

PLANNING COMMISSION

Kevan Hutchinson, Chairman

Darren Smith, Vice-Chairman

Eugene Bumbera

Jay Goyal

George A. Marquez

Robert Palacio

Ramon Castro

AGENDA

**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, SEPTEMBER 2, 2015 AT 5:30 P.M.
CITY COUNCIL CHAMBERS
383 MAIN STREET
BRAWLEY, CALIFORNIA**

1. CALL TO ORDER / ROLL CALL
2. APPROVE AGENDA
3. APPROVE MINUTES OF AUGUST 5, 2015
4. PUBLIC APPEARANCES

The Planning Commission encourages citizen participation on all matters presented for their consideration. Members of the public who wish to speak on an issue that is not on the agenda may do so during the "Public Appearances" section at any meeting. The Planning Commission does not take action on items presented under Public Appearances.

PUBLIC HEARINGS

5. An application for a variance (VAR15-01) to allow for an increase in the maximum height of a fence in the front yard setback of an R-2 (Residential Low Density) zone from four (4) feet to six (6) feet.

Applicant: Issac Villarreal
1645 C Street
Brawley, CA 92227

Location: 1645 C Street, more particularly described as Parcel 3 of Parcel Map BPM 94-04 of the East half of Lot 3, Brawley Subdivision No. 1, City of Brawley, County of Imperial, State of California, APN 047-250-034

6. An application for a parcel map (PM15-02) and variance (VAR15-02) to subdivide the current parcel into three (3) parcels to allow for the construction of additional single or multi-family dwellings. The variance will allow for a two and one half (2.5) foot reduction of the

rear yard setback for the two most easterly parcels from twenty (20) feet to seventeen and one half feet (17.5).

Applicant: Romulo Garcia, Jr.
2300 Ashton Street
Imperial, CA 92251

Location: 665 South Western Avenue, more particularly described as the North 93 feet of the South 258 feet of Lot 21, Rio Vista Rancho Subdivision, City of Brawley, County of Imperial, State of California, APN 048-185-010

REGULAR BUSINESS

7. REVIEW AND ADOPTION OF PLANNING COMMISSION RULES 2015-2016
8. ELECTION OF OFFICERS 2015-2016
8. ZONING CODE ENFORCEMENT
9. NEXT MEETING DATE
10. ADJOURNMENT

The Planning Commission of the City of Brawley, California, met in Regular Session at 5:30 p.m., City Council Chambers, 383 Main Street, Brawley, California, the date, time, and place duly established for the holding of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. 54954.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order by Chairman Hutchison at 5:30 p.m.

Present: Bumbera, Castro, Goyal, Hutchinson, Marquez, Palacio, Smith

Absent: None

2. APPROVAL OF AGENDA

Motion: The Planning Commission approves the agenda as presented. m/s/c Bumbera/Goyal 7-0

3. APPROVAL OF MINUTES

Motion: The Planning Commission approves the minutes of April 1, 2015 as presented. m/s/c Bumbera/Goyal 7-0

4. PUBLIC APPEARANCES

Chairman Hutchinson called for Public appearances. There were none.

PUBLIC HEARINGS

- 5. An application for a parcel map (PM 15-01) to allow for the subdivision of the current parcel into four parcels in order to construct four single family dwellings.

Applicant: Raul Garcia
 Garcia Construction
 P.O. Box 1529
 Brawley, CA 92227

Location: 1585 Jones Street, more particularly described as Lot 6 of Map Annexation No. 43, Replat Subdivision of a portion of Lots 11 and 12 Tract 77, Township 13 South, Range 14 East, City of Brawley, County of Imperial, State of California, APN 047- 073-029

Gordon Gaste, Planning Director gave an overview of the project. The property is currently zoned R-1 (Residential Single Family) and is 0.63 acres in size. The tentative parcel map was submitted in order to subdivide the current parcel into four parcels to allow for the construction of a four single family dwellings. The applicant was not available to answer any questions.

Public hearing opened: 5:36 p.m.

Joseph Zarate, 1349 Jones Street, requested clarification on ownership of the property. No other public comments received.

Public hearing Closed: 5:39 pm

Motion: The Planning Commission approves as amended an application for a parcel map (PM 15-01) to allow for the subdivision of the current parcel into four parcels in order to construct four single family dwellings. m/s/c Smith/Palacio 7-0

6. An application for a site plan (SP15-04), conditional use permit (CUP15-02), zone change (AC 15-01) from M-1 (Light Manufacturing) to R-3 (Medium Density Residential), and a general plan amendment (GPA 15-01) changing the land use designation from light manufacturing to medium density residential to allow for a 56 unit senior apartment complex. The conditional use permit is for the use of a Density Bonus.

Applicant: Barbara G. Ruane
P.O. Box 675826
Rancho Santa Fe, CA 92067

Location: 151 and 205 South Eastern Avenue, more particularly described as the west 150 feet of the north 210 feet and the South 194 feet of the north 210 feet of the east 159.8 feet of Lot 4, and a Portion of Lot 5, Block 126, Townsite of Brawley, City of Brawley, County of Imperial, State of California, APN 049-060-039 & 040.

Commissioner Smith stepped down from the dais as there is a conflict of interest for the project.

Gordon Gaste, Planning Director gave an overview of the project. The property is currently zoned M-1 (Light Manufacturing) and is 2.44 acres in size. The applicant is requesting a zone change to R-3 (Residential Medium Density) in order to construct a 56 unit senior apartment complex. The application also includes a general plan amendment from Light Industrial land use to Medium Density Residential. The conditional use permit is required for the use of a Density Bonus. The applicant was available to answer any questions.

Cameron Johnson, RMG Representative, briefed commissioners on the project. Property is behind Family Dollar Store, multi-family units, working with IVHA, bring own independent company for management of units, have other amenities and hopefully start project next year with phase I.

Public hearing opened: 5:50 p.m.

No public comments received.

Public hearing Closed: 5:53 pm

Motion: The Planning Commission approves application for a site plan (SP15-04), conditional use permit (CUP15-02), zone change (AC 15-01) from M-1 (Light Manufacturing) to R-3 (Medium Density Residential), and a general plan amendment (GPA 15-01) changing the land use designation from light manufacturing to medium density residential to allow for a 56 unit senior apartment complex. The conditional use permit is for the use of a Density Bonus. m/s/c Goyal/Marquez 6-0, Smith-Abstain

7. CLIMATE ACTION PLAN GRANT SUMMARY

Gordon Gaste, Planning Director, gave briefing and update to commission and introduced Consultant Mr. Ralph Castañeda.

Ralph Castañeda, Castañeda & Associates, updated and gave summary of Climate Action Plan Grant Summary to Commission including the associated General Plan amendments. The documents are currently only for informational purposes as part of the required closeout of the grant. Staff will reintroduce the plan and amendments along with environmental analysis for adoption in the near future.

8. ZONING CODE ENFORCEMENT

Gordon Gaste, Planning Director, on behalf Francisco Soto, Community Development Services, nothing to report on violations and projects.

9. NEXT MEETING DATE

The Commission adjourned to the next regular meeting on September 2, 2015.

10. ADJOURNMENT

Motion: The meeting of the Planning Commission adjourned at 6:35 p.m. m/s/c Bumbera/Marquez 7-0

PLANNING COMMISSION STAFF REPORT

Variance #: VAR15-01

**Property Owner/
Applicant:** Issac Villarreal

Legal Description: Parcel 3 of Parcel Map BPM 94-04 of the East half of Lot 3, Brawley Subdivision No. 1, City of Brawley, County of Imperial, State of California, APN 047-250-034

Location: 1645 C Street

Area: 0.57 Acres (24,829 Square Feet)

Zoning: R-2 (Residential Low Density)

Existing Use: Single Family Dwelling

Proposed Use: Same with a six (6) foot high fence in the front yard setback

Surrounding Land Uses:

North - R-2 (Residential Low Density) / Single Family Dwelling
South - R-2 (Residential Low Density) / Vacant
East - R-2 (Residential Low Density) / Single Family Dwelling
West- R-2 (Residential Low Density) / Vacant

General Plan Designation: Low Density Residential

**PLANNING COMMISSION HEARING, SEPTEMBER 2, 2015,
5:30 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET,
BRAWLEY, CALIFORNIA**

Variance: VAR15-01

General Information:

The applicant is requesting a variance to allow for a six (6) foot high fence in the front yard setback. The property is currently zoned R-2 (Residential Low Density). The site is currently a single family dwelling and is 0.57 acres in size. There are no zoning conditions currently imposed on this property.

Information to the Commission:

Per the Zoning Ordinance, the maximum allowable fence height in a front yard setback is four (4) feet in an R-2 zone. However, there are several other six foot fences on these rather large lots in front of other single family dwellings on this block. These fences or their replacements have existed prior to annexation to the City.

Staff Recommendation:

If approved, the Development Review Committee recommends the following conditions:

1. The applicant shall obtain an encroachment permit from the Department of Public Works for any work performed in the right-of-way.
2. The applicant shall pay all fees associated with review and approval of the variance.
3. The property owner and/or tenant shall keep the property in an organized and clean condition to mitigate aesthetic impacts resulting from the shielding waiver.
3. The applicant shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Planning Commission or City Council concerning the variance. The City of Brawley shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.
4. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Section 15300 Accessory Structures.
2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
3. The lot variance does not grant special privileges to the proponent.
4. Granting of the variance will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
5. The variance is consistent with the character of the area for that type of land use.

The Brawley General Plan Land Use Map designates this property for **Low Density Residential** land uses.

R-2 (Residential Low Density) zoning permits Same with a six (6) foot high fence in the front yard setback by variance only.

Variance: VAR15-01

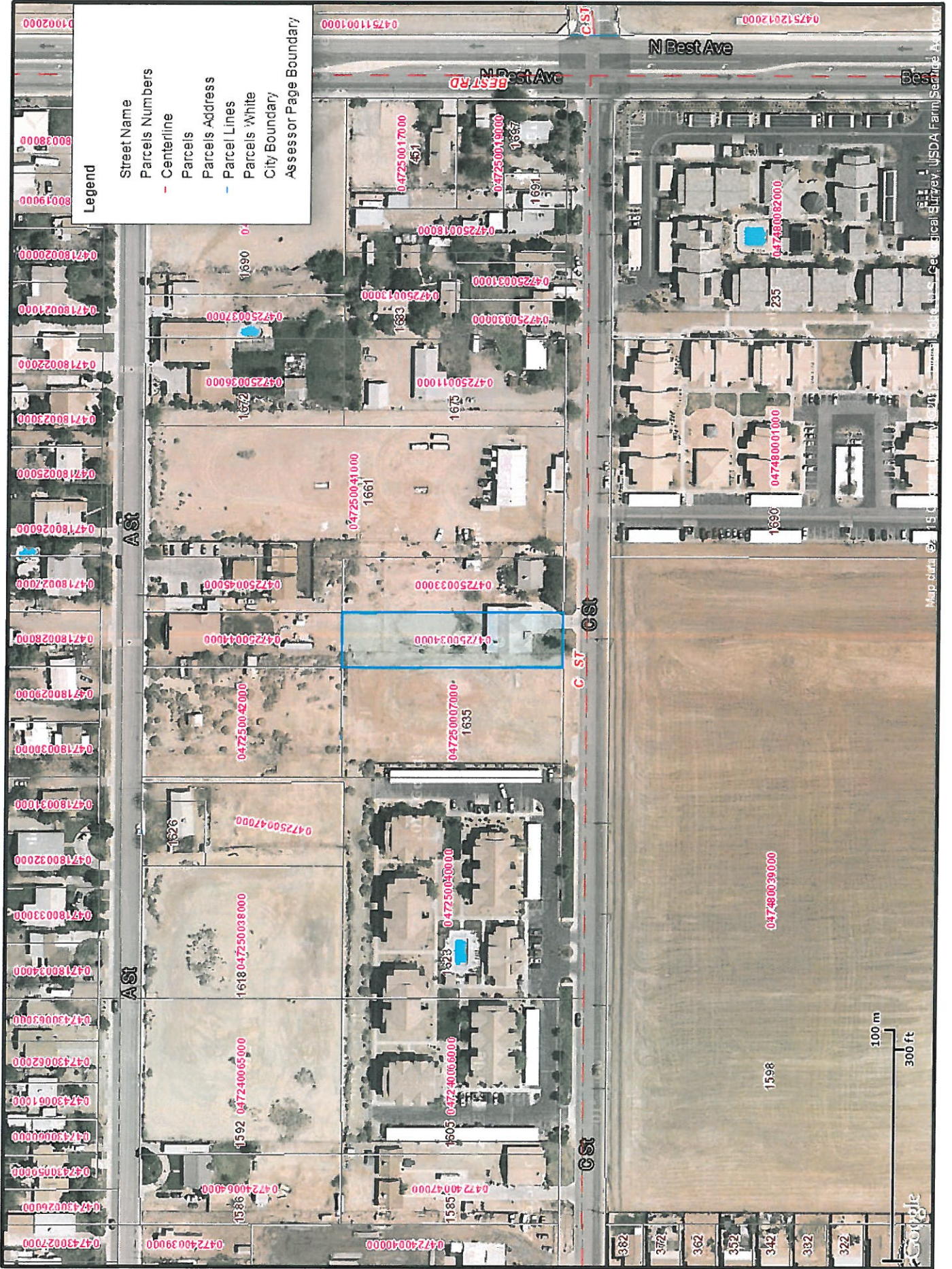
The Commission must determine the following:

- A. The variance for the six (6) foot high fence in the front yard setback protects the best interest, health, safety and welfare of the public in general.
- B. The variance for the six (6) foot high fence in the front yard setback complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.
- C. This variance for the six (6) foot high fence in the front yard setback is in accordance with and in furtherance of the Brawley General Plan, any special neighborhood plans or policies adopted by the City regarding the development area, and any approved concept plan.
- D. The proposed six (6) foot high fence in the front yard setback is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity.
- E. Any impacts created by the proposed six (6) foot high fence in the front yard setback on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the six (6) foot high fence in the front yard setback mitigates substantial environmental problems.
- G. The six (6) foot high fence in the front yard setback provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The six (6) foot high fence in the front yard setback is compatible with adjacent structures and uses.
- I. The proposed six (6) foot high fence in the front yard setback is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Maps.

NOTE TO THE PROPERTY OWNER: PLANNING COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.

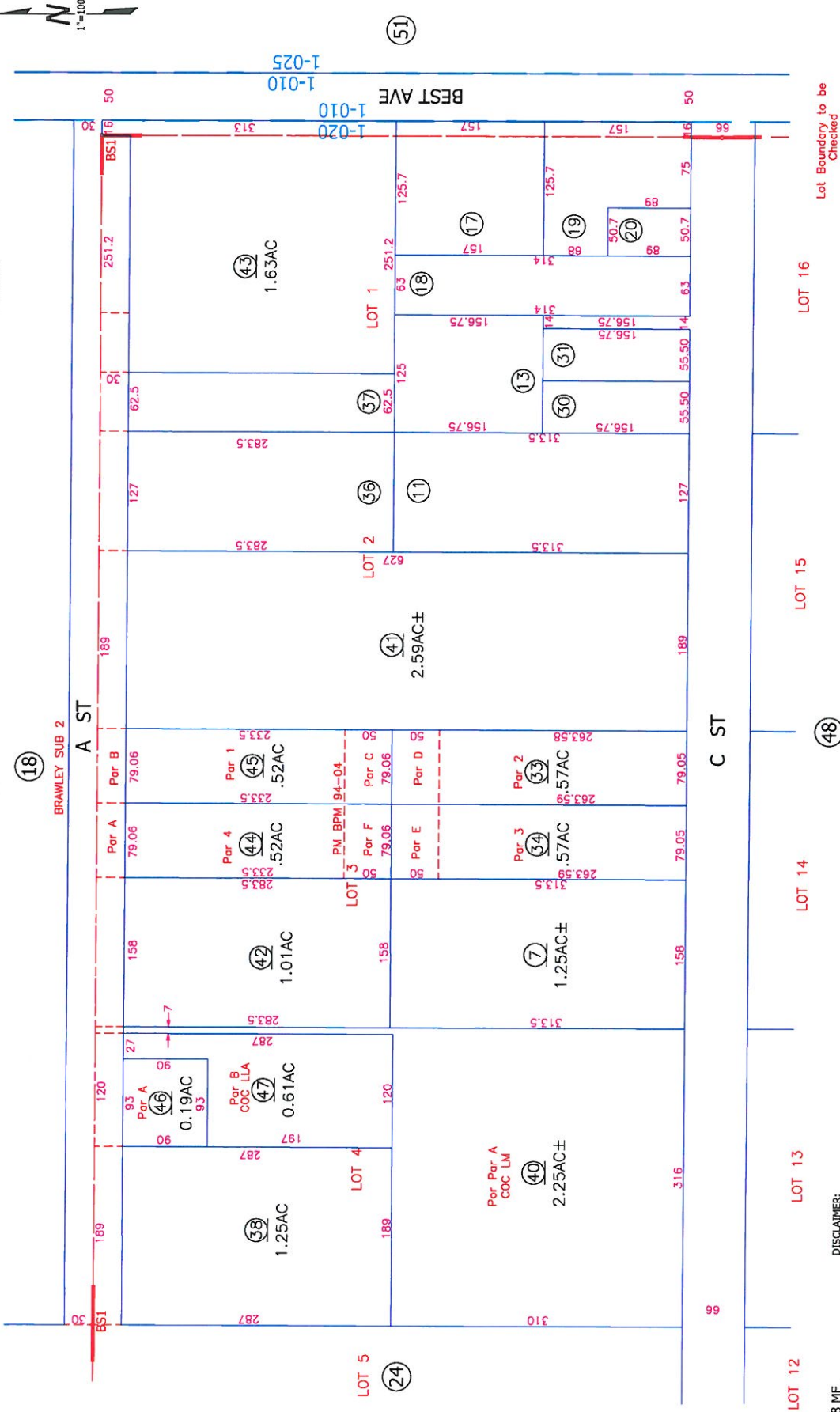
VAR15-01



POR. BRAWLEY SUB. 1
& POR. SEC. 34, T.13S, R.14E.
OM 1-40

Tax Area Code
1-010
1-020

47-25



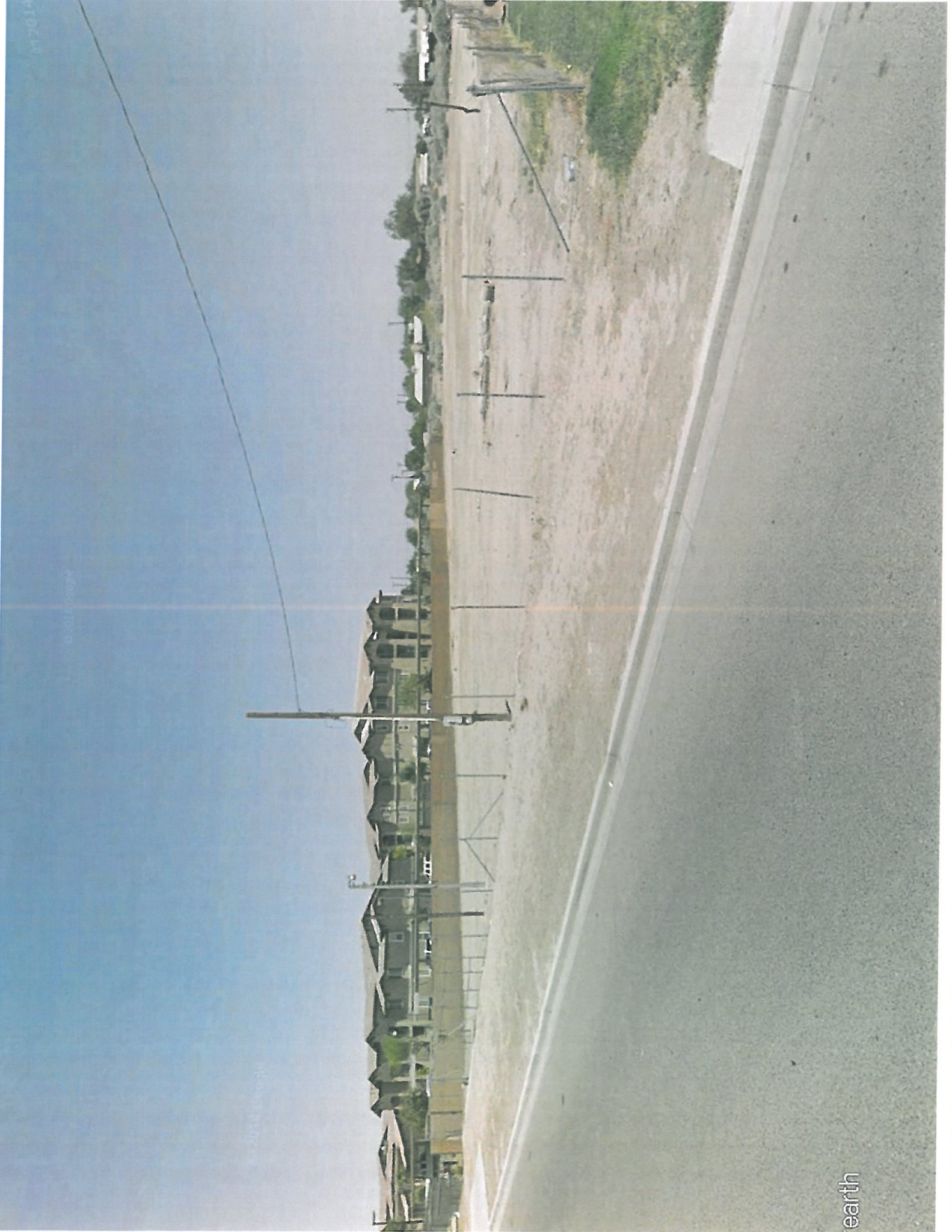
Lot Boundary to be Checked

DISCLAIMER:
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- 7-22-08 MF
- 12-27-05 RM
- 5-11-05 AR
- 8-7-95 RM
- 7-13-11 MF
- 11-12-91 DP
- 8-4-82 LS
- 5-19-10 MF
- 10-27-87 LS
- 7-31-08 MF

CITY OF BRAWLEY
Assessor's Map Bk. 47-Pg.25
County of Imperial, Calif.



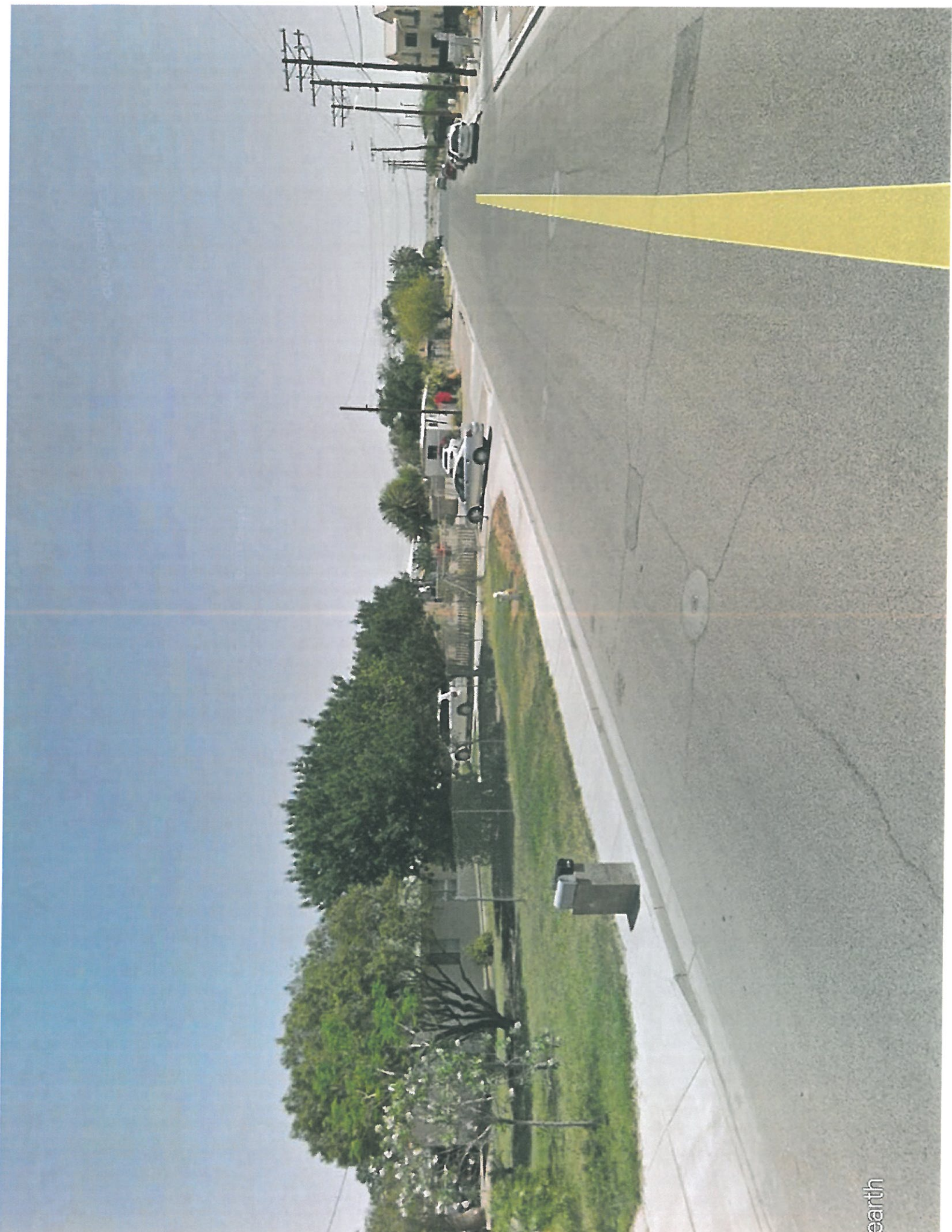


earth

11/20/14

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PLANNING COMMISSION STAFF REPORT

Minor Subdivision: PM15-02/VAR15-02 (Parcel Map/Variance)
- 665 South Western Avenue

Property Owner/

Applicant: Romulo Garcia, Jr.

Representative: Raymond Todd Dial, RTD Consulting

Legal Description: The North 93 feet of the South 258 feet of Lot 21, Rio Vista Rancho Subdivision, City of Brawley, County of Imperial, State of California, APN 048-185-010

Location: 665 South Western Avenue

Area: 1.15 Acres (50,094 Square Feet)

Zoning: R-3 (Residential Medium Density)

Existing Use: Single Family Dwelling

Proposed Use: Additional Single or Multi-Family Dwellings

Surrounding Land Uses:

North - R-2 (Residential Low Density) / Single Family Dwellings

South - R-3 (Residential Medium Density) / Apartments

East - Transportation / South Western Avenue & SR 86 (Brawley Avenue)

West - R-3 (Residential Medium Density) / Single Family Dwellings

General Plan Designation: Medium Density Residential

CEQA Status: Exempt

Minor Subdivision/Variance: PM15-02/VAR15-02

General Information:

The parcel map was submitted in order to subdivide the current parcel into three parcels in order to construct two additional single or multi-family dwellings. The property is currently zoned R-3 (Residential Medium Density). The site is currently contains one single family dwelling and is 1.15 acres in size. Access is proposed via South El Cerrito Avenue for the newly created parcels. The applicant is also requesting a variance for a two and one half foot reduction of the rear yard setback for the two most easterly parcels from 20 feet to 17.5 feet. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

If approved, the Planning Department recommends the following conditions:

1. The applicant shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
2. The applicant shall obtain a tax certificate from the County Tax Collector.
3. The applicant shall pay all fees associated with review and approval of the site plan, parcel map, and variance.
4. The applicant shall pay fees to record the final parcel map.
5. The applicant shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Planning Commission or City Council concerning the subdivision. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.
6. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.
7. Provide sewer and water, curb and gutter, sidewalks and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel. The develop shall bore under North Eastern Avenue to connect to the water and sewer connections.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Sections 15301(a), 15315 and 15332.
2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
3. Approval of the parcel map will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
4. The tentative parcel map is consistent with the character of the area for that type of land use.
5. The size of the new parcels is consistent with the Zoning ordinance.
6. The size of the new parcels is consistent with the General Plan.
7. The Parcel Map and Variance were performed in compliance with the Subdivision Map Act, Subdivision Ordinance and Zoning Ordinance requirements.

The Brawley General Land Use Map designates this property for **Medium Density Residential** land uses.

R-3 (Residential Medium Density) zoning permits single or multi-family dwellings by **Right**.

Minor Subdivision/Variance: PM15-02/VAR15-02

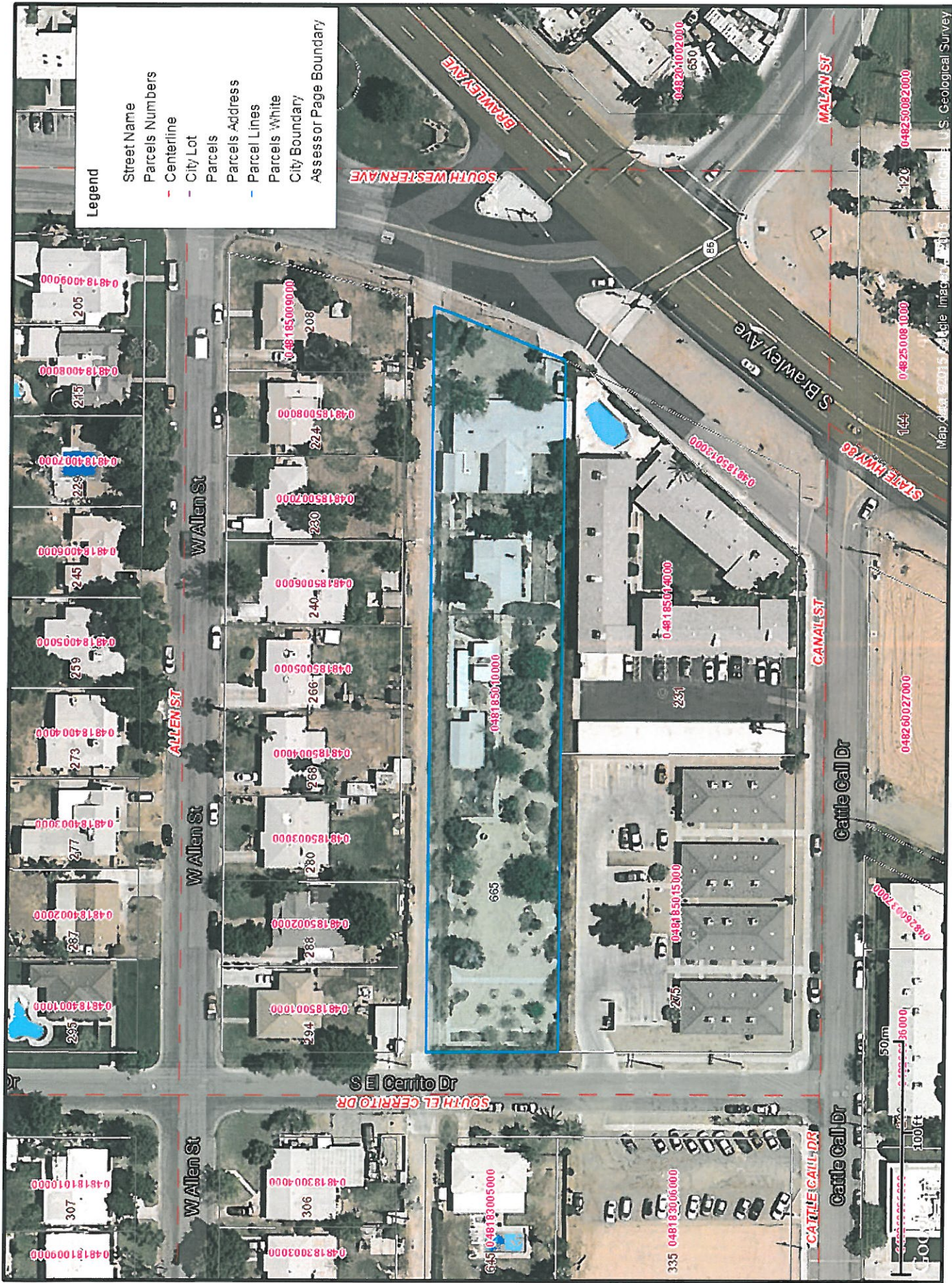
The Commission must determine the following:

- A. The proposed Parcel Map and Variance protects the best interest, health, safety and welfare of the public in general.
- B. The proposed Parcel Map and Variance complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area.
- C. The proposed Parcel Map and Variance is in accordance with and in furtherance of the Brawley General Plan, any special neighborhood plans or policies adopted by the City regarding the development area, or any approved concept plan.
- D. The proposed Parcel Map and Variance is adequately served by and will not impose an undue burden upon the public improvements and rights - of - way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity.
- E. Any impacts of the proposed Parcel Map and Variance on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Parcel Map and Variance mitigates substantial environmental problems.
- G. The proposed Parcel Map and Variance provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The proposed Parcel Map and Variance is compatible with adjacent structures and uses.
- I. The Parcel Map and Variance is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Location Maps; Proposed Parcel Map.

NOTE TO THE PROPERTY OWNER: PLANNING COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.

PM15-02



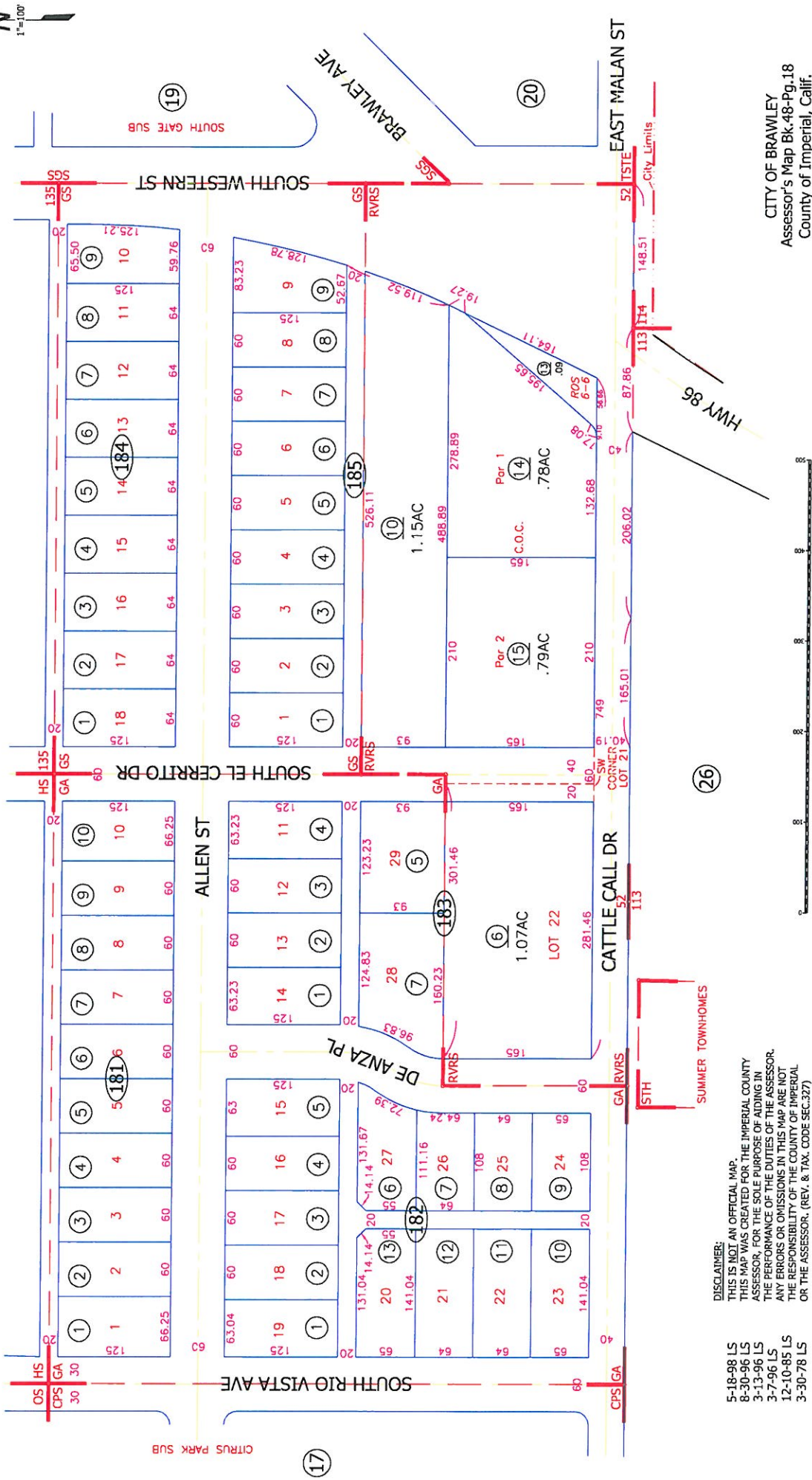
GRIFFIN SUB. & ADD. & POR. RIO VISTA RANCHO SUB.

FM 1-14 FM 1-50

OM 3-61
ROS 2-43
ROS 6-6

Tax Area Code
1-001

48-18



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5-18-98 LS
8-30-96 LS
3-13-96 LS
3-7-96 LS
12-10-85 LS
3-30-78 LS

CITY OF BRAWLEY
Assessor's Map Bk. 48-Pg. 18
County of Imperial, Calif.

TENTATIVE PARCEL MAP NO. 048-185-010

A SUBDIVISION OF THE NORTH 93.00 FEET OF THE SOUTH 258 FEET OF LOT 21, RIO VISTA RANCHO SUBDIVISION, EXCEPTING THEREFROM THE WEST 40 FEET THEREOF IN THE CITY OF BRAWLEY, PER MAP 217 FILED IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER, IN THE CITY OF BRAWLEY, STATE OF CALIFORNIA

EXISTING:
 APN 048-185-010-000
 AREA=4841.35 S.F. = 1.18 ACRES
 ZONED - R-3

PROPOSED
 NOT A PART AREA=12600 S.F.=0.55 ACRES
 PARCEL 1 AREA=10420 S.F.=0.24 ACRES
 PARCEL 2 AREA=25383 S.F.=0.39 ACRES
 ZONING - PARCEL 1 R-3
 - PARCEL 2 R-3

UTILITIES:
 GAS-THE GAS COMPANY
 WATER-CITY OF BRAWLEY
 ELECTRICITY - I.D.
 SEWER-CITY OF BRAWLEY
 CABLE-TIMEWARNER CABLE
 TELEPHONE-A1&T

OWNER:
 ROMELO L. GARCIA AND CRUZ M. GARCIA
 HUSBAND AND WIFE AS JOINT TENANTS
 APN: 048-185-010-000

EASEMENTS:
 OR 87 -435 DEED RECORDED IN BOOK 87, PAGE 435 OF OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER IN FAVOR OF THE SOUTHERN SIERRAS POWER COMPANY AS SET FORTH IN DOCUMENT RECORDED NOVEMBER 2, 1925

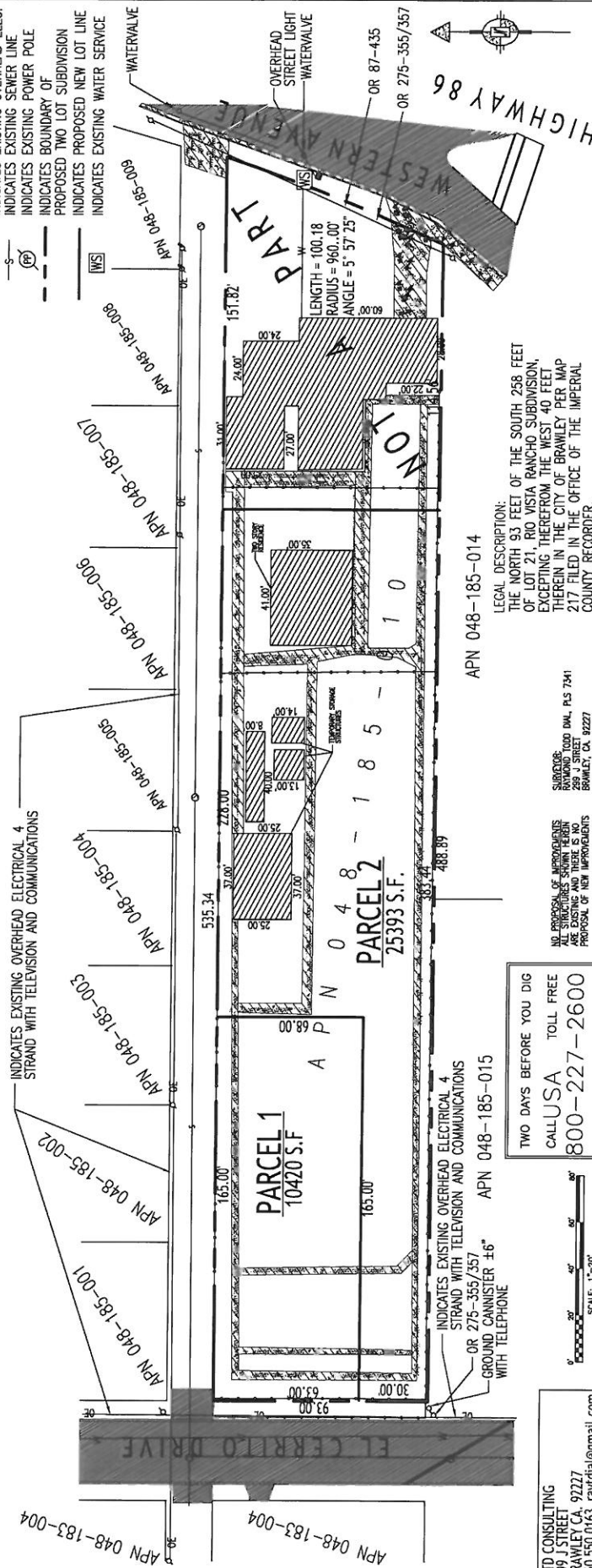
OR 275 - 355 / 357 DEED RECORDED IN BOOK 275, PAGE 355 THROUGH 357 OF OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER IN FAVOR OF THE POSTAL TELEGRAPH CABLE COMPANY AS SET FORTH IN DOCUMENT RECORDED JUNE 13, 1930.

LEGEND

- HOUSE STRUCTURE
- CONCRETE
- CHAIN LINK FENCE (6' HIGH)
- INDICATES SEWER MANHOLE
- INDICATES EXISTING FIRE HYDRANT
- INDICATES EXISTING WATER VALVE
- INDICATES EXISTING WATER LINE
- INDICATES EXISTING GAS LINE
- INDICATES EXISTING GAS METER
- INDICATES EXISTING OVERHEAD ELEC.
- INDICATES EXISTING POWER POLE
- INDICATES BOUNDARY OF PROPOSED TWO LOT SUBDIVISION
- INDICATES PROPOSED NEW LOT LINE
- INDICATES EXISTING WATER SERVICE

DEVELOPMENT NOTE:
 1 AND 2 WILL CONNECT TO CITY WATER BY EXISTING WATER MAINS IN EL CERRITO DRIVE PRIOR TO ISSUANCE OF A BUILDING PERMIT.

PROPOSED PARCELS 1 AND 2 WILL CONNECT TO CITY SEWER AND IMPERIAL IRRIGATION DISTRICT POWER EXISTING IN THE ALLEY NORTHERLY OF THIS SUBDIVISION.



LEGAL DESCRIPTION:
 THE NORTH 93 FEET OF THE SOUTH 258 FEET OF LOT 21, RIO VISTA RANCHO SUBDIVISION, EXCEPTING THEREFROM THE WEST 40 FEET THEREIN IN THE CITY OF BRAWLEY PER MAP 217 FILED IN THE OFFICE OF THE IMPERIAL COUNTY RECORDER.

SUBJECT:
 RAYDIAL TODD D.M., PLS 7341
 289 J STREET
 BRAWLEY, CA 92227

**NO PROPOSAL OF IMPROVEMENTS
 ALL STRUCTURES SHOWN THEREON
 ARE EXISTING AND THERE IS NO
 PROPOSAL OF NEW IMPROVEMENTS**

**TWO DAYS BEFORE YOU DIG
 CALL USA TOLL FREE
 800-227-2600**



RTD CONSULTING
 299 J STREET
 BRAWLEY CA, 92227
 760 550 0163 raydial@gmail.com

**CITY OF BRAWLEY
PLANNING COMMISSION**

**ORGANIZATION AND OFFICERS
(AMENDED 11/2/05)**

1. ORGANIZATION

The Planning Commission shall consist of seven regular members and shall be organized and exercise such powers as prescribed by the ordinances of the City of Brawley.

In addition to these seven members, the mayor, the city engineer, and the city attorney shall be ex-officio members of the planning commission.

2. OFFICERS

A. Selection

- (1) A chairperson and vice-chairperson shall be elected annually from among the Planning Commission's membership at the first meeting in July to serve at the pleasure of the Planning Commission.
- (2) The vice-chairperson shall succeed the chairperson if he or she vacates his or her office before his or her term is completed, the vice-chairperson to serve the unexpired term of the vacated officer. A new vice-chairperson shall be elected at the next regular meeting.
- (3) In the absence of the chairperson and vice-chairperson, the senior member shall preside.

B. Responsibilities

The responsibilities and powers of the officers of the Planning Commission shall be as follows:

- (1) Chairperson
 - (a) Preside at all meetings of the Planning Commission.
 - (b) Call special meetings of the commission in accordance with legal requirements and the Rules and Procedures of the Planning Commission.

- (c) Sign documents of the Planning Commission.
- (d) See that all actions of the Planning Commission are properly taken.
- (e) Assist staff in determining agenda items.

(2) Vice Chairperson

During the absence, disability or disqualification of the chairperson, the vice-chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the chairperson.

3. DUTIES AND POWERS

The Planning Commission shall have the power and duties as described in the Municipal Code of the City of Brawley.

MEETINGS

4. PUBLIC MEETINGS

All meetings shall be held in full compliance with the provisions of state law, ordinances of the City, and the Rules and Procedures of the Planning Commission.

5. REGULAR MEETINGS

- A. Regular meetings shall be held on the first Wednesday of the month, at 5:30 p.m., in the City Council Chambers, unless otherwise determined by the Mayor, City Council, Chairperson of the Planning Commission, or upon the request of three members of the Planning Commission.
- B. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled by motion by the Planning Commission.
- C. *The Planning Commission may hold special meetings in accordance with Government code Section 54956. Special meetings may also be called by the mayor or city council. The request shall be filed with the city clerk who shall give notice required by law.*

6. ADJOURNED MEETINGS

In the event it is the wish of the Planning Commission to adjourn its meeting to a certain hour or another day, a specific date, time, and place must be set by the Planning Commission prior to the regular motion to adjourn.

7. STUDY SESSIONS / WORKSHOPS

- A. The Planning Commission may be convened as a whole or as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required.
- B. Such meeting shall be open to the public; but, unless the Planning Commission invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

8. AGENDA

- A. An agenda for each meeting of the Planning Commission shall be prepared by the planning director or his or her designee with the cooperation and approval of the chairperson or in his or her absence the vice-chairperson.
- B. A copy of the agenda shall be posted per state regulations.

9. ATTENDANCE

- A. Members shall be present at all scheduled meetings, on time, and for the duration of the said meeting, unless prior arrangements have been approved by the chairperson. Failure to have approval shall be the same as an unexcused absence.
- B. If any commissioner should be absent for three consecutive meetings of the Planning Commission in a fiscal year, the chairperson shall request that the City Council investigate and take the necessary action.

10. MOTIONS

- A. Voting Requirements
 - (1) A quorum shall consist of a majority of Planning Commission members.
 - (2) The affirmative vote of a majority of the entire Planning Commission is necessary for it to take action. Thus, all actions of the Planning Commission require a majority vote.

(3) *The Mayor, as an ex-officio member, shall have the right to exercise a vote, but this vote shall only be exercised in case of a tie vote among the regular members of the planning commission.*

(4) When a member of the Planning Commission abstains from voting on any matter before it because of a potential conflict of interest, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. When a member of the Planning Commission abstains from voting for any reason other than a potential conflict of interest, the abstention shall be counted with the majority.

B. Voting Order

The order of voting will be rotated each meeting except that the chairperson shall vote last.

C. Recording of Votes

The minutes of the Planning Commission's proceeding shall show the vote of each member, including if they were absent or failed to vote on a matter considered.

D. Disqualification from Voting

A member shall disqualify himself or herself from voting in accordance with the conflict of interest rules adopted by the California Fair Political Practices Commission. When a person disqualifies himself or herself, he or she shall state prior to the consideration of such matter by the Planning Commission that he or she is disqualifying him or herself due to a possible conflict of interest and shall then leave the voting area.

REVIEW AND AMENDMENTS PROCEDURE

11. REVIEW

These Rules and Procedures of the Planning Commission shall be reviewed in July of each year by a subcommittee appointed by the Chair with the general agreement of the Planning Commission. The review subcommittee shall present their recommendations for amending, or not amending, these rules.

12. AMENDMENTS

In addition, these Rules and Procedures of the Planning Commission may be amended at any meeting at the Planning Commission by a majority of the membership of the Planning Commission provided that notice of the proposed amendment is received by each commissioner not less than 5 days prior to said meeting.