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**City Manager's Report**  
**September 23, 2025, City Council Meeting**  
**Prepared by: Carole Kendrick, Development Services Director**  
**Item #: 12.1**

**Subject:** Planning Commission Bylaws

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**Recommendation:** Recommendation on Approval Authority for Placerville Planning Commission Bylaws.

**Purpose:** The purpose of this report is to provide the City Council with a historical overview of the Placerville Planning Commission Bylaws, clarify whether City Council approval is warranted for their adoption or amendments, and recommend whether the Planning Commission should retain its authority to approve bylaws or if the City Council should assume this responsibility. This ensures the council is informed about the governance structure and can make a policy decision that aligns with state law, city priorities, and efficient governance

**Strategic Plan Strategy:** Maintain/Improve Quality of Life Strategy 6) Maintain and Update Planning Documents.

**Background/Discussion:** On August 12, 2025, Mayor Clerici requested staff provide an update on the Planning Commission bylaws with City Manager Morris indicating that the approval of bylaws may need to be analyzed. Placerville City Code § 2-2-7 states that:

*“The Planning Commission shall adopt bylaws providing for the method of electing officers, time and place of regular meetings of the commission, which shall be held at least once each month, and such other rules as may be necessary for the transaction of the business of the commission and shall keep a public record of its resolutions, transactions, findings and determinations. (Ord 856, 4.20.1961)”*

The City of Placerville's Planning Commission was established on April 20, 1961, through Ordinance No. 856, which created the commission under Chapter 3 of Title 7 of the California Government Code (Municipal Code § 2-2-1). This ordinance explicitly required the commission to adopt its own bylaws to govern internal operations, including the election of officers, scheduling of meetings (at least monthly), and other procedural rules for conducting business (Municipal Code § 2-2-7). The bylaws are currently adopted by the commission itself. California Government Code § 65102 states that “a legislative body may establish for its planning agency any rules, procedures, or standards which do not conflict with state or federal laws”. The City Council appoints commission members but does not currently approve the bylaws, though the broader policy framework is outlined in the city's Committee, Commission & Board Policy Manual.

A brief history on the Planning Commission is provided below in addition to an analysis of bylaws in and near El Dorado County as well as cities of similar size.

## 12.1

- **1961:** Initial bylaws adopted Ordinance No. 856, guided by Robert’s Rules of Order.
- **2007–2013:** Resolution No. 7578 (December 11, 2007) adopted the Committee, Commission & Board Policy Manual, referencing bylaws. Updates (2011–2013) had no direct impact. (see Attachment B)
- **January 15, 2019:** Bylaws revised for quorum, schedules, and Brown Act compliance.
- **March 16, 2021:** Amendments proposed to officer roles and procedures.
- **April 20, 2021:** Bylaws adopted. (see Attachment A)
- **May 4, 2023:** Draft updates proposed, refining officer duties and committees.

### Planning Commission Bylaws in and near El Dorado County, California.

Entity	Type	Bylaws/Ordinance	Approval Body	Details
El Dorado	County	Bylaws	Planning Commission	§2.25.650
Placerville	City	Bylaws	Planning Commission	Requires quorum of 5 members
South Lake Tahoe	City	Ordinance	City Council	No specific bylaws identified
Placer	County	Bylaws	Planning Commission	Rules equivalent to bylaws
Sacramento	County	Bylaws	Planning Commission	Rules of procedure
Alpine	County	Bylaws	Board of Supervisors	Planning Commission adopts; Board has final approval
Auburn	City	Ordinance	City Council	Bylaws not mentioned in City Code Ch. 2.45
Amador	County	Ordinance	Board of Supervisors	County Code Ch. 2.52 and 17.08 but do not reference bylaws

### Planning Commission Bylaws in similar sized California cities.

Entity	Type	Population	Bylaws/Ordinance	Approval Body
Piedmont	City	10,635	Ordinance	City Council
Corning	City	10,984	Ordinance	City Council
Grand Terrace	City	11,584	Ordinance	City Council
Ione	City	10,803 (estimated)	Bylaws	Planning Commission
Lark Spur	City	11,069	Bylaws	Planning Commission
Loma Linda	City	11,227	Ordinance	City Council

The City Council is requested to discuss the governance structure of the Placerville Planning Commission Bylaws, evaluate the benefits and drawbacks of maintaining the current process where the Planning Commission independently adopts and amends its bylaws under Municipal Code § 2-2-7, and provide direction to staff on whether to continue this commission-led approval process for efficiency and autonomy or to pursue an amendment to Municipal Code § 2-2-7 requiring City Council approval to enhance oversight, considering potential administrative impacts and alignment with city priorities and state law.

The City Attorney provided redline edits to the May 4, 2023, draft bylaws for the Placerville Planning Commission, emphasizing legal compliance with recent Brown Act amendments (AB 557 and AB 2449, effective January 1, 2024) and alignment with Municipal Code § 2-2-7 and California Government Code § 65102. Specifically, the City Attorney noted that the proposed quorum rule in Article 7(b)—requiring three commissioners (a majority of five members) to act, with a majority of the total commission for motions and resolutions—exceeds standard legal requirements, as a majority of a quorum is typically sufficient for most actions, which is helpful during vacancies. Exceptions under state law include: Government Code § 36936, requiring a majority of total membership for resolutions, payment orders, and ordinances; § 65858, mandating a 4/5 vote for urgency ordinances; § 54954.2, requiring a majority of membership for late agenda additions; Code of Civil Procedure § 1245.220, needing a 2/3 vote for eminent domain resolutions; and other laws for specific actions like elections or property sales. The City Attorney's edits ensure Brown Act compliance for teleconferencing and public comment (e.g., Articles 4(c), 9(h), 11(b)), clarify procedural rules (e.g., quorum in Article 7(g), Robert's Rules in Article 11(f)), and correct grammatical errors (e.g., "Bylaws of for the City of Planning Commission" to "Bylaws of the Planning Commission"), supporting the commission's authority to self-adopt bylaws without City Council approval unless conflicts arise.

### Options:

1. Direct staff to prepare an amendment to Municipal Code § 2-2-7 to require council approval via ordinance.
2. Continue the item to a future meeting for further discussion or additional information.
3. Confirm that the Placerville Planning Commission retains authority to approve its bylaws and amendments, as authorized by Municipal Code § 2-2-7 and California Government Code § 65102, with no City Council approval required unless conflicts with city ordinances arise.

**Cost:** If the City Council directs staff to proceed with an ordinance amendment, an estimated four (4) hours of staff time will be required to research and prepare the revisions.

**Budget Impact:** The cost to prepare this staff report is approximately \$250.00. The cost to prepare the zoning ordinance amendment can be absorbed in the current year budget.



M. Cleve Morris, City Manager



Carole Kendrick, Development Services  
Director

Attachments:

Attachment A: Planning Commission Bylaws (April 20, 2021)

Attachment B: Committee, Commission and Board Policy Manual (Adopted December 11, 2007)

INCORPORATED BY REFERENCE

City of Placerville General Plan

City of Placerville City Code

City of Placerville Strategic Plan

City of Placerville Planning Commission Bylaws

City of Placerville Committee, Commission and Board Policy Manual