



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.

August 12, 2026 - 5:15 PM

1. **ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **AB 2449 NOTIFICATIONS AND CONSIDERATIONS**

4. **APPROVAL OF MINUTES**

4.a. Approval of the Minutes of July 8, 2026, a Regular Meeting.

Recommended Action: Approve the Minutes of July 8, 2026, a Regular Meeting.

Attachments:

1. 2026-07-08 PC Draft Minutes

5. **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].

6. **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.

7. **VERIFICATION OF NOTICE**

8. **PLANNING COMMISSIONER'S REPORT**

9. **DIRECTOR'S REPORT**

- 9.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 08-01-26

10. **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.

- 10.a. Adoption of a Resolution Adopting Amended Rules of Conduct for City of Ukiah Planning Commission Meetings.

Recommended Action: Adopt a Resolution adopting amended Rules of Conduct for the City of Ukiah Planning Commission.

Attachments:

1. Amended Planning Commission Rules of Conduct August 2026
2. Resolution - Planning Commission Amended Rules of Conduct 8-12-26

11. **UNFINISHED BUSINESS**

12. **NEW BUSINESS**

13. **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.

Kristine Lawler, City Clerk
Dated: 8/5/26



**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>

**July 8, 2026
5:15 p.m.**

1. ROLL CALL

The City of Ukiah Planning Commission met at a Regular Meeting on July 8, 2026, having been legally noticed on July 1, 2026. The meeting was held in person and virtually at the following link: <https://us06web.zoom.us/j/83128884939>. Chair de Grassi called the meeting to order at 5:15 p.m. Roll was taken with the following **Commissioners Present:** Devery Montañó, Rick Johnson, and Alex de Grassi. **Commissioners Absent:** Jacob Brown and Mark Hilliker. **Staff Present:** Craig Schlatter, Community Development Director and Kristine Lawler, City Clerk.

CHAIR de GRASSI PRESIDING.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Montañó.

3. AB 2449 NOTIFICATIONS AND CONSIDERATIONS

No notifications or considerations received.

4. APPROVAL OF MINUTES

a. Approval of the Minutes of June 10, 2026, Regular Meeting.

Motion/Second: Johnson/Montañó to approve minutes of June 10, 2026, a Regular Meeting, as submitted. Motion **carried** by the following roll call votes: **AYES:** Montañó, Johnson, and de Grassi. **NOES:** None. **ABSENT:** Brown and Hilliker. **ABSTAIN:** None.

5. APPEAL PROCESS

Chair de Grassi stated the appeals deadline date is July 20, 2026, before 5:00 p.m.

6. COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

No public comments were received.

7. VERIFICATION OF NOTICE

Clerk noted that the agenda was properly noticed.

8. PLANNING COMMISSIONER'S REPORTS

Presenters: Vice Chair Johnson and Chair de Grassi.

Commissioner Request to Staff to schedule a future agenda item for the topic of “auto-centric” and its meaning.

9. DIRECTOR'S REPORTS

a. Receive Community Development Director's Report.

Presenter: Craig Schlatter, Community Development Director.

No public comment was received.

Report was received.

10. CONSENT CALENDAR

No consent calendar items were placed on the agenda.

11. UNFINISHED BUSINESS

a. Review and Finalize Draft Amended Planning Commission Rules of Conduct.

Presenter: Craig Schlatter, Community Development Director.

No public comment was received.

Commissioner Consensus to direct minor changes as discussed to the following sections:

- 5.1 – Add “Shall be guided by the Rosenberg’s Rules of Order” (*to be re-evaluated in one-year’s time*).
- 13.1 – Add language that includes a simple disclosure of any ex parte communications, to be given prior to the staff report, and add disclosures of any site-visits following the staff report;

...and to put a resolution for adoption of the amended Rules of Conduct on the consent calendar for the next meeting.

12. NEW BUSINESS

a. Discussion with Possible Action, in the Form of Recommendations and/or Other Input by Consensus of the Commission, Related to the Meeting Schedule and Scope of the Design Review Board.

Presenter: Craig Schlatter, Community Development Director.

No public comment was received.

Commissioner Consensus to recommend to the City Council that the Planning Commission is in support of the Design Review Board (DRB) scope and modified meeting schedule of the Design Review Board including an annual joint meeting with the Planning Commission.

13. ADJOURNMENT

There being no further business, the meeting adjourned at 7:20 p.m.

Kristine Lawler, City Clerk



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 08-01-26

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

Background: Director's Reports are 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, the 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 related to the following:

- August 2026 Planning Division Projects Report (Attachment 1). The August 2026 report and previous monthly reports are located on the Planning Division Services webpage, under "Current Planning Reports," found at this link: <https://cityofukiah.com/community-development/planning-services>
- Update regarding City's 2026 Ukiah Valley Reorganization Project, including the "Sapling 2.0" map, SEIR process, Rezoning item scheduled for Planning Commission's 8/26/26 regular meeting, and next steps.
- High-level overview of projects and programs planned for 2026-27 for other divisions of the Community Development Department.

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



**City of Ukiah
Submitted Planning Applications**

8/1/2026

Permit #	Site Address	Date Submitted	Summary of Project	Status
PA24-000020/21	534 E Perkins St	12/23/2024	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.
PA26-000011	214 & 228 E Perkins St	4/10/2026	Proposed two story building and associated site work . The building is to be utilized as comprehensive substance abuse disorder treatment center comprised of a doctor's offices, dental offices, exam rooms, group and individual counseling rooms, administrative support rooms and community wellness rooms for the Pinoleville Pomo Nation.	Pre-Application PC review on 5/13/2026. Application not yet submitted.
PA26-000017	290 Seminary Ave	5/26/2026	Temporary Outdoor Community Activation Space in Downtown Ukiah	Agency Review.
PA26-000018	300 Plant Road	6/2/2026	Minor Use Permit involving APNs 184-080-11, 184-090-10, 184-090-11 and 184-010-04 to establish a commercial outdoor cannabis cultivation operation on an approximately 17-acre site leased from the City of Ukiah. The project would include up to 12 acres of flowering canopy.	Planning Reivew; CEQA Initial Study drafting.

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



8/1/2026

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.	Adopted by City Council on July 15, 2026.
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.
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	MOB 5.2 – Support for Charging Stations	12/31/2025	Support installation of electric vehicle charging stations.	In progress. Electric Utility Department and Community Development staff coordinated to install 18 public chargers across three locations, including the Library, Anton Stadium, and Ukiah Skate Park. Building permits are being finalized for submittal.
Mobility	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.

General Plan Element	Implementation Program	Date Due	Description	Status / Comments
Mobility	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.
Safety	CC - Mendocino MJHMP	12/31/2025	Update city plans, regulations, and standards to implement the 2020 Mendocino County Multi-Jurisdiction Hazard Mitigation Plan.	In progress. In June 2026, CDD Staff coordinated with the County of Mendocino on completion of the Multi-Jurisdictional Hazard Mitigation Plan Ukiah Annex.

City of Ukiah
Recently (Within Previous 90 Days) Approved Projects



8/1/2026

Permit #	Site Address	Approved Date	Summary of Project	Comments
PA26-000012	1009 W. Perkins St.	5/27/26	Three parcel Minor Subdivision. The northern portion of the property fronts W. Perkins Street and currently contains an existing single-family dwelling. The southern portion of the property fronts W. Church Street and includes a second single-family dwelling on its eastern side, alongside a vacant, grassy field on its western side.	Approved by City Engineer on 5/27/26.
PA26-000005	760 Apple Ave	6/3/2026	Minor Use Permit/Site Development Permit for construction of a ±410 square-foot conference room north of the existing contractor's shop on APN 003-050-66 to provide additional office space for the staff and owners.	Design Review Board recommended approval on April 29, 2026; Approved by Zoning Administrator on 6/3/2026.
PA26-000013	680 S State St	6/3/2026	Minor Use Permit to convert the existing ±17,479 square foot retail structure into a bowling/entertainment facility. From 2008 - 2025, the structure and parcel were utilized by Rite-Aid Pharmacy. Since closure of the pharmacy in June 2025, the property has remained vacant.	Approved by Zoning Administrator on 6/3/2026.
PA26-000016	1102 W Clay St	6/9/2026	Lot Line Adjustment (LLA) involves two (2) parcels. The adjustment is minor and is intended to align the property line with an existing fence, transferring approximately 115 square feet from Parcel 2 to Parcel 1.	Approved by City Engineer on 6/9/2026.



RULES OF CONDUCT FOR CITY OF UKIAH PLANNING COMMISSION MEETINGS

City of Ukiah Department of Community Development

RULES OF CONDUCT
Adopted 1983
Amended 1999
Amended 11/8/17
Amended 4/26/23
Amended 4/22/26
Amended (Proposed) 8/12/26

Table of Contents

PREAMBLE.....	2
1 MEETING DAYS AND TIMES	3
2 AGENDA AND ORDER OF BUSINESS	3
3 PLANNING COMMISSION CORRESPONDENCE	4
4 PRESIDING OFFICER	4
5 RULES OF ORDER.....	5
6 MOTIONS	7
7 VOTING RULES	7
8 RECONSIDERATION OF ACTIONS	8
9 PUBLIC HEARINGS	8
10 RESOLUTIONS	11
11 MINUTES PREPARATION AND CHANGES.....	11
12 SPECIAL COMMITTEES.....	12
13 EX PARTE COMMUNICATIONS.....	12

PREAMBLE

These Rules of Conduct are adopted pursuant to the authority set forth in Chapter 4, Article 4, Section 1155 of Ukiah City Code and provide procedural guidelines for the conduct of Ukiah Planning Commission meetings. Meetings of the Commission are conducted according to these Rules and as modified by the Commission from time to time.

SECTION 1. MEETING DAYS AND TIMES

1.1 Regular Meetings/Time and Place

The Ukiah Planning Commission ("Commission") meets regularly on the second and fourth Wednesday of each month at 5:15 p.m. The Commission meetings are held at the Civic Center Council Chambers, located at 300 Seminary Avenue.

1.2 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 Clerk or Clerk Designee, hereinafter referred to as "Clerk," 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 Civic Center 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.

1.2 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.) and related State laws such as provisions within AB 2449.

SECTION 2. AGENDA AND ORDER OF BUSINESS

2.1 Preparation and Posting of Agendas

The Clerk or Department of Community Development Planning Division staff shall prepare the agenda of all such matters under the direction of the 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.

2.2 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 COMMISSION CORRESPONDENCE

3.1 Availability to the Public

Correspondence on agenda and/or non-agenda items addressed to the Planning Commission and received by the Clerk, 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.

3.2 Authority of the Community Development Director

The 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 Clerk 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.

4.1 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 Rosenberg’s Rules of Order.

5.1 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.

5.2 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: Employees of the City (staff) shall observe rules of order and decorum as are applicable to the Planning Commission. However, employees of the City may not leave their seats during a meeting without first obtaining the permission of the Presiding Officer.
- C. Persons Addressing the Commission: 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, undertake specific actions as described in Section D.
- 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, so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, will be considered “willful interruption,” as defined by California Government Code Section 54957.9. In these situations, the Presiding

Officer may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Commission from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

- E. Dangerous Instruments: No person may enter the chambers of a legislative body, as defined in Section 54952 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 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.

5.3 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 that point. A majority vote shall conclusively determine such questions 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.

6.1 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

7.1 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.

7.2 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.

7.3 Registration of Votes

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

7.4 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 Planning Commission dais and leave the Civic Center 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.

7.5 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 vote on the measure. A failure to vote or an abstention shall not be counted. A measure shall pass only if it receives affirmative (“yes” or “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.

7.6 Tie Votes

Tie votes shall be lost motions and may be reconsidered.

7.7 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 Clerk 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

9.1 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.

9.2 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 Clerk prior to the time and date of the scheduled hearing. 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.
- B. Manner of Submission: All documents must be presented to the Clerk 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 Clerk.
 - 2. Upon Receipt, the Clerk shall date stamp as received the original and all copies. Upon request, the Clerk will furnish the proponent of the document with a date stamped copy. The Clerk shall immediately distribute copies of the submitted documents to the individual Commissioners and the Community Development Director. The Clerk shall retain the original and include it in the hearing record, which the Clerk shall compile and maintain.

9.3 Viewing the Site

In quasi-judicial hearings involving specific property, Commissioners must disclose if they have visited/viewed 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, as deemed necessary or relevant, disclose the visit.

9.4 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. Spokesperson(s) 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 spokesperson(s) 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.
- E. Public Meeting Order of Business: The Presiding Officer shall have discretion in how the order of business shall be conducted for the meeting item. In general, the Order of Business will be undertaken as follows:
1. For quasi-judicial hearings involving specific property, Commissioners to disclose ex parte communications or announce recusal, as applicable and as required by Section 13 of these Rules.
 2. Presentation from City Planning Division staff and/or Community Development Director on agenda item and/or staff report.
 3. For quasi-judicial hearings involving specific property, Commissioners to disclose whether or not they have viewed the site and their observations, in accordance with Section 9 of these Rules.
 4. Questions from Planning Commission to City Planning Division staff and/or Community Development Director.
 5. Presentation from the Applicant. At the discretion of the Presiding Officer, the Applicant will have up to 10 minutes to present the item to the Planning Commission.
 6. Questions from the Planning Commission to the Applicant.
 7. Public Hearing and opportunity for the public to comment on the item.
 8. Final questions to City Planning Division staff and/or Community Development Director.
 9. Discussion and deliberation from the Planning Commission.
 10. Motion/second and decision by the Planning Commission.

9.5 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.

SECTION 10. 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.

SECTION 11. MINUTES PREPARATION AND CHANGES

The Clerk 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.

11.1 Minutes/Request for Detail

During a Planning Commission meeting any Commissioner may request the Clerk include in the minutes for that meeting a verbatim transcript of any portion of the meeting designated by the Commissioner. If so requested, the Clerk 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.

11.2 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 Clerk has previously furnished each Commissioner with a copy.

11.3 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.

SECTION 13. EX PARTE COMMUNICATIONS

Each member of the Commission shall accord to every person who has an interest in the quasi-judicial proceeding the full right to be heard according to the law.

13.1 Obligation to Disclose Ex Parte Communications and Recusal Requirements

No Member of the Commission shall initiate, permit, or consider private, ex parte communications concerning a pending quasi-judicial proceeding, unless: 1) the Commissioner is recused from the proceeding; or 2) the Commissioner first discloses the nature and a short summary of the communication with the Commission prior to the quasi-judicial proceeding being undertaken.

13.2. Specific Instances where Ex Parte Communications are Permitted

Notwithstanding the foregoing, when circumstances require it, a Member of the Commission may permit otherwise unauthorized ex parte communication for scheduling, administrative, or emergency purposes, but only if the communication does not address substantive matters and no one will gain a procedural, substantive, or tactical advantage as a result of the communication.

RESOLUTION NO. 2026-__**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UKIAH ADOPTING AMENDED RULES OF CONDUCT FOR CITY OF UKIAH PLANNING COMMISSION MEETINGS****WHEREAS:**

1. Article 4, Section 1155 of Ukiah City Code requires the Planning Commission to adopt rules for the transaction of its business; and
2. In 1983, the Ukiah Planning Commission adopted rules to govern the conduct of Planning Commission meetings, and in 1999, 2017, and 2023 these rules were updated; and
3. These rules were last updated by the Planning Commission on April 22, 2026, for the purpose of making minor revisions, through Resolution No. 2026-04; and
4. The Planning Commission wishes to adopt additional amendments to the rules after further discussions and direction regarding the rules during their regular meetings of May 27, 2026 and July 8, 2026, including input from the City Attorney's Office; and
5. Staff has prepared a final version of the rules that incorporates all amendments recommended by the Planning Commission and is titled Rules of Conduct for City of Ukiah Planning Commission Meetings.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Ukiah hereby adopts amended Rules of Conduct for City of Ukiah Planning Commission Meetings, which are included as "Exhibit A."

PASSED AND ADOPTED on this 12th day of August, 2026, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Alex De Grassi
Chair, Planning Commission

Craig Schlatter, AICP
Community Development Director

ATTEST:

Kristine Lawler, CMC/City Clerk



RULES OF CONDUCT FOR CITY OF UKIAH PLANNING COMMISSION MEETINGS

City of Ukiah Department of Community Development

RULES OF CONDUCT
Adopted 1983
Amended 1999
Amended 11/8/17
Amended 4/26/23
Amended 4/22/26
Amended (Proposed) 8/12/26

Table of Contents

PREAMBLE.....	2
1 MEETING DAYS AND TIMES	3
2 AGENDA AND ORDER OF BUSINESS	3
3 PLANNING COMMISSION CORRESPONDENCE	4
4 PRESIDING OFFICER	4
5 RULES OF ORDER.....	5
6 MOTIONS	7
7 VOTING RULES	7
8 RECONSIDERATION OF ACTIONS	8
9 PUBLIC HEARINGS	8
10 RESOLUTIONS	11
11 MINUTES PREPARATION AND CHANGES.....	11
12 SPECIAL COMMITTEES.....	12
13 EX PARTE COMMUNICATIONS.....	12

PREAMBLE

These Rules of Conduct are adopted pursuant to the authority set forth in Chapter 4, Article 4, Section 1155 of Ukiah City Code and provide procedural guidelines for the conduct of Ukiah Planning Commission meetings. Meetings of the Commission are conducted according to these Rules and as modified by the Commission from time to time.

SECTION 1. MEETING DAYS AND TIMES

1.1 Regular Meetings/Time and Place

The Ukiah Planning Commission ("Commission") meets regularly on the second and fourth Wednesday of each month at 5:15 p.m. The Commission meetings are held at the Civic Center Council Chambers, located at 300 Seminary Avenue.

1.2 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 Clerk or Clerk Designee, hereinafter referred to as "Clerk," 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 Civic Center 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.

1.2 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.) and related State laws such as provisions within AB 2449.

SECTION 2. AGENDA AND ORDER OF BUSINESS

2.1 Preparation and Posting of Agendas

The Clerk or Department of Community Development Planning Division staff shall prepare the agenda of all such matters under the direction of the 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.

2.2 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 COMMISSION CORRESPONDENCE

3.1 Availability to the Public

Correspondence on agenda and/or non-agenda items addressed to the Planning Commission and received by the Clerk, 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.

3.2 Authority of the Community Development Director

The 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 Clerk 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.

4.1 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 Rosenberg’s Rules of Order.

5.1 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.

5.2 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: Employees of the City (staff) shall observe rules of order and decorum as are applicable to the Planning Commission. However, employees of the City may not leave their seats during a meeting without first obtaining the permission of the Presiding Officer.
- C. Persons Addressing the Commission: 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, undertake specific actions as described in Section D.
- 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, so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, will be considered “willful interruption,” as defined by California Government Code Section 54957.9. In these situations, the Presiding

Officer may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Commission from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

- E. Dangerous Instruments: No person may enter the chambers of a legislative body, as defined in Section 54952 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 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.

5.3 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 that point. A majority vote shall conclusively determine such questions 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.

6.1 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

7.1 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.

7.2 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.

7.3 Registration of Votes

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

7.4 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 Planning Commission dais and leave the Civic Center 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.

7.5 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 vote on the measure. A failure to vote or an abstention shall not be counted. A measure shall pass only if it receives affirmative (“yes” or “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.

7.6 Tie Votes

Tie votes shall be lost motions and may be reconsidered.

7.7 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 Clerk 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

9.1 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.

9.2 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 Clerk prior to the time and date of the scheduled hearing. 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.
- B. Manner of Submission: All documents must be presented to the Clerk 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 Clerk.
 - 2. Upon Receipt, the Clerk shall date stamp as received the original and all copies. Upon request, the Clerk will furnish the proponent of the document with a date stamped copy. The Clerk shall immediately distribute copies of the submitted documents to the individual Commissioners and the Community Development Director. The Clerk shall retain the original and include it in the hearing record, which the Clerk shall compile and maintain.

9.3 Viewing the Site

In quasi-judicial hearings involving specific property, Commissioners must disclose if they have visited/viewed 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, as deemed necessary or relevant, disclose the visit.

9.4 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. Spokesperson(s) 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 spokesperson(s) 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.
- E. Public Meeting Order of Business: The Presiding Officer shall have discretion in how the order of business shall be conducted for the meeting item. In general, the Order of Business will be undertaken as follows:
 - 1. For quasi-judicial hearings involving specific property, Commissioners to disclose ex parte communications or announce recusal, as applicable and as required by Section 13 of these Rules.
 - 2. Presentation from City Planning Division staff and/or Community Development Director on agenda item and/or staff report.
 - 3. For quasi-judicial hearings involving specific property, Commissioners to disclose whether or not they have viewed the site and their observations, in accordance with Section 9 of these Rules.
 - 4. Questions from Planning Commission to City Planning Division staff and/or Community Development Director.
 - 5. Presentation from the Applicant. At the discretion of the Presiding Officer, the Applicant will have up to 10 minutes to present the item to the Planning Commission.
 - 6. Questions from the Planning Commission to the Applicant.
 - 7. Public Hearing and opportunity for the public to comment on the item.
 - 8. Final questions to City Planning Division staff and/or Community Development Director.
 - 9. Discussion and deliberation from the Planning Commission.
 - 10. Motion/second and decision by the Planning Commission.

9.5 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.

SECTION 10. 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.

SECTION 11. MINUTES PREPARATION AND CHANGES

The Clerk 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.

11.1 Minutes/Request for Detail

During a Planning Commission meeting any Commissioner may request the Clerk include in the minutes for that meeting a verbatim transcript of any portion of the meeting designated by the Commissioner. If so requested, the Clerk 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.

11.2 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 Clerk has previously furnished each Commissioner with a copy.

11.3 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.

SECTION 13. EX PARTE COMMUNICATIONS

Each member of the Commission shall accord to every person who has an interest in the quasi-judicial proceeding the full right to be heard according to the law.

13.1 Obligation to Disclose Ex Parte Communications and Recusal Requirements

No Member of the Commission shall initiate, permit, or consider private, ex parte communications concerning a pending quasi-judicial proceeding, unless: 1) the Commissioner is recused from the proceeding; or 2) the Commissioner first discloses the nature and a short summary of the communication with the Commission prior to the quasi-judicial proceeding being undertaken.

13.2. Specific Instances where Ex Parte Communications are Permitted

Notwithstanding the foregoing, when circumstances require it, a Member of the Commission may permit otherwise unauthorized ex parte communication for scheduling, administrative, or emergency purposes, but only if the communication does not address substantive matters and no one will gain a procedural, substantive, or tactical advantage as a result of the communication.