

## Resolution No. 2024-\_\_\_\_\_

### **RESOLUTION OF THE CITY OF PETALUMA PLANNING COMMISSION AMENDING SECTION 3.303 OF THE PLANNING COMMISSION RULES AND REGULATIONS TO ALLOW CHAIR AND VICE-CHAIR OFFICERS OF THE COMMISSION TO SERVE A MAXIMUM OF TWO (02) CONSECUTIVE TERMS WHILE THE GENERAL PLAN UPDATE AND IMPLEMENTING ZONING ORDINANCE (IZO) UPDATE IS IN PROCESS**

**WHEREAS**, pursuant to Section 2.08.030 of the Petaluma Municipal Code, the Planning Commission has adopted Rules and Regulations for the Transaction of Business (Rules and Regulations), attached hereto as Exhibit A; and

**WHEREAS**, Rules and Regulations Section 3, entitled “Officers,” sets forth regulations regarding appointment, term limits, and vacancies of officers; and

**WHEREAS**, Section 3.303 of the Rules and Regulations states in part that: The officers shall hold their respective offices until the next annual meeting after appointment and until their successors are appointed. The Chair shall not be appointed to a consecutive term; and

**WHEREAS**, Rules and Regulations Section 10, entitled “Amendments,” states that “Amendments to these rules and regulations may be made by the Commission at any regular or special meeting called for that purpose upon the affirmative vote of four (4) members, provided such amendment is proposed at a preceding meeting and that all members have been formally notified thereof” (Section 10.1001); and

**WHEREAS**, extending Chair and Vice-Chair officer term limits to a maximum of two (02) two consecutive terms while the General Plan Update and Implementing Zoning Ordinance (IZO) update is in process will minimize disruptions that may delay the adoption of the General Plan and associated IZO amendments, which have been in progress since 2019; and

**WHEREAS**, amending the Rules and Regulations is not a “project” pursuant to the California Environmental Quality Act (“CEQA”) Guidelines Section 15378, as this action to amend Chair and Vice-Chair officer term limits is an administrative action; and

**WHEREAS**, the Rules and Regulations, which primarily regulate the administrative business of the Commission, do not instruct how a modification of the Rules should be brought before the Commission; and

**WHEREAS**, modification of the Rules and Regulations does not require a public hearing because no quasi-judicial decision is directed by the IZO and because Section 10.1001 of the Rules and Regulations does not direct a public hearing for this decision; and

**WHEREAS**, the proposed amendment of the Rules and Regulations was introduced as an Administrative Action agenda item at the Planning Commission regular meeting on April 9, 2024; and

**WHEREAS**, Planning Commissioners were formally notified of the proposed Administrative Action agenda item by publication of the April 9, 2024, agenda on April 2, 2024, which was emailed to individual Commissioners; and

**WHEREAS**, the public was provided notification of this Administrative Action agenda item through the Planning Commission regular meeting agenda published on April 2, 2024; and

**WHEREAS**, at a regular meeting of the Planning Commission on April 9, 2024, the Planning Commission, in response to meeting time constraints, continued this Administrative Action agenda item to a date certain of the next regular meeting of the Planning Commission, which was scheduled for April 23, 2024; and

**WHEREAS**, at a regular meeting of the Planning Commission on April 23, 2024, the Planning Commission voted by a vote of 6-1 to introduce a Resolution amending Section 3.303 of the Planning Commission Rules and Regulations to allow Chair and Vice-Chair officers of the Commission to serve a maximum of two (2) consecutive officer terms and requested that the consideration of the Resolution be agendized for the regular meeting of the Planning Commission scheduled for May 28, 2024; and

**WHEREAS**, Planning Commissioners were formally notified of the proposed Administrative Action agenda item by publication of the May 28, 2024, agenda on May 21, 2024, which was emailed to individual Commissioners; and

**WHEREAS**, the public was provided notification of this Administrative Action agenda item through the Planning Commission regular meeting agenda published on May 21, 2024; and

**WHEREAS**, at the May 28, 2024, meeting, the Planning Commission of the City of Petaluma held a duly noticed public meeting, at which all interested parties were given full opportunity to be heard and present.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the City of Petaluma as follows:

1. The foregoing recitals are true and accurate and are incorporated into this Resolution as findings.
2. The Commission finds that amending the Planning Commission Rules and Regulations for the Transaction of Business for the Planning Commission of the City of Petaluma, attached hereto as Attachment A, is not a “project” pursuant to the California Environmental Quality Act (“CEQA”) Guidelines Section 15378, as the action to amend the Chair’s term limit to allow two consecutive terms is an administrative action.
3. Section 3.303 of the Planning Commission Rules and Regulations for the Transaction of Business for the Planning Commission of the City of Petaluma is hereby amended to read as follows (~~strikethrough~~ are deletions and ***bold italics*** are additions:

The officers shall hold their respective offices until the next annual meeting after appointment and until their successors are appointed. The Chair ~~shall not be appointed to a consecutive term.~~ ***and Vice-Chair may serve consecutive terms, for a maximum of two (02) consecutive terms, when a Citywide policy or legislative update, such as the General Plan and zoning ordinance amendment projects, is ongoing and would benefit from leadership continuity, provided that this rule amendment sunsets following completion of the Planning Commission's required reviews of the General Plan Update and subsequent amendment to the Implementing Zoning Ordinance (IZO) to codify the adopted General Plan.***

This resolution shall become effective immediately.