



Planning Commission

Regular Meeting AGENDA

(to be held both at the physical and virtual locations below)

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

To participate or view the virtual meeting, go to the following link: <https://us06web.zoom.us/j/83128884939>

Or you can call in using your telephone only:

- Call (toll free) 1-888-788-0099
- Enter the Access Code: 831 2888 4939
- To Raise Hand enter *9
- To Speak after being recognized: enter *6 to unmute yourself

Alternatively, you may view the meeting (without participating) by clicking on the name of the meeting at www.cityofukiah.com/meetings.

March 25, 2026 - 5:15 PM

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **AB 2449 NOTIFICATIONS AND CONSIDERATIONS**

5. **APPROVAL OF MINUTES**

5.a. Approval of the Minutes of March 11, 2026, a Regular Meeting.

Recommended Action: Approve the Minutes of March 11, 2026, a Regular Meeting, as submitted.

Attachments:

1. 2026-03-11 PC Draft Minutes

6. **APPEAL PROCESS**

All determinations of the Planning Commission regarding major discretionary planning permits are final unless a written appeal stating the reasons for the appeal is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appears and states his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by [date].

7. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**

The Planning Commission welcomes input from the audience. If there is a matter of business on the agenda that you are interested in, you may address the Planning Commission when this matter is considered. If you wish to speak on a matter that is not on this agenda that is within the subject matter jurisdiction of the Planning Commission, you may do so at this time. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes

per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

8. **SITE VISIT VERIFICATION**

9. **VERIFICATION OF NOTICE**

10. **PLANNING COMMISSIONERS REPORT**

11. **DIRECTOR'S REPORT**

11.a. Receive Community Development Director's Report.

Recommended Action: Receive Community Development Director's Report and discuss questions with Staff.

Attachments:

1. Planning-Division-Projects-Report-03-01-26

12. **CONSENT CALENDAR**

The following items listed are considered routine and will be enacted by a single motion and roll call vote by the Planning Commission. Items may be removed from the Consent Calendar upon request of a Commissioner or a citizen in which even the item will be considered at the completion of all other items on the agenda. The motion by the Commission on the Consent Calendar will approve and make findings in accordance with Administrative Staff and/or the Commission recommendations.

13. **UNFINISHED BUSINESS**

14. **NEW BUSINESS**

14.a. Discussion with Possible Action Regarding a Change to the Planning Commission Rules of Conduct Regarding Section 9III, Viewing the Site.

Recommended Action: Discuss and possibly consider action regarding a change to Section 9III of the Planning Commission Rules of Conduct.

Attachments:

1. Planning Commission Rules of Conduct 4-26-23
2. ILG Handbook_Quasi-Judicial and Legislative Decisions Section

14.b. Discussion with Staff regarding the Format of Planning Commission Staff Reports.

Recommended Action: Discuss with Staff alternative format options for Planning Commission staff reports.

Attachments:

1. Example 1 - Change to Summary
2. Example 2 - Walnut Creek cover page
3. Example 3 - Staff-Report-Template- APA Planning Magazine

15. **ADJOURNMENT**

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available at the Civic Center 300 Seminary Ave. Ukiah, CA 95482; and online at: www.cityofukiah/meetings/ at the end of the next business day.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.



**CITY OF UKIAH
PLANNING COMMISSION MINUTES
REGULAR**

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482

Virtual Meeting Link: <https://us06web.zoom.us/j/83128884939>

**March 11, 2026
5:15 p.m.**

1. CALL TO ORDER

The City of Ukiah Planning Commission held a Regular Meeting on March 11, 2026. The meeting was legally noticed on March 4, 2026. The meeting was held in person and at the following virtual link: <https://us06web.zoom.us/j/83128884939>. Chair de Grassi called the meeting to order at 5:15 p.m.

CHAIR de GRASSI PRESIDING.

2. ROLL CALL

Roll call was taken with the following **Commissioners Present:** Mark Hilliker, Jacob Brown, Devery Montaño, Rick Johnson, and Alex de Grassi. **Staff Present:** Craig Schlatter, Community Development Director; Jesse Davis, Chief Planning Manager; Katherine Schaefer, Planning Manager; and Kristine Lawler, City Clerk.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Brown.

4. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

No notifications or considerations received.

5. APPROVAL OF MINUTES

a. Approval of the Minutes of February 25, 2026, a Regular Meeting.

Motion/Second: Montaño/Hilliker to approve the minutes of the February 25, 2026, a Regular Meeting, as submitted. Motion **carried** by the following Roll Call votes: AYES: Hilliker, Montaño, Johnson, and de Grassi. NOES: None. ABSENT: None. ABSTAIN: Brown.

6. APPEAL PROCESS

Chair de Grassi stated the appeals deadline date is March 23, 2026, before 5:00 p.m.

7. COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

No public comment was received.

8. SITE VISIT VERIFICATION

Commissioners confirmed that they had visited the site in respect to agenda item.

9. VERIFICATION OF NOTICE

The Clerk noted that the agenda was properly noticed.

10. PLANNING COMMISSIONERS' REPORTS

Presenters: Vice Chair Johnson and Chair de Grassi.

Commissioner Consensus for Staff to schedule the annual review of Rules of Conduct for the next meeting.

11. DIRECTOR'S REPORT

a. Receive Community Development Director's Report.

Presenters: Craig Schlatter, Community Development Director; Katherine Schaefers, Planning Manager; and Jesse Davis, Chief Planning Manager.

Reports were received.

12. CONSENT CALENDAR

No items on the Consent Calendar.

13. UNFINISHED BUSINESS

No items on Unfinished Business.

14. NEW BUSINESS

a. Consideration of Adoption of a Revised Resolution Recommending the City Council Adopt Policies Establishing the Location and Associated Standards for City Gateways Consistent with 2040 General Plan Policy LU-11.2 and Related Implementation Measures.

Presenters: Katherine Schaefers, Planning Manager and Jesse Davis, Chief Planning Manager.

No public comment was received.

Commission Consensus to request Staff to bring back an agenda item for a discussion regarding banners and other gateway monuments.

Motion/Second: Johnson/Brown to adopt a revised resolution (2026-02) recommending that the City Council adopt policies establishing the location and associated standards for City gateways, consistent with General Plan Policy LU-11.2. Motion **carried** by the following Roll Call votes: AYES: Hilliker, Brown, Montaño, Johnson, and de Grassi. NOES: None. ABSENT: None. ABSTAIN: None.

b. Conduct Public Hearing and Consider Approval of a Major Use Permit Amendment to Allow the Retail Sale of Distilled Spirits at an Existing Gas Station and Convenience Store at 615 Talmage Road (APN 180-070-10); Permit No. PPA25-000001 (formerly File No. 07-33).

Presenters: Katherine Schaefers, Planning Manager and Jesse Davis, Chief Planning Manager.

A PowerPoint Presentation was received.

PUBLIC HEARING OPENED AT 6:21 P.M.

Applicant Comment: Paul Walia.

PUBLIC HEARING CLOSED AT 6:28 P.M.

Commission Consensus for Staff to bring back a separate agenda item to discuss the format of the Planning Commission staff report form.

Motion/Second: Brown/Hilliker to approve the Major Use Permit Amendment for the property located at 615 Talmage Road (APN 180-070-10); Permit No. PPA25-000001, subject to the Findings in Attachment 1* and the Conditions of Approval in Attachment 2**. Motion **carried** by the following Roll Call votes: AYES: Hilliker, Brown, Montaño, Johnson, and de Grassi. NOES: None. ABSENT: None. ABSTAIN: None.

*** Findings in Attachment 1:**

1. The proposed land use is consistent with the provisions of this Title as well as the goals and policies of the City General Plan.

The project is consistent with the Highway Commercial (HC) General Plan designation and Community Commercial (C-1) Zoning District, which accommodate and encourage retail and gas station uses. The addition of packaged distilled spirits within the existing convenience store retail area does not constitute an expansion or intensification of land use and complies with all relevant zoning standards

2. The proposed land use is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare.

The original 2009 Use Permit included specific limitations on alcohol container sizes and sales types to address potential public safety and loitering concerns. The amendment to supersede these limitations is supported by current law enforcement review and the implementation of modernized, enforceable security protocols. Specifically, the Ukiah Police Department reviewed the current request during the formal agency referral period and provided no negative commentary or objections. Furthermore, the applicant is required to strictly adhere to the submitted Store Management Plan, revised for this approval, which mandates surveillance cameras, a minimum of two on-site employees, and a requirement to hire private security if police calls reach 20 or more in a single month. With the implementation of these operational controls, the use remains compatible with surrounding land uses and will not be detrimental to the public's health, safety, and general welfare.

CEQA FINDINGS

The proposed project qualifies for a Categorical Exemption under CEQA Guidelines Section 15301 (Class 1 - Existing Facilities). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

The project involves the minor permitting and licensing alteration of an existing commercial convenience store to allow for the retail off-sale of distilled spirits (ABC Type-21 license) in addition to currently permitted beer and wine sales. The project proposes no exterior construction, site modifications, or expansion of the existing building footprint.

Furthermore, the licensing amendment involves negligible or no expansion of the existing use, as there will be no changes to the existing hours of operation, no on-site consumption of alcohol permitted, no outdoor alcohol display or sales, and no increase in delivery frequency or service intensity. The addition of distilled spirits does not introduce new land use impacts and will not increase noise, traffic, parking demand, or pedestrian activity beyond existing baseline conditions.

Finally, none of the exceptions to Categorical Exemptions set forth in CEQA Guidelines Section 15300.2 apply to this project. The site is an already developed commercial parcel; the project will not result in cumulative impacts or significant effects due to unusual circumstances; and the project will not damage scenic resources, impact a hazardous waste site, or cause a substantial adverse change in the significance of a historical resource.

**** Conditions of Approval in Attachment 2:**

1. This approval is not effective until the 10-day appeal period applicable to this Planning permit has expired without the filing of a timely appeal. If a timely appeal is filed, the project is subject to the outcome of the appeal and shall be revised as necessary to comply with any modifications, conditions, or requirements that were imposed as part of the appeal.
2. All use, construction and the location thereof, or occupancy, shall conform to the application and to any supporting documents submitted therewith, including any maps, sketches, or plot plans accompanying the application or submitted by applicant in support thereof.
3. As outlined in Article 20, Administration and Procedures, of the Ukiah City Code, this planning permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.
4. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City

City of Ukiah Special Conditions:

5. **Retention of Unmodified Conditions:** All conditions of approval from Use Permit and Site Development Permit 07-33 remain in full force and effect, except as explicitly modified herein.
6. **Superseding of Prior Conditions:** This approval specifically amends and supersedes Use Permit Condition 3(B); Site-Specific Condition (2)(D); Planning Commission Condition 12; and Ukiah Police Department Conditions 16, 17, 18, 19, 20, and 21 from the original File No. 07-33.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 6:47 p.m.

Kristine Lawler, CMC
City Clerk

Kristine Lawler

From: Kristine Lawler
Sent: Thursday, March 26, 2026 9:57 AM
To: Planning Commission
Cc: Craig Schlatter; Jesse Davis; Katherine Schaefer; CityClerk
Subject: Clarification Regarding Minutes of March 11, 2026
Attachments: 2016-58 CC Reso - Adopting Action Style of Minutes.pdf

Dear Chair and Planning Commissioners,

Araceli mentioned the confusion regarding the March 11, 2026, minutes having included the Findings and Conditions, so I would like to provide some clarification.

In 2016, when the City Council adopted the style of Action Minutes (as opposed to Summary or Verbatim minutes as had been the practice previously), they had an exception for the Planning Commission minutes to include the findings and conditions of approval – see the highlighted section on the attached resolution.

Additionally, my personal approach to writing minutes is to make them understandable to anyone researching them 30 years from now. So if a motion says "...subject to Findings in Attachment 1 and Conditions of Approval in Attachment 2", in 30 years from now, they won't know what was in Attachment 1 or 2; therefore, I include what is being referred to in the motion so that there won't be any questions in the future of what the motion included.

I think part of the confusion is that there hasn't been an item with Findings and Conditions for a while – or since I have been writing the minutes for the PC.

I hope this answers any questions, but I'm happy to answer additional questions if you have them. I will add this correspondence to the online record.

Sincerely,

Kristine



Kristine Lawler, CMC/City Clerk
Email: klawler@cityofukiah.com
300 Seminary Ave., Ukiah, CA 95482
P:(707) 463-6217 F:(707) 463-6204

Continually working to promote diversity, equity, transparency, and justice through the adoption and implementation of City practices, policies, and procedures.

RESOLUTION NO. 2016-58

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH ADOPTING THE STYLE OF ACTION MINUTES IN CONJUNCTION WITH DIGITAL AUDIO OR DIGITAL AUDIO-VIDEO RECORDINGS TO BE THE OFFICIAL RECORDATION USED FOR THE CITY COUNCIL AND ALL CITY BOARDS AND COMMISSIONS.

WHEREAS, on April 4, 2007, the City Council approved the keeping of "Action Minutes" for the City Council and all City Commissions and Committees, with some exceptions for the Planning Commission; and

WHEREAS, the City makes digital audio or digital audio-video recordings for all meetings of its commissions and boards; and

WHEREAS, the City Council has successfully been using an Action Minutes and a digital audio or digital audio-video recording for nine years, and Action Minutes have become the preferred standard among many cities across the State; and

WHEREAS, some City of Ukiah's Boards, Commissions, and Committees have continued to use a narrative, summary style of minutes; and

WHEREAS, it has since been established that the digital audio or digital audio-video recordings for the Planning Commission are efficient and adequate to record the full and detailed content of all Planning Commission discussions and hearings; and

WHEREAS, Action Minutes quickly show actions taken, identify individuals who participated in the discussions, are a cost efficient use of staff time, free up staff for other duties, and avoid any possible objections of what was or wasn't included in the minutes; and

WHEREAS, if a Board or Commission member wishes to include a written statement with the minutes, and/or if for the Planning Commission adopts findings or conditions of approval in connection with making land use decisions or recommendations, those written statements and findings and conditions shall be included in its action minutes, including showing in "strikethrough/underline" format any changes to proposed findings or conditions;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the City Council of the City of Ukiah establishes Action Minutes in conjunction with the digital audio or digital audio-video recordings, which are to be kept as permanent City records, as the official recordation of the meetings of the City Council, and all City Boards, Commission, and Committees.

BE IT FURTHER RESOLVED that the Planning Commission's action minutes shall include within or officially attached to the minutes all Findings and Conditions of Approval, adopted in connection with making land use decisions. If any corrections, amendments, or other requested changes are made to the proposed minutes by the motion to approve them, those changes shall be shown in strikethrough/underline format together with an unmarked copy of the official minutes.

BE IT FURTHER RESOLVED that the current practice of taking minutes for each Board or Commission will stay in effect until a digital audio or digital audio-video recording can concurrently be placed online with the Action Minutes for public availability.

PASSED AND ADOPTED this 19th day of October, 2016, by the following roll call vote:

AYES: Councilmembers Crane, Mulheren, Doble, Brown, and Mayor Scalmanini

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:

Kristine Lawler
Kristine Lawler, City Clerk

Stephen G. Scalmanini
Stephen G. Scalmanini, Mayor



AGENDA SUMMARY REPORT

SUBJECT: Receive Community Development Director's Report.

DEPARTMENT: Community Development

PREPARED BY: Craig Schlatter, Community Development Director

PRESENTER: Craig Schlatter, AICP

ATTACHMENTS:

1. Planning-Division-Projects-Report-03-01-26

Summary: Planning Commission will receive the Community Development Director's Report and discuss questions with Staff.

Background: Director's Reports are bi-monthly oral reports given by the Community Development Director on the status of projects, primarily within the Planning Division, of the Community Development Department. Updates may include, but are not limited to, application status of major and minor discretionary permits, the implementation status of advanced planning and related 2040 General Plan programs and projects, and updates related to the activities of other divisions of the Department.

Discussion: This report is expected to provide updates in the following areas:

- March 2026 Planning Division Projects Report (Attachment 1)
 - This is a monthly report produced on the first of each month. The March 2026 report and previous monthly reports are located on the Planning Services Division webpage, under "Current Planning Reports": <https://cityofukiah.com/community-development-planning-services>
- For this second March report, the Director will provide a verbal update during the 3/25 meeting as to any updates that have occurred since the first report on 3/11.

Recommended Action: Receive Community Development Director's Report and discuss questions with Staff.



**City of Ukiah
Submitted Planning Applications**

3/1/2026

Permit #	Site Address	Date Submitted	Summary of Project	Status
PA24-000020/21	534 E. Perkins St.	12/23/24	Major Site Development Permit of APN 002-200-43 within the Pear Tree Center, approximately 150 feet west of the E. Perkins St./S. Orchard Ave. intersection. The proposal includes the construction of a ±1,700 sq. ft. Starbucks retail, operating as carry-out and drive-through only, with no interior dining, and a total gross building area, including the outdoor canopy, of approximately 2,885 sq. ft.	Inactive. No Applicant communication since February, 2025.
PPA25-000001	615 Talmage Ave.	1/15/26	Modification to the 2007 Use Permit (File No. 07-33) for the existing gas station and convenience store to allow for the retail sale of distilled spirits in addition to currently permitted beer and wine sales. No exterior construction, site modifications, or further operational changes are proposed as part of this request.	PC Hearing Scheduled 3/11/26
PA26-000001	228 E Perkins St.	1/23/26	Notification of incoming Historic Demolition application pursuant to Ukiah City Code 3016 received. Additional project details forthcoming upon initial review.	DRC Hearing Scheduled 3/04/26.

City of Ukiah
2040 General Plan Implementation - Status of Projects In-Process or Completed within the Last 60 Days



3/1/2026

General Plan Element	Implementation Program	Date Due	Description	Status / Comments
Land Use	E – Zoning Code Amendments	12/31/2025	Amend the Zoning Code to address Downtown Zoning Code and Design Guidelines.	In progress. Downtown Zoning Code (DZC) City Council Ad Hoc Committee met in August and October 2025. Planning Commission held an initial review of the Ad Hoc Committee recommendations on 12/10/25. Planning Commission workshop on DZC rezones facilitated on 02/24/26. Staff will progress the request to ALUC in March, 2026.
Land Use	E – Zoning Code Amendments	12/31/2025	Update zoning districts and maps for consistency with the 2040 Land Use Diagram.	In progress. Planning Commission reviewed proposed zoning and map consistency updates on 1/28/26. City Council review and potential adoption of updated Zoning, General Plan Land Use, and Downtown Zoning Code maps scheduled for 3/18/26.
Land Use	D – City Gateway Design Standards	12/31/2025	Prepare gateway design standards addressing landscaping, signage, building form, and historic themes.	In progress. Planning Commission adopted a resolution recommending gateway locations and design standards. Staff will return with updates as unfinished business at the PC Hearing Scheduled 3/11/26 City Council resolution scheduled for review on 3/18/26.
Economic Development	A – Economic Development Strategy	12/31/2025	Prepare, adopt, and regularly update an Economic Development Strategy.	In progress. Preparation of the Economic Development Strategy is deferred pending further progress on the City's reorganization and annexation applications.
Environment & Sustainability	H – Cultural and Historic Registry	12/31/2025	Update the list of cultural and historic resources eligible for state or national designation.	In progress. Updates are deferred until completion and adoption of the Historic Preservation Ordinance.

General Plan Element	Implementation Program	Date Due	Description	Status / Comments
Environment & Sustainability	I – Historic Preservation Ordinance	12/31/2030	Adopt a Historic and Archaeological Preservation Ordinance.	In progress. City staff, in coordination with the Historical Society of Mendocino County, are drafting the ordinance based on community and Ad Hoc Committee input.
Mobility Element	A – Street Design / D – VMT Performance Measures	12/31/2025	Promote multimodal transportation through flexible parking regulations and implement VMT reduction measures.	In progress. In January 2026, staff initiated an ordinance amendment, including coordination with the City Attorney and the Climate Adaptation and Resilience Division, to expand bicycle storage and parking infrastructure and advance off-street parking reforms aimed at reducing duplicative vehicle parking requirements.
Mobility Element	MOB 5.2 – Support for Charging Stations	12/31/2025	Support installation of electric vehicle charging stations.	In progress. Beginning in 2024, Electric Utility Department and Community Development staff coordinated on an effort to install 18 public chargers across three locations. Final locations and initial designs were submitted for review in January 2026. Locations include the Library, Anton Stadium, and Ukiah Skate Park.
Mobility Element	G – Transit Center	12/31/2030	Coordinate with MTA and partners to seek funding and conduct feasibility work for a downtown transit center.	In progress. In January 2026, in coordination with CDD Staff, language was added to the draft Mendocino County RTP identifying a vacant Courthouse Boulevard site as a potential downtown transit center location by MTA and MCOG staff.
Mobility Element	L – Airport Parcels / MOB-6.3	12/31/2025	Prepare a study identifying airport-supportive development parcels and develop an infill policy for Airport Compatibility Zones.	In progress. Airport Infill Policy Ad Hoc Committee appointed by City Council in November 2025 and met in December 2025.

City of Ukiah
Recently (Within Previous 60 Days) Approved Projects



3/1/2026

Permit #	Site Address	Approved Date	Summary of Project	Comments
PA25-000019	1240 Airport Park Blvd.	12/10/25	Major Site Development Permit and Lot Merger of APNs (180-080-74; 180-080-75) converting a ±7,129-square-foot structure into an 'Urgent Care and Administrative Office' within the AIP-PD Mixed-Use Airport Industrial Park Planned Development.	Approved by the Planning Commission on 12/10/25.
File No. 25-001630	817 Waugh Ln.	11/21/25	Historic Demolition Permit request for a residential structure (APN 003-574-07). The proposal also includes demolition of a barn, garages, shed, and vineyard, none of which rise to the level of historical or architectural significance that would warrant review under the City's historic demolition procedures.	Determined exempt from historical review pursuant to Ukiah City Code (UCC) 3016(B) by the Community Development Department (CDD) Director on 12/22/25.
PA25-000021	101 and 105 S Main St.	11/7/25	Historic Demolition Permit for two structures over 50 years old (APN 002-231-01). The request focuses on revising mitigation measures in a CEQA Addendum to the 2022 City Council–approved Initial Study and demolition permit, reflecting a new applicant and updated project timing.	Approved by the City Council on 1/21/26.



AGENDA SUMMARY REPORT

SUBJECT: Discussion with Possible Action Regarding a Change to the Planning Commission Rules of Conduct Regarding Section 9III, Viewing the Site.

DEPARTMENT: Community
Development

PREPARED BY: Craig Schlatter, Community Development Director

PRESENTER: Craig Schlatter, AICP

ATTACHMENTS:

1. Planning Commission Rules of Conduct 4-26-23
2. ILG Handbook_Quasi-Judicial and Legislative Decisions Section
3. Language Options for Agenda Item 14a

Summary: Planning Commission will discuss a possible change to the Planning Commission Rules of Conduct related to the site visit requirement in Section 9III.

Background: The City of Ukiah Planning Commission Rules of Conduct (“Rules”) were last updated and adopted by the Commission on April 26, 2023, through Resolution No. 2023-03 (Attachment 1). The Rules adopted in 2023, based on rules of conduct developed by the City Council, amended Rules last adopted by the Commission in 2017.

At the Commission’s March 11, 2026, regular meeting, the Commission requested an agenda item be scheduled to discuss and possibly approve changes to the 2023 Rules to address the site visit requirement within Section 9III of the Rules.

Discussion: In researching this item for the Commission, Staff reviewed guidance from the Institute for Local Government Planning Commissioner Handbook and sought input from the City Attorney’s Office. Below are conclusions from this research.

Institute for Local Government Planning Commissioner Handbook

The Institute for Local Government (ILG) produces a Handbook for Planning Commissioners that serves as a comprehensive guide that *describes the major plans and policies that comprise the framework of local planning, as well as typical players in the process and the basics of reviewing applications for development.* The full Handbook can be found online at this link: <https://www.ilgplanninghandbook.org/>

In the Handbook’s section on Quasi-Judicial and Legislative Decisions (Attachment 2), the ILG notes as a key consideration that Commissioners should limit decisions to facts that are presented as part of the quasi-judicial process, just as a court bases its decision on the evidence presented before it. The ILG advises that a Commissioner *be aware of how the basic requirements of procedural due process may affect your ability to make a decision* and lists five basic procedural due process requirements, one of which is as follows:

Site Visits Raise Concerns. *It is often tempting to visit a project site to get a better feel for the issues. However, this action raises due process concerns. The visit provides you with an opportunity to draw conclusions outside of the hearing process. For example, if neighboring owners are concerned about traffic congestion and you visited the property on a Sunday morning when there was no traffic, you might dismiss*

their claims as unwarranted. They may have just assumed you knew their concern was about congestion at peak travel times. Many local agencies require that you disclose any site visits that you may have made—along with any conclusions you drew from such visits—at the beginning of the hearing. Other agencies may take a more conservative approach. Always check with staff or the agency’s attorney to see what procedures may apply to your commission.

City Attorney's Office

The City Attorney's Office "finds no legal basis that would prevent the Planning Commission from using its discretion to eliminate the site visit requirement for quasi-judicial decisions. [The Commission] can rely instead on maps, photos, diagrams, floor plans, etc. in the record that depict and describe conditions at the site." Additionally, the City Attorney noted that the site visit requirement was added to the Rules by a Commission of the past (pre-2017) and that the City Attorney had previously cautioned the Commission on making this a requirement, based on similar concerns outlined by the ILG.

Staff recommends the Commission discuss and possibly take action regarding a change to Section 9III of the Planning Commission Rules of Conduct.

Recommended Action: Discuss and possibly consider action regarding a change to Section 9III of the Planning Commission Rules of Conduct.

**RULES OF CONDUCT
OF THE UKIAH PLANNING COMMISSION MEETINGS
FOR THE CITY OF UKIAH**

SECTION 1. UKIAH PLANNING COMMISSION MEETINGS

The Ukiah Planning Commission (“Commission”) meets regularly on the second and fourth Wednesday of each month at 6:00 p.m. The Commission meetings are held at the Civic Center Council Chambers, located at 300 Seminary Avenue. The Rules of Conduct sets forth procedural guidelines for the conduct of Ukiah Planning Commission meetings as follows:

I. Special Meetings/Time and Place/Notices

Special Planning Commission meetings may be called at any time by the Planning Commission Chair or by three (3) members of the Commission by directing the Recording Secretary to deliver or mail a written notice to each Commissioner, to each local newspaper of general circulation, radio and television station requesting a notice in writing. Such notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting, as set forth in the notice. The call and notice shall set forth the time and place of the special meeting, which may be at a time and place different from the regular meeting time or place, and the business to be transacted. A copy of the notice shall also be posted at or near the door to the City Hall Council Chambers. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any Commissioner who, at or prior to the time the meeting convenes, files with the Planning Commission a written waiver notice. Such waiver may be given by U.S. mail, email, or facsimile. The written notice may also be dispensed with as to any Commissioner who is actually present at the meeting at the time it convenes.

II. Open to the Public/Exception

All regular and special meetings of the Planning Commission shall be public; provided, however, the Commission may hold a special meeting, with applicable provisions of state law, including the Ralph M. Brown Act (Government Code Sections 54950 et seq.).

III. Closed sessions/Disclosure of Information

Not applicable.

SECTION 2. AGENDA

I. Preparation and Posting of Agendas

Except for documents or information prepared by City staff that is not available by 12:00 noon on Wednesday, but in the Community Development Director’s judgement should be included with the agenda prior to its delivery to members of the Planning Commission, all reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Commission at a regular meeting, shall be delivered to the Recording Secretary no later than 12:00 noon on Wednesday, six (6) working days

preceding the meeting. The Recording Secretary or City Planning Division staff shall prepare the agenda of all such matters under the direction of the City Community Development Director. The agenda and supporting documents shall be delivered to the Planning Commissioners no later than the Friday preceding the Wednesday Planning Commission meeting to which the agenda pertains. The agenda itself shall be posted in a location freely accessible to the public at least 72 hours before each regular meeting or 24 hours before any special meeting of the Planning Commission. The agenda must include a brief description of each item of business to be transacted or discussed at the meeting, as well as the time and location of the meeting. The Community Development Director shall review the items to be placed on the agenda and place those items which he or she believes to be of a routine non-controversial nature and are properly documented on the consent calendar, for adoption by a single motion.

II. Order of Business

The business of the Planning Commission and the order of its agenda shall be in such form, as the Commission may from time to time adopt by resolution.

SECTION 3. PLANNING CORRESPONDENCE

I. Availability to the Public

Correspondence on agenda and/or non-agenda items addressed to the Planning Commission and received by the Recording Secretary, Planning Division staff, or any other officer or employee of the City, shall not become a public record until received and distributed to the Commission at a regular, special, or adjourned meeting of the Planning Commission. Correspondence may come in the form of U.S. mail, email, and/or facsimile. Correspondence should not be read aloud at a Planning Commission meeting unless requested by a majority vote of the Commission.

II. Authority of the Community Development Director

The City Community Development Director is hereby authorized to open and examine all mail or other written communications addressed to the Planning Commission and to give them immediate attention to this end, that all administrative business referred to in such communications, and not necessarily requiring Commission action, may be acted upon between Commission meetings; provided, however, mail addressed to individual Commissioners shall not be opened without the consent of the Commissioner.

SECTION 4. PRESIDING OFFICER

The Planning Commission Chair shall be the presiding officer at all meetings of the Planning Commission. In the absence of the Planning Commission Chair, the Planning Commission Vice Chair shall preside. In the absence of both the Chair and Vice Chair, the Recording Secretary shall call the Commission to order, whereupon, a temporary presiding officer or Commissioner shall be elected by the Planning Commissioners present to serve until the arrival of the Planning Commission Chair or Vice Chair or until adjournment. Wherever in this article the term Chair is used, it shall apply equally to the presiding officer as set forth in this section.

I. Powers and Duties

- A. Participation: The presiding officer may move, second, debate, and vote from the Chair.
- B. Signing of Documents: The presiding officer shall sign all ordinances, resolutions, contracts, and other documents necessitating his/her signature which were adopted in his/her presence, unless he or she is unavailable, in which case the signature of an alternate presiding officer may be used.
- C. Sworn Testimony: The presiding officer may require any person addressing the Planning Commission to be sworn as a witness and to testify under oath, and the presiding officer shall so require, if directed to do so, by a majority vote of the Planning Commission.
- D. Discussion of and Action on Agenda Items: Under rules, as shall be determined from time to time by the Commission Chair, the public shall be offered an opportunity to address at the meeting, any item included on the agenda. The Planning Commission shall not take action on any item not appearing on the posted agenda unless: 1) a Commission majority determines that an ‘emergency situation’, as defined herein, exists; 2) The Commission determines by a two-thirds (2/3) vote or by a unanimous vote if less than two-thirds (2/3) of the Planning Commissioners are present, that a need to take immediate action to the item arose subsequent to the posting of the agenda; or 3) the item was included in a properly posted agenda for a prior meeting occurring not more than five (5) days prior to the meeting at which time the action is taken and was continued to the meeting at which time the action is taken

As used in this section “emergency” means an event which will cause a work stoppage, severely impairing public health or safety, or a crippling disaster severely impairing public health or safety.

SECTION 5. RULES OF ORDER

In the event of questions as to procedure not set forth in this article for Planning Commission meetings, the Chair shall be guided by the rules of general parliamentary procedure.

I. Rules of Order/Failure to Observe

Rules adopted to expedite the transaction of the business of the Commission in an orderly fashion shall be deemed to be procedural only and subject to the privilege of the presiding officer. The failure to strictly observe such rules shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting, which is otherwise held in conformity with law.

II. Rules of Decorum

- A. Commissioners: While the Commission is in session, the Commissioners shall preserve order and decorum, and a Commissioner shall neither, by

conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner while speaking, nor refuse to obey the orders of the presiding officer. Commissioners shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.

- B. Employees: Members of the City staff and employees shall observe rules of order and decorum as are applicable to the Planning Commission. However, members of the City staff and employees may not leave their seats during a meeting without first obtaining the permission of the presiding officer.
- C. Persons Addressing the Council: Any person making impertinent, slanderous, or profane remarks, or who becomes boisterous while addressing the Commission, shall be called to order by the presiding officer, and if such conduct continues, may, at the discretion of the presiding officer, be ordered barred from further attendance before the Commission during that meeting.
- D. Members of the Audience: Any person in the audience who engages in disorderly conduct, such as clapping of the hands, stamping of the feet, whistling, using profane language, yelling, or similar demonstrations, which disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the presiding officer, is guilty of a misdemeanor under the provisions of State law, and, upon instructions from the presiding officer, it shall be the duty of the sergeant at arms (Chief of Police or his/her designee) to remove such person from the Council Chamber and to place him or her under arrest.
- E. Dangerous Instruments: No person may enter the chambers of a legislative body, as defined in Section 54852 of the Government Code of the State, or any place where such legislative body is in session, with any firearm, weapon, or explosive device of any nature. The provisions of this section shall not apply to authorized peace officers or to those persons authorized by the Penal Code of the State to carry such weapons.
- F. Rules of Decorum/Enforcement: The Chief of Police, or such members of the Police Department as the Chief of Police may designate, shall be sergeant at arms of the Commission and shall carry out all orders given the presiding officer for the purpose of maintaining order and decorum at Commission meetings. Any Commissioner may move to require the presiding officer to enforce the rules, and the affirmative vote of a majority of the Commission shall require him or her to do so.

II. Rules of Debate

- A. Getting the Floor: Every Commissioner desiring to speak at a Planning Commission meeting shall first address the Chair, gain recognition by the presiding officer, and confine himself/herself to the question under debate, avoiding personalities and indecorous language.

- B. Questioning the Staff: Every Commissioner desiring to question the City staff shall, after recognition by the presiding officer, address his or her questions to City staff.
- C. Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, a point of order or chooses to yield to a question by another Commissioner. If a Commissioner is called to order while speaking, he or she shall cease speaking until the question of order is determined to be in order, then he or she may proceed. Members of the City staff, after recognition by the presiding officer, shall hold the floor until the completion of their remarks or until recognition is withdrawn by the presiding officer.
- D. Points of Order: The presiding officer shall determine all points of order, subject to the right of any Commissioner to appeal to the Council. If an appeal is taken, the question shall be, "*Shall the decision of the presiding officer be sustained*"? A majority vote shall conclusively determine such question of order.
- E. Points of Personal Privilege: The right of a Commissioner to address the Commission on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are questioned or where the welfare of the Commission is concerned. A Commissioner raising a point of personal privilege may interrupt another Commissioner who has the floor only if the presiding officer recognized the privilege.
- F. Limitation of Debate: No Commissioner shall be permitted to speak more than once on any particular subject until every other Commissioner desiring to do so shall have spoken.

SECTION 6. MOTIONS

A motion by any member of the Planning Commission, including the presiding officer, may not be considered by the Commission without receiving a second.

I. After Motions are Made and Hearings are Closed

After a motion has been made or a public hearing has been closed, no member of the public shall address the Commission from the audience on the matter under consideration without first seconding permission to do so by a majority vote of the Commission. Prior to taking a vote, the Commission may engage in discussion and debate.

SECTION 7. VOTING RULES

I. Seating Arrangement for Commission

The Planning Commission Chair shall sit in the center chair of the Commission; the next Commissioner in seniority, based upon the time at which the Commissioner was appointed by the City Council) shall sit alternately on the left and right of the Planning Commission Chair. Should the Chair not be present at the meeting, the Vice Chair shall sit in the center chair as presiding officer.

II. Question to be Stated

Upon moving the question, the presiding officer shall call for the vote which shall be taken first from the least senior member then moving by seniority rank to the most senior member, with the presiding officer voting last.

III. Registration of Votes

Any vote of the Planning Commission, including a roll call vote, may be registered by the members by answering “aye” for an affirmative vote or “no” for a negative note upon the name of the Planning Commissioner.

IV. Voting Procedure/Disqualification

Any Planning Commissioner who is disqualified from voting on a particular matter by reason of a conflict of interest, shall publicly state, or have the presiding officer state, the nature of such disqualification in open meeting. A Commissioner who is disqualified by reason of a conflict of interest in any matter, shall not remain in his or her seat during the debate and vote on such matter, but shall request and be given the permission of the presiding officer to step down from the Council table and leave the Council Chamber. A Commissioner stating such disqualification shall not be counted as a part of a quorum, and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

V. Failure to Vote

Planning Commissioners present at a Planning Commission meeting shall vote unless disqualified by reason of a conflict of interest or where the Commissioner in good faith believes that he or she should not vote on a measure for good cause, such as, but not limited to, not having attended a prior meeting essential to an informed note on the measure. A failure to vote or an abstention shall not be counted. A measure shall pass only if it receives “aye” votes from a majority of the Commissioners present at the meeting provided a quorum is established. Commissioners abstaining shall be counted in determining whether a quorum is present.

VI. Tie Votes

Tie votes shall be lost motions and may be reconsidered.

VIII. Changing Votes/Abstention

A Planning Commissioner may change his or her vote only if he or she makes a timely request to do so immediately following the announcement of the vote by the Recording Secretary and prior to the time the next item in the order of business is taken up. A Commissioner who publicly announces he or she is abstaining from voting on a particular matter shall not subsequently be allowed to withdraw his or her abstention.

SECTION 8. RECONSIDERATION OF ACTIONS

A motion to reconsider any action taken by the Planning Commission may be made only on the day such action was taken. It may be made either immediately during the same session or at recessed or adjourned session thereof. Such motion may be made only by one of the Commissioners who voted with the prevailing side. The provision of this section shall not be construed to prevent any Commissioner from making or remaking the same or any other motion at a subsequent meeting of the Commission.

SECTION 9. PUBLIC HEARINGS

I. Public Hearing Defined

A public hearing is any hearing which is publicly noticed by publication in a newspaper of general circulation, posting on affected property, or mailing to affected parties. Generally, public hearings can be classified as quasi-judicial or quasi-legislative. The following is a general summary description of quasi-judicial and legislative hearings. The discussion is not intended to change the general California law governing this subject. Generally, a quasi-judicial decision is any decision affecting one, or a limited number of individual applicants, in which the Planning Commission is legally required to make its decision based on the evidence presented during the hearing. Examples of such hearings include appeals from land use decisions by Planning Commission to the Ukiah City Council, such as those concerning major use permits, variances, and major site development permits. Generally, a quasi-legislative decision generally is a decision to make or amend rules affecting a whole class or large number of persons. The City Council is required to seriously consider evidence presented during quasi-legislative hearings, but it is not legally required to base its decision exclusively on the evidence presented. Examples of quasi-legislative decisions include the adoption or amendment of zoning ordinances, general plan amendments, and other ordinances.

II. Submission of Documents

In order to give adequate consideration to written documents, the following rules shall apply:

- A. Time and Submission: Any written document excluding written comments submitted on a particular agenda item by the public, whether containing factual information or legal or policy arguments exceeding 250 words, must be submitted to the Recording Secretary six (6) calendar days prior to the scheduled hearing date. Photographs or other graphic depictions may be filed at the hearing.
 1. If the submission deadline falls on a legal holiday or weekend, the document must be submitted the last working day prior to the submission deadline.
 2. The Planning Commission shall exclude from the record and not consider any document submitted after the submission deadline, unless upon a motion by a Commissioner, a majority of the Commissioners present at the hearing vote to consider the document. A decision to consider a document not timely filed shall be considered automatic grounds to continue the hearing, although

a continuance shall require a specific motion adopted by a majority of the Commissioners present at the meeting.

- B. Manner of Submission: All documents must be presented to the Recording Secretary for consideration at the hearing. No documents presented to the individual Commissioners prior to the hearing shall be considered as part of the hearing record.
1. To be considered, an original and seven (7) copies must be filed with the Recording Secretary.
 2. Upon Receipt, the Recording Secretary shall date stamp as received the original and all copies. Upon request, the Recording Secretary will furnish the proponent of the document with a date stamped copy. The Recording Secretary shall immediately distribute copies of the submitted documents to the individual Commissioners and the Community Development Director. The Recording Secretary shall retain the original and include it in the hearing record, which the Recording Secretary shall compile and maintain.

III. Viewing the Site

In quasi-judicial hearings involving specific property, it shall be the duty of Planning Commissioners to view the site prior to the hearing. At the beginning of the hearing the Planning Commission Chair shall poll the Commissioners to establish, on the record, whether they have viewed the site. If any Commissioner indicates that he or she has not viewed the site, the hearing shall be continued to the next regular meeting date.

In quasi-legislative public hearings involving specific property, any Commissioner may, but not required to, view the site. In such hearings, Commissioners may, but are not required to, reveal on the record whether they have viewed the site.

IV. Making a Decision

In quasi-judicial hearings, the Planning Commission shall base its decision exclusively on the record, including documents submitted in accordance with this rule and testimony and oral argument presented during the hearing. Any motion deciding the matter shall include sufficient findings of fact to inform the parties of the basis on which the Planning Commission made its decisions, and to determine whether the decision is based on lawful principles. Where possible, the staff report the Planning Commission shall include proposed findings for Planning Commission consideration.

In quasi-legislative hearings, the Planning Commission shall seriously consider all documents submitted in compliance with this rule and testimony and oral argument presented during the hearing. The motion deciding the matter need not include specific legal requirements applicable to the particular matter.

V. **Conduct of Public Hearing**

As presiding officer, the Planning Commission Chair shall conduct the hearing to promote an orderly presentation of the evidence by all parties. Subject to the following guidelines, the Chair shall use his or her discretion in presiding over the hearing:

- A. Order of Proof: Generally, all those supporting an application or measure shall present their evidence and argument first. Those opposing the application or measure shall present their evidence and argument second. Those supporting the measure shall be allowed some additional time for rebuttal. If during the rebuttal project proponents present new argument or evidence, project opponents shall be allowed some additional time to rebut that new matter.
- B. Time Limitations: The Planning Commission Chair may impose time limitations on all those wishing to present evidence or argument. The Chair may prevent the presentation of irrelevant, repetitive, or cumulative testimony or argument.
- C. Manner: Each person desiring to address the Planning Commission shall step up to the microphone reserved for that purpose, state his or her name and address for the record, state the subject he or she wishes to discuss, state whom he or she is representing, if he or she represents an organization or other persons, and unless further time is granted by a majority vote of the Commission, shall limit his or her remarks to three (3) minutes. All remarks shall be addressed to the Commission as a whole and not to any member thereof.
- D. Spokesmen for Groups of Persons: In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Planning Commission on the same subject matter, it shall be proper for the presiding officer to request that spokesman be chosen by the group to address the Commission, and in the event additional matters are to be presented by any other member of such group, to limit the number of such persons addressing the Commission.

SECTION 10. ORDINANCES/RESOLUTIONS/CONTRACTS

I. **Motions**

Motions shall be used to express decisions of the Planning Commission on routine questions or matters of temporary importance, or to give instructions to the staff and shall be moved, seconded, and adopted by a voice vote unless a roll call is requested by a Commissioner.

II. **Resolutions**

Resolutions shall be used to express decisions of the Planning Commission of a permanent or lasting nature and shall be introduced, seconded, and adopted by a roll call vote.

III. Ordinances

Not applicable.

SECTION 11. MINUTES/PREPARATION AND CHANGES

The Recording Secretary shall have the exclusive responsibility for the preparation of the minutes of Planning Commission meetings, and any directions for changes in the minutes shall be made only by a majority action of the Commission.

I. Minutes/Request for Detail

During a Planning Commission meeting any Commissioner may request the Recording Secretary include in the minutes for that meeting a verbatim transcript of any portion of the meeting designated by the Commissioner. If so requested, the Recording Secretary shall include the verbatim transcript of such segment in the draft minutes presented to the Planning Commission for approval, unless the request is rejected by a majority vote of the Commission.

II. Minutes/Reading

Unless the reading of the minutes of a Planning Commission meeting is ordered by a majority vote of the Commission, such minutes may be approved without reading, if the Recording Secretary has previously furnished each Commissioner with a copy.

III. Minutes/Entry of Statements

A Planning Commissioner may request through the presiding officer of a Planning Commissioner meeting, the privilege of having an abstract of the statement of such Commissioner on any subject under consideration by the Commission entered in the minutes. If the Commission consents thereto, such statement shall be inserted in the minutes.

SECTION 12. SPECIAL COMMITTEES

All special Planning Commission committees shall be appointed by the presiding officer with a majority consent of the Commission. Such committees shall be temporary in tenure and shall automatically be discharged upon the completion of their charge, or upon an order of the presiding officer or majority of the Commission.

Quasi-Judicial and Legislative Decisions

Understanding the type of decision that the commission is being asked to make will help you understand your role in making the decision. Most land use decisions can be divided into two categories: legislative and quasi-judicial.

- **Legislative decisions** involve policy choices that apply to a broad class of landowners. Examples include decisions to adopt general plans and zoning ordinances.

Legislative Acts: Examples

- General plan amendments
 - Zoning code amendments
 - Zoning map amendments
 - Special plan adoption and amendment
 - Annexations
 - Development agreements
- **Quasi-judicial decisions** (also called adjudicative or administrative decisions) involve individual projects that are being considered for approval, conditional approval or denial based on criteria previously established by some legislative action. Examples include zoning permits or other entitlements, such as variances.

Quasi-Judicial Acts: Examples

- Conditional use permits
- Variances
- Coastal zone permits
- Subdivision maps
- Williamson Act cancellations
- Development allotment per growth control ordinance
- Certificates of compliance
- General plan consistency determination
- Habitat conservation plan amendments
- CEQA decisions requiring hearings and evidence

The key difference between the two from a decision-making perspective is that procedural due process requirements apply to quasi-judicial decisions. Because these decisions are more formal, you have to be more careful about the sources of information you use to make your decision.

There is also a third type of decision that may arise from time to time: ministerial decisions. These actions are mandatory,

nondiscretionary activities that must be approved so long as certain standards are met. A final subdivision map, for example, must be granted when all of the conditions of the tentative map are met. Likewise, certain applications for second unit or “granny flat” approvals in single-family neighborhoods are ministerial.

Key Considerations for Quasi-Judicial Proceedings

As a commissioner, you play a unique role when you are considering an individual application or other quasi-judicial decision. In a way, you are operating as a court in that you are applying the local land use regulations to a specific application just as a court applies the law to a specific set of facts. Because of this, you should limit your decision to facts that are presented as part of the quasi-judicial process, just as a court bases its decision on the evidence presented before it.

This does not mean, however, that the commission must have detailed rules of evidence like a court does. The public hearing format is much simpler. However, you do need to be aware of how the basic requirements of procedural due process may affect your ability to make a decision. Basic procedural due process requirements include:

- **Notice of Hearing Required.** Quasi-judicial proceedings almost always involve a public hearing. Affected property owners should receive notice of the hearing by mail at least 10 days in advance, although different timelines and procedures may apply in charter cities.³¹
- **Decision-Maker Must Be Present for all Evidence.** Anyone involved in making the decision must have heard all the evidence. This becomes an issue if you miss a meeting where evidence is presented but the vote is postponed to a later meeting that you attend. While the best practice is to be present for all hearings, in some cases you may still vote after reviewing the tape or testimony of the earlier meeting, reading all documents involved, presenting and stating on the record that such review and examination was completed.³² However, your agency’s attorney may recommend that you abstain from the vote to avoid questions about fairness.
- **Avoid Ex Parte Contacts.** An ex parte communication about a project occurs when you receive information—in person or by phone, e-mails, social media, etc.—outside of the quasi-judicial process (ex parte is Latin for “from one side only”). Reliance on information received in this way can be unfair because the opposing parties are not there to rebut the information. If you are about to receive this kind of information, you should explain that you are not permitted to discuss the issue outside of the hearing. Ask that the person submit their comments in writing for the consideration of the entire planning commission. The comments will then be included as part of the record (and have greater legal effect). You should also discuss the contact with the agency’s attorney. You may be able to resolve the problem by disclosing the contact and the substance of the communication at the hearing. This will get the evidence you received on the record.
- **Site Visits Raise Concerns.** It is often tempting to visit a project site to get a better feel for the issues. However, this action raises due process concerns. The visit provides you with an opportunity to draw conclusions outside of the hearing process. For example, if neighboring owners are concerned about traffic congestion and you visited the property on a Sunday morning when there was no traffic, you might dismiss their claims as unwarranted. They may have just assumed you knew their concern was about congestion at peak travel times. Many local agencies require that you disclose any site visits that you may have made—along with any conclusions you drew from such visits—at the beginning of the hearing. Other agencies may take a more conservative approach. Always check with staff or the agency’s attorney to see what procedures may apply to your commission.
- **Strong Personal Bias May Require Disqualification.** Strong personal bias may require that you disqualify yourself from making a decision. Procedural due process is built on the notion of an unbiased decision-maker.

31 Cal. Gov’t Code § 65091.

32 David J. Curtin, Jr., & Cecily T. Talbert, *Curtin’s California Land Use and Planning Law* (Solano Press, 2004).

Agenda Item 14a Planning Commission Rules of Conduct Regarding Section 9III, Viewing the Site Language Options

Option 1

In quasi-judicial hearings involving specific property, Commissioners must disclose if they have visited the site since the item was noticed. At the beginning of the agenda item for the hearing involving the specific property, the Planning Commission Chair shall poll the Commissioners to establish on the record, whether they have viewed the site, and any relevant observations and concerns from viewing the site.

In quasi-legislative public hearings involving specific property, Commissioners may visit the site and may disclose the visit, but they are not required to.

Option 2

In quasi-judicial hearings involving specific properties, commissioners who have visited the project site must disclose the visit at the beginning of the agenda item. The Planning Commission Chair shall poll the commissioners to establish on the record whether any commissioner has viewed the site and to allow disclosure of any observations made during the visit.

In quasi-legislative public hearings, commissioners may visit relevant sites; however, disclosure of such visits is encouraged but not required unless the visit resulted in information not otherwise part of the public record



AGENDA SUMMARY REPORT

SUBJECT: Discussion with Staff regarding the Format of Planning Commission Staff Reports.

DEPARTMENT: Community Development

PREPARED BY: Craig Schlatter, Community Development Director

PRESENTER: Craig Schlatter, AICP

ATTACHMENTS:

1. Example 1 - Change to Summary
2. Example 2 - Walnut Creek cover page
3. Example 3 - Staff-Report-Template- APA Planning Magazine

Summary: Planning Commission will discuss the format of Planning Commission staff reports with Staff.

Background: During the March 11, 2026, regular meeting of the Planning Commission, a minor miscommunication occurred between the Commission and Staff due to how language was presented in the staff report and related conditions of approval for a New Business item. In the discussion that followed, Commissioner Brown, joined by other Commissioners, expressed interest in Staff's recommendations on possible revisions to the format of staff reports such that the content was more accessible.

Discussion: Staff discussed the staff report format with the City Clerk's Office, as well as conducting research into best practices in staff reports provided by the American Planning Association. The following is a list of ideas for discussion.

1. Change the "Summary" section to a 1-2 paragraph plain-language summary of the item. Avoid jargon. This should be easily understandable for someone who has little to no knowledge of the planning process. Outside the Summary, the format of the remainder of the staff report and associated conditions of approval and findings would remain unchanged.

The City Clerk provided an example of this approach in Attachment 1.

2. Add a cover page as an attachment to the agenda summary report. This could be in addition to the change in the Summary section noted in #1 above or could just be an addition to the existing agenda summary report and attachments. The cover page would serve as a dashboard or executive-level overview of the project.

An example of such a format is included in Attachment 2.

3. Replace the entirety of the agenda summary report format with a new, condensed format, such as the format described in the March 2017 edition of the American Planning Association's *Planning* magazine. The format is provided in Attachment 3, and the article, entitled "The Better Staff Report," can be found at this link: <https://www.planning.org/planning/2017/mar/betterstaffreport/>

Staff recommends Planning Commission discuss these staff report ideas and provide input to Staff.

Recommended Action: Discuss with Staff alternative format options for Planning Commission staff reports.



AGENDA SUMMARY REPORT

SUBJECT: Adoption of Updates to General Plan Land Use, Zoning, and Downtown Zoning Code Maps Consistent with Goals and Policies of the 2040 General Plan.

DEPARTMENT: Community
Development

PREPARED BY: Jesse Davis, Chief Planning Manager

PRESENTER: Jesse Davis, AICP/Chief Planning Manager;
Mariam Garcia, GIS Analyst

ATTACHMENTS:

1. City of Ukiah Existing Maps (Zoning, General Plan, DZC)
2. 2016 - 2025 Approved Land Use Modifications
3. City of Ukiah Proposed Maps (Zoning, General Plan, DZC)

Summary:

City Staff updated the City's official land use maps so they are consistent, accurate, and easier to read. Over time, the City approved annexations, zoning changes, subdivisions, and other land use decisions that were not always reflected on all maps. This update adds those previously approved changes and applies a consistent format across the Zoning Map, General Plan Land Use Map, and Downtown Zoning Map. The Planning Commission reviewed the updates and recommends that the City Council adopt the revised maps so they accurately reflect past City decisions and can be used as a clear reference for future planning and development.

Background: As required by Implementation Program E of the City of Ukiah's 2040 General Plan, Staff has completed a comprehensive, citywide update of the City's official land use maps to ensure consistency among the Zoning Map, the General Plan Land Use Map, and the Downtown Zoning Code Map. The update applies a standardized style and incorporates previously approved annexations, rezones, General Plan amendments, and other legislative actions that are not consistently reflected across all three maps. Attachment 1 includes the existing versions of each map.

This effort advances implementation of the Land Use Element of the 2040 General Plan, particularly Goal LU-16, which directs the City to maintain an effective and accurate Land Use Map, and Implementation Program E, which directs the City to ensure consistency between zoning districts and the 2040 General Plan Land Use Diagram. The update is also consistent with the following related policies:

- Policy LU-16.1 (Land Use Map): The City shall maintain and implement a Land Use Map that identifies allowed land uses by location and the corresponding density or intensity of development.
- Policy LU-16.2 (Land Use Designations): The City shall apply land use designations to specific parcels as shown on the General Plan Land Use Map, regardless of whether parcels meet other General Plan criteria.
- Policy LU-16.3 (Zoning Designations): The City shall ensure zoning designations are consistent with and implement the General Plan Land Use Map.

As an initial step, Staff identified three key maps for coordinated review (Attachment 1):

- Official Zoning Map, last comprehensively updated in 2017
- General Plan Land Use Map, adopted by City Council in 2022 (Resolution No. 2022-79)
- Downtown Zoning Code Map, adopted in 2012 (Ordinance No. 1139)

Each map was adopted at a different time and reflects varying boundaries, visual standards, levels of detail, and spatial scales. While the City's parcel framework has remained generally consistent, localized changes have occurred over time due to lot line adjustments, subdivisions, annexations, and legislative actions. These changes have not been uniformly reflected across all three maps, resulting in visual inconsistencies and discrepancies between adopted policy and mapped conditions.

Since adoption of these maps, numerous General Plan amendments, rezones, annexations, and subdivisions have been approved but not consistently incorporated into the City's official mapping. These previously approved actions, identified in Attachment 2, affect land use designations and zoning allowances and are now being formally reflected across all three maps.

During the review process, Staff identified one additional parcel (184-100-04) subject to an Agricultural Consistency Overlay. It was inadvertently identified as only Public Facilities (PF) as part of the Planning Commission hearing and review. This parcel has been updated in Attachments 2 and 3 to reflect the correct overlay designation, and demonstrate that it is aligned with previous and adjacent agricultural land uses. The overlay was previously approved as part of the Prezoning of City-owned properties located north of the wastewater treatment plant. The parcel was acquired by the City as part of a land-banking effort intended to protect and buffer critical City infrastructure from incompatible or conflicting development.

Discussion: Attachment 2 compiles a comprehensive record of annexations, subdivisions, rezones, and General Plan amendments approved between 2016 and the present that are now being formally reflected on the City's official Zoning Map and General Plan Land Use Map. All actions listed in Attachment 2 were previously approved and officially finalized. Attachment 2 does not include lot line adjustments, certificates of compliance, or parcel mergers processed since 2016 by the City Engineer, nor does it include parcel recognitions completed by the Mendocino County Assessor. With the exception of remaining parcel alignment within the Western Hills annexation area needed to implement the approved Development Agreement, the proposed maps rely on the current parcel boundaries maintained by the Assessor.

Updating the City's official maps at this time provides an opportunity to correct discrepancies, improve legibility, standardize mapping standards, and ensure that the zoning, General Plan, and downtown maps function together as a coordinated and reliable land use reference set. The update supports accurate depiction of regulatory overlays and constraints, including Airport Compatibility Zones for the Ukiah Municipal Airport (UKI). In addition, as the City prepares for the 7th Housing Element cycle, maintaining current and consistent land use maps is essential for accurately evaluating residential land inventory and meeting review requirements of the California Department of Housing and Community Development.

As shown in Attachment 3, the proposed maps incorporate and visually align all applicable parcel adjustments, subdivisions, rezones, General Plan amendments, regulatory updates, and annexations approved from 2016 to the present. Collectively, these updates ensure consistency between adopted land use decisions and the City's official mapping. The maps establish a standardized cartographic format, including consistent layout, scale, symbology, color palette, and use of the Community Development Department logo. Attachment 3 is intended to serve as the standard template for future map updates. To further improve clarity and accuracy, Staff revised map layers associated with the Homeless Shelter Overlay, floodplains, and Airport Compatibility Zones. Generalized symbols were also added to identify major public and civic uses, such as the airport, schools, and parks, improving overall legibility for both Staff and the public.

Attachment 3 also includes an updated visualization of the Downtown Zoning Code (DZC). While broader

policy updates to the DZC will be considered through a separate process, these revisions correct and clarify how the DZC overlay is applied and displayed. As previously discussed with the Planning Commission, certain parcels are excluded from the DZC due to documented mapping errors or ownership constraints, including 415 S. State Street and the former North Coast Rail Authority right-of-way (APN 002-193-44). These corrections are reflected in the updated map.

In addition, Staff transitioned the City's land use mapping to the standardized Land-Based Classification Standards (LBCS) framework. This update applies consistent, standardized color coding for top-level land use categories across all maps and GIS layers. Each category is assigned a single color, improving readability and consistency across City documents. For example, residential land uses are now uniformly represented in yellow, consistent with common municipal mapping conventions.

Staff also removed the identifiers previously assigned to residential Planned Developments from the Zoning Map, along with the associated reference table. Individual Planned Development records will remain available for reference and include direct links to their establishing ordinances. Nearly all residential Planned Developments are built out and have historically generated limited permit activity beyond routine repair and rehabilitation.

In contrast, for the Airport Industrial Park Planned Development, Staff retained and refined the associated zoning distinctions to provide a clearer reference to land use activities and regulatory standards. Unlike residential Planned Developments, the Airport Industrial Park includes several undeveloped manufacturing parcels, and Staff regularly receives inquiries regarding development opportunities, including allowed uses and applicable development standards.

The Planning Commission reviewed the proposed map updates at its regular meeting on January 28, 2026, and recommended that the City Council adopt the updated Zoning Map, General Plan Land Use Map, and Downtown Zoning Code Map as the City's official maps. The recommendation was approved by a roll call vote of 4-0-0, with one Commissioner absent by prior arrangement.

Staff recommends that the City Council adopt the updated Zoning Map, General Plan Land Use Map, and Downtown Zoning Code Map. Adoption will ensure consistency with previously approved actions and provide a clear, standardized land use reference to support future planning, development review, and Housing Element implementation.

Recommended Action: Adopt updates to the City of Ukiah's official Zoning Map, General Plan Land Use Map, and Downtown Zoning Code Map to reflect previously approved annexations, rezones, and General Plan amendments, to standardize a shared visual format for clarity and consistency, and to implement policies and goals of the 2040 General Plan.

**WALNUT CREEK PLANNING COMMISSION
STAFF REPORT**

AGENDA: June 26, 2025

ITEM NO. 4b.

ORIGINATED BY: COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING

Project Name	General Plan and Zoning Text Amendments
Application Type	General Plan Amendment and Zoning Text Amendment
Application Number	N/A
Project Location	Citywide
Project Description	Consideration and adoption of a resolution recommending the Walnut Creek City Council adopt an ordinance amending various sections of Title 10, Chapter 2 of the Walnut Creek Municipal Code (Zoning) to comply with state law, along with minor code clean up and a General Plan Amendment to remove an outdated and inoperable growth policy in compliance with Program H.4.G of the 2023-20231 Housing Element.
Zoning	Multiple
General Plan	Multiple
CEQA Recommendation	Exempt, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (“CEQA”) Guidelines, on the basis that it can be seen with certainty that there is no possibility that the proposed project have a significant effect on the environment.
Applicant Owner	City of Walnut Creek
Staff Contact	Crystal De Castro, Acting Principal Planner (925) 943-5899 x2256 decastro@walnutcreekca.gov

STATEMENT OF ISSUES:

In response to recent state legislation aimed at reducing barriers to housing production and in furtherance of goals and policies in the Walnut Creek 2023-2031 Housing Element, staff continuously reviews the Walnut Creek Zoning Code and General Plan to ensure consistency with state law to provide clear regulatory guidance. The proposed amendments are intended to ensure compliance, improve clarity and consistency across the City’s land use policies and regulations.

RECOMMENDED ACTION:

Adopt a resolution recommending the City Council adopt an ordinance amending various sections of Title 10, Chapter 2 (Zoning) to comply with state law, including minor code clean up, and approve a General Plan Amendment to remove an inoperable growth policy in compliance with Program H-4.G of the 2023–2031 Housing Element.

STAFF REPORT CONTACT INFORMATION

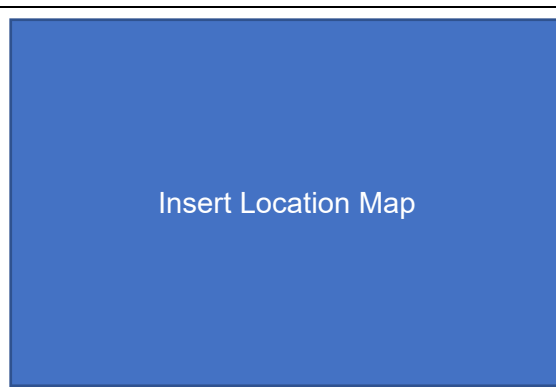
DOCKET/CASE/APPLICATION NUMBER

APPLICANT/PROPERTY OWNER

PUBLIC HEARING DATE

PROPERTY ADDRESS/LOCATION

BRIEF SUMMARY OF REQUEST



MAP SOURCE

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

<p>COMPATIBILITY with the COMPREHENSIVE PLAN</p>	<p>PROPERTY HISTORY Compatibility with the planned development (or other controlling documents); traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design</p>
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<p>COMPATIBILITY with the ZONING ORDINANCE</p>

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/
APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

OTHER (DESCRIBE)