



**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

Department: City Clerk

Prepared by: Lindsay Lara, City Clerk

City Manager Approval: 

**TOPIC: PLANNING COMMISSION BYLAW AMENDMENT**

**SUBJECT: RESOLUTION AMENDING THE PLANNING COMMISSION'S BYLAWS**

**RECOMMENDATION:**

Adopt a resolution amending the Planning Commission's Bylaws.

**BACKGROUND:**

On June 21, 2024, [the City Council introduced an Ordinance](#) Amending Titles 2 – Administration of the San Rafael Municipal Code to Add Design Professionals to the Planning Commission Membership Composition, and Amend Titles 14 – Zoning, and 15 - Subdivisions of the San Rafael Municipal Code, to Dissolve the Design Review Board and Transfer Existing Duties of the Design Review Board to the Planning Commission, or Zoning Administrator, or Director of Community and Economic Development. The second reading of this ordinance is also on the agenda for the July 15<sup>th</sup> City Council meeting. If approved, the bylaws need to be amended to incorporate the changes reflected in the ordinance.

**ANALYSIS:**

Staff recommends adoption of the attached resolution amending the Planning Commission Bylaws to incorporate the changes reflected throughout the ordinance that was introduced by the City Council at their meeting on June 21, 2024, and subsequently added to the agenda to be considered for adoption on July 15, 2024. The only proposed changes to the bylaws (highlighted in the Bylaws) are those that have been previously introduced to the City Council through the proposed ordinance amending Titles 2, 14 and 15, which effectively consolidate the Design Review Board functions into the Planning Commission; thereby adding two new Alternate Member seats to the Planning Commission.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

**ATTACHMENTS:**

1. Resolution with Amended Bylaws

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**FOR CITY CLERK ONLY**

**Council Meeting:**

**Disposition:**

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL  
AMENDING BYLAWS OF THE PLANNING COMMISSION**

**WHEREAS**, amendments to the Planning Commission bylaws shown in Exhibit A attached hereto are recommended by staff and incorporate the recent changes made to the Planning Commission's scope and responsibilities with regard to the consolidation of the design review board and the planning commission.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby amends the Planning Commission Bylaws as more particularly set forth in Exhibit A (additions in underline.)

I, **LINDSAY LARA**, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 15<sup>th</sup> day of July 2024, by the following vote, to wit:

AYES:            COUNCILMEMBERS:

NOES:            COUNCILMEMBERS:

ABSENT:        COUNCILMEMBERS:

LINDSAY LARA, City Clerk

EXHIBIT A: PLANNING COMMISSION BYLAWS

# PLANNING COMMISSION BYLAWS

## ARTICLE I. NAME AND PURPOSE

**Section 1.1. Name.** The name of this body shall be the City of San Rafael Planning Commission, hereinafter referred to as the “Commission.”

**Section 1.2. Purpose.** The purpose of the Commission to make decisions or advise the Council on land use and property development issues. The Commission assures that new development is consistent with our long-range General Plan, State laws and other public policies that advance the interests of our community.

**Section 1.3. Committee Responsibility.** The Commission’s authority is decision-making.

It shall be the function and duty of the planning commission to act as a decision-making body on matters including, but not limited to:

- Major subdivisions as delegated to the planning commission under Title 15 of this Code.
- Conditional use permits delegated to the planning commission.
- Environmental and design review permits delegated to the planning commission.
- Appeals made by a lower body and appealed to the planning commission.
- Other matters including physical improvements, or environmental and design permits referred by the community development direction to the planning commission pursuant to powers and duties set forth in the Municipal Code.

It shall be the function and duty of the planning commission to act as an advisory body to the city council on legislative matters related to but not limited to the following:

- General plan updates and amendments.
- Zoning text and zoning map amendments.
- Other land use matters requiring city council action.

It shall be the duty of the members of the planning commission to inform themselves on matters affecting the functions and duties of the commission and all planning matters, and, to that end, they may attend training and planning conferences and the reasonable traveling expenses incidental to the attendance shall be charged upon the funds allocated to the commission.

The planning commission shall provide professional design analysis, evaluation and judgment as to the appropriateness of development proposals for the use and setting and to recommend approval, approval with conditions, redesign or denial based on design standards and findings of approval adopted by the city council.

The planning commission shall endeavor to promote public interest and understanding of plans developed, and the regulations relating thereto. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record.

## ARTICLE II. MEMBERSHIP

**Section 2.1. Number of Members.** The Commission shall consist of a total of nine (9) members. Seven (7) regular voting members and two (2) alternate members as follows:

- District 1 Representative
- District 2 Representative
- District 3 Representative
- District 4 Representative
- At-large Member
- At-large Member (Design Professional)
- At-large Member (Licensed Architect)
- At-large Alternate Member (Licensed Architect)
- At-large Alternate Member (Licensed Architect)

**Section 2.2. Eligibility.** The commission shall be composed of seven (7) regular voting members, comprised of one (1) commissioner from each of the city's four (4) city council electoral districts, and three (3) at-large commissioners.

Requirements for eligibility:

1. District representatives: Each district representative must reside in the district they represent.
2. At-large members: Must reside in city limits. At least one (1) at-large member shall be a licensed architect and at least one (1) at-large member shall be a design professional.

"Design professional" means an architect, engineer, landscape architect, building designer, urban designer, urban planner, or other similar design specialist. They may, but are not required to, be licensed or registered in their related field.

In addition, the commission shall include two (2) alternate members who shall be eligible to vote when serving in the absence of any of the commission's regular voting members. Both alternate members shall reside in city limits and be licensed architects.

**Section 2.3. Term Limits.** Members of the Committee shall be limited to three (3) consecutive four-year terms. Additional terms may be served if there is a break between terms.

**Section 2.4. Absence and Removal.** An unexcused absence from two (2) consecutive Commission meetings without notification to the Staff Liaison shall be considered a voluntary resignation from the Commission. Previously dismissed Commission members may be eligible for reappointment to the Commission.

**Section 2.5. Compensation.** Commissioners may apply for stipends through the Stipend Program at \$50 per month, not to exceed \$600 per year per member.

### **ARTICLE III. MEETINGS**

**Section 3.1. Time and date of Regular Meeting.** Notification of meeting place, date, and time shall be rendered to the public through posting on the City of San Rafael website. Regularly scheduled Commission meetings shall be the second and fourth Tuesday of each month, but these dates may be impacted by holidays. A schedule shall be approved annually by the Commission. The Commission shall meet once per month and shall be scheduled annually. The schedule for the upcoming year will be set by December of the previous year.