

Agenda Report Reviewed by:  
City Manager: [Signature]

**CITY OF SEBASTOPOL  
CITY COUNCIL  
STAFF REPORT**

Meeting: January 19, 2016  
To: Honorable Mayor and City Councilmembers  
From: Mayor Gurney  
Councilmember Slayter  
Subject: Consideration and Discussion of Request for Amendment to the City of Sebastopol  
Municipal Code Chapter 2.24, Planning Commission  
Recommendation: That the Mayor and City Council Discuss and Provide Direction to Staff  
Funding: Currently Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No xxx N/A  
Net General Fund Cost: \$  
Amount: \$

**INTRODUCTION:** This item is to request the City Council consider and discuss the request to direct staff to prepare an amendment to the City of Sebastopol Municipal Code, Chapter 2.24, Planning Commission.

**BACKGROUND:**

Municipal Code Chapter 2.24, Planning Commission states for Members and Terms as follows:

- A. The Commission shall consist of seven (7) members or such other numbers as the City Council shall, from time to time, determine by resolution, but in no event less than five (5) members.
- B. The members of the Commission shall be from among residents of the City of Sebastopol or shall be the owner of a business within the City of Sebastopol, and up to one person who is not in one of the above categories, but who is a resident of the 95472 Zip Code area, may also be appointed. Members shall be appointed by a majority of the members of the City Council.
- C. Members shall serve at the pleasure of the City Council, and may be terminated without cause, by a majority of the City Council.
- D. Members shall not serve for more than four (4) years unless re-appointed by the City Council.
- E. In the event new Commissioners are appointed by reason of any increase in the number of the Commission, they shall serve for such period of time as to provide for as close to equal a number of commissioners being selected each year as possible.
- F. Final determination of the length of the term of new members shall be determined by the City Council.
- G. All terms of office shall commence on January 1<sup>st</sup>. of the year of appointment.

**DISCUSSION:**

As the Council is aware, the Planning Commission is the advisory body to the City Council and has such duties as:

- A. To recommend special studies and amendments to the General Plan
- B. To perform such duties and functions as prescribed by law.

C. To perform such other functions and duties with respect to zoning and other matters as prescribed by City Ordinance or as may be directed by the City Council.

D. To act in an advisory capacity to the City Council on public park regulatory issues, improvement needs, and on public park development projects; and to serve as a forum for members of the public to voice their comments regarding such matters.

It is suggested that the City Council review and consider a request to add an alternate position to the Planning Commission, similar to the position that is on the Design Review Board. The reasons for this recommendation are:

- That an alternate could fill in for any Planning Commissioner if he/she is absent
- To insure, to the greatest extent possible, that a full Commission is present for each meeting
- To fill any temporary vacancy created when a term expires and the departing Commissioner is unwilling or unable to remain on the Commission until the Council makes an appointment
- The intent is for the Alternate to sit at the table at each meeting and be able to participate [as happens on the DRB]. The alternate would be an active but not voting member unless filling in for someone who's absent and exercising the absent Commissioner's vote.

Applicants to the Alternate position would have to meet the same requirements [citizen, in-town business owner, community member from 95472 which is still limited to a max of one seat]. If the Council did not have a satisfactory applicant, then this seat could remain unfilled.

RECOMMENDATION: That the City Council consider and discuss the request to direct staff to prepare an amendment to the City of Sebastopol Municipal Code, Chapter 2.24, Planning Commission.

Chapter 2.24  
PLANNING COMMISSION

Sections:

2.24.010	Creation
2.24.020	Members and Terms
2.24.030	Vacancy and Removal
2.24.040	Meetings
2.24.050	Officers
2.24.060	Quorum
2.24.070	Duties
2.24.080	Expenses
2.24.090	Conflicting Ordinances

**2.24.010 Creation**

A Planning Commission is hereby created and established. The term "Commission" as used herein shall mean and refer to such Planning Commission.

**2.24.020 Members and Terms**

- A. The Commission shall consist of seven (7) members or such other numbers as the City Council shall, from time to time, determine by resolution, but in no event less than five (5) members.
  
- B. The members of the Commission shall be from among residents of the City of Sebastopol or shall be the owner of a business within the City of Sebastopol, and up to one person who is not in one of the above categories, but who is a resident of the 95472 Zip Code area, may also be appointed. Members shall be appointed by a majority of the members of the City Council.
  
- C. Members shall serve at the pleasure of the City Council, and may be terminated without cause, by a majority of the City Council.
  
- D. Members shall not serve for more than four (4) years unless re-appointed by the City Council.
  
- E. In the event new Commissioners are appointed by reason of any increase in the number of the Commission, they shall serve for such period of time as to provide for as close to equal a number of commissioners being selected each year as possible.
  
- F. Final determination of the length of the term of new members shall be determined by the City Council.
  
- G. All terms of office shall commence on January 1<sup>st</sup>. of the year of appointment.

**2.24.030 Vacancy and Removal**

Any member of the Commission who fails to attend three (3) consecutive meetings of the Commission shall be considered automatically removed and a vacancy shall be deemed to have occurred unless a showing of good cause is presented to the City Council. The City Council shall be the sole judge as to whether or not good cause is shown.

#### **2.24.040 Meetings**

The Commission shall meet at regular stated times and places and all meetings of the Commissions shall be open to the public as required by law. The Commission shall adopt rules for the transaction of business and for the proper conduct of its meetings and the discharge of its powers and duties. In the event of a lack of quorum at any regular or adjourned meeting, the Commission may act as "a committee of the whole" and hear any matters before the Commission. No action may be taken, but recommendations may be made to the next regular or adjourned meeting of the Commission.

#### **2.24.050 Officers**

The Commission shall elect a Chairman and a Vice Chairman from among the appointed members who shall serve for a term of one (1) year.

#### **2.24.060 Quorum**

A quorum at any regular or special meeting of the Commission shall consist of a majority of the members of the Commission. No action of the Commission shall be valid without the affirmative vote of three (3) members of the Commission.

#### **2.24.070 Duties**

The Commission shall have the following duties:

- A. To recommend special studies and amendments to the General Plan
- B. To perform such duties and functions as prescribed by law.
- C. To perform such other functions and duties with respect to zoning and other matters as prescribed by City Ordinance or as may be directed by the City Council.
- D. To act in an advisory capacity to the City Council on public park regulatory issues, improvement needs, and on public park development projects; and to serve as a forum for members of the public to voice their comments regarding such matters.

#### **2.24.080 Expenses**

The members of the Commission shall receive no compensation except such expenses as are authorized by law and the City Council.

#### **2.24.090 Conflicting Ordinances**

Ordinance No. 361 and all Ordinances in conflict with this Ordinance are hereby repealed.