

RESOLUTION NO. 07-043, SERIES 2007

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAVIS REGARDING THE
STRUCTURE AND PURPOSE OF THE PLANNING COMMISSION**

WHEREAS, this commission is established by ordinance; and

WHEREAS, this resolution supercedes Resolution 06-183 related to the structure and purpose of the Commission; and

WHEREAS, the City Council relies on Boards and Commissions to provide advice and information on subjects within the Commission's scope; and

WHEREAS, many residents of Davis possess knowledge and expertise in the areas of planning which may be beneficial to this purpose.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis creates a Planning Commission to achieve the following:

1. PURPOSE

The Davis Planning Commission is to develop as state law requires and will carry out the duties as outlined in the Government Code and in this resolution.

As an advisory body of the Davis City Council, the commission is established and guided by the following documents:

- a. Davis Anti-discrimination ordinance; and
- b. Commission Handbook; and
- c. Commission Policy Guidelines

2. MEMBERSHIP

The Planning Commission shall consist of seven (7) members and one (1) alternate. All voting members of the Planning Commission, regular and alternate, shall be appointed by the City Council.

The alternate member shall not vote except upon one of the following conditions:

- a. Absence of one (1) or more of the regular members of the commission.
- b. Disqualification of a regular member of the commission because of an expressed conflict of interest.

There will be one (1) non-voting liaison to the Natural Resources Commission.

3. TERMS OF OFFICE

Members of the commission shall serve a term of four (4) years, or until their successors are appointed. For purposes of establishing staggered terms, appointments may be for terms varying between one (1) and four (4) years as the Council may decide. No members shall serve for more than two (2) consecutive terms, except under special circumstances.

4. TERMINATION OF APPOINTMENT

The term of appointment of any member of the commission who has been absent from three (3) consecutive regular or special meetings, or who has missed more than 1/3 of the meetings in a 12-month period, without the approval of the City Council, shall automatically terminate.

Members of the Planning Commission serve at the pleasure of the Council and may be removed from office by a majority vote of the Council.

5. VACANCIES

Vacancies on the commission shall be filled for the unexpired term in the same manner in which regular appointments are otherwise made.

6. OFFICERS OF THE COMMISSION

The members of the Planning Commission annually shall select one (1) of its members as Chairperson and one (1) of its members as Vice Chairperson. No chairperson or vice chairperson shall serve more than two (2) consecutive years as chair.

- a. THE CHAIRPERSON of the commission shall call the meetings to order at the appointed time, shall appoint all committees, subject to the approval of the commission, shall have all the powers and duties of the presiding officer as described in "Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century," and shall perform such other duties as may from time to time be prescribed by the commission.
- b. THE VICE CHAIRPERSON of the commission shall have all the powers and perform all the duties of the Chairperson in the case of absence or inability of the Chairperson to act. The Vice Chairperson shall perform such other duties as may from time to time be prescribed by the commission or the Chairperson.

7. MEETINGS OF THE COMMISSION

The Planning Commission shall establish a regular time and place of meeting and shall hold regular meetings. Special meetings of the commission may be called by the Chairperson, or by any four (4) or more voting members of the commission, with permission of the Council liaison or the City Council. Personal notice must be given to all members of the commission. If personal notice cannot be given, written notice must be mailed to such members at least twenty-four (24) hours prior to said meeting, unless said notice requirement is waived in writing by said member.

8. QUORUM

For the purpose of transacting business, a quorum of the Planning Commission shall consist of four (4) of the seven (7) members. An alternate member shall be counted as a full voting member for purposes of attaining a quorum.

9. FUNCTIONS OF THE COMMISSION

The Planning Commission shall have the responsibilities as provided in this section and such other duties as the Council may, from time to time, decide:

- a. Serve as the agency to hear matters relating to zoning regulations arising from either chapter 4 of title 7 of the Government Code, or the zoning code of the city, or both (i.e., annexations, rezonings, development agreements, final planned developments, use permits, variances, zoning interpretations and ordinance amendments) and serve as the advisory agency to hear subdivision matters. The Planning Commission shall also serve as the advisory agency to hear general plan amendment applications that also request zoning or subdivision approvals.
- b. Develop and maintain a general plan and such specific plans as may be necessary or desirable.
- c. Determine the consistency of any project with the general plan using the criteria approved by the City Council.
- d. Investigate and report to the City Council regarding means of implementing the general plan.
- e. Consult with and advise public officials and agencies, public utility companies, civic, educational and other professional organizations and citizens, generally, regarding implementation of the general plan and specific plans.
- f. Make general plan findings on development applications.
- g. Review and make recommendations to the City Council on amendments to the general and specific plans.
- h. All commission members, including the alternate, shall attend a planning commissioner training class or program approved by the city, for a minimum of two days, at least once per term. City staff shall assist in the coordination of such training, which shall be presented by an association, organization, entity or person with experience in conducting planning commissioner training.
- i. At least once every two years, the City Council shall provide to the commission a prioritized list of goals and topics for the commission to accomplish. The goals shall be consistent with the commission's duties as prescribed by Government Code section 65100 et seq. and this resolution. The goals may relate to, among other things, the review, revision and implementation of the general plan, preparation and completion of studies, or coordination with other public agencies. The goals shall not direct or advise the commission to take specific action on an individual proposal and shall not provide

direction to the commission on how the commission or individual commission members should vote on a particular proposal or project.

- j. The commission shall annually present to the City Council a status report that includes a summary of its mission, goals, tasks accomplished, and tasks yet to be accomplished. Such status report shall be presented to the City Council no later than May 1 of each year.

PASSED AND ADOPTED by the City Council of the City of Davis on this third day of April, 2007 by the following vote:

AYES: Asmundson, Heystek, Saylor, Souza, Greenwald

NOES: None

ABSENT: None

/S/
Sue Greenwald
Mayor

ATTEST:

/S/
Margaret Roberts, CMC
City Clerk