVALS

SUMMARY OF WORK

7,188 S.F. TENANT IMPROVEMENT. WORK INCLUDES, BUT IS NOT LIMITED TO:

- SELECTIVE DEMO.
- METAL & WOOD FRAMING
- GYPSTUM BOARD - SOUND ATTENUATION
- PAINTING
- DOORS & FRAMES
- FINISH HARDWARE
- SUSPENDE ACOUSTICAL TILE CEILING
- HVAC
- PLUMBING
- ELECTRICAL

SHEET INDEX

GENERAL

G101	TITLE SHEET
G102	CODE ANALYSIS

ARCHITECTURAL

A101	SITE PLAN
A102	SITE DETAILS
A103	SITE DETAILS
A201	DEMO & NEW FLOOR PLANS
A301	ELEVATIONS

LANDSCAPE

L1	PRELIMINARY LANDSCAPE PLAN
----	----------------------------

CONSULTANTS

LANDSCAPE
JAMES CLABAUGH
406 MAIN STREET
VACAVILLE, CA 95688
(707) 449-3916

PROJECT NO:	20029.00
DATE:	11/24/20

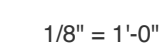
CHECKED BY: R.R.S.

SHEET TITLE

SITE PLAN

SHEET NO.

A101

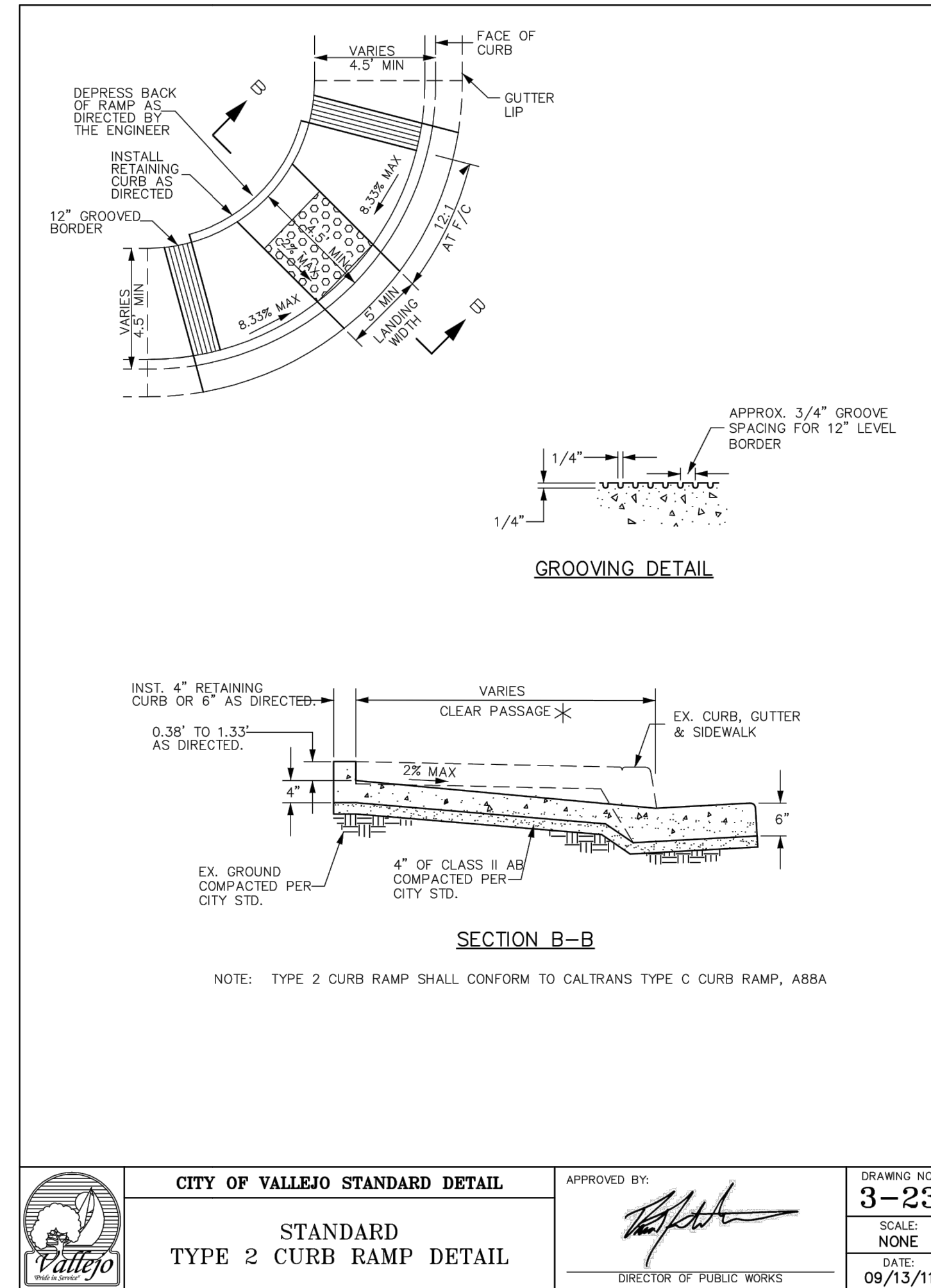
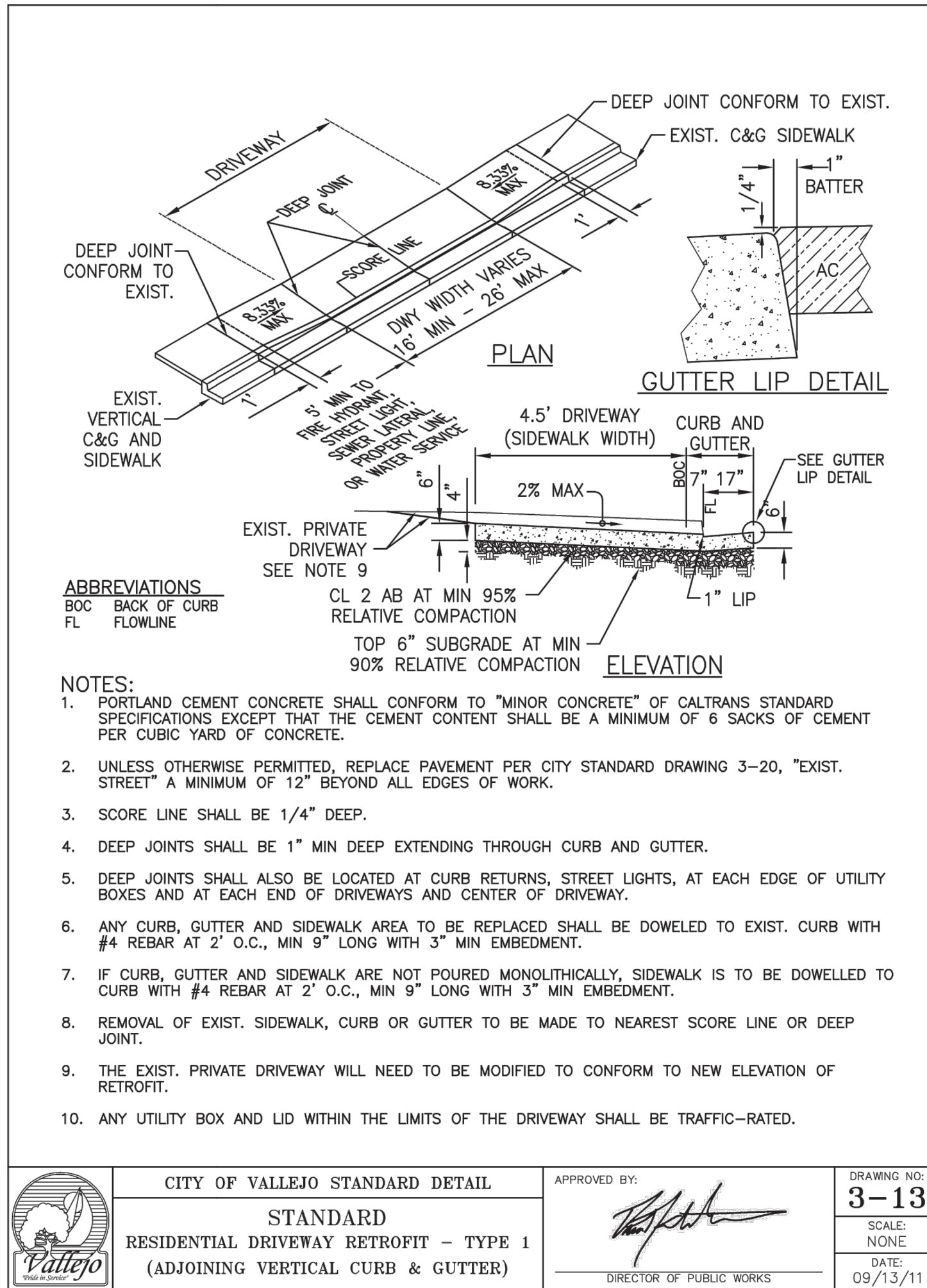
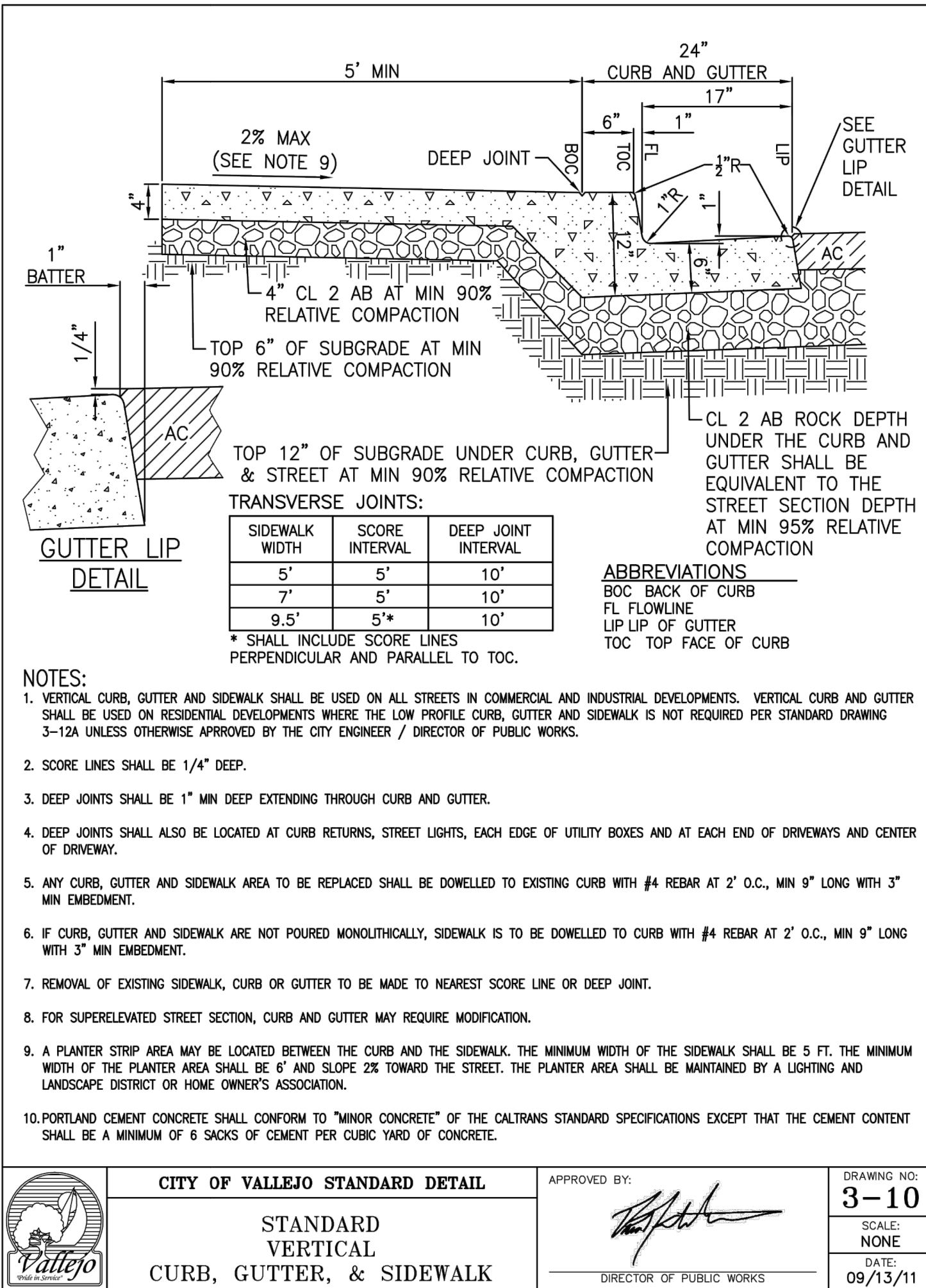


SERENO DR.

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE SOLE PROPERTY OF A2B ARCHITECTS INC. ANY USE WITHOUT WRITTEN CONSENT IS PROHIBITED.

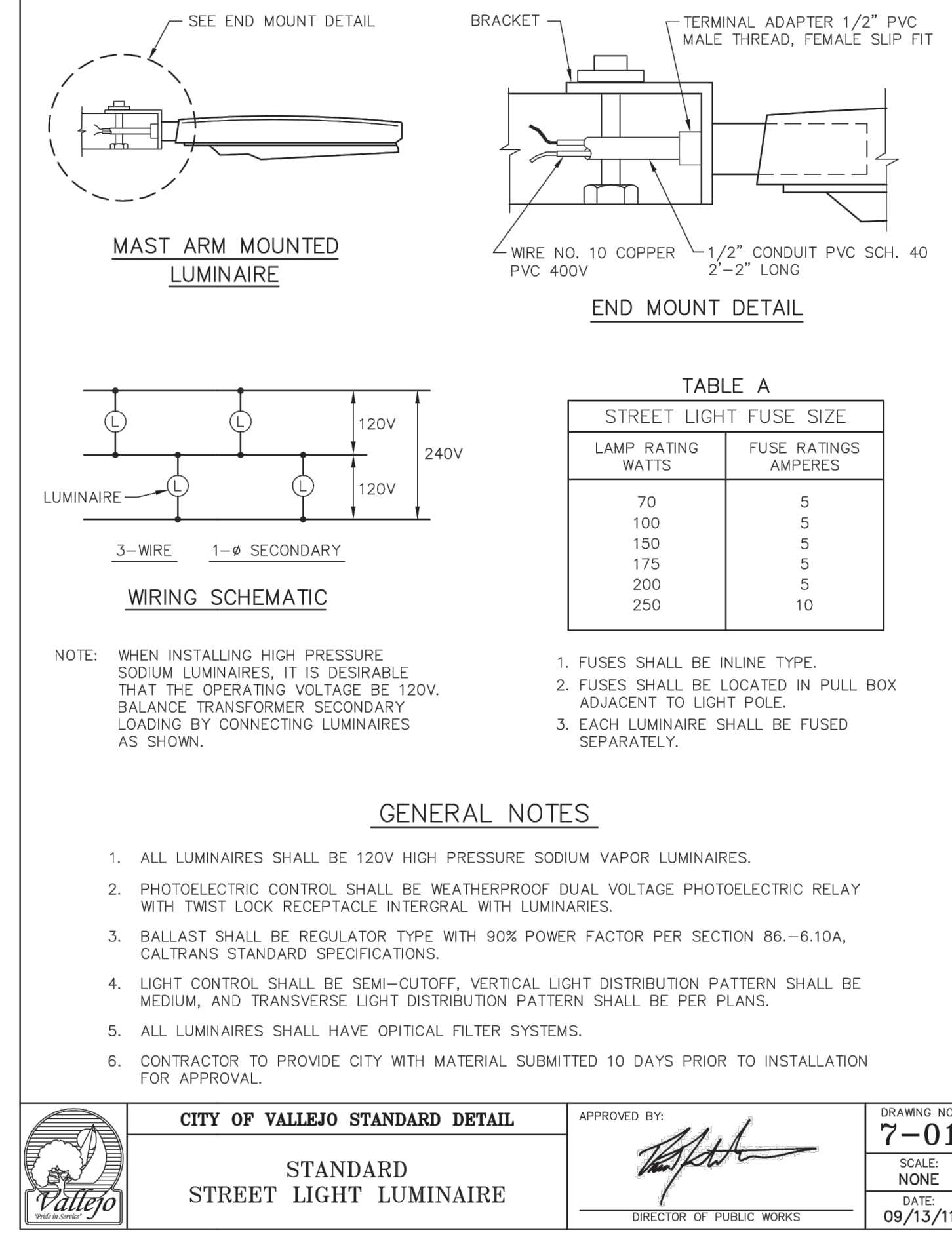
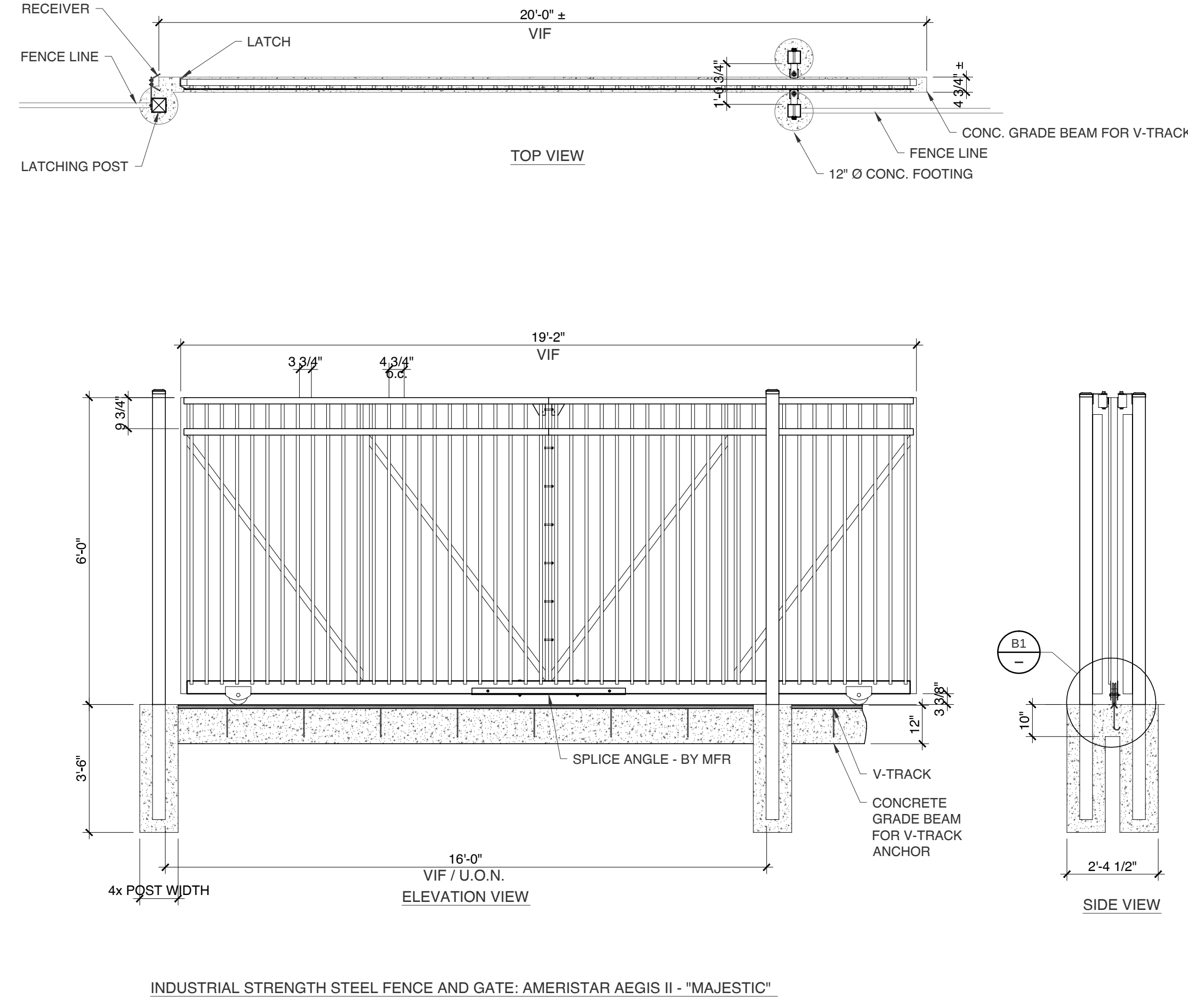
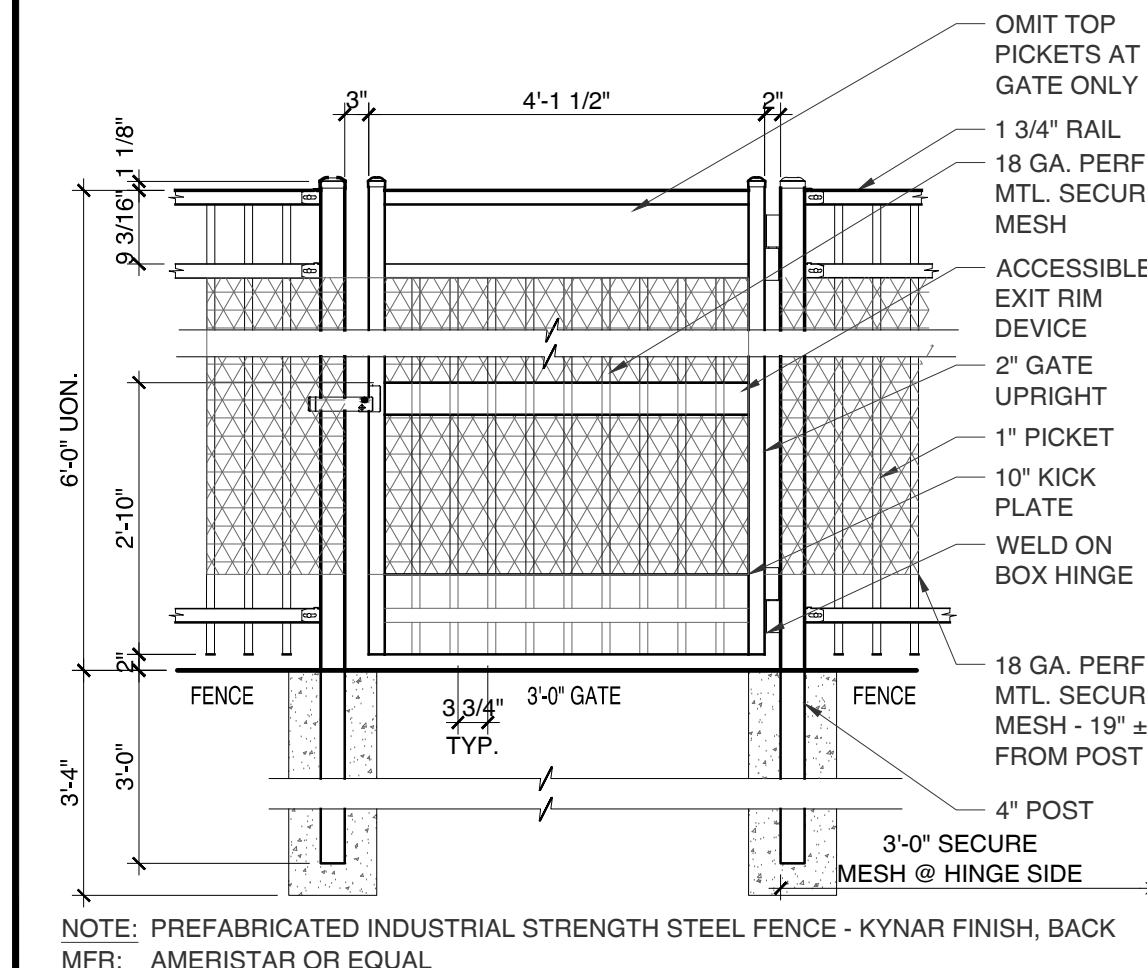
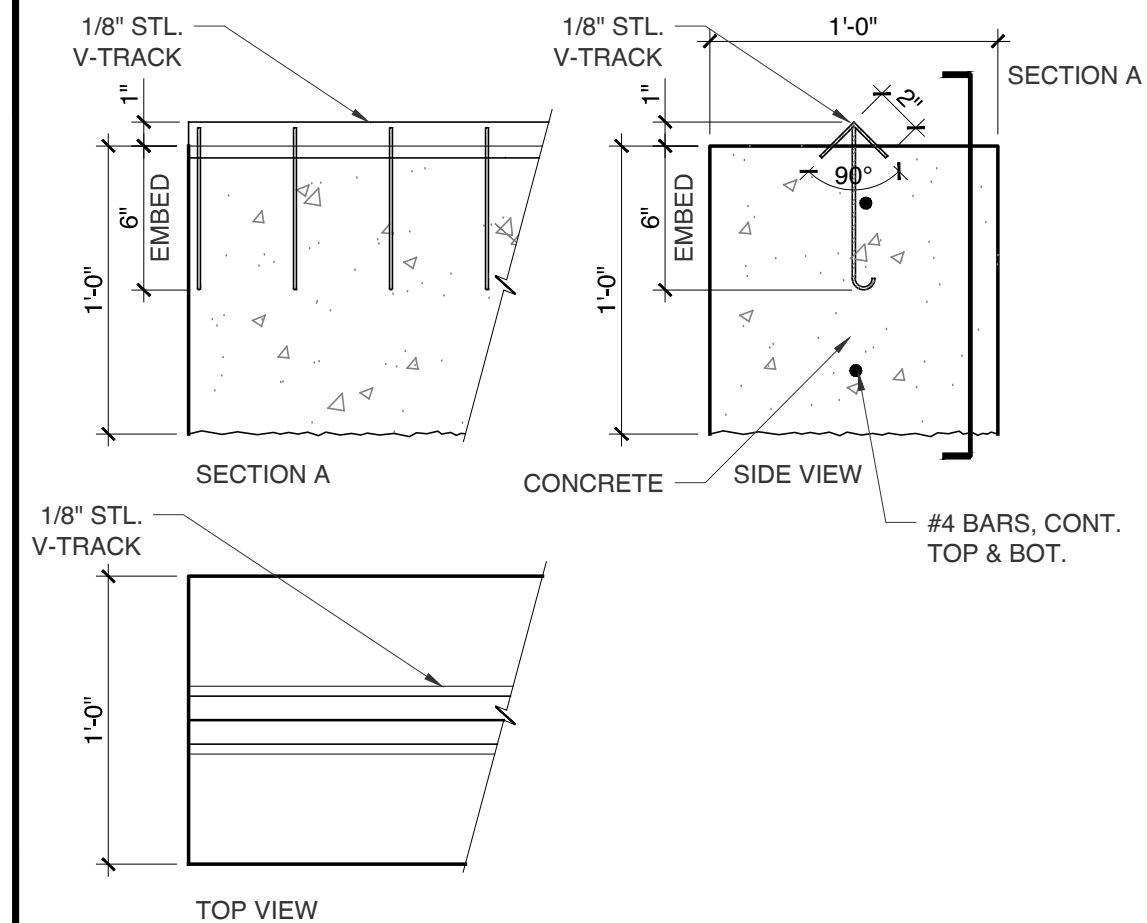
D

C



B

A



ISSUE		
DESCRIPTION	DATE	MARK
		1
		2
		3

PROJECT NO: 20029.00
DATE: 11/24/20

DRAWN BY: J.A.S.
CHECKED BY: R.R.S.

CLLAIMM
PRESCHOOL

1701 BROADWAY ST
VALLEJO, CA
94589

ISSUE

DESCRIPTION	DATE	MARK
		1
		2
		3

PROJECT NO: 20029.00
DATE: 11/24/20

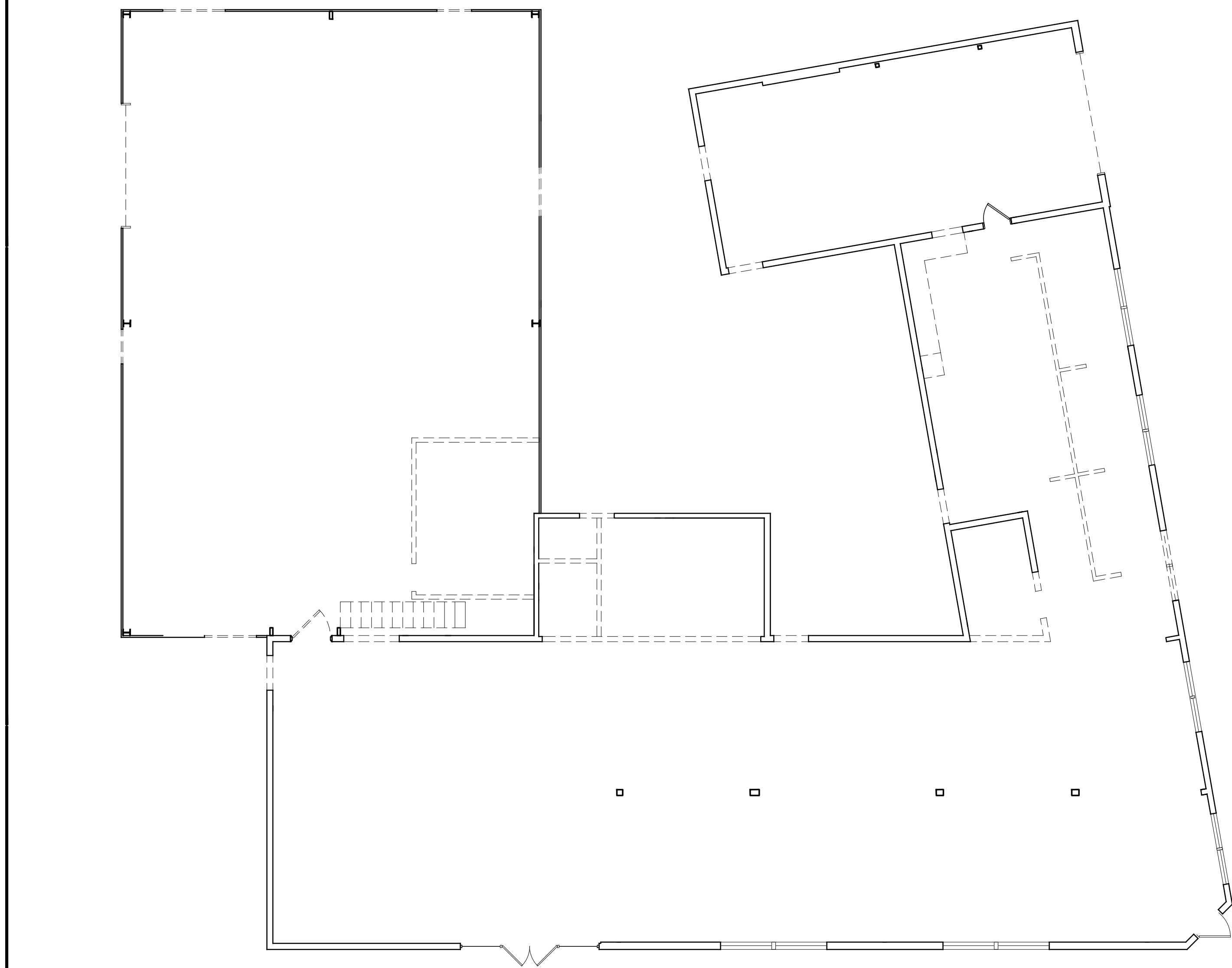
DRAWN BY: J.A.S.
CHECKED BY: R.R.S.

SHEET TITLE

DEMO & NEW
FLOOR PLAN

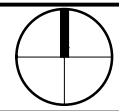
SHEET NO

A201



B1 DEMO FLOOR PLAN

1/8" = 1'-0"



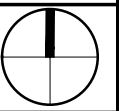
- A. DEMOLITION SHALL NOT BE STARTED IN ANY AREA UNTIL POWER, GAS, WATER, AND OTHER PERTINENT UTILITIES HAVE BEEN DISCONNECTED.
- B. THE DEMOLITION CONTRACTOR SHALL COORDINATE HIS WORK WITH THE GENERAL, ELECTRICAL, MECHANICAL, AND PLUMBING CONTRACTORS FOR THE PURPOSE OF DISCONNECTING POWER AND OTHER SERVICES WHICH MAY BE DISTURBED BY THE DEMOLITION.
- C. IT SHALL BE THE RESPONSIBILITY OF THE DEMOLITION CONTRACTOR TO VISIT THE SITE PRIOR TO SUBMITTING A BID FOR THE WORK. ANY EXISTING CONDITIONS OBSERVED WHICH WILL AFFECT THE DEMOLITION NOT OTHERWISE INDICATED IN THESE DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
- D. DEMOLITION PLANS ARE TO ASSIST THE CONTRACTOR IN THE GENERAL DETERMINATION OF THOSE ITEMS TO BE REMOVED AND RELOCATED. CONTRACTOR IS TO REVIEW ALL DRAWINGS AND SPECIFICATIONS TO DETERMINE THE COMPLETE SCOPE OF DEMOLITION.
- E. REFER TO THE STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FOR THE EXTENT OF DEMOLITION WORK IN THOSE AREAS. EXISTING ITEMS ARE SHOWN AS ACCURATELY AS POSSIBLE WITH THE INFORMATION ITEMS ARE SHOWN AS ACCURATELY AS POSSIBLE WITH THE INFORMATION AVAILABLE AND PROVIDED BY OWNER. ANY DISCREPANCIES OR DISCOVERY OF UNFORESEEN ITEMS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE DEMOLITION PROCEEDS.
- F. THE DEMOLITION CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING AND BRACING REQUIRED TO SUPPORT ADJACENT WALLS, CEILINGS, EQUIPMENT OR OTHER BUILDING ELEMENTS.
- G. ALL EXISTING SURFACES, WALLS, DOORS, WINDOWS, FRAMES, HARDWARE, ETC. NOT SHOWN TO BE REMOVED OR ALTERED SHALL REMAIN. REMAINING SURFACES AND ITEMS SHALL BE PROTECTED FROM DAMAGE DURING DEMOLITION AND RECONSTRUCTION.
- H. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ALL DAMAGE TO EXISTING ITEMS TO REMAIN AS PART OF THE RECONSTRUCTION OF THIS BUILDING.
- I. CAP ALL UTILITIES TO BE ABANDONED BEHIND THE FACE OF FINISH, I.E. AT WALLS, FLOORS, CEILINGS, FINISH GRADE, ETC. AND RECORD THE LOCATIONS ON THE RECORD DRAWINGS.
- J. ALL ITEMS SCHEDULED TO BE REMOVED AND NOT RELOCATED ARE TO BE REMOVED FROM THE SITE AND DISPOSED OF IN A LAWFUL MANNER.
- K. REMOVE ALL SCREWS, PINS, HANGERS, ANCHORS, ETC. FROM THE EXISTING WALLS AND CEILINGS IN THE AREA OF WORK. PREPARE THE WALLS, FLOORS AND CEILINGS FOR THE WORK SCHEDULED FOR THOSE SPECIFIC AREAS.
- L. REMOVE ALL WIRING, CABLING, AND ABANDONED WIRING AND CABLING NOT SHOWN TO BE REMOVED ON THE MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FROM THE EXISTING WALLS AND CEILINGS IN THE AREA OF WORK. PREPARE THE WALLS AND CEILINGS FOR THE WORK SCHEDULED FOR THOSE SPECIFIC AREAS.
- M. REMOVE ABOVE-CEILING UNUSED STRUCTURAL COMPONENTS, EQUIPMENTS, MECHANICAL AND PLUMBING PIPES.

A1 DEMO NOTES



B3 NEW FLOOR PLAN

1/8" = 1'-0"



CONSTRUCTION TYPE: VB

BUILDING AREA:

EXISTING: 6,946 SF
NEW: 242 SF
TOTAL: 7,188 SF

OCCUPANT LOAD

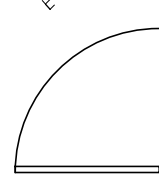
ROOM	AREA	OCCUPANTS	EXITS
CLASSROOM 1	560 SF 1 / 35 SF	16	1
CLASSROOM 2	560 SF 1 / 35 SF	16	1
CLASSROOM 3	735 SF 1 / 35 SF	21	2
MULTIPURPOSE / CLASS 4	1,140 SF 1 / 35 SF	32	5
ARTS ROOM	336 SF 1 / 35 SF	9	2
SUBTOTAL	3,331 SF	94	
PLAYGROUND 1	810 SF 1 / 75 SF	10	3
PLAYGROUND 2	3,130 SF 1 / 75 SF	41	1
PLAYGROUND 3	1,660 SF 1 / 75 SF	22	3
PATIO	200 SF 1 / 75 SF	2	1
SUBTOTAL	5,800 SF	75	
AFTERSCHOOL	475 SF 1 / 35 SF	13	4
CONFERENCE ROOM	233 SF 1 / 15 SF	14	3
KITCHEN	79 SF 1 / 50 SF	1	2
EMPLOYEE BREAKROOM	155 SF 1 / 15 SF	10	1
SUBTOTAL	942 SF	38	
TOTAL	10,073 SF	207	



(E) DOOR TO REMAIN



(E) DOOR TO BE REMOVED



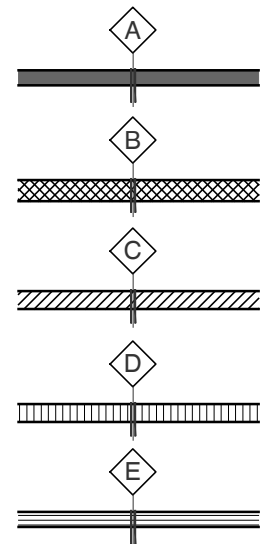
(N) DOOR



(E) TO BE DEMOLISHED



(E) FRAMED WALL TO REMAIN



NEW FULL HEIGHT, NON-RATED WALL

NEW FULL HEIGHT, EXTERIOR WALL

NEW NON-COMBUSTIBLE METAL STUDS

NEW FULL HEIGHT, NON-RATED WALL

NEW 48" HEIGHT, NON-RATED WALL

A3 OCCUPANCY NOTES

A4 LEGEND

D

C

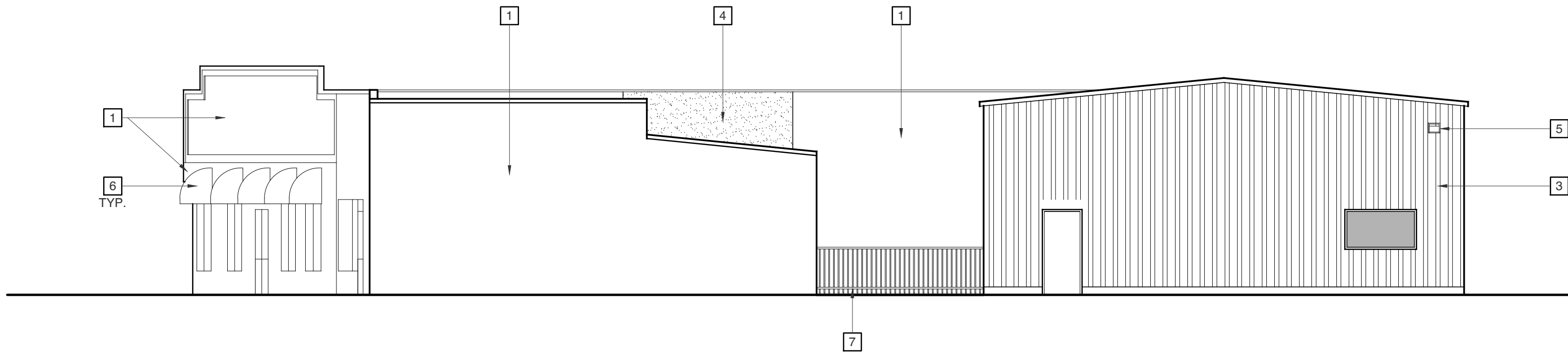
B

A

A1 KEY NOTES

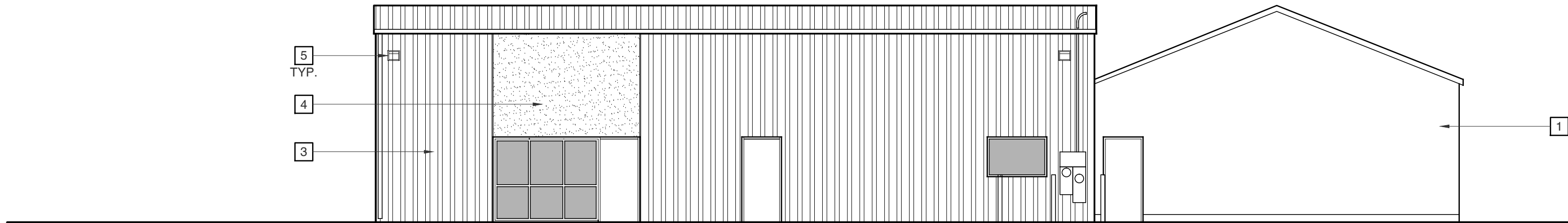
- 1
- (E) STUCCO TO BE PAINTED
- 2
- (E) ROOFING
- 3
- (E) METAL SIDING TO BE PAINTED
- 4
- (N) STUCCO TO BE PAINTED
- 5
- (E) LIGHT FIXTURE TO REMAIN
- 6
- (E) AWNING TO HAVE NEW FABRIC
- 7
- (N) 48" HIGH METAL FENCE

A2 NORTH ELEVATION



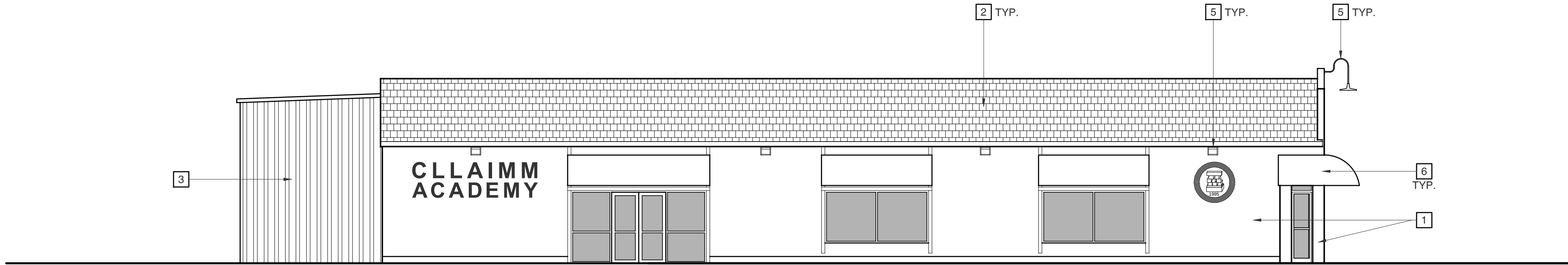
B2 WEST ELEVATION

1/8" = 1'-0"



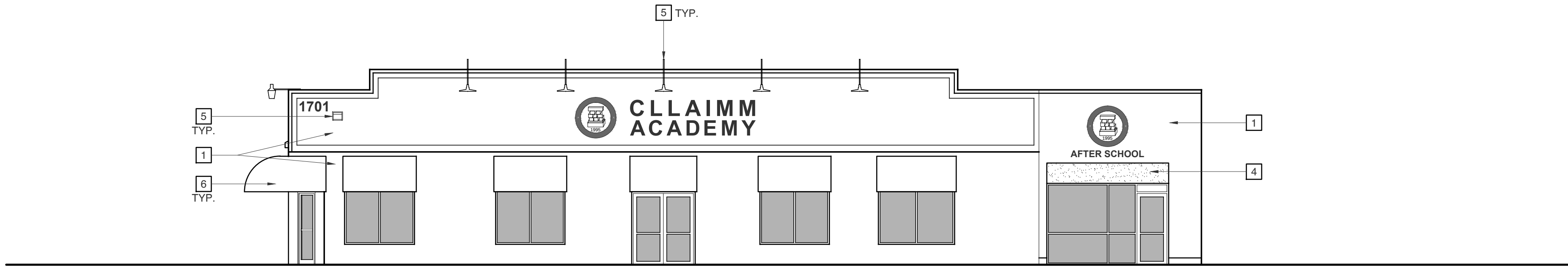
C1 SOUTH ELEVATION

1/8" = 1'-0"



D2 EAST ELEVATION

1/8" = 1'-0"



CLLAIMM
PRESCHOOL

1701 BROADWAY ST
VALLEJO, CA
94589

ISSUE		
DESCRIPTION	DATE	MARK
		1
		2
		3

PROJECT NO:	20029.00
DATE:	11/24/20

DRAWN BY:	J.A.S.
CHECKED BY:	R.R.S.

BUILDING
ELEVATIONS

HYDROZONE TABLE AND
ESTIMATED TOTAL WATER USE

ETWU=ET_o X 0.62 X ETAF X AREA

HYDROZONE #/ PLANTING DESCRIPTION	PF	IRRIGATION METHOD	IRRIGATION EFFICIENCY	ETAF (PF/E)	LANDSCAPE AREA	ET _o	ETAF X AREA	ETWU
1. BROADWAY PLANTERS	0.3	DRIP	0.9	0.333	978	41.8	326	8,448
2. SERENO PLANTERS	0.3	DRIP	0.9	0.333	1,184	41.8	388	10,055
3. LAWN	0.6	SPRAY	0.8	0.75	645	41.8	484	12,537
4. INTERIOR PLANTERS	0.3	DRIP	0.9	0.333	242	41.8	81	2,091
TOTAL AREA: 3,029 SQFT								

ETWU TOTAL: 33,131 GALS.
MAWA TOTAL: 35,325 GALS.

PROJECT TYPE: REHABILITATED, PRIVATE
WATER SUPPLY: PUBLIC, POTABLE

MAXIMUM APPLIED WATER ALLOWANCE

MAWA = (ET_o) (0.45) (LA) (0.62)
35,325 GALS/YEAR = 41.8 0.45 3,029 SQFT 0.62

TREE LEGEND

SIZE	COUNT
15 GAL.	3
15 GAL.	3
15 GAL.	5
15 GAL.	6

SHRUBS, PERENNIALS AND GROUND COVERS

SYMBOL	QUANTITY	SIZE	DESCRIPTION
A	22	5 GAL.	RHAPHOLEPIS INDICA 'BALLERINA' DWARF INDIA HAWTHORN
B	6	5 GAL.	SERBERIS THUNBERGII 'CHERRY BOMB' DWARF RED BARBERRY
C	54	1 GAL.	TEUCRIUM CHAMAEDRYIS PROSTRATE WALL GERMANDER
D	48	1 GAL.	ROSMARINUS OFFICINALIS 'PROSTRATA' CREEPING ROSEMARY
	54	1 GAL.	TULBAGHIA VIOLACEA SOCIETY GARLIC
	13	5 GAL.	YUCCA FILAMENTOSA 'BRIGHT EDGE' BRIGHT EDGE YUCCA
	11	5 GAL.	PHORMIUM TENAX 'AMAZING RED' AMAZING RED FLAX
	30	1 GAL.	DIETES IRIDODES AFRICAN IRIS

NOTE THAT ALL PLANTERS ARE TO BE IRRIGATED BY AN AUTOMATIC, LOW VOLUME,
INLINE DRIP SYSTEM BURIED BELOW GRADE.

ALL PLANTERS WILL BE MULCHED WITH A 3" LAYER OF BROWN WALK-ON FIR BARK.

THE LANDSCAPE AND IRRIGATION PLANS WILL COMPLY WITH THE 2015 UPDATED
MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.

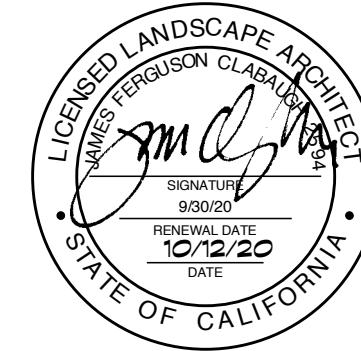
"I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED
THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE PLAN."

JAMES
FERGUSON
CLABAUGH

LANDSCAPE
ARCHITECT

4556 SHAWN LANE
VACAVILLE, CA 95688
PHONE: 707-974-8997
jimfergie@sbcglobal.net

These drawings are the instrument of the service and
shall not be used, in part or in whole, for any work
not specifically contracted with James Clabaugh,
Landscape Architect. Copyright 2020



CLLAIMM
PRESCHOOL

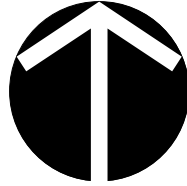
1701 BROADWAY ST.
VALLEJO, CA
94589

Scale	1" = 10'-0"	REVISIONS
Date	10/12/20	No. Date
Job No.		
Designed by	J.C.	
Drawn by	J.C.	

PRELIMINARY
LANDSCAPE
PLAN

Sheet No.

L1
of 1



SITE PLAN

SCALE: 1" = 10' - 0"

0 5' 10' 20'