



REPORT TO DEVELOPMENT OVERSIGHT COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

STAFF REPORT
October 6, 2008

Honorable Members of the Development Oversight Commission:

Subject: Planning Commission Rules and Procedures

Location/Council District: Citywide

Recommendation: Staff recommends the Commission review and comment regarding the proposed Planning Commission Rules and Procedures

Contact: David W. Kwong, Planning Manager, 808-2691, Wendy Klock-Johnson, Program Manager, 808-5099

Presenters: David W. Kwong, Planning Manager, 808-2691, Wendy Klock-Johnson, Program Manager, 808-5099

Department: Development Services

Division: Administration and Planning

Organization Number: 4875 and 4811

Description/ Analysis:

Issue: The City Council adopted revised Council Rules of Procedure on May 15, 2007 to govern the order and conduct of its business. The new Council Rules direct City Council established boards and commissions to adopt their own rules for the conduct of their business that conform to the Council Rules to the extent possible (Council Rules of Procedure Chapter 1 §(A)(2)).

At its February 21, 2008 meeting, the Planning Commission discussed issues related to its Rules of Procedure in the context of a broader discussion on Administrative Policies and Procedures. At this meeting, the Planning Commission formed a committee comprised of Commissioners Notestine, Samuels, and Yee to review and recommend changes to the Council Rules of Procedure to make them suitable for use by the Planning Commission, while also addressing the specific issues of interest to the Commission.

At its August 21, 2008 meeting, the Planning Commission reviewed and discussed draft revised Rules of Procedure prepared by the committee with support from Deputy City Attorney Sabina Gilbert and Development Services Department Program Manager Wendy Klock-Johnson. Based on Commission direction, revisions have been prepared to the draft revised Rules of Procedure and are presented to the Planning Commission for adoption.

Policy Considerations: Below is a brief summary of the changes to the draft revised Rules of Procedure to date.

A redlined draft of the final Rules of Procedure showing these changes is in Attachment 1.

1. Page 10: Chapter 6, Section D. Meeting Types and Schedules, subsection (3)(c): Allows an individual, in addition to an organized neighborhood group or organization, to request a hearing continuance as needed to complete and ready their presentation for the hearing process.
2. Page 12: Chapter 7, Section E. Preparation of Agenda Packet, subsection (2)(a)(i): Planning Commissioners are required to notify the Commission Secretary of any writings received outside of a public hearing that relate to a matter to be heard by the Commission, and provide a copy if needed. These writings include emails. The purpose of this Rule is to allow staff to deliver copies to all of the Commissioners for the hearing.
3. Page 20: Chapter 8, Section H. Voting, subsection (1)(b): If qualified to vote, a Commissioner is required to vote either “aye” or “no” on a motion.
4. Page 21: Chapter 8, Section H. Voting, subsection (2)(b): A Commissioner is not qualified to participate in a hearing if the Commissioner is not present for the entire hearing, unless the Commissioner reviews the entire hearing record prior to participation and voting.

Staff believes that these revised policies and procedures are the result of creating a process that is parallel with that of City Council’s rules and procedures.

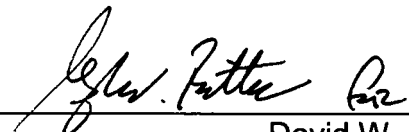
Committee/Commission Action: The Planning Commission Rules and Procedures are proposed for adoption at its October 9th, 2008 meeting.

Environmental Considerations: The proposed Planning Commission Rules and Procedures does not constitute a “project” and is therefore exempt from the California Environmental Quality Act (CEQA) according to Section 15601(b)(3) of the CEQA guidelines.

Rationale for Recommendation: These rules and procedures are consistent with those of the City Council.

Financial Considerations: There are not any anticipated financial implications with adoption of these rules and procedures.

Emerging Small Business Development (ESBD): There are no ESBD considerations with this report.

Respectfully submitted by: 
David W. Kwong
Planning Manager


Wendy Klock-Johnson
Program Manager

Recommendation Approved:


Bill Thomas
Director of Development Services

Attachments:

1 Proposed Planning Commission Rules and Procedures

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