

PLANNING COMMISSION MEETING AGENDA



THURSDAY, August 4, 2016 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California



Commission Chair
Victor Pedroza

Commission Members

Elvis Dias
Jeanine Bean
Soraya Fregosi

Eric Gonsalves
Geoff Powers
Nick Hackler
Vice Chair

Deputy Director of Development Services
Debra A. Whitmore

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Turlock Planning Commission meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the Planning Division at (209) 668-5640. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Planning Commission on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the Planning Commission's consideration of the item.

AGENDA PACKETS: Prior to the Planning Commission meeting, a complete Agenda Packet is available for review on the City's website at www.cityofturlock.org and at the Planning Division office at 156 S. Broadway, Suite 120, Turlock, CA during normal business hours. Materials related to an item on this Agenda submitted to the Commission after distribution of the Agenda Packet are also available for public inspection in the Planning Division Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

A. 1. CALL TO ORDER

2. SALUTE TO THE FLAG

B. APPROVAL OF MINUTES

1. Regular Meeting of July 7, 2016

[View Items](#)

C. ANNOUNCEMENTS

None

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

Planning Commission should disclose the following information for each item listed below:

- *State, for the public record, the nature of the communication;*
- *Identify with whom the ex parte communication was made; and*
- *Provide a brief statement as to the substance of the communication.*

The following agenda items are subject to the requirement for disclosure of Ex Parte Communications:

Planning Commissioners will disclose Ex Parte Communications immediately following the introduction of each of these items by the Planning Commission Chair, as they appear on the agenda below.

G.1 – ORDINANCE AMENDMENT 2016-02 - OMNIBUS AMENDMENT TO THE TURLOCK MUNICIPAL CODE RELATED TO LAND USE AND ZONING REGULATIONS

E. PUBLIC PARTICIPATION

This is the time set aside for members of the public to directly address the Commission on any item of interest to the public, before or during the Commissioner's consideration of the item, that is within the subject matter jurisdiction of the Commission. You will be allowed five (5) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Commission addresses the matter.

No action or discussion may be undertaken on any item not appearing on the posted agenda, except that the Commission may refer the matter to staff or request it be placed on a future agenda.

F. CONSENT CALENDAR

Information concerning the consent items listed herein below has been forwarded to each Commissioner prior to this meeting for study. Unless the Chair, a Commissioner or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Commission. The action taken by the Commission in approving the consent items is set forth in the explanation of the individual items.

G. PUBLIC HEARINGS

***CONSENT ITEMS**

These are items on this agenda designated by an asterisk () next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing City policy and the City General Plan and are, therefore, **recommended for routine approval**. Prior to actual Planning Commission consideration, the Chairman will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chairman. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.*

None

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

- 1. ORDINANCE AMENDMENT 2016-02 - OMNIBUS AMENDMENT TO THE TURLOCK MUNICIPAL CODE RELATED TO LAND USE AND ZONING REGULATIONS:** The Planning Commission will consider a recommendation to the City Council to amend and modify Title 9 (Zoning Regulations) and Chapter 5-16 (Christmas Tree Sales Lots) of the Turlock Municipal Code. Major changes include revisions and additions to regulations regarding the permit process and timeline for Christmas tree sales lots, attached patio cover and air conditioner setbacks, noise standards, landscaping and irrigation, wireless communication facilities, use classifications and permitting requirements, property development standards, underground utilities, setbacks for recycling and solid waste disposal facilities, group homes and group quarters permitting requirements, and electronic noticing. Other

revisions and additions are intended to make the ordinance easier to implement, easier to understand, establish more specific standards and findings, and/or bring the City's ordinance into compliance with State and federal law. Revisions are proposed to the following titles, chapters, articles, sections and subsections:

- Title 5, Chapter (Christmas Tree Sales Lots)**
- Title 9, Chapter 1, Article 2, Section 02 (Definitions)**
- Title 9, Chapter 2, Article 1, Section 05 (Building projections into yards)**
- Title 9, Chapter 2, Article 1, Section 08, Subsection (a) (Exemptions to height limits in any R district)**
- Title 9, Chapter 2, Article 1, Section 09 (Landscaping and irrigation)**
- Title 9, Chapter 2, Article 1, Section 13, Subsection (h) (Amendments to planned developments)**
- Title 9, Chapter 2, Article 1, Section 14 (Permitted locations of mobile homes, recreation vehicles and campers)**
- Title 9, Chapter 2, Article 1, Section 15, Subsection (c)(3) (Recycling and solid waste disposal regulations – Setbacks)**
- Title 9, Chapter 2, Article 1, Section 20 (Underground utilities)**
- Title 9, Chapter 2, Article 2, Section 07, Subsections (d) (Parking in the R districts – Yard setback restriction)**
- Title 9, Chapter 2, Article 2, Section 07, Subsections (e) (Parking in the R districts – Driveways)**
- Title 9, Chapter 2, Article 2, Section 07, Subsections (f) (Parking in the R districts – Land use permit required)**
- Title 9, Chapter 2, Article 2, Section 11, Subsection (c) (Bicycle parking – Design requirements)**
- Title 9, Chapter 2, Article 2, Section 14, Subsection (f) (Parking lot design standards)**
- Title 9, Chapter 2, Article 2, Section 16 (Parking lot landscaping)**
- Title 9, Chapter 2, Article 3 (Noise Standards)**
- Title 9, Chapter 2, Article 6 (Wireless Communication Facilities)**
- Title 9, Chapter 3, Article 1, Section 02 (Agricultural District – Use classifications)**
- Title 9, Chapter 3, Article 2, Section 02 (Residential Districts – Use classifications)**
- Title 9, Chapter 3, Article 2, Section 03 (Residential Districts – Property development regulations)**
- Title 9, Chapter 3, Article 3, Section 02 (Commercial Districts – Use classifications)**
- Title 9, Chapter 3, Article 4, Section 02 (Industrial Districts – Use classifications)**
- Title 9, Chapter 3, Article 5, Section 02 (Public and Semipublic District – Use classifications)**
- Title 9, Chapter 3, Article 5, Section 03 (Public and Semipublic District – Development regulations)**
- Title 9, Chapter 4, Article 1, Section 03 (Downtown Overlay Regulations – Use classifications)**
- Title 9, Chapter 5, Article 1, Section 01 (Applications: Form)**
- Title 9, Chapter 5, Article 1, Section 20 (Hearings: Notices: Posting and mailing)**
- Title 9, Chapter 5, Article 1, Section 25 (Commission hearings: Transmittal of resolutions)**

Title 9, Chapter 5, Article 3, Section 01 (Minor administrative approval: Purpose and Intent)

Title 9, Chapter 5, Article 3, Section 04 (Minor administrative approval: Review: Approval)

Title 9, Chapter 5, Article 3, Section 09 (Minor discretionary permit: Application: Completeness)

Title 9, Chapter 5, Article 3, Section 11 (Minor discretionary permit: Notice)

Title 9, Chapter 5, Article 3, Section 12 (Minor discretionary permit: Approval: Findings: Conditions)

Title 9, Chapter 5, Article 3, Section 16 (Outdoor dining defined)

Title 9, Chapter 5, Article 3, Section 17 (Outdoor dining permit required)

Title 9, Chapter 5, Article 3, Section 18 (Outdoor dining permits)

Title 9, Chapter 5, Article 3, Section 19 (Application for outdoor dining permit)

Title 9, Chapter 5, Article 3, Section 20 (Issuance of outdoor dining permit)

Title 9, Chapter 5, Article 3, Section 21 (Conditions and restrictions pertaining to outdoor dining)

Title 9, Chapter 5, Article 3, Section 22 (Insurance)

Title 9, Chapter 5, Article 3, Section 23 (Alcoholic beverage restrictions)

Title 9, Chapter 5, Article 3, Section 24 (Outdoor dining permit not deed or easement)

Title 9, Chapter 5, Article 3, Section 25 (Suspension or revocation of outdoor dining permit)

Title 9, Chapter 5, Article 3, Section 26 (Protest issuance of permit)

Title 9, Chapter 5, Article 3, Section 29 (Removal of tables and chairs)

Title 9, Chapter 5, Article 5, Section 01 (Temporary uses)

(Whitmore/Quintero)

[View Items](#)

- a) Planning Commission find the proposed project “Exempt” from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3)[General rule]
- b) Planning Commission consideration of a recommendation to the City Council of the City of Turlock to adopt Ordinance Amendment 2016-02 (Omnibus Amendment to the Turlock Municipal Code Related to Land Use and Zoning Regulations) which includes amendments to both Chapter 5-16 (Christmas Tree Sales Lots) and Title 9 (Zoning Regulations) of the Turlock Municipal Code

H. OTHER MATTERS

None

I. COMMISSIONER’S CONSIDERATION

1. **DOWNTOWN PARKING MANAGEMENT PLAN UPDATE:** Staff will provide a brief update on the status of the Downtown Parking Management Plan. *(Quintero)*

2. **ACTIVE SHOOTER TRAINING:** Staff will provide a brief update to the Planning Commissioners regarding mandatory training to learn how to respond in an “active shooter” situation.(Whitmore)

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

This section allows staff to update the Commission on proposed projects in the unincorporated area within or surrounding the City of Turlock. These items are presented for information only. No action will be taken on these items. Members of the public interested in these projects should contact the County Planning and Community Development Department at (209) 525-6330 to obtain information or provide comments.

None

K. COMMISSIONERS COMMENTS

Commissioners may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the Commission.

None

L. STAFF UPDATES

None

M. ADJOURNMENT

AT THE ABOVE TIME AND PLACE ALL INTERESTED PARTIES WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. ANYONE MAY PRESENT HIS OR HER VIEWS ON THESE MATTERS IN PERSON, BY WRITING, OR BY REPRESENTATIVE. CHALLENGES IN COURT TO ANY OF THE ITEMS LISTED ABOVE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TURLOCK PLANNING COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING. ANY MATERIALS SUBMITTED TO THE PLANNING COMMISSION FOR CONSIDERATION (PHOTOGRAPHS, SLIDES, PETITIONS, LETTERS, ETC.) BECOME THE PROPERTY OF THE CITY OF TURLOCK AND WILL BE RETAINED AS PART OF THE PUBLIC RECORD AND ARE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY OF TURLOCK PLANNING DIVISION, CITY HALL, 156 SOUTH BROADWAY, TURLOCK. INFORMATION MAY ALSO BE OBTAINED BY CALLING THE CITY OF TURLOCK PLANNING DIVISION AT (209) 668-5640. WRITTEN CORRESPONDENCE MAY BE MAILED TO THE CITY OF TURLOCK PLANNING DIVISION, 156 SOUTH BROADWAY, SUITE 120, TURLOCK, CA 95380-5454.

--APPEAL--

Anyone who is dissatisfied with the action(s) of the Planning Commission may file an appeal within **TEN (10) DAYS** following the decision of the Planning Commission. The appeal must be written and filed with the Turlock City Clerk. Appeal Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway, Turlock. There is a \$125.00 filing fee for the Appeal Application. If an Appeal Application is filed, a Public Hearing will be scheduled by the City Council to consider the appeal.

An applicant may request the continuance of a pending application or scheduled matter set for consideration by the Planning Commission by filing a request for a continuance not less than three (3) hours prior to the scheduled consideration of the application pursuant to City Council Resolution No. 89-248. The request must be written and filed with the City of Turlock Planning Division. Continuance Request Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway, Turlock. There is a \$355.00 Filing Fee Deposit for the Continuance Request Application. **The granting of a request for a continuance of a pending application is discretionary on the part of the City of Turlock. The applicant's compliance with the regulations does not imply, guarantee, or otherwise supersede the City of Turlock's authority to deny the request.**