



AGENDA

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

Peggy Cohen-Thompson, Chair
Jamar Stamps, Vice-Chair
Diosdado "J.R." Matulac
Melissa Bowman
Donald Douglass
Charles Palmares
Eric Blind

VIA TELECONFERENCE

www.cityofvallejo.net

September 20, 2021

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. August 16, 2021

5. **WRITTEN COMMUNICATIONS**

6. **REPORT OF THE SECRETARY**

A. Upcoming Meetings:

October 4, 2021

Review and Recommendation to Council on Rules and Procedures

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. None

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. None

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 AGENDA ITEMS

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 Agenda items 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 Proposed Amendments of the Planning Commission Rules of Order and Procedures

As requested by the Planning Commission, Staff shall present a suggested Amendment to the Planning Commission Rules of Order and Procedures, related to the Order of Business and the timing of the Approval of the Agenda and receive comment on that item as well as any other edits proposed by the Commission.

B. 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. Thursday, September 16, 2021.



Dated September 16, 2021

Narcissa Wilson, Planning Executive Secretary

Minutes

**CITY OF VALLEJO PLANNING COMMISSION
REGULAR MEETING MINUTES
COUNCIL CHAMBERS
August 16, 2021**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. OATH OF OFFICE OF NEWLY APPOINTED AND RE-APPOINTED COMMISSIONERS

- a. Council Member Miessner administered the oath of office to the newly appointed Commissioners.
 - i. Peggy Cohen Thompson
 - ii. Eric Blind

4. ROLL CALL

Present: Chair Matulac, Vice-Chair Cohen-Thompson, Commissioners Palmares, Stamps, Blind, Douglas and Bowman

Absent: None

Staff present: Interim Planning and Development Services Director Ratcliffe, Planning Manager Kavanaugh-Lynch, and City Attorney Nebb

5. ELECTION OF CHAIR AND VICE CHAIR

- a. Staff requests nominations for Chair:
 - i. Cohen- Thompson self-nominated.
 - 1. **VOTE:**
 - a. **AYES:** Chair Matulac, Vice-Chair Cohen-Thompson, Commissioners Palmares, Bowman, Stamps, and Douglass
 - b. **NOES:** None
 - c. **ABSENT:** None
 - d. **ABSTAIN:** Commissioner Blind
 - ii. Motion passes- congratulations Chair Cohen-Thompson
- b. Staff requests nominations for Vice Chair:
 - i. Chair Cohen-Thompson nominated Commissioner Stamps
 - ii. Commissioner Stamps accepted nomination
 - iii. Commissioner Matulac nominated Commissioner Bowman and Palmares
 - iv. City Attorney Nebb asked the Chair Cohen-Thompson to open the public hearing
 - v. Chair Cohen-Thompson opened the public hearing
 - 1. Robert Schussel
 - vi. Chair Cohen-Thompson closed the public hearing.

- vii. Staff directed each Commissioner to vote for one person for Vice Chair:

1. VOTE:

- a. Chair Cohen-Thompson: Stamps
- b. Commissioner Matulac: Bowman
- c. Commissioner Palmares: Stamps
- d. Commissioner Bowman: Bowman
- e. Commissioner Stamps: Stamps
- f. Commissioner Douglass: Palmares
- g. Commissioner Blind: abstained

2. Commissioner Stamps was elected to Vice Chair.

6. APPROVAL OF MINUTES

A. July 7, 2021

Action: Moved by Vice Chair Stamps, second by Commissioner Bowman, the Commission approved the minutes with the following vote:

VOTE:

AYES: Chair Cohen-Thompson, Vice Chair Stamps, Commissioners Matulac, Palmares, Bowman, and Douglass

NOES: None

ABSENT: None

ABSTAIN: Blind

7. WRITTEN COMMUNICATION – None

8. REPORT OF THE SECRETARY- None

9. CITY ATTORNEY REPORT – None

10. REPORT OF THE PRESIDING OFFICER, MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS - None

11. REPORT OF THE SUBCOMMITTEES – None

12. REPORT OF THE CITY COUNCIL LIAISON – None

13. COMMUNITY FORUM

- a. Robert Schussel
- b. Jean McDougald

14. CONSENT CALENDER AND APPROVAL OF THE AGENDA

- a. Chair would like to move “Approval of the Agenda” up in the order of the meeting.
- b. Director Ratcliffe noted that staff will review the Procedures and bring back steps at next meeting.

Action: Moved by Vice Chair Stamps, second by Commissioner Douglas, the Commission approved the consent calendar and agenda with the following vote:

VOTE:

AYES: Chair Cohen-Thompson, Vice Chair Stamps, Commissioners Matulac, Palmares, Bowman, Blind, and Douglass

NOES: None

ABSENT: None

ABSTAIN: None

15. PUBLIC HEARING - None

16. ACTION CALENDAR - None

17. OTHER

- a. Commissioner Blind gave a brief introduction.
- b. Vice Chair Stamps gave a brief introduction.
- c. Commissioners congratulated new Chair and Vice Chair
- d. Vice Chair Stamps and Chair Cohen-Thompson thanked former Chair Matulac for his work.

18. ADJOURNMENT

Chair Cohen-Thompson adjourned the meeting at 7:39 p.m.

Peggy Cohen-Thompson, CHAIRPERSON

ATTEST:

Margaret Kavanaugh-Lynch
SECRETARY

Other



MEMORANDUM
PLANNING DIVISION

DATE: September 20, 2021
TO: Planning Commission
FROM: Margaret Kavanaugh-Lynch, Planning Manager
 Christina Ratcliffe, Interim Planning and Development Services Director
SUBJECT: Discussion of Proposed Amendments of the Planning Commission Rules of Order and Procedures

BACKGROUND

At the Planning Commission meeting of August 16, 2021, Chair Cohen-Thompson, with the concurrence of the rest of the Commissioners, requested a discussion of the Planning Commission Rules of Order and Procedures (ROP) be placed on the agenda. In particular, the Chair requested a review of the Order of Business to potentially move the approval of the agenda an earlier time in the meeting.

This evening, Staff has returned with an analysis of this request along with a few other suggested changes to the ROP for the Commission's consideration.

ANALYSIS

Section 6.3 currently lists the following 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

Staff reviewed the agendas of four Bay Area cities to determine at what point in their Orders of Business they placed the Approval of the Agenda:

City	Location of Approval of Agenda in the City's Order of Business
Berkeley	After Roll Call
American Canyon	After Public Comment
Benicia	After Pledge of Allegiance and Reference to Fundamental Rights of Public
Oakland	After Secretary's Rules of Conduct

Based on this research, Staff observed each city set the approval of the agenda near the start of the meeting, albeit at slightly different points in the meeting. Based on this information, the Planning Commission has several options as to where in the Order of Business they may choose to place the Approval of the Agenda. Once the Commission has made its recommendation, Staff will bring back a red line and "clean" version of the ROP as well as a draft resolution should the Commission wish to take a formal action.

Other Topics for Consideration

As Staff reviewed the ROP, one additional issue was identified for discussion and possible future action:

1. Striking the requirement to hold at least one Commission meeting per month.

Mandatory Meeting Requirement

Section 2.26.090 of the City's Municipal Code requires all City boards and commissions to hold at least one meeting per quarter. The Planning Commission, however, is required by Section 2.44.030 to hold at least one meeting per month. Staff suggests the Commission consider requesting the City Council to remove that requirement. While there are times when the business of the Commission will require at least one meeting a month, Staff believes this mandate may cause the Commission to meet when there are no pressing matters to discuss, resulting in unnecessary expenditure of everyone's time and resources. As this requirement is codified in the Municipal Code, an ordinance adopted by the City Council is necessary. If the majority of the Commission would like to adopt this change, Staff will return with proposed modifications to the ROP and a draft resolution to recommend this action to the Council.

CONCLUSION/RECOMMENDATION

Staff recommends the Planning Commission:

1. Discuss the proposed modifications to the Rules of Order and Procedures and provide direction on how they wish to Staff to proceed.
2. Discuss the proposed change to the meeting requirements and provide direction to Staff.
3. Discuss and identify if there are any other additions or modifications to the Rules of Order and Procedures the Commission would like Staff to draft for further consideration and possible future action.

ATTACHMENTS

1. Planning Commission Rules of Order and Procedures for reference.
2. Chapter 2.26 of the Vallejo Municipal Code.
3. 2.44 of the Vallejo Municipal Code.



City of Vallejo

Planning Commission

Rules of Order and Procedure

June 1991

REVISED 1-26-2021

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

RESOLUTION NO. PC 20-12

RULES OF ORDER AND PROCEDURE

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 may 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. Standing committees may be occupied entirely of Commissioners or a combination of Commissioners and other persons. Any ad-hoc committee shall be composed of less than a quorum of the Commissioners only.
- 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 unless cancelled in accordance with Section 3.2.

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 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. Appeal rights;
 - 2. Name of the staff person responsible for each agenda item;
 - 3. Planning Division telephone number;
 - 4. 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. 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.

7.2 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.) or any other laws; 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.

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

Individuals, or designated spokespersons for recognized groups or organizations will have up to three (3) minutes to address the Commission; unless time is extended or reduced by the Presiding Officer with the Commission's consent

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 at a regular meeting of the Planning Commission of the City of Vallejo held on December 7, 2020 and adopted by the City Council on January 26, 2021.

Chapter 2.26 GENERAL REGULATIONS FOR BOARDS, COMMISSIONS AND COMMITTEES⁵¹

2.26.010 Purpose.

The purpose of this chapter shall be to establish standard rules and regulations to be applied to all boards, commissions, and citizen committees established by the city council except as otherwise provided by ordinance or resolution.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

2.26.020 Membership.

Except as otherwise provided by ordinance or resolution:

- A. The mayor and each member of the council may nominate one or more persons for membership on any board, commission or committee established by the city council. Members shall be appointed by a majority vote of the council.
- B. Every person appointed to a board, commission or committee must be a resident of the city of Vallejo. If during a member's term in office, such appointed officer moves his or her place of residence outside the city limits, his or her office shall immediately become vacant. It shall be the responsibility of such officer to notify in writing the city clerk within ten days of such event. Each appointed officer shall be notified of this requirement at the time of his or her appointment.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

2.26.030 Term of office.

- A. The term of office of each member appointed by the city council shall be four years, except as otherwise provided by ordinance or resolution. Each member shall serve until his or her successor is duly qualified and appointed.
- B. The terms of members shall be staggered so that the number of terms expiring annually shall be approximately equal. To arrange this result, the city council shall specify terms of members first appointed after adoption of the ordinance or resolution establishing the body.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

2.26.040 Vacancies.

- A. If a vacancy occurs, other than by expiration of a term, the city council shall appoint a member to serve for the unexpired portion of the term in the same manner as the original appointment.
- B. Vacancies on boards, commissions and committees shall be announced and appointments to fill vacancies shall be made pursuant to Section 2.02.350 of this code.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

2.26.050 Removal from office.

- A. The term of a member shall automatically expire in the event of:
 - 1. Death; or
 - 2. Resignation.
- B. Pursuant to Charter Section 407, any member of a board or commission serving a fixed term may be removed by an affirmative vote of at least five members of the city council.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

2.26.060 Attendance policy for members of boards, commissions and committees.⁴³

- A. Members appointed by city council to serve on a city board, commission or committee are expected to attend each regular or special meeting of that city board, commission or committee.
- B. For purposes of this policy, an excused absence is any absence with notification given to the chair and staff at least twenty-four hours before the meeting's convening.
- C. An unexcused absence is any other absence.
- D. A member may have a maximum of three excused absences per twelve month period. On the third excused absence, the city clerk shall send a warning letter to the member, including a copy of this policy. If a member has more than three excused absences in a twelve month period, the procedure in subsection (F) below shall commence.
- E. A member may have a maximum of two unexcused absences in a twelve month period. On the second unexcused absence, the city clerk shall send a warning letter to the member. If a member has more than two unexcused absences in a twelve month period, the procedure in subsection (F) below shall commence.
- F. If a subsequent absence pursuant to subsection D or E above occurs in the twelve month period, the city clerk shall send a letter to the member putting them on notice that they are in violation of the attendance policy and requiring a response within seven days which shall explain the reason for either the four excused absences or the three unexcused absences; and whether they wish to continue on the commission or resign.
- G. The member may respond to the clerk and provide a reasonable explanation for the absences, which would allow the member to continue serving unless there is a subsequent absence. However, if the member either does not respond to the city clerk letter with an explanation of the absences, does not resign or incurs an additional absence during the twelve month period (whether excused or not), the member will be deemed to have resigned their position. The city manager shall issue a letter to the member notifying them that they are in violation of this policy, did not respond to the inquiry, or have exceeded the number of absences allowed under this policy, and therefore have resigned their position. Upon issuance of the letter, the position shall be deemed to be vacant.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

(Ord. No. 1740 N.C.(2d) , § 1, 9-27-2016)

2.26.070 Officers.

- A. Every board, commission and committee shall elect a chairperson and a vice-chairperson from among its members. Each shall serve a term of one year and until a successor is appointed and takes office. A member

may serve no more than two consecutive years as chairperson. The staff person assigned, if any, to the board, commission or committee shall serve as a non-voting secretary to the board, commission or committee. If no staff person is assigned, then the board, commission or committee shall appoint one of its members to serve as secretary.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011 ; Ord. No. 1740 N.C.(2d) , § 2, 9-27-2016)

2.26.080 Compensation.

Each member of a board, commission or committee shall serve without compensation, unless otherwise provided by ordinance or resolution adopted by the city council.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

2.26.090 Meetings and quorum.

- A. Each board, commission or committee shall fix the time and place of its regular meetings and may hold special meetings in the manner prescribed by state law. Each board, commission or committee shall hold regular meetings at least once each quarter except as otherwise provided by ordinance or resolution.
- B. A majority of the board, commission or committee appointed constitutes a quorum for the transaction of business. An affirmative vote of at least a majority present is required to take official action. Any question on which the vote is tied is lost; provided, that the presiding officer or any member may request the item be carried over to the next regular meeting at which a full board, commission or committee will be present.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011; Ord. No. 1820 N.C. (2d) , § 1, 9-24-2019)

2.26.100 Organization.

Each board, commission and committee may establish and charge committees composed of its members to perform duties regarding specified areas of deliberation.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011)

2.26.110 Rules of procedure.⁵²

- A. Each board, commission or committee shall use Rosenberg's Rules of Order, which shall be the rules of order and procedure for the transaction of business.
- B. Notwithstanding (A) above, rulemaking and appellate commissions may propose their own more specific rules of order and procedure which shall be reviewed by the city attorney and approved by council prior to use.

(Ord. No. 1642 N.C.(2d), §§ 1, 4, 5-24-2011; Ord. No. 1820 N.C. (2d) , § 2, 9-24-2019)

2.26.120 Work plan.

Each board, commission or committee may adopt a work plan that serves to fulfill the purpose of the commission. The work plan shall be aligned with the council's goals and priorities, be feasible in light of staffing and financial resources, and shall be brought to council for approval prior to implementation.

(Ord. No. 1820 N.C. (2d) , § 3, 9-24-2019)

2.26.130 Agenda items.

- A. All items placed on the agenda shall be within the jurisdiction of the board, commission or committee.
- B. The secretary will be responsible for the preparation of the regular meeting agenda. The written agenda shall be published and posted and no action or discussion shall take place on any item not appearing on the posted agenda except as permitted by the terms and provisions of the Brown Act, Cal. Gov. Code § 54954.2.
- C. Any board, commission or committee member may propose that an item be placed on a future agenda. The member's proposal shall be agendized first for discussion and evaluation by the board, commission or committee. The criteria for agendizing an item for future consideration shall be:
 - 1. Whether the item is within the jurisdiction of the board, commission or committee.
 - 2. Whether the item is part of the approved work plan for the board, commission or committee.
 - 3. Whether sufficient staffing and resources are available to ready the item for action on the future date that is requested.
- D. If the above criteria is satisfied and if the board, commission or committee agrees by a majority vote that the proposed item should be agendized for a future date, the secretary of that commission shall place the item on an appropriate future agenda of the board, commission or committee.

(Ord. No. 1820 N.C. (2d) , § 4, 9-24-2019)

2.26.140 Role of the member.

Upon taking office and throughout their time of service, each commissioner or board member appointed by the city council shall reflect the following public service values at all times:

- A. Each member will strive to act fairly and respectfully when reviewing and considering items presented and making decisions based on the merits of the issues, honoring the city's obligations imposed by law, and honoring the public's expectation that decision makers will be fair and impartial treating all people, projects and perspectives equitably.
- B. Each member will exhibit compassion, conveying the city's care for and commitment to its community members and remaining attuned to and caring about the needs of the public, officials, and staff.
- C. Each member will treat fellow officials, staff and the public with courtesy, even when disagreeing, and focus on the merits in discussions, not personalities, character or motivations, and comply with the rules of decorum and behavior guidelines contained in Section 2.02.190 of this code.
- D. Each member will discharge their role in a responsible manner, attending all scheduled meetings in adherence to the attendance policy, reviewing materials and not disclosing confidential information, and representing the city's official positions to the best of the member's ability when authorized to do so, while refraining from taking any action that might appear to compromise the member's independent judgment. In taking responsibility for the member's own actions, the member will not use information acquired in the member's public capacity for personal advantage, and will not represent a third parties' interests to the city.
- E. Each member will exercise the functions of the appointed office with integrity, remaining truthful with fellow commissioners, the public and others, and prepared to make unpopular decisions to further the public's interest, and disclosing instances of wrongdoing to the appropriate authorities.
- F. Each member will be mindful of their obligation as a public official to serve the whole community, to be a keeper of the public trust, and promoting the efficient use of the city's resources.

- G. Each member will strive to collaborate with city staff and with each other, recognizing that staff and members are on the same 'team' as individuals who are part of the same city organization.
- H. Each member will be mindful of and promote the city's interests as articulated in the council's adopted goals, general plan, resolutions and ordinances. Achieving the public's benefit as articulated therein shall guide the member's actions above their own individual interests or the interests of special interest groups.
- I. If authorized by the board, commission or committee to speak to council on its behalf, the member shall strive to fairly represent the stance and views of the entire board, commission or committee on the item being discussed.
- J. Failure to follow any of the above items established in this section may be grounds for removal upon request by any council member and an affirmative vote of at least five members of the council after one written communication from the council liaison and the failure of the member to voluntarily resign when given an opportunity by the liaison to do so.

(Ord. No. 1820 N.C. (2d) , § 5, 9-24-2019)

2.26.150 Role of the chairperson.

- A. In collaboration with the secretary, and subject to the preparation of items for the agenda, the chairperson will schedule dates and times for meetings on matters within the jurisdiction of the commission or board, ensuring that agendas are created, circulated and duly posted in compliance with the Brown Act and local regulations.
- B. The chair will officiate and conduct meetings, serving as the parliamentarian, providing leadership and ensuring that members are aware of their obligations and that the commission, board or committee complies with its responsibilities.
- C. The chair will ensure there is sufficient time during the meeting to fully discuss agenda items.
- D. The chair will ensure that discussion on agenda items is on topic, productive and professional.

(Ord. No. 1820 N.C. (2d) , § 6, 9-24-2019)

2.26.160 Role of the council liaison.

- A. The mayor will assign members of the council as council liaison to some of the city's boards and commissions in his or her discretion.
- B. The council liaison will discharge the following functions:
 - 1. To facilitate communications between staff and the board or commission in a manner that is consistent with this chapter.
 - 2. To be accessible and to serve as a resource to other members in resolving issues which may arise.
 - 3. As time permits, and as need arises, to attend the portion of meetings that relate to common interests of the council and the board or commission. Unlike a voting member of the board or commission, the council liaison is not expected to attend the full meeting, or every meeting, but may do so at his or her discretion.
 - 4. The council liaison is not a voting member of the board or commission and is not expected to participate in discussion and debate on matters being considered by the board or commission.

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5. The council liaison will not make requests of the board or commission, and will not make commitments or representations on behalf of the city council that have not been authorized by the city council.

(Ord. No. 1820 N.C. (2d) , § 7, 9-24-2019)

2.26.170 Role of the secretary.

The secretary shall attend all meetings of the board, commission and committee. In collaboration with the chairperson, the secretary shall establish the agenda, which shall be finalized, furnished to the city clerk, and posted in compliance with the Brown Act. The secretary shall ensure that adequate records are maintained reflecting every determination, finding and action by the board, commission or committee, consistent with city guidelines and state law. Either the secretary or the attorney which may be assigned to staff the board, commission and committee may be called upon by the chair to be a resource on items involving parliamentary process and procedure.

(Ord. No. 1820 N.C. (2d) , § 8, 9-24-2019)

Title 2 - ADMINISTRATION AND PERSONNEL
Chapter 2.44 PLANNING COMMISSION

Chapter 2.44 PLANNING COMMISSION³

2.44.010 Created—Membership—Terms—Vacancies.

There is hereby created a city planning commission for the city of Vallejo to consist of seven members who shall be nominated by any councilman or the mayor of the city of Vallejo and shall be appointed by the city council for terms of four years, and thereafter until their successors are appointed. No member may hold office longer than a total of eight years. The present members of said commission shall continue to serve for the terms to which they were appointed. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of the term by the city council in the same manner as an original appointment.

(Ord. 612 N.C. § 1, 1964: Ord. 35 N.C. § 1, 1947: Ord. 1050 N.S. § 1, 1946)

(Ord. No. 1741 N.C.(2d) , § 1, 9-27-2016)

2.44.020 Removal of members—Compensation.

Any appointed member of the planning commission may be removed by the city council of the city of Vallejo. Each member of the commission shall be paid the sum of twenty-five dollars for each meeting the member attends, from and after July 1, 1974, provided that such payments shall not exceed the sum of fifty dollars in any calendar month.

(Ord. 242 N.C.(2d) § 2, 1974: Ord. 612 N.C. § 2, 1964: Ord. 1050 N.S. § 2, 1946.)

2.44.030 Chairman—Meetings—Officers and employees.

The commission shall elect a chairman from among the appointed members for a term of one year, and subject to other provisions of law may elect such other officers as it may determine. The commission shall hold at least one regular meeting each month and shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. The commission shall appoint such officers and employees and contract for such services as it may deem necessary for the accomplishment of its work subject to all provisions of law and provided that all expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the city council.

(Ord. 1050 N.S. § 3, 1946.)

2.44.040 Adoption of comprehensive general plan.

It shall be the function and duty of the planning commission to make and adopt, subject to the provisions of law, a comprehensive, long-term general plan for the physical development of the city, and of any land outside the bounces thereof, which in the commission's judgment there is relation to the planning of the city.

(Ord. 1050 N.S. § 4, 1946.)

2.44.050 Powers and duties.

The planning commission shall have such other powers and duties as are prescribed by law and shall be governed by the procedures provided by law.

(Ord. 1050 N.S. § 5, 1946.)