



Joseph Room
John F. Kennedy Library
505 Santa Clara Street
Vallejo, CA 94590

AGENDA

GENERAL PLAN WORKING GROUP/PLANNING COMMISSION JOINT GENERAL MEETING: 6:30 – 8:30 P.M.

September 22, 2014

General Plan Working Group

Tony Adams, Chair
Patricia Gatz, Vice-Chair
Jonathan Atkinson
Peggy Cohen-Thompson
Jimmy Genn
Candace Holmes
Marv Kinney
Patricia Kutza
Sarah Nichols
Brendan Riley (Proxy)
Cynthia Ripley
Jim Scoggin
Nathan Daniel Stout
Marian Swanson
Pearl Jones Tranter
Johnny Walker

Planning Commission

Landis Graden, Chair
Marv Kinney, Vice-Chair
Roberto Cortez
Tony Adams
Karimah Karah
Robert Schussel
Jim Scoggin

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the General Plan Working Group without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

Agenda Items: Those wishing to address the group on a scheduled agenda item should fill out a speaker card and give it to the Secretary. Speaker time limits for scheduled agenda items are five minutes for designated spokespersons for a group and three minutes for individuals.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the General Plan Working Group will be available for public inspection at City Hall, 555 Santa Clara St., 2nd Floor, or the Vallejo Public Library, 505 Santa Clara St. at the same time that the public records are distributed or made available to the General Plan Working Group. Such documents may also be available on the City of Vallejo website at www.ci.vallejo.ca.us subject to staff's ability to post the documents prior to the meeting.

Disclosure Requirements: Government Code Section 84308 (d) sets forth disclosure requirements which apply to persons who actively support or oppose projects in which they have a "financial interest", as that term is defined by the Political Reform Act of 1974. If you fall within that category, and if you (or your agent) have made a contribution of \$250 or more to any group member within the last twelve months to be used in a federal, state or local election, you must disclose the fact of that contribution in a statement to the group.

Appeal Rights: The applicant or any party adversely affected by the decision of the General Plan Working Group may, within ten days after the rendition of the decision of the General Plan Working Group, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the General Plan Working Group. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the General Plan Working Group. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

The Council may affirm, reverse or modify any decision of the General Plan Working Group which is appealed. The Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.

If any party challenges the General Plan Working Group's actions on any of the following items, they may be limited to raising only those issues they or someone else raised at the public hearing described in this agenda or in written correspondence delivered to the Secretary of the General Plan Working Group.



The John F. Kennedy Library is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

If you have any questions regarding any of the following agenda items, please call the assigned planner or project manager at (707) 648-4326.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF THE MINUTES**
April 28, 2014 GPWG Meeting
- 5. REPORT OF THE SECRETARY**
 - A. Review of the General Plan Update Project Schedule
 - B. Review of GPWG 2014 Fall Meeting Schedule
 - C. Consideratoin of Earlier GPWG Meeting Start Time (5:30 PM; 6:00 PM; or 6:30 PM) – survey to be sent
- 6. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE GENERAL PLAN WORKING GROUP AND LIAISON REPORTS**
- 7. CONSENT CALENDAR AND APPROVAL OF THE AGENDA**

Consent Calendar items appear below, with the Secretary's or City Attorney's designation as such. Members of the public wishing to address the group on Consent Calendar items are asked to address the Secretary and submit a completed speaker card prior to the approval of the agenda. Such requests shall be granted, and items will be addressed in the order in which they appear in the agenda. After making any changes to the agenda, the agenda shall be approved.

All matters are approved under one motion unless requested to be removed for discussion by a group member or any member of the public.
- 8. CONSULTANT TEAM PRESENTATION**
 - A. Overview of Sonoma Boulevard Specific Plan – Draft Vision, Concepts and Policies
 - B. Introduction to Form-Based Codes
- 9. PUBLIC HEARING**
 - A. Rules of Order and Procedure
- 10. ADJOURNMENT**

Minutes

**CITY OF VALLEJO
GENERAL PLAN WORKING GROUP (GPWG)
REGULAR MEETING MINUTES
JOSEPH ROOM, JOHN F. KENNEDY LIBRARY
April 28, 2014**

1. CALL TO ORDER

The meeting was called to order by Chair Adams at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Chair Adams, Vice-Chair Gatz, GPWG Members Atkinson, Cohen-Thompson, Genn, Holmes, Kinney, Kutza, Nichols (delayed), Ripley, Scoggin, Stout, Tranter, and Walker

Absent: Riley (proxy) and Swanson

Staff present: Planning Manager Ouse and Senior Planner Hoffheimer

Consultants present: Hill, PlaceWorks and Hinds, Sonoma State University

4. APPROVAL OF THE MINUTES

A. February 24, 2014

Action: Moved by Johnny Walker and carried to adopt the minutes of February 24, 2014 meeting.

5. REPORT OF THE SECRETARY

A. Written Communications – None

6. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE GENERAL PLAN WORKING GROUP

A. Report of the Presiding Officer and/or Members of the General Plan Working Group – None

B. General Plan Working Group Liaison to Planning Commission – None

C. General Plan Working Group Liaison to City Council – None

7. REPORT OF EXTERNAL LIAISONS

A. Planning Commission Liaison to General Plan Working Group – None

B. City Council Liaison to General Plan Working Group – None

C. Sonoma Boulevard Specific Plan Liaison to the General Plan Working Group – None

8. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

Action: Moved by Chair Adams and carried unanimously to approve the Consent Calendar and Agenda.

9. GENERAL PLAN WORKING GROUP DISCUSSION

A. Approval of Guiding Principles for Submittal to City Council

Recommendation: Empower the Chair and Vice Chair to make any final revision to the Draft Guiding Principles for consideration and approval by City Council, as follows:

- Chair Adams submits Draft Guiding Principles, as refined at the GPWG meeting, to City Staff for minor grammatical revisions;
- City staff distributes City-edited Draft Guiding Principles to GPWG members for final comments; and
- Chair Adams and Vice Chair Gatz, meeting with City staff, consider all comments and make final revisions to Draft Guiding Principles for submittal to City Council.

Action: Moved by Chair Adams and carried to approve the recommended approach for finalizing the Draft Guiding Principles for submittal to City Council.

Placeworks, the City's General Plan Consultant, gave an overview of Draft Guiding Principles for consideration by the GPWG. Chair Adams facilitated a discussion on the Draft Guiding Principles with GPWG members and the General Public. Vice-Chair Gatz and GPWG member Walker recorded comments.

10. COMMUNITY FORUM

Chair Adams opened the Public Hearing.

Speakers: Brendan Riley; Marti Brown; Liat Meitzenheimer; Kay Flavell; Doug Darling; Ann Carr; City Council Member Robert McConnell

Chair Adams closed the Public Hearing.

GPWG provided comments.

11. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

TONY ADAMS, CHAIRPERSON

ATTEST:

MARK HOFFHEIMER
SENIOR PLANNER

Memos



Project Schedule

Propel Vallejo: General Plan Update

Schedule Subject to Change - Work In Progress

As of 17 September 2014

Activity	2014												2015												2016																	
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D						
Project Initiation	Consultant/City Work Effort					Existing Conditions Analysis																																				
Existing Conditions Analysis													Land Use Alts Development - 3 Alts																													
Land Use Alternatives Development - 3 Alts													Land Use Alts Development - 3 Alts						Land Use Alts Evaluation - Preferred Alt																							
Land Use Alternatives Evaluation - Preferred Alt																									Land Use Alts Evaluation - Preferred Alt																	
Goals, Policies and Actions (GPA) Development																									Goals, Policies & Actions Development																	
Draft General Plan Preparation																									Goals, Policies & Actions Development						Public Review Draft GP											
Final General Plan Preparation and Adoption																									Admin Draft General Plan Prep						Final General Plan Prep											
Workshops and Meetings	Guiding Principles												Develop LU Alts												Evaluate/Review 3 LU Alts																	
Community Workshops (clusters of 4)	★												★												★																	
General Plan Working Group (GPWG)	●		●					●	●	●				●				●		●	●	●				●	●															
Economic Vitality Commission (EVC)								●		●		●		●						●						●																
City Council																									Approve 3 LU Alts						Approve Pref Alt						Adopt GP					

 Consultant/City Work Effort
 Public Review



MEMORANDUM
PLANNING DIVISION

DATE: September 22, 2014
TO: Members of the General Plan Working Group
FROM: Mark Hoffheimer, Senior Planner
SUBJECT: Agenda Item 5B – GPWG Fall 2014 Schedule

The schedule for fall 2014 consists of meetings of the General Plan Working Group (GPWG) and the Economic Vitality Commission (EVC). Staff encourages GPWG members to attend EVC meetings, particularly those focused on the economic development element of the General Plan, in addition to the GPWG meetings.

General Plan Working Group Meeting

Monday September 22nd at 6:30 PM, Joseph Room, JFK Library
Overview of Sonoma Boulevard Specific Plan Draft Vision
Introduction to Form-Based Code (FBC)

General Plan Working Group Meeting

Monday October 27th at 6:30 PM, Joseph Room, JFK Library
Introduction to Healthy Community Element

General Plan Working Group Meeting

Monday November 10th at 6:30 PM, Joseph Room, JFK Library
Review of General Plan Map “Areas of Change”

Economic Vitality Commission Meeting

Wednesday November 12th at 5:30 PM, City Council Chambers
Review of Additional Economic Trends and Preliminary Economic Development Goals



MEMORANDUM
PLANNING DIVISION

DATE: September 22, 2014
TO: Members of the General Plan Working Group
FROM: Mark Hoffheimer, Senior Planner
SUBJECT: Agenda Item 8B – Introduction to Form-Based Codes

Staff has provided members of the General Working Group (GPWG) with background information on Form-Based Codes, a new system of zoning standards, for their review on September 15th 2014 (via email). Noted below, the background information consisted of website references and articles.

WEBSITE REFERENCES

1. Form-Based Codes Institute Website at <http://formbasedcodes.org/>
2. Form-Based Codes Institute Website, Form-Based Codes Defined, at <http://formbasedcodes.org/definition>

ATTACHMENT

1. Article by Daniel Parolek of Opticos Design Inc., "Avoiding Common Form-Based Code Mistakes, Part 1", Zoning Practice, June 2013
2. Article by Toney Perez, Opticos Design Inc., "Dialing-in your zoning to fit your community", Better Cities and Towns, August 2013

early Form-Based Coding practitioners and advocates founded the Form-Based Codes Institute to promote best practices and expand awareness, and the first comprehensive book on the topic, *Form-Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers*, appeared in 2008.

The flip side of this wave of adoptions is that many cities have experienced ineffective or failed past attempts at Form-Based Coding. There are two primary reasons for this. First, there is a shortage of practitioners who can do Form-Based Coding well. The combination of technical zoning knowledge and understanding of how to write effective regulations—combined with the need for strong urban design skills that enables the FBC writer to understand what makes a community unique, what will make it better, and what built results the code writing will influence—is not a common set of skills taught to planners or architects. Second, many cities do not have the knowledge to know what to ask for or demand of their consultants in a Form-Based Coding process. An estimated half of the cities asking for FBCs are simply getting “user-friendly” updates that do not address the core problems in the code. Fortunately, this is changing as senior planning staff members learn more about the best practices of Form-Based Coding, schools begin to teach more courses in Smart Growth planning and Form-Based Coding, and people continue to educate themselves on these topics.

The Form-Based Coding approach and methodology presented in the articles mentioned above represent a paradigm shift in the way we write zoning codes, not just an attempt to add an additional layer of form-based regulations on a use-based system. The intent of this two-part series is to give communities the knowledge to know what to ask for and what to request of their consultants, and for consultants to understand how to select the most effective Form-Based Code approach. These two articles will address common Form-Based Coding misconceptions and highlight common mistakes to avoid based on up-to-date best practice standards learned from the most recent applications. They will also compare different approaches for regulating urban form and give them appropriate labels so they are not confused or used interchangeably.

Common Misconceptions

Even with the growing application of FBCs to neighborhoods, cities, and regions across the country, many communities remain hesitant to embrace Form-Based Coding. Undoubtedly, some of this hesitation is rooted in common misconceptions related to FBCs.

Form-Based Codes Are Relatively Untested

Contrary to popular belief, FBCs have been tested in the marketplace. Here are statistics from just two projects to summarize the potential economic benefits of an FBC. First, along the Columbia Pike corridor in Arlington County, Virginia, more than 1,300 units and almost 250,000 square feet of nonresidential space have been built in eight different projects with complex infill conditions under the Columbia Pike Form-Based Code since its adoption in 2004. Second, from 2005 to 2008, the taxable value of properties subject to FBCs in Nashville, Tennessee, increased in value by an average of 75% and one area, Ridgeview, showed a 2,000% increase in value. This was compared to a 27% increase in value in areas not subject to a FBC. Keep in mind this construction and the property value increase took place, in part, during one of the largest economic recessions in this country’s history. Has this gotten your attention yet?

Form-Based Codes Are for Greenfields

While it is true that modern Form-Based Coding was pioneered by the planners of Seaside, Florida, 30 years ago, FBCs have since proven to be an effective tool for regulating complex urban environments. For the past 10 to 15 years, the practice of Form-Based Coding has focused on replacing existing zoning in existing urban environments. This can be seen in the examples introduced above and the growing list of non-greenfield FBCs (Borys and Talen 2012).

FBCs Are Just Guidelines

An effective FBC replaces the existing zoning and eliminates the need for guidelines. See the section below that compares different approaches to regulating urban form.



These illustrations show the seven transect-based zones in Cincinnati’s new FBC.

Form-Based Coding Is Too Complicated

Form-based Coding is sometimes seen as being too complicated because the practice is relatively new and not well understood. Unlike conventional zoning, it integrates urban design as an integral part of the coding process. From a procedural perspective, applying a FBC is not any more complicated than a typical rezoning, but writing a successful FBC does require a different skill set than a conventional zoning ordinance. The FBC process engages the community, builds upon the unique characteristics that communities value, and, in the end, is a document that anyone can pick up and easily understand and use. If the task of applying FBCs seems daunting, start small and let it spread.

Form-Based Coding Is a Boilerplate Approach

Often this misconception originates from inappropriate use of the SmartCode template. The SmartCode is a free model FBC created by Duany Plater Zyberk & Company, and while it is true that many communities have adopted FBCs based on the SmartCode, the code's authors never intended a community to adopt it in whole or in part without first calibrating it to a specific local context. Furthermore, many FBCs are not rooted in the SmartCode at all.

In reality, the extensive community character documentation and analysis phase completed in a FBC process is often far more extensive than any community character assessment that is typically done for a Euclidean code, and this extensive process enables the code writer to extract the unique DNA from a community's urban form and make that the basis for the framework and regulations within the code. This documentation, analysis, and calibration stage will be summarized in part two of this series next month and is discussed comprehensively in *Form-Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers*.

Form-Based Codes Do Not Regulate Use

While Form-Based Coding uses form rather than use for its framework or organizing principle, FBCs are not silent on use and do include use tables. The use regulations simply become tertiary to the form standards instead of being the primary regulation, and they are simplified and vetted by the code writer so as not to compromise the intent of the FBC. The approach to use tables within FBCs will also be discussed in more detail next month.

The Urban-to-Rural Transect Is Not an Effective Organizing Principle

The primary misconception about the Urban-to-Rural Transect is that it is too simplistic to capture the variety present in complex built environments. In reality, applications in Miami; Cincinnati; Mesa; El Paso, Texas; Birmingham, Alabama; and the code in progress for Beaufort County, South Carolina, clearly illustrate the complexity and effectiveness of the Transect as a zoning tool and

its ability to reinforce unique characteristics and patterns of a wide range of places. If the Transect is used and presented effectively, with the support of photos and illustrations, community members will typically "get it" quite quickly.

State Laws Prohibit the Use of Form-Based Codes

Because FBCs look much different than Euclidean ordinances, many people assume that this new approach must be incompatible with existing state zoning enabling laws. While most enabling laws are still rooted in the 1926 Standard State Zoning Enabling Act (SSZEA), the SSZEA is not exclusively use based and does not show a preference for regulating use over form (Sitkowski and Ohm 2006).

COMMON MISTAKES TO AVOID

Common Form-Based Coding mistakes range from those that are simple to define and are easily corrected, to those that are more technical and relate to overall approach and methodology, and thus take more thought to carefully address. A group of these common mistakes, both easy and technical, are addressed in this issue, but the list will be continued next month in part two.

Using FBCs to Regulate Suburban Contexts

The primary intent of Form-Based Coding is to effectively regulate walkable urban areas. When you try to use them to regulate drivable suburban areas (i.e., areas that are intended to remain drivable suburban areas) this will compromise the clarity and effectiveness of the code and possibly raise false expectations. This means that in a citywide application you will typically have a form-based system in place to regulate walkable urban or desired walkable urban areas (i.e., sprawl repair or greenfield development) and a refined Euclidean system to regulate drivable suburban areas effectively. In essence, this is the key to an effective hybrid code.

Confusing Other, Less Effective Zoning Approaches with Form-Based Coding

Because the practice of Form-Based Coding is still relatively new and represents a major change in the methodology of zoning, it is often hard for communities to know what to ask for or what to look for in a consultant's experience. In addition, because Form-Based Coding seems to be the latest "buzz" in zoning practice, almost every code project is being labeled Form-Based Zoning or Form-Based Coding, which threatens to distort and dilute the meaning of the concept. For example, FBCs are not design guidelines or graphical representations of existing Euclidean standards. And FBCs are not synonymous with any zoning district or ordinance that enables a mix of uses. (*See table on page 1.*)

DISTINGUISHING AMONG DIFFERENT ZONING APPROACHES

The information below and the table supporting this article are intended to clarify and classify different zoning approaches to prevent further confusion about what an FBC is and to enable comparison for cities and code writers alike. These are generally organized from least to most comprehensive and effective.

Adding Graphics to an Otherwise Conventional, Use-Based Code

An FBC is not simply a conventional code with graphics added to it. Even though taking this step can make a document a bit easier to use and understand, it does not address the core problems that are inherent in almost every existing zoning code, which is their inability to effectively regulate urban form. Taking this step often confuses users because they think they are using a new code and then get frustrated when they realize the core problems have not been addressed. This is not a recommended approach.

Adding Design Guidelines Without Changing Base Zoning Districts

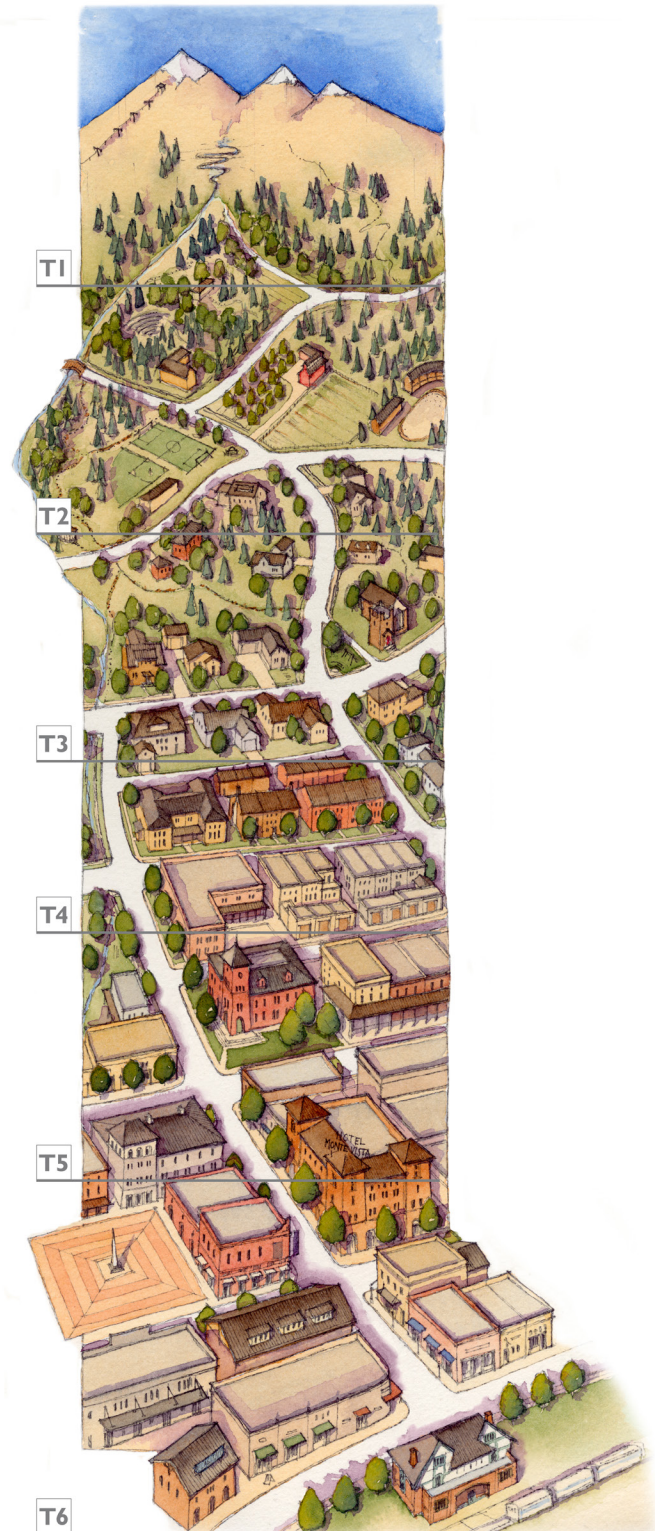
In this approach, the code writer is simply adding another layer of regulations or policy direction (depending upon how they are adopted) but not addressing the problems inherent in the existing zoning code, and when completed, the guidelines often conflict with the zoning standards, making it difficult to administer and confusing to users. Simply said, adding this additional layer of regulation decreases clarity and predictability. Meanwhile, a well-written FBC incorporates the elements that, in a Euclidean system, might historically be included in site planning guidelines and makes them integral to the zoning code.

Adding Mixed Use Districts to an Otherwise Conventional Use-Based Code

Starting in the mid- to late-1990s many communities added mixed-use districts to their existing zoning codes in an attempt to make walkable, urban development easier and to facilitate neighborhood revitalization. The problem was that, in too many cases, these districts included proscriptive numerical dimensional standards and did not signal a clear intent on form. Furthermore, other suburban-oriented regulations in the code, such as parking and landscaping requirements, compromised the end result of these districts or limited their use by developers.

Reorganizing the Code and Adding Graphics

This method takes the first approach one step further by cleaning up administration and procedures and restructuring the code organization, in addition to adding graphics. This will make a code much easier to understand, but it is still not addressing the core problem of suburban DNA and tendencies of a code to incentivize auto-dependent development. Use is still the organizing principle. The first few projects will likely provide disappointing results after such a large coding effort. Such results only reinforce the



This illustration of Flagstaff, Arizona's transect illustrates different contexts in the city that became the basis for its form-based zones.

misconception that built form cannot be regulated effectively and is best addressed in arbitrary design review meetings.

Integrating a Complete FBC Into an Otherwise Use-Based Code

This is an excellent approach when you do not have the budget or are not in a good position to do a complete code rewrite. This approach puts a framework in place for targeted application of a complete FBC, and if it is done correctly, it can grow to cover other parts of a city as the budget, political will, or other factors enable it. An example is Mesa's parallel FBC, which was written for initial application to its downtown to respond to the implementation of light rail but done in a way that could either be used by the city in future planning and coding efforts or by property owners of larger sites that met a certain set of criteria, such as a large grayfield site. What is often not understood about this approach is that it is not simply adding some new form-based standards or form-based zones but rather creating a complete, parallel code within an existing zoning code.

To be most effective, the FBC should be mandatory, replacing the zoning for one or more mapped districts. In states with strong private property rights concerns, a mandatory FBC effort may be politically infeasible. When a mandatory code is not possible, an optional FBC overlay may still be an effective alternative. In this approach, property owners have an option of developing under conventional zoning or under the FBC. At first glance, this may seem similar to a planned development district, but unlike a planned development, the FBC is mapped to one or more areas and does not require a rezoning. The future of these areas has been predetermined by the visioning and coding process and is not subject to site-by-site negotiation. The Columbia Pike FBC is an excellent example of this optional overlay approach.

Using Form as an Organizing Principle for the Zoning Code

This is the most comprehensive approach and, when done well, the most effective approach to Form-Based Coding. In this approach, the table of contents of the code document is structured with a form-first philosophy. Every provision from the preexisting code is vetted for its applicability to the form-first operating system before it is transferred so that it does not compromise the intent. All regulations, including parking, landscaping, lighting, and signage, relate to context rather than to a specific use. This approach is perfect for a community that has made a strong commitment to promote smarter, more sustainable growth, transit-oriented development, or simply non-auto-dependent development that reinforces its unique character.

Miami 21, the citywide code for Miami, which received the APA's 2011 National Planning Excellence for Best Practice award, is the most comprehensive application of this approach to date. Most of the city of is mapped with form-based zones. This was possible because a majority of the city is urban in character, and the process had strong support from then-Mayor Manny Diaz.

Livermore, California, used this approach to make infill a priority and to reinforce its commitment to promoting redevelopment. Even though the form-based zones were only mapped on a limited basis in Livermore, the system was in place to default to walkable urban development instead of making it the exception, reinforcing the city's smart growth policies and allowing the FBC to spread geographically in the future without any major changes or additional work on the code.

Flagstaff, Arizona, also used form as the organizing principle for its new code. Flagstaff's process replaced a problematic performance-based system that had a primary objective of protecting natural resources with a form-based approach that promotes appropriate urbanism, while still protecting natural resources.

This approach can work effectively in small towns as well. For example, Kingsburg, California, is an agricultural community in California's Central Valley with a population of approximately 11,500 people. It adopted this approach successfully within its zoning code to preserve its small-town character.

In the cases of Livermore, Flagstaff, and Kingsburg, the suburban parts of the city, where there was no intent to change them, is still mapped with use-based zones; these zones reside on the map next to form-based zones. In addition, the cleaned-up use-based regulations reside next to the form-based regulations in the code. If the city decides to transform these suburban areas into walkable urban places, it can apply the form-based zones to these areas, after visioning, without requiring a new coding effort. Note that it is best to call these hybrid codes, not hybrid FBCs, because it is not the FBC that is hybrid but rather the entire code because it has both form-based and Euclidean components.

CONCLUSIONS

The application and interest in Form-Based Coding has exploded across disciplines since *Zoning Practice's* introduction to the topic in 2004. This is largely due to the ineffectiveness of a Euclidean zoning to address the demands of 21st century cities, towns, and regions for walkable urbanism, diverse housing choices, more sustainable development patterns, and the desire to reinforce unique community character. The FBC, when applied correctly, has proven to be an extremely effective zoning tool for addressing these demands.

This article appeared in the May 2013 issue of Zoning Practice. To read part two of this article, visit planning.org/zoningpractice/ and purchase the June 2013 issue.

Dialing-in your zoning to fit your community

TONY PEREZ

You pop in the bread expecting nicely toasted slices. But no, out come two overtoasted slabs of hard bread. But what if you could adjust how long you toasted the bread instead of leaving it up to the machine? Well of course. Who wouldn't want the ability to adjust the machine? That's why as soon as it was possible, toasters began to feature dials. But this ability to adjust the machine is exactly what's missing from conventional zoning. Ok, you can adjust it. It's just that conventional zoning is very difficult to adjust to the realities of a community. In fact, it's adjusted too often and in ways that don't improve it. So why keep something that's difficult to adjust when form-based codes (FBC) exist?

Some keep such a system because it's what they know or feel comfortable using every day. Working with what you know despite the limitations can be very comforting. Never mind that it may not serve the community but it can be comforting and maintain administrative tranquility nonetheless. Others keep such a system because they're not sure about FBC. Others want to try FBC but see it as an all or nothing trade. By the way, whether or not you apply FBC citywide is optional and different for every community. So, let me explain why you should transition away from the conventional zoning system to a form-based zoning system.

Ability to see the parts

Remember those cool 1970s electronic devices called equalizers? They were an innovation for the general public because

the device let you adjust sound to your liking. If you liked a song with a bit more treble, you turned the dial. If you wanted less base, you turned the dial. What an invention! Until this point, unless you had access to a recording studio or were an electronics wizard, the general public wasn't able to adjust sound in this way. Generally, this innovation was made possible because of two key factors: a) sound has a identifiable structure called frequencies, and b) the equalizer was set up to directly recognize that identifiable structure. If you had the basic equalizer, you had 3 to 5 'bands'. The more bands, the more divisions of the frequencies you can make to adjust to your hearing, giving you more control over the sound.

That's essentially how FBC's work: Each community and the places that comprise it have an identifiable structure: a physical structure. Yes, there are many other non-physical factors such as land use but overall, it's the physical structure that accommodates everything. Historic communities are the most obvious examples of this fact but your community doesn't have to wait to be historic to embrace this approach. The FBC is set up to directly recognize and respond to the physical structure of your community. FBC's respond to the needs of real places, whether large, medium or small, in the desert or plains, in the mountains or along the coast.

In contrast, conventional zoning was never set up to recognize the actual structure of a community. It was set up with the best of intentions: to keep negative things from happening. However, these rules were applied to physical objects - communities - with little to nothing addressing the repeat-

Example FBC Approaches and Scenarios

	Degree of Change	Greenfield Neighborhood	Infill Neighborhood	Regeneration Corridor	Preservation Corridor
	Level of Expectations	Basic	Moderate	Moderate	High
Components	Regulating Plan	X	X	X	X
	Block Standards	X		X	X
	Street Standards	X		X	X
	Streetscape Standards	X	X	X	X
	Civic Space Standards	X			X
	Building Placement Standards	X	X	X	X
	Parking Placement Standards	X	X	X	X
	Building Height Standards	X	X	X	X
	Adjacency / Massing Standards		X	X	X
	Building Type Standards		X		X
	Frontage Type Standards	X	X	X	X
	Land Use Standards	X	X	X	X
	Architectural Style Standards				X
	Signage Standards	X		X	X
	Public Art Standards				X
Other Standards identified by you	?	?	?	?	
Sustainability is addressed within each relevant code topic					

COURTESY OF OPTICOS DESIGN

ing structure of which they were a part. Conventional zoning arrived after many of the places that it now regulates were built, creating a huge disconnect between the well-intended protection that is conventional zoning and the physical place being protected. Across the country, numerous examples exist where the conventional zoning system rendered the very places it was designed to protect as ‘non-conforming’ because the very system did not recognize the places it was regulating. Communities tried to address this by applying procedures or exceptions without really getting to the issue: the physical realities of the place.

Repeating physical structure

Communities, large, medium and small, are made of the same basic parts: neighborhoods, corridors, districts, natural areas, and civic spaces. Some communities have less parts while others have more parts with some of the parts more complicated than others. That’s how real communities occur. For example, Manhattan, NY and central Pasadena, CA are extremely different places but both share the physical realities of having downtowns with large and intense buildings. Both have a wide variety of activities along busy, pedestrian-oriented streets with wide sidewalks and transit. Both places use the same parts but arrange their individual components differently through scale and intensity: In Manhattan, the dials are turned all the way up while in Pasadena, the dials are over the middle setting but very far from the top setting. Conventional zoning tries to make better places by applying more process: the idea is that somehow more hearings and reviews will get it right. Such processes typically take participants through a subjectively based endurance test only to repeat it on the next participants. And, such processes exist in spite of the fact that much of what is trying to be addressed is an identifiable, repeating structure that can be translated into settings on a dial.

Responsive zoning system

A primary strength of FBC is its inherent ability to be adjusted to local conditions and community policy direction. There’s a misperception that somehow it’s applied the same throughout a community, regardless of policy intentions. That’s just not the case. Upon identifying where in your community you want to apply FBC, your community direction or vision then needs to provide three key pieces of information to set the FBC’s dials:

a) Degree and Type of change: Will the next investment cycle be directed toward keeping the pattern of an area, slightly adjusting the pattern to allow some new things, or to entirely regenerate a new pattern? For example, is one area looking more for sensitive infill and completion of a very stable pattern while another is looking for transformation from a pattern that the community doesn’t want? The degree of change for each area of your community is critical to identify in order to apply the appropriate amount of regulation: turning the dials up or down to your needs. Otherwise, as in conventional zoning, the requirements will not be aware of what patterns the community does and does not want.

b) Range of desired outcomes: What is the range of appropriate results across all topics? Information is needed on civic spaces, streetscapes, sufficient areas for different types

of development, the variety of buildings and their individual scales, to how each area deals with parking and land use. The key word here is ‘desired,’ as the FBC focuses on what you want the zoning to support and generate. Sure, there are things you don’t want to allow. But after that, what are the results that you want? Your vision needs to be realistic about this range and it needs to articulate it across the different areas of the physical landscape. Different solutions for different areas: Turning the dials up or down to your needs.

c) Level of expectations: This is about the ambition for each area of your community. By ambition, this does not imply that lower quality results are acceptable for your community. It’s about being clear that expectations for one corridor may be moderate because of its role and location while expectations may be quite high for another corridor. Your vision needs to provide that direction to inform the code writer about which components to apply in the FBC. In the areas with moderate expectations, you will tend to regulate less components and have lesser requirements than you will in the high expectation areas: turning the dials up or down to your needs.

Flexible system of components

Upon identifying your community’s repeating physical structure, dials can be applied and informed by the above three aspects of your community’s vision and direction. The dials can be further adjusted by the actual requirements you choose to apply for each component. As the equalizer that can control as few or as many frequencies as you like, FBC’s respond to your community in as little or as much detail needed to implement the community’s direction. For example, the same code can utilize an array of components for a high expectation, preservation area of historic buildings while utilizing fewer components for a moderate expectation, infill corridor. The table below illustrates the versatility of FBC to respond to the community’s policy direction for four very different scenarios.

Test your system

Take a look at your conventional zoning system to see if it is consistently delivering the results that the community wants. This is distinct from whether or not you’re comfortable using the system. Also, see how easy it is or is not to adjust the system to the very community it is regulating. If it’s doing well on all points, wonderful. It’s working for the community. If it’s not, consider moving away from the conventional zoning system to one that reprioritizes the purpose of your zoning to make walkable and adaptable places that hold and increase in value. FBCs have come a long way. I know that the codes I’ve written in the past several years are much better than the ones I first wrote 14 years ago. Upgrade to a form-based system that keeps the conventional zoning for those areas not likely or desired to change soon along with FBCs for those areas that want it. In this way, the FBC becomes the norm and readies you for the future without needing to apologize for recognizing and responding to the very community it is serving. ♦

Tony Perez is director of form-based coding for Opticos Design, Inc. This article appears courtesy of the Form-Based Codes Institute, which seeks to advance the knowledge and use of form-based codes.



MEMORANDUM
PLANNING DIVISION

DATE: September 22, 2014
TO: Members of the General Plan Working Group
FROM: Andrea Ouse, Planning Manager
CC: Inder Khalsa, Assistant City Attorney
SUBJECT: Agenda Item 9A - Consideration and Recommendation for City Council Adoption of Rules of Order and Procedure

Pursuant to Section 405 of the City of Vallejo's Charter, staff has provided the members of the General Plan Working Group (GPWG) with a draft of Rules of Order and Procedure for review and consideration. Under Section 405, the GPWG develops the Rules of Order and Procedure for City Council review and formal adoption. The draft Rules of Order and Procedure ("Rules") rely very heavily on the previously-adopted rules of other boards and commissions, with modifications made to the Preamble section to reflect the role of the GPWG.

The sections of the draft Rules are summarized as follows:

- Section 1.0: Preamble
- Section 2.0: General Rules
- Section 3.0: Types of Meetings
- Section 4.0: Chamber Attendance and Facilities
- Section 5.0: Duties and Privileges of the Board
- Section 6.0: Decorum
- Section 7.0: Agenda Preparation
- Section 8.0: Agenda Content
- Section 9.0: Rules of Debate
- Section 10.0: Voting
- Section 11.0: Public Participation
- Section 12.0: Amendments

RECOMMENDATION

Staff recommends that the BDRB recommend adoption of the Rules of Order and Procedure to the City Council.

ATTACHMENT

1. Draft General Plan Working Group Rules of Order and Procedure



CITY OF VALLEJO

GENERAL PLAN WORKING GROUP

RULES OF ORDER AND PROCEDURE

DRAFT

September 2014

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**GENERAL PLAN WORKING GROUP
OF THE
CITY OF VALLEJO, CALIFORNIA**

RULES OF ORDER AND PROCEDURE

SECTION 1.0 PREAMBLE

The objective of these rules of order and procedure is to ensure the orderly and efficient conduct of the meetings of the General Plan Working Group (GPWG). The General Plan Working Group was established to:

- Provide feedback and direction to the Economic Development staff and the consultant team during the preparation of the General Plan update;
- Make recommendations to the Planning Commission and City Council at key project milestones; and,
- Communicate information about the General Plan update to other Vallejo residents and to encourage their friends, neighbors and colleagues to participate in the process.

These rules are intended to assure the right of the majority of the GPWG to decide matters and issues brought before the GPWG; the right of the minority on any issue to be heard; and the right of absentee GPWG Members to be protected. These rules also are intended to foster and promote the right of citizens to have adequate notice of business scheduled for consideration by the GPWG and a fair and reasonable opportunity to appear and be heard on the items of business presented to the GPWG.

SECTION 2.0 GENERAL RULES

2.1 Meetings to be Public

All regular and special meetings of the GPWG shall be open to the public, except for such closed sessions which are permitted to be held in private under the provisions of the Ralph M. Brown Act or other laws of the State of California.

2.2 Attendance of Media at the GPWG Meetings

All public meetings of the General Plan Working Group shall be open to the news media, freely subject to recording by radio, television and photographic services, provided that such activities do not interfere with the orderly conduct of the meetings.

2.3 Quorum

A quorum shall be eight (8) or more GPWG Members, but fewer may adjourn from time to time and compel attendance of absent members in such manner as may be prescribed by these rules of order and procedure.

2.4 Journal of Proceedings

An account of all public proceedings of the GPWG shall be kept by the Secretary of the GPWG, and shall be entered in a permanent book or other permanent form constituting the official record of the GPWG.

2.5 Secretary

The Community and Economic Development Director or his or her designee shall serve as the Secretary to the GPWG. The Secretary may make recommendations to the GPWG and offer technical and professional assistance, but shall have no vote. The Secretary shall also keep the official minutes and perform such other duties as may be requested by the GPWG.

2.6 Committees

- A. The GPWG may create committees in accordance with the rules and procedures contained herein to assist the GPWG in carrying out its functions and responsibilities.
- B. Every committee created by the GPWG shall be advisory only: Any committee may be directed to undertake steps and/or study matters which are within the authority of the GPWG.
- C. Committees may be composed entirely of GPWG Members or a combination of GPWG Members and other persons. A committee composed entirely of GPWG Members shall consist of no more than three (3) GPWG Members.
- D. When requested by the Presiding Officer, the chairperson of each committee shall report or advise the GPWG on actions taken or the progress or result of work/projects assigned to or undertaken by the

committee.

2.7 Seniority of GPWG Members

Seniority shall be determined by length of time on the GPWG. In the event two or more GPWG Members have been on the GPWG for the same length of time, seniority shall be determined by lot.

2.8 Rules of Order

Roberts Rules of Order, Newly Revised, shall govern the proceedings of the GPWG in all cases, unless such are in conflict with these rules, in which event these rules shall apply and govern.

SECTION 3.0 TYPES OF MEETINGS

3.1 Regular Meetings

The GPWG will meet as needed, but generally once a month on the second Monday of each month. If an additional meeting is necessary, it will be held on the fourth Monday of the month. If at any regular meeting, business before the GPWG remains unfinished, the GPWG may adjourn from time to time to dispose of the same or to transact any other unfinished business. Less than a quorum may also adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 3.3 for special meetings, unless such notice is waived as provided for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held within twenty-four (24) hours after the time of adjournment.

3.2 Cancellation of Regular Meetings

The GPWG may cancel any of its regular meetings by a majority vote of the GPWG. A copy of the notice of cancellation shall be posted on the bulletin board located immediately outside City Hall within twenty-four (24) hours after action by the GPWG.

3.3 Special Meetings

Special meetings may be called by the Presiding Officer or at the request of eight (8) GPWG Members by delivering personally or by mailing written notice to each GPWG Member and to each newspaper requesting such notice. Such notice must be delivered personally or by mail at least twenty- four (24) hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the GPWG. The Secretary shall post the call and notice on the bulletin board located immediately outside City Hall at least twenty-four (24) hours prior to the special meeting.

3.4 Study Sessions

The GPWG shall have the right to assemble in special meetings so as to be apprised of the various matters coming up at a regular meeting or special meeting and obtain such detailed information in regard thereto as will enable them to dispose of such matters with more knowledge at the regular or special meeting to follow. The public may attend, as provided in Section 2.1; however, discussion by the public will not be encouraged so that the GPWG may use the time to ask and answer questions of the staff and other resource people. The public with the Presiding Officer's permission may address the GPWG in study sessions following the same procedures as provided in Section 3.3. The twenty-four (24) hour notice and posting requirements of Section 3.3 shall also be applicable.

3.5 Closed Sessions

The GPWG may hold closed sessions during the course of any regular or special meeting in the manner permitted by law.

SECTION 4.0 JOSEPH ROOM ATTENDANCE AND FACILITIES

4.1 Joseph Room Attendance

Attendance at meetings held in the Joseph Room shall be limited to the posted seating capacity thereof. Entrance to the JFK Library will be appropriately regulated by the Secretary on occasions when the Joseph Room capacity is likely to be exceeded. While the GPWG is in session, members of the public shall not remain standing in the Joseph Room except to address the GPWG, and sitting on the floor shall not be permitted. During GPWG meetings, no musical

instruments, firearms (except in the possession of peace officers), toy firearms, placards or other items of potentially disruptive nature, shall be brought into the Joseph Room, nor shall any handbills or flyers be passed out in the Joseph Room. The GPWG proceedings may be conveyed to those who have been unable to enter the Joseph Room.

4.2 Facilities

Regular and special meetings of the General Plan Working Group shall be held in the Joseph Room, JFK Library, Vallejo, California unless other venues are arranged in advance and notification of the change in venue is provided. Whenever at a regular or special meeting of the GPWG a matter is set for public hearing, if it is anticipated that the attendance will be substantially greater than the capacity of the Joseph Room, the Secretary may make arrangements for the use of a suitable alternate facility for such meeting of the GPWG. If a suitable alternate facility is not available, the public hearing may be continued to a date when a suitable alternate facility will be available. The GPWG shall not conduct any regular or special meeting in any facility that prohibits the admittance of any person or persons on the basis of race, religion, creed, color, national origin, ancestry or sex. Facilities shall be accessible by the handicapped.

SECTION 5.0 DUTIES AND PRIVILEGES OF THE GPWG

5.1 Elections and Terms of Officers

At the first regular meeting of the GPWG held in January of each year, the GPWG shall hold an organizational meeting, at which the GPWG shall elect a Chairperson and a Vice-Chairperson who shall serve for one year. In the case of a vacancy in any office, it shall be filled by an election held in the first two months subsequent, and such replacement shall be for the duration of the unexpired term of such office. Elections shall be by nomination and open ballot; the member receiving the highest number of votes shall be declared elected.

5.2 Seating Arrangement During Meetings

After the Chairperson and Vice-Chairperson have been elected and seated, GPWG Members shall select their seats in the order of relative seniorities on the GPWG, and shall occupy selected seats until the next election of officers. However, two GPWG Members may exchange seats at any time by mutual consent.

5.3 Presiding Officer

The Chairperson, if present, shall preside at all meetings of the GPWG. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of the Chairperson and the Vice Chairperson, another GPWG Member nominated and confirmed by a majority of those GPWG Members in attendance shall preside. The Presiding Officer shall have the authority to appoint committees pursuant to Section 2.6.

5.4 Preservation of Order

The Presiding Officer shall preserve order and decorum; prevent attacks on personalities or the impugning of GPWG Members' motives, and confine GPWG Members in debate to the question under discussion.

5.5 Points of Order

The Presiding Officer shall determine all points of order, subject to the right of any GPWG Member to appeal to the GPWG. If an appeal is taken, the questions shall be "Shall the decision of the Presiding Officer be sustained"?

5.6 Personal Privilege

The right of a GPWG Member to address the GPWG on a question of privilege shall be limited to cases in which that member's integrity, character, or motives are assailed, questioned or impugned.

5.7 Dissents and Protests

Any GPWG Member shall have the right to dissent from any action of the GPWG or ruling of the Presiding Officer, and have the reason thereof entered in the minutes. Such dissent shall be in writing, couched in respectful terms, and presented to the GPWG not later than the next regular meeting following the date of such action.

5.8 Excusal During Meetings

A GPWG Member shall leave the Joseph Room while the GPWG is in session

only with the permission of the Presiding Officer. The Joseph Room for this purpose shall be defined as those rooms where the GPWG meets, and the JFK Library rest room facility.

SECTION 6.0 DECORUM

6.1 By the Presiding Officer

The Presiding Officer shall preserve order and decorum in the manner prescribed in Section 5.4.

6.2 By the GPWG Members

While the GPWG is in session the members must preserve order and decorum, and a GPWG Member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the GPWG, nor disturb any GPWG Member, nor refuse to obey the orders of the GPWG or the Presiding Officer, except as otherwise provided in these rules.

6.3 By Other Persons

No member of the public shall approach the GPWG table while the GPWG is in session, unless specifically requested to do so by the Presiding Officer. Any message to, or contact with, any GPWG Member while the GPWG is in session shall be through the Secretary. Unruly conduct, such as undue noise, hissing, profanity, insult or physical disturbance shall not be permitted. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the GPWG shall be forthwith barred by the Presiding Officer from further audience before the GPWG at that meeting, unless permission to continue is granted by a majority vote of the GPWG.

6.4 Disruption of Meeting

In the event that any meeting is willfully disrupted by a group or groups of persons so as to render the orderly conduct of such meeting infeasible, and order cannot be restored by removal of individuals who are willfully disrupting the meeting, the Presiding Officer with the GPWG's consent may, or upon motion of any GPWG Member adopted by the GPWG shall order the Joseph Room or other place of meeting cleared without awaiting completion of the item of business at hand and when the disruption has ceased, resume the meeting. Only matters

appearing on the, agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any such sessions. As a matter of public policy, it is in the public interest to allow duly accredited representatives of the press or other news media who were not involved in the disturbance to attend the sessions from which members of the general public have been excluded by reason of a willful disturbance.

SECTION 7.0 AGENDA PREPARATION

7.1 Declaration of Policy

- A. It is established as the policy of the General Plan Working Group that no resolution, motion or item of business shall be introduced before the GPWG at a regular meeting without having prior thereto been placed upon the written agenda prepared and posted for that meeting. All GPWG meetings shall follow the prepared agenda unless changed by the Presiding Officer with the GPWG's consent or upon a majority vote of the GPWG.
- B. Notwithstanding subsection A of this section, the General Plan Working Group may take action on items of business not appearing on the posted agenda under any of the following conditions:
 - 1. Upon a determination by a two-thirds vote of the GPWG (at least ten GPWG Members) or, if less than two-thirds of the members are present (eight GPWG Members are required for a quorum), a unanimous vote of those members present that the need to take action arose subsequent to the agenda being posted as specified in Section 7.2.
 - 2. The item was posted pursuant to Section 7.2 for a prior meeting of the GPWG occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which the action is being taken.
- C. Nothing in this section shall be construed to prevent the GPWG from discussing and referring to staff for appropriate study or placement on a subsequent agenda, items that are brought to the GPWG's attention during community forum.

7.2 Preparation and Posting

The Secretary shall prepare and furnish to each GPWG Member and to the City Attorney, and to such other persons as the GPWG shall designate, a written agenda for every regular meeting. The Secretary shall endeavor to arrange the agenda in such a manner that adjournment if at all possible may be had no later than eleven (11) p.m. of the date scheduled for the meeting: The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, and shall so specify the time and location of the meeting. The agenda shall be posted on the bulletin board located immediately outside the front entry to City Hall or other location that is freely accessible to members of the public at least seventy-two (72) hours prior to the regular meeting. Except as provided in Section 7.1, no action shall be taken on any item not appearing on the posted agenda. Copies of the agenda, with all attachments, shall be available at the Planning Division and J.F. Kennedy Library for perusal by members of the public. A copy of the agenda, plus all attachments, shall be available to members of the public during the GPWG meeting.

7.3 Items Included

- A. Any items of business shall be placed upon the written agenda prior to the deadline announced or observed for the preparation thereof at the request of the Chairperson or any individual member of the GPWG, by the Secretary, or the City Attorney.
- B. The written agenda shall include the following information:
 - 1. Disclosure requirements for political contributions;
 - 2. Appeal rights;
 - 3. Name of the staff person responsible for each agenda item;
 - 4. Planning Division telephone number;
 - 5. Speaker time limits.

SECTION 8.0 AGENDA CONTENT

8.1 Order of Business

The business of the GPWG shall be taken up for consideration and disposition in the following order as set forth in the agenda published by the Secretary, except that with the majority consent of the GPWG, matters may be taken up out of order. Any item not on the agenda may be added and considered only in the manner prescribed by Section 7.1.

- A. Call to Order;
- B. Pledge of Allegiance;
- C. Roll Call;
- D. Approval of Minutes;
- E. Written Communications;
- F. Secretary's Report;
- G. City Attorney's Report;
- H. Report of the Presiding Officer and Members of the General Plan Working Group;
- I. Community Forum;
- J. Consent Calendar and Approval of the Agenda;
- K. Public Hearings;
- L. Other Agenda Items;
- M. Adjournment.

8.2 Call to Order

The Presiding Officer shall take the chair precisely at the hour appointed for the meeting and shall immediately call the GPWG to order. If the Presiding Officer is not the Chairperson or Vice Chairperson; upon the arrival of the Chairperson or Vice Chairperson, as the case may be, the person who is then presiding shall relinquish the chair at the conclusion of the item of business then before the GPWG.

8.3 Pledge of Allegiance

Immediately following the call to order, the Presiding Officer shall lead the GPWG and audience in the recitation of the Pledge of Allegiance to the flag of the United States of America.

8.4 Roll Call

Before the GPWG shall proceed with the business of the meeting, the Secretary or his or her designee shall call the roll of the GPWG Members, and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes with the time of arrival noted.

8.5 Minutes

- A. The Secretary shall distribute copies of the unadopted minutes to each GPWG Member along with the agenda and accompanying materials.
- B. Unless reading of the minutes of the GPWG meeting is requested by a member of the GPWG, with consent of the majority of the GPWG Members, such minutes may be adopted without reading.

8.6 Written Communications

- A. Written communications from the public will be received and filed, unless added to the agenda at the time the GPWG has under consideration approval of the agenda and consent calendar. If any GPWG Member objects to the addition of a written communication to the agenda, then a majority vote of the GPWG shall be required to place an item on the agenda. A written request to address the GPWG on a subject not scheduled for discussion will be treated the same as and considered at the time "Written Communications" is before the GPWG. The GPWG will determine if it wishes to have such a matter discussed and, if so, will designate the meeting at which it will be discussed.
- B. Anonymous or unsigned communications shall not be introduced to the GPWG or placed under written communications.

8.7 Report of the Secretary

The Secretary may, from time to time, report on items that may be of interest to the GPWG and the general public.

8.8 Report of the City Attorney

The City Attorney may, from time to time, report on items that may be of interest to the GPWG and general public.

8.9 Report of the Presiding Officer and GPWG Members

The Presiding Officer and any GPWG Member may, from time to time, wish to make certain announcements, request information from staff, and to report on items of activity that -may be of interest to the GPWG and the general public.

8.10 Community Forum

The Presiding Officer shall announce that members of the public have the opportunity to directly address the GPWG on items of interest to the public that are within the subject matter jurisdiction of the GPWG. Fifteen (15) minutes shall be set aside for the community forum, and each speaker shall be allocated three (3) minutes, unless time is extended by the Presiding Officer with the GPWG's consent. Except as provided in Section 7.1, no action shall be taken on matters brought up during community forum. Items of business listed on the agenda shall not be further discussed under the community forum without the GPWG's consent.

8.11 Consent Calendar and Approval of the Agenda

A. The Secretary or City Attorney may recommend that items appearing on the agenda be placed on the consent calendar for action by the GPWG. Any item placed, on the consent calendar shall appear in its regular order on the agenda together with a recommendation of the Secretary or City Attorney as to the action to be taken by the GPWG with respect to such item. Upon motion of any GPWG Member, all items placed upon the consent calendar may be acted upon collectively, and each shall be

deemed to have received the action recommended by the Secretary or City Attorney; except that if any GPWG Member objects to the placement of an item on the consent calendar, or if any member of the public wishes to address the GPWG on any such item, the item shall be removed from the consent calendar and shall be heard and acted upon in its proper place on the agenda as designated by the Presiding Officer.

- B. After making changes in the agenda, if any, as permitted under these rules of order and procedure, the GPWG shall approve the agenda which shall be and constitute the agenda of business to be considered at the meeting. The motion offered to approve the agenda shall include the adoption of the consent calendar.

8.12 Public Hearings

- A. The GPWG may from time to time order that public hearings be conducted on items of public interest even though such may not be required by law.

- B. Anyone desiring to address the GPWG on the subject of the public hearing may indicate such interest in any of the three following ways:

1. Persons may submit a written request to the Secretary in advance of the meeting.
2. Persons may fill out a card that will be available at the start of all General Plan Working Group meetings, and submit the card to the Secretary during the meeting.
3. Persons may approach the podium to speak when the Presiding Officer opens the public hearing and indicates that persons wishing to address the GPWG may do so at that time.

- C. Procedures for Public Hearings

1. The Secretary shall announce the public hearing and shall note any correspondence received concerning the matter, if any.
2. The staff report shall be presented,

3. The Presiding Officer shall declare the public hearing open.
4. The Presiding Officer shall first call on the applicant, proponent or appellant of the matter.
5. The GPWG shall hear those interested in the matter.
6. The Presiding Officer
 - a. May limit individual presentations and may limit the number of speakers with similar positions;
 - b. May order that no person speak more than once until all other persons wishing to speak have spoken once;
 - c. May use the card system provided for in Section 11.4.
 - d. Shall close the hearing.
7. A GPWG Member:
 - a. May question any speaker during the hearing;
 - b. Shall not indicate his or her decision regarding the matter, nor introduce a motion or resolution to approve, modify or deny the matter being heard until the public hearing is closed by the Presiding Officer.
 - c. Continuance of Hearing

Any hearing being held, or noticed or ordered to be held, by the GPWG at any meeting may by order or notice of continuance adopted by the GPWG be continued or reconfirmed to any subsequent meeting in the same manner and to the same extent set forth in Section 3.1 for the adjournment of meetings; provided, however, if the hearing is continued to a time less than twenty-four (24) hours after the time specified in the order or notice of

hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted.

8.13 Other Agenda Items

The Secretary, City Attorney, or the Presiding Officer may place items on the agenda of interest to the GPWG and the general public or for action by the GPWG.

8.14 Adjournment

It shall be the policy of the GPWG to adjourn its regular meeting by eleven (11) p.m. of each meeting date. The Secretary shall endeavor to arrange the agenda in such a manner that the GPWG can adhere to this adjournment policy. A public hearing in progress shall not be interrupted and continued to a subsequent meeting for the sole purpose of satisfying this adjournment deadline. Items of business that remain on the agenda at eleven (11) p.m. shall be carried over to the next regular meeting, unless the GPWG by a majority vote agrees to continue in session or agrees to adjourn the meeting to a date sooner than the next regular meeting to dispose of the remaining agenda items.

SECTION 9.0 RULES OF DEBATE

9.1 Presiding Officer

The Presiding Officer may debate and vote. The Presiding Officer shall not be deprived of any rights and privileges of a GPWG Member by reason of acting as the Presiding Officer except as set forth in Section 9.2.

9.2 Motions and Resolutions by the Presiding Officer

Prior to making a motion or resolution, the Presiding Officer shall relinquish the chair to the Vice-Chairperson or the next senior member of the GPWG. Upon completion of the vote on the motion or resolution, the Presiding Officer will automatically regain the gavel and continue to chair the meeting.

9.3 Obtaining the Floor

GPWG Members desiring to speak shall address the Presiding Officer, and upon recognition by the Presiding Officer, shall confine themselves to the question under debate, avoiding all indecorous language.

9.4 Parliamentary Inquiries

A GPWG Member may, without obtaining the floor, make an inquiry of the Presiding Officer for information on a point of order, a matter of parliamentary procedure or the rules of GPWG bearing on the business at hand. The Presiding Officer's reply to a parliamentary inquiry is not subject to an appeal or reconsideration. However, if a GPWG Member acts contrary to the Presiding Officer's opinion and is ruled out of order, an appeal may be taken to the GPWG. If an inquiry is made when another GPWG Member has the floor and an immediate answer is not necessary, the Presiding Officer can defer a reply until the floor has been yielded. The Presiding Officer is not obligated to answer hypothetical questions.

9.5 Points of Information

A GPWG Member may make a request for information relevant to the business at hand but not related to parliamentary procedure. The request may be directed to the Presiding Officer or through the Presiding Officer to another GPWG Member or an officer or employee of the City. The request must always be put in the form of a question. If directed to a GPWG Member who has the floor, the Presiding Officer will ask consent of the speaker to the interruption.

9.6 Questions of Personal Privilege

A GPWG Member may, without obtaining the floor, raise a question of personal privilege. An inquiry shall be addressed to the Presiding Officer and may be made without waiting for recognition. When disposed of, the business shall be resumed at exactly the point at which it was interrupted. The Presiding Officer shall rule whether the questions put is one of personal privilege, as defined by Section 5.6, and, if so; whether it is of sufficient urgency to warrant interrupting the business then in progress. A nondebatable appeal to the GPWG may be taken from the Presiding Officer's ruling.

9.7 Interruptions

A GPWG Member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer. When called to order while speaking, the GPWG Member must cease speaking until the point of order be determined and, if in order, shall be permitted to proceed.

9.8 Restriction of Discussion

GPWG Members shall confine their remarks and inquiries to the agenda item under consideration and speak only when recognized by the Presiding Officer, except as otherwise provided in these rules of order and procedure. A GPWG Member shall not call for a showing of hands or other demonstration of those present in the audience, unless granted permission to do so by the Presiding Officer.

9.9 Limitation of Debate

No GPWG Member may speak for longer than ten (10) minutes at any one time; unless additional time is granted upon a majority vote of the GPWG.

9.10 Precedence of Motions

When a question is before the GPWG, no motion shall be entertained except:

- A. To adjourn;
- B. To fix the hour of adjournment;
- C. To lay on the table;
- D. To call for a previous question;
- E. To postpone to a certain day;
- F. To refer;
- G. To amend;
- H. To substitute;
- I. To postpone indefinitely.

These motions shall have precedence in the descending order indicated. Any such motion, except a motion to adjourn, amend, or substitute, shall be put to a

vote without debate.

9.11 Motions and Resolutions to be Stated by the Secretary.

The Secretary shall read the title of any motion, resolution, or item of business before debate, following which the Presiding Officer may request a report from the Secretary or other designated staff member.

9.12 Discussion Allowed Prior to Formal Motion

It shall not be necessary to make a motion or resolution prior to inquiry or debate by GPWG Members, or the public is allowed to speak.

9.13 Second Not Required

A second shall not be required in order to make a motion or resolution.

9.14 Motions Out of Order

The Presiding Officer or any GPWG Member may introduce a resolution or motion out of the regular order of the agenda, only with the majority consent of the GPWG.

9.15 Motion to Adjourn

A motion to adjourn shall be in order at any time, except as follows:

- A. When repeated without intervening business or discussion;
- B. When made as an interruption of a member speaking;
- C. When a previous question has been ordered; or
- D. While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.

9.16 Motion to Lay on the Table

A motion to lay on the table shall preclude all amendments or debate of the

subject under consideration. If the motion prevails, consideration of the subject may be resumed at that meeting only upon motion of a member voting with the majority.

9.17 Withdrawal of Motions

A motion may be withdrawn at any time before vote by the maker, after first gaining recognition from the presiding officer.

9.18 Motion for Previous Question

When a motion for the previous question is made by a GPWG Member, the Presiding Officer shall allow no further debate and shall ask "Shall the item now be voted on?" If the question carries, the Presiding Officer shall put pending amendments to vote, without debate, in the inverse order of their introduction, before putting the main questions, If the question "Shall the main question now be voted on?" is decided negatively, the main questions and its amendments remain before the GPWG. The motion calling for the previous question must be decided upon by five-seventh vote in the affirmative.

9.19 Division of Question

If a question put before the GPWG contains two or more separate propositions, the Presiding Officer may, and upon request of a GPWG Member, shall divide the question.

9.20 Motion to Amend an Amendment

After a motion to amend an amendment has been made and installed for debate, a motion to amend the same amendment further shall not be in order.

9.21 Motion to Postpone

A motion to postpone, except one to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely carries, the main motion is lost.

9.22 Motion to Reconsider

A motion to reconsider any action taken by the GPWG may be made at the

meeting such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session of that meeting. Such a motion may be made only by a GPWG Member who voted with the prevailing side. After such a motion for reconsideration has been acted upon, no other such motion on the same question shall be made at that meeting.

9.23 Rehearing

After the GPWG has taken action on a matter or question, a motion to reconsider the action taken on such matter or question, or on a matter or question having substantially the same content or purpose of the matter or question already acted upon, shall not be made at a subsequent meeting for at least one (1) year from the date of such action, except by a GPWG Member who voted in the majority on such matter or question or upon the consent in writing of the majority of the GPWG Members filed with the Secretary. Such matter or question may, however, be reheard at a subsequent meeting after the one year period has elapsed. The item before the GPWG shall be whether the matter or question should be reheard; and, if the GPWG approves the request, it shall be placed on a future agenda for consideration.

SECTION 10.0 VOTING

10.1 Quorum

A quorum shall be four (4) or more members of the GPWG.

10.2 Abstention

It shall be the duty of each GPWG Member present at a meeting of the General Plan Working Group to cast a vote, "aye" or "nay", unless excused because:

- A. The GPWG Member has a personal or pecuniary interest in the matter under consideration; or
- B. The law otherwise declares that GPWG Member's participation is a conflict of interest; or
- C. The GPWG Member is disqualified by reason of absence from the hearing of a matter, the decision on which under the law must be based upon findings supported by testimony or other competent evidence introduced in the proceeding.

If a conflict of interest does exist, the GPWG Member shall declare this fact. The GPWG Member is then excused from voting 'aye' or 'nay', and may cast an abstention vote. Other than to reflect the abstention, the vote shall not be counted for any purpose. Abstention for any reason other those mentioned above shall constitute consent in the action proposed, and the Secretary shall announce at the meeting and enter in the GPWG's minutes that the abstention was cast as an "aye" vote pursuant to this rule.

Nothing in these rules of order and procedure is intended to abrogate the judicially declared "rule of necessity" adopted in the State of California pertaining to the duty of members of public legislative and administrative bodies to vote on matters which require their action.

Abstention is defined to include a GPWG Member's refusal or failure to vote when present and capable of casting a vote, unless excused for the reasons set forth above.

10.3 Tie Vote

The affirmative vote of at least four (4) members shall be necessary to adopt any resolution or motion. Any question on which the vote is tied, is lost. In the event of a tie vote, the Presiding Officer or any GPWG Member may request the Secretary to carry over the item to the next regular meeting where a full GPWG will be present.

10.4 Roll Call

The votes shall be cast by a voice vote so that each GPWG Member's vote may be recorded by the Secretary. The Secretary shall call the roll in alphabetical order, then calling on the vote of the Vice Chair and Chair, respectively. The Secretary at the conclusion of the voting shall announce the results of the vote by stating whether the measure carried or failed and by what vote.

SECTION 11.0 PUBLIC PARTICIPATION

11.1 Policy

It is the policy of the General Plan Working Group that members of the public shall be afforded the opportunity to speak on any agenda item providing they

are first recognized by the Presiding Officer.

11.2 Addressing the GPWG

Any person desiring to address the GPWG by oral communication shall first secure the permission of the Presiding Officer by approaching the speaker's podium and waiting, silently, to be recognized by the Presiding Officer.

11.3 Spokespersons

Designated spokespersons for recognized groups or organizations will be given priority over Individuals who desire to address the GPWG.

11.4 Card System

Cards will be available at the rear of the Joseph Room for persons who wish to address the GPWG at a public hearing or on another item of agenda business. After filling out the information requested, the cards shall be handed to the Secretary or designated staff member. The Presiding Officer will call on those wishing to speak in the order in which the cards are received, except as provided in Section 8.11. After such persons are heard, the Presiding Officer may then call for any additional speakers.

11.5 Time Limits

Designated spokespersons for recognized groups or organizations will have five (5) minutes to address the GPWG; provided, however, that they may request additional time and will be granted such only with the permission of the Presiding Officer and subject to the consent of the GPWG. Individuals will be given three (3) minutes to address the GPWG unless additional time is allowed as provided for spokespersons.

11.6 Discussion Between Citizens and the GPWG

All remarks shall be addressed to the GPWG as a body and not any GPWG Member thereof. No person, other than the Presiding Officer, GPWG and the person having the floor, shall be permitted to enter into any discussion, either directly or through a GPWG Member, without the permission of the Presiding Officer. No question shall be asked of a GPWG Member or a member of staff

except through the Presiding Officer.

11.7 Topic for Discussion

Members of the public shall address their remarks only to the agenda item under discussion by the GPWG.

11.8 Manner of Addressing the GPWG

Prior to speaking, each member of the public shall state his or her name and business or home address in a clear and audible tone of voice.

11.9 Repetition

Recognized speakers shall refrain from repetition of issues and points already raised by previous speakers.

SECTION 12.0 AMENDMENTS

12.1 Notice of Amendment

These rules of order and procedure may be amended by the GPWG at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each GPWG Member at least three (3) days prior to the meeting date.

12.2 Submission for Council Approval

Any amendment adopted by the GPWG shall be submitted to the City Council for approval at the earliest convenient time as required by Section 405 of the City Charter, and shall become effective only upon such approval being given.

CITY COUNCIL APPROVAL

The foregoing Rules of Order and Procedure were approved by Resolution No. ___ adopted by the City Council on pursuant to Section 405 of the City Charter of the City of Vallejo.