



Memo

Date: November 18, 2022

To: Planning and Sustainability Commission members

From: Patricia Diefenderfer, Chief Planner

Re: Planning Commission Code Amendments Project – Potential Amendments

On November 22, 2022, the Planning and Sustainability Commission (PSC) will hold a work session and vote on the Planning Commission Code Amendments. This memo includes the code language for potential amendments the Commission discussed on November 8 and shared in subsequent emails.

Gray shaded text below indicates where the Proposed Draft code language has been changed to address the potential amendment. We are looking to the PSC to discuss and vote on the amendments and then vote on the whole project. Commentary will be updated in the Recommended Draft to reflect amendments that are approved.

Potential Amendments

	Section	Commissioner	Staff position
1A and 1B	Purpose	Gittemeier/ Thompson	Staff supports amendment 1A. As it relates to amendment 1B, staff does not recommend replacing “stewardship” with “application” because common code understanding of application is implementation.
2	Powers and duties	Spevak / Gittemeier / Thompson	Staff supports the amendment. Note: As it relates to restoring the reference to “significant transportation policies, projects and issues” in D.1, the commentary will be updated to reflect when significant projects come to PSC;

			bylaws can also be amended to reflect this understanding.
3	Conflict of interest	Thompson	Staff supports the amendment.
4	Coordination with other Commissions	Spevak	Staff is neutral on this amendment. Note: BDS staff suggested adding a note in the commentary that quarterly is the minimum desired cadence of coordination.
5	Delete special subcommittee	Spevak	Staff does not recommend this amendment because allowing for subcommittees retains flexibility, even if it's not used very often.
6	Add a directive to the PCCA ordinance directing BPS to bring a proposal for creation of a Sustainability Commission by August 2023.	Gittemeier / Thompson	Staff supports this amendment.

Amendment #1A – Purpose (Gittemeier / Thompson)

- A. Purpose.** The Planning and Sustainability Commission ~~advises~~ makes recommendations to City Council on the City’s long-range goals, policies, and programs for land use, and planning, ~~and sustainability~~. In making recommendations ~~and decisions~~, it considers the economic, environmental, and social well-being of the city in an integrated fashion. The Commission has specific responsibility for the ~~stewardship, development and maintenance of the~~ City’s Comprehensive Plan, ~~Climate Action Plan~~, and zoning code. The Commission deliberates using a climate and equity lens and is committed to effective public involvement and leadership in its work ~~and in the decisions it considers~~.

Amendment #1B – Purpose (Gittemeier / Thompson)

- A. Purpose.** The Planning and Sustainability Commission ~~advises~~ makes recommendations to City Council on the City’s long-range goals, policies, and programs for land use, and planning, ~~and sustainability~~. In making recommendations ~~and decisions~~, it considers the economic, environmental, and social well-being of the city in an integrated fashion. The Commission has specific responsibility for the ~~stewardship~~, *(replace “the stewardship” with one of the following: the guardianship,; the application,; the oversight,)* development, ~~and maintenance, and update~~ of the City’s Comprehensive Plan, ~~Climate Action Plan~~, and zoning code. The Commission deliberates using a climate and equity lens and is

committed to effective public involvement and leadership in its work ~~and in the decisions it considers.~~

Amendment #2 – Powers and duties (Gittemeier / Thompson / Spevak)

D. Powers and duties. The Planning and Sustainability Commission has all of the powers and duties ~~which~~ that are now or may in the future be imposed upon City planning commissions by State law, by this Title, by the City Council, or by the City Charter. The Planning Commission's powers and duties include:

1. ~~Holding hearings and making recommendations to City Council on all policy matters related on proposals to adopt, amend and update: the Comprehensive Plan; the Climate Action Plan, the zoning code; significant transportation and sustainable development policies, projects, and issues; the portions of Title 11, Trees, identified in 11.10.040.C; urban renewal plans; street vacations; sign regulations; and renaming city streets.;~~
2. ~~Advising the City Council on plans and policies regarding such issues as land use, zoning, housing, energy, transportation, urban renewal, urban design, equity, economic development, public buildings, climate change, sustainable development, environmental protection, resource conservation, and other policies of City wide interest as requested by City staff or City Council.;~~
3. ~~Articulating and guiding the City's long-range goals, policies, and programs for developing and achieving sustainable communities; and~~
34. ~~Developing opportunities~~ Providing a forum for community members to learn about principles, policies, and programs that promote sound land use planning practices ~~sustainable practices and development.~~

Amendment #3 – Gender neutral wording (Thompson)

I. Conflict of interest. A member of any commission, committee, board, or review body except City Council may not participate as a member in deciding any land use action in which the member has a direct or substantial financial interest. A member may not participate if any person who resides with the member or the member's spouse, domestic partner, brother, sister sibling, stepsibling, child, parent, stepparent, father parent-in-law, or mother-in-law, child-in-law ~~have~~ has a direct or substantial financial interest, or if any business in which the member is then serving or has served within the previous two years or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment, has a direct or substantial financial interest. Any actual or potential interest must be disclosed at the hearing or meeting where the action is scheduled.

Amendment #4 – Meeting with DC and HLC (Spevak)

Reduce the meeting expectations between the chairs of the PC, DC and HLC (33.710.030.J)

- J. Commission coordination.** The chairs, or their delegates, of the Planning and Sustainability Commission, Design Commission, and Historic Landmarks Commission meet quarterly, or as necessary, to discuss trends and issues relevant to their respective commissions and, as appropriate, to coordinate the Commissions' programs. The chairs will share a summary of their meeting with their respective ~~C~~commissions.

Amendment #5 – Special Subcommittee (Spevak)

Drop the "Special Subcommittee" section (33.710.040.C):

- C. Meetings, ~~and officers, and subcommittees.~~** ^{1.} The Planning and Sustainability Commission meets at least once a month. Meetings are conducted in accordance with adopted rules of procedure. ~~Five~~^{Six} members constitute a quorum at a meeting. When there are vacant positions on the Planning Commission, a majority of the non-vacant positions constitutes a quorum at a meeting. The election of officers takes place at the first meeting of each calendar year.
- ~~2. The Planning and Sustainability Commission may divide its membership into special subcommittees which are authorized to act on behalf of the Commission for an assigned purpose. Three members of the Commission constitute a quorum on such subcommittees. Subcommittee actions require the affirmative vote of at least three members.~~

Amendment #6 – Directive to create Sustainability Commission (Gittemeier / Thompson)

Recommend that BPS add a directive in the PCCA ordinance that says, "The Bureau of Planning and Sustainability is directed to bring a proposal to create a Sustainability or Climate Commission to City Council by no later than December 2023."

Next Step

As stated above, once these amendments are discussed and approved, we are looking for the PSC to make their recommendation to City Council.

The recommendation from the PSC is for City Council to:

- Adopt the Proposed Draft, as amended.
- Amend Title 33, Planning and Zoning as reflected in the Proposed Draft, as amended.