

- A. **CALL TO ORDER** – Chairwoman Fregosi called the meeting to order at 6:02 p.m.  
PRESENT: Commissioners Bean, Gonsalves, Hackler, Hillberg and Chairwoman Fregosi  
ABSENT: Commissioner Pedroza

B. **APPROVAL OF MINUTES**

1. **Regular Meeting of April 2, 2015** – Motion and Second (Hillberg/Gonsalves) to approve the minutes as submitted. Motion carried with Commissioners Bean and Hackler abstaining, and Commissioner Pedroza absent.

C. **ANNOUNCEMENTS**

1. **Planning Commission Vacancy** - Debbie Whitmore advised that Steve Hallam had vacated office effective April 21, and that a new Commissioner will be appointed by the Mayor on May 12<sup>th</sup>.
2. **Presentation on the new Phase II Municipal Separate Storm Water Sewer System (MS4) Permit** - Fallon Martin, Staff Services Analyst for Municipal Services, provided information on the statewide water run-off regulations that will become effective on July 1 of this year and how these new regulations will impact development services. Debbie Whitmore detailed the requirements that will apply to all new development.

- D. 1. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**  
None

2. **DISCLOSURE OF EX PARTE COMMUNICATIONS**  
There are no agenda items subject to this disclosure.

E. **PUBLIC PARTICIPATION**

Milton Trieweiler spoke about world population and exponential growth, and the need to plan for smart growth in Turlock.

- F. **CONSENT CALENDAR**  
None.

G. **PUBLIC HEARINGS**

- \***CONSENT ITEMS**  
\*None.

**NONCONSENT ITEMS**

1. **PLANNING COMMISSION WORKSHOP ON THE 2015-2023 HOUSING ELEMENT UPDATE FOR THE CITY OF TURLOCK (General Plan Amendment 2015-01)**  
Debbie Whitmore advised that the State requires cities to prepare a Housing Element as one of the required seven mandatory elements contained in a General Plan. She said that the purpose of a Housing Element is to ensure there is affordable and decent housing in all communities, and said that cities are mandated to update their Housing Elements every eight years.

Sophie Martin, representing Dyett & Bhatia, said that the State Department of Housing and Community Development (HCD) reviews Housing Elements for compliance with State Law, and noted that Turlock's Housing Element planning period is December 31, 2015 through December 31, 2023. She advised that a Housing Element includes a housing needs assessment, a land and resource inventory; it must show what constraints exist and also provide a review of accomplishments of the existing Housing Element. It must also show quantified objectives such as new construction and rehabilitation of existing housing; and outline housing goals, policies and programs. Sophie said that comments received at the Housing Forum held at City Hall on April 23 included the need for safe, affordable rental properties, especially one bedroom units, and the need for emergency, transitional and supportive housing and services for the homeless.

**Public Hearing:** Chairwoman Fregosi opened public hearing.

Milt Trieweiler asked which agency required and monitored a Housing Element. He commented that the San Joaquin Valley contains prime farmland, and that the City needs to grow up, not out by requiring taller buildings, such as six-story apartment structures.

Sophie Martin responded that HCD oversees the Housing Element requirement, and said that because housing problems are statewide no community is exempt from the requirement to provide affordable housing.

Hearing no further comments, Chairwoman Fregosi closed the public hearing.

There was discussion about our current General Plan already addressing the need for lower income housing; the difficulty of complying with some State mandates; the recent influx of the homeless population in Turlock and the need to focus on providing housing and services for this population base.

Commissioner Bean commented on a community in Utah that has eliminated most of their homeless population by providing them with rent-subsidized apartments.

Fire Marshal Mark Gomez said that recent legislation requiring prison re-alignment accounts for the influx of the homeless population in Turlock.

The Commission asked what the penalties would be for not complying with the Housing Element mandate. Sophie Martin said that the ability to obtain federal funding would be impacted.

Commissioner Gonsalves commented that developers may be willing to build affordable housing, but not able to sell the units fast enough to make it economically feasible. He said that a constraint to developing affordable housing would be the fees that are associated with development, and that releasing 40 to 80 units at one time may impact the overall housing market.

Chairwoman Fregosi said she would be hesitant about reducing development fees because reducing City funds may impact City services. She said we need to focus on providing affordable housing for more people rather than fewer.

Commissioner Hackler commented that there may be options to get development fees paid for by another mechanism through the Housing Element process.

There was no action taken.

2. **COMPREHENSIVE ZONING ORDINANCE AMENDMENT**

**RECONSIDERATION OF SEVERAL ITEMS** Debbie Whitmore advised that the City Council directed the Planning Commission to reconsider upgrading the permit approval process for drive-through restaurant facilities; requiring double-striping of parking spaces; and whether existing cargo containers may be "grandfathered in" as it relates to Zoning, Building and Fire Code requirements.

**Cargo Containers:**

Debbie said that because some cargo containers may have been in place for a number of years, property owners have questioned as to whether a building permit would have been initially required. She outlined the options in the Zoning Ordinance, and said that Building and Fire Codes are State Laws that cannot be exempted.

Eric Picciano, Chief Building Official, said that the Building Code is State-wide, and if a cargo container is recognized as a building, it is subject to building codes and accessibility laws, and that a building permit is required and all fees apply.

Mark Gomez, Fire Marshal, advised that he would consider a cargo container the same as a structure made out of wood or metal. He is concerned that firefighters would have difficulty accessing a cargo container due to the number of locking mechanisms on the doors. Another concern for firefighters is what might be stored inside a cargo container; if hazardous materials the container needs to be labeled properly. Also double-stacked containers could be a hazard to firefighters because of access issues. Mark said if they are "grandfathered" in, the problems will still exist.

Debbie Whitmore said that building permits are currently being obtained for smaller storage shed structures and that cargo containers are no different.

There was discussion about Building and Fire codes in relation to the request to grandfather the existing containers, and that the concessions made in regards to reducing the application fees and providing an amnesty period are sufficient.

Eric Gonsalves commented that it may be difficult to obtain structural engineering information on an older container.

Eric Picciano advised that if a permit for a cargo container comes in today it will be addressed under today's code; not what was in place 20 years ago.

The consensus of the Commission was to not recommend exempting or "grandfathering" existing cargo containers from the zoning and/or building and fire code requirements.

There was no action taken.

**Drive-through Restaurants:**

Debbie Whitmore said that the City Council requested the Planning Commission consider upgrading the permitting process for drive-through restaurants located in the Downtown Transitional Commercial Overlay Zone from a Minor Discretionary Permit to a Conditional Use Permit which requires a public hearing including notification of property owners within 500 feet of the project. The consensus of the Commission was to recommend this change.

There was no action taken.

**Double striping:**

Debbie Whitmore said that the City Council requested the Planning Commission consider requiring double-striping in parking lots rather than making it the preferred option. The consensus of the Commission was to recommend that double-striping of parking lots be required.

There was no action taken.

**H. OTHER MATTERS**

None

**I. COMMISSIONERS' CONSIDERATION**

None

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

1. **UPDATE ON COUNTY REVIEW OF USE PERMIT 2002-21 – MAR ADDAI CHURCH (LARSA EVENT CENTER):** Debbie Whitmore provided a history of the noise complaints that have been received over the years due to events held at this facility. She advised that a public hearing before the Stanislaus County Planning Commission is being held tonight, and that the City has provided a letter in response to the project.

**K. COMMISSIONERS COMMENTS**

Commissioner Hackler commented that he would like to see residents concede watering their front yards to allow for sufficient watering of the grass in City parks.

Chairwoman Fregosi commented that CSU Stanislaus is letting the grass die in the amphitheater.

**L. STAFF UPDATES**

1. **LAFCO Agricultural Mitigation Policy Amendment:** Debbie Whitmore provided information on the action taken by the Stanislaus County Local Agency Formation Commission concerning agricultural mitigation.
2. **Shopping Cart Plan Enforcement:** Debbie Whitmore provided an update on recent activity by the Neighborhood Services Division regarding abandoned shopping carts. A letter will be sent to businesses informing them of the City's shopping cart policy.

3. **Active Transportation Plan Update:** Debbie Whitmore provided an update on the schedule for the Active Transportation Plan. She said the Plan will be sent out for a 30-day review prior to coming to the Planning Commission for action.

**M. ADJOURNMENT** Chairwoman Fregosi asked for a motion (Hillberg/Bean) to adjourn the meeting at 8:18 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED



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Soraya Fregosi  
Chair



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Debra A. Whitmore  
Deputy Director of Development Services