

## MINUTES

### TURLOCK CITY PLANNING COMMISSION THURSDAY, MAY 2, 2013 7:00 PM

#### YOSEMITE COMMUNITY ROOM TURLOCK CITY HALL, 156 SOUTH BROADWAY

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**COMMISSIONERS PRESENT:** Bean, Dias, Fregosi, Hackler and Hillberg

**ALTERNATE COMMISSIONERS PRESENT:** Badal

**COMMISSIONERS ABSENT:** Brem, Salcedo and Alternate Commissioner Pollard

**STAFF PRESENT:** Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Katie Melson, Associate Planner; Adrienne Werner, Planning Technician; Dorinda Soiseth, Staff Services Technician

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**A. CALL TO ORDER** The meeting was called to order at 6:02 p.m.

Vice Chair Fregosi thanked the City Council for approving the Planning Commission meeting time change.

City Clerk Kellie Weaver administered the Oath of Office to newly appointed Alternate Planning Commissioner Dr. Ashour Badal.

**B. APPROVAL OF MINUTES**

1. Regular meeting of March 7, 2013
2. Regular meeting of April 4, 2013

Vice Chair Fregosi noted that no action will be taken on the April 4 minutes because a quorum from that meeting is not present. She asked for corrections or a motion to approve the minutes from the March 7, 2013 meeting.

**MOTION:** Commissioner Hillberg moved, Commissioner Dias seconded, to approve the minutes from the March 7 meeting as submitted. Motion carried unanimously with Commissioners Brem, Pollard and Salcedo absent, and Commissioners Badal and Hackler abstaining.

**C. ANNOUNCEMENTS**

Debbie Whitmore had two announcements:

- StanCOG will be making a presentation about their new transportation plan to the Commission at the June meeting.
- There are fact sheets from the Institute for Local Government at the dais.

**D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**

There were none.

**E. PUBLIC PARTICIPATION**

Ken Oyer provided a letter and pictures of a large metal garage recently constructed adjacent to his property. He expressed concerns that this structure would reduce property values in the neighborhood, and asked the Commission to consider what a metal building does to a neighborhood.

**F. CONSENT CALENDAR**

None

**G. PUBLIC HEARINGS**

**CONSENT ITEMS\*:**

\* None

**NONCONSENT ITEMS:**

1. This item was continued from the April 4, 2013 meeting. **CONDITIONAL USE PERMIT 13-01 (DAYS INN MULTI-TENANT SIGN)**. To authorize the removal of the existing freeway sign to be replaced with a new 85' tall 38' wide multi-tenant freeway sign at 185 N. Tully Road. The removal and replacement of the cabinet of the "Days Inn" pole sign with an 8' tall 8' wide cabinet is proposed at 1601 W. Main Street. The project is located at 185 N. Tully Road and 1601 W. Main Street, more particularly described as Stanislaus County Assessor's Parcel Nos. 089-015-007 and 089-015-006 respectively. This project is Categorical Exempt from CEQA, per Section 15311 – Accessory Structures.

Katie Melson presented the staff report and said that the applicant has provided two revised sign designs – Revised Option 1 and Revised Option 2. She reviewed the findings that need to be made to grant a Conditional Use Permit, and provided information on the municipal code standards for off-premises and freeway oriented signs, nonconforming signs, and freestanding signs. She noted that there are no guidelines for what type of code variations could be approved, but signs that do not conform can obtain a Conditional Use Permit in any zoning district.

Katie provided information about off-premises freeway signs and noted that the West Main Street shopping center is 1300 feet away from freeway. The requested sign is 85' tall, is consistent in height with other freeway signs, and meets the Design Guidelines for architectural treatments.

Katie noted that the originally proposed freeway signs included the words "Welcome to Turlock" which was not included in the sign area. The revisions proposed by the applicant do not include the words "Welcome to", only the name Turlock.

**Freeway Sign** – The staff recommendation is to approve the Revised Option 2, which has large panels for this number of major tenants but is accommodating two shopping centers.

Vice Chair Fregosi asked if this would be the first freeway sign with off-premises advertising. Katie noted that the Target and Home Depot signs are off-premises but are located in one shopping center.

**West Main Sign** – The applicant is proposing to repair and reface the existing sign. This is

considered an off-premises sign because it is not located on the Days Inn property and the existing access easement does not include the sign. She said because the sign is on the adjacent property a signature from that property owner is required. Staff has attempted to contact this property owner but has not been successful. The City Attorney has advised staff to send a letter to this property owner stating what will be done and allow 15 days for a response. If the property owner does not respond a building permit will be issued for repairs to the sign. Staff's recommendation is to approve the repair and reface of the West Main sign, but also approve a three foot tall monument sign in case the repair of the existing sign cannot be done. If the original sign cannot be repaired, this action will allow for a three foot monument sign, which would require property owner signature. Katie advised that the code enforcement issue for this sign is addressed in the resolution.

Reed Onate, representing the 1300 West Main Street property owners, said they would prefer the Revised Option 1 sign because they are trying to serve the larger West Main Street area. He said they would be willing to add "Welcome to" above the name Turlock on the arch of the freeway sign.

**Public Hearing:**

Vice Chair Fregosi opened the public hearing. No one spoke. Vice Chair Fregosi closed the public hearing.

Commissioner Hackler said that he favors the Revised Option 2, and would like to have "Welcome to" added to the freeway sign.

Commissioner Badal said that he also favors the Revised Option 2 and asked if the words "Welcome to" would fit on the sign.

Vice Chair Fregosi re-opened the public hearing.

Reed Onate responded that the words "Welcome to" could be done on either option, and asked the Commission to approve Revised Option 1.

Vice Chair Fregosi closed the public hearing.

The Commission discussed the two freeway sign options, and the feasibility of adding the words "Welcome to" to the sign.

**MOTION:** Commissioner Hillberg moved, Commissioner Bean seconded, that the Planning Commission grant Conditional Use Permit 2013-01 with revised Option 2 (Days Inn Multi-Tenant Freeway Sign and West Main Sign) having determined that the project is "Categorically Exempt" from the provisions of CEQA, and that all of the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2013-04. This motion failed on a tie vote as follows:

<b>AYES:</b>	Bean, Fregosi and Hillberg
<b>NOES:</b>	Badal, Dias and Hackler
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	Brem, Pollard, Salcedo
<b>NOT PARTICIPATING:</b>	None
<b>NON-VOTING:</b>	None

**MOTION:** Commissioner Hillberg moved, Commissioner Bean seconded, that the Planning Commission grant Conditional Use Permit 2013-01 with revised Option 2 (Days Inn Multi-Tenant Freeway Sign and West Main Sign) with the additional condition that the words "Welcome to" be added to the arch of the freeway sign if it is structurally feasible, but allowing the sign to be built if it is not feasible, having determined that the project is "Categorically Exempt" from the provisions of CEQA, and that all of the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2013-04. Motion carried unanimously with Commissioners Brem, Pollard and Salcedo absent.

**H. OTHER MATTERS**

None

**I. COMMISSIONER'S CONSIDERATION**

**1. WORKSHOP ON POTENTIAL AMENDMENTS TO TITLE 9 OF THE TURLOCK MUNICIPAL CODE (ZONING ORDINANCE) – ACCESSORY STRUCTURES**

Adrienne Werner provided a power point presentation that included definitions for accessory buildings and uses as outlined by the Turlock Municipal Code, including a list of what an accessory structure might be. Challenges include how many should be permitted on one residential lot; accessory structures off public alleys; front yard arbors and shade canopies; flat roof pergolas and large structures. Adrienne also provided information on how other cities address this issue.

Debbie Whitmore noted that design review for accessory structures is advisory in residential districts but required in commercial districts. She also noted that States law requires second units be allowed on residential property, so a separate definition for second units and accessory structures should be addressed, as well as addressing the need for a higher level permitting process for larger structures, such as a Conditional Use Permit.

There was discussion about the amount of property that can be used for a home based business, the need to distinguish between a structure and an arbor and between open and closed structures, and how much design review should be required for each. The Commission agreed that the finish on any accessory structure should match what is in the neighborhood or on the residence.

Commissioner Hackler would prefer design review on structures over 6 feet tall, and to solicit neighborhood input on larger structures.

Commissioner Bean requested that the ordinance be revised to require that an accessory structure look more like a residential structure than a metal building.

Staff will provide different options for the Commission to consider at their next meeting.

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

None

**K. COMMISSIONER'S COMMENTS**

Vice Chair Fregosi commented about a recent presentation at the Carnegie Arts Center from Architect David Burton about green housing.

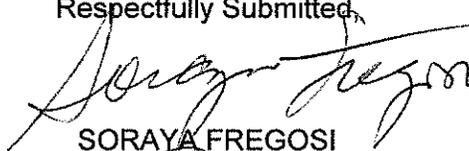
**L. STAFF UPDATES**

Debbie Whitmore updated the Commission on the following items:

- **Neglecting Annexation and Incorporation** – An article in the Western City magazine that talked about challenges cities face when annexing County islands.
- **Planning Outside the Growth Boundary** – An article in the Zoning Practice monthly publication.
- **Update on City Council Actions on General Plan Settlement Agreement Items and Taylor Road Cross Section**- As part of the General Plan settlement, the City will adopt a Right-to-Farm ordinance which will require a notice on all new subdivision and parcel maps that this is an agricultural area and residents will be subject to agricultural uses. The right-of-way for the new cross section of Taylor Road has been reduced from 108 feet to 94 feet, which will reduce the impact to ag parcels along Taylor Road.
- **Permitting Fee Updates** – The Development Services Department is preparing updates to its permitting fees (master plan and CFF) that will be considered at a future City Council meeting.

**M. ADJOURNMENT:** Having no further business Vice Chair Fregosi adjourned the meeting at 8:09 p.m.

Respectfully Submitted,



SORAYA FREGOSI  
Vice Chair



DEBRA A. WHITMORE  
Deputy Director of Development Services,  
Secretary of the Turlock Planning Commission