



TURLOCK CITY PLANNING COMMISSION MEETING AGENDA

THURSDAY, MAY 7, 2009 – 7:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California

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. CALL TO ORDER

- Oath of Office for New Alternate Planning Commissioner (*City Clerk*)

B. APPROVAL OF MINUTES

1. Special Workshop meeting of March 26, 2009 [View Item](#)
2. Regular meeting of April 2, 2009 [View Item](#)

C. ANNOUNCEMENTS (*Debbie Whitmore*)

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

E. PUBLIC PARTICIPATION

This time is set-aside for the public to address the Planning Commission on current issues. If requested by letter one week prior to a Planning Commission meeting, any subject of interest or concern may be placed on the Planning Commission agenda for consideration by the Planning Commission.

None

F. CONSENT CALENDAR

None

The notice of public hearing for the following items was published on Saturday, April 11, 2009

G. PUBLIC HEARINGS (*Consent Items)

***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. Public Hearing to consider **REZONE NO 2008-03 (PLANNED DEVELOPMENT 263 - JOHNSON ROAD AREA REZONE)** City-initiated rezone for a Planned Development (PD 263) to allow for a reduction in the fifteen-foot corner side yard setback for **new** fences over three feet in height. (Existing fences, constructed according to specifications at the time of construction, do not require this exception.) If approved, the properties located on corner lots within the proposed Planned Development boundaries, would be permitted to construct fences up to seven feet in height within the required setback, provided that a 30-foot "Clear Vision Triangle" at corners is maintained. The project is exempt from the California Environmental Quality Act (CEQA Exemption: Section 15305, "Minor Alterations in Land Use Limitations.") [View Item](#)
 - a) This project is Categorically Exempt from environmental review as provided for in §15305, "Minor Alterations in Land Use Limitations"
 - b) Planning Commission recommendation on Rezone 2008-03 (Planned Development 263 - Johnson Road Area Rezone)

2. Public Hearing to consider **GENERAL PLAN AMENDMENT 2009-01, REZONE 2009-01, PLANNED DEVELOPMENT 264 (STARKWEATHER)** To request a change in the General Plan land use designation and zoning of this site from Industrial to Community Commercial, and approve a Planned Development to allow for a commercial center consisting of retail, event center, and warehouse space. The two buildings on this property will be remodeled to accommodate these uses. The proposed building elevations are designed to incorporate these buildings into the existing retail development at 1200 and 1300 West Main Street. This project also includes relocating the existing storm water detention basin to the rear of this site, and constructing a parking lot in its place. The existing loading dock on the Main Street side of "Building 1" would be relocated to the rear of the building, and replaced with storefronts. The subject property is located at 1400 W. Main Street (APN: 050-001-027) A "Mitigated Negative Declaration" is proposed, declaring that the project will not have a significant effect on the environment, incorporating mitigation measures identified in the Initial Study, and subject to the appropriate conditions of approval. [View Item](#)

- a) Planning Commission consideration of a Mitigated Negative Declaration for General Plan Amendment 2009-01, Rezone 2009-01, Planned Development 264 (Starkweather)
 - b) Planning Commission recommendation on GENERAL PLAN AMENDMENT 2007-04 AND REZONE 2008-05.
3. Public Hearing to Consider **CONDITIONAL USE PERMIT NO. 2009-01 (SIGN DESIGNS – HAROLD BROWN)** To authorize a double sided (43.3 square feet per side), twenty (20) foot tall monument sign for Turlock Memorial Park & Funeral Home. The subject parcel is located within the “Public-Semi Public” zoning district which has no set sign criteria, however the proposed height of this sign is significantly taller than the recommended monument sign height as set forth by the City of Turlock Design Guidelines. The project is located at 575 N. Soderquist Rd., more particularly described as Stanislaus County APN 061-001-009, the applicants are seeking authorization for the sign to be located on the West Main frontage of this parcel. The proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA) under Section 15311(a) [Accessory Structures] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part IV (b). [View Item](#)
- a) The proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA) under Section 15311(a) [Accessory Structures] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part IV (C).
 - b) Planning Commission action on Conditional Use Permit No. 2009-01 (SIGN DESIGNS – Harold Brown)
4. Public Hearing to Consider **PROPOSED AMENDMENTS TO LOCAL REGULATIONS REGARDING LARGE FAMILY DAY CARE FACILITIES DEFINITIONS, STANDARDS AND RESTRICTIONS CONTAINED IN TITLE 9 OF THE TURLOCK MUNICIPAL CODE (ZONING ORDINANCE), INCLUDING TMC 9-1-202 (DEFINITIONS), TMC 9-2-110 (FAMILY DAY CARE HOME), AND CHAPTER 9-3 (BASE DISTRICT REGULATIONS)** The City of Turlock proposes to change certain provisions of the Zoning Ordinance regulating large family day care facilities. The purpose of the amendments is to bring the City’s ordinance into compliance with the California Child Day Care Act by aligning the City’s definitions with State Law, specifying the standards, restrictions, requirements, and conditions for the nondiscretionary permit to permit large family day care homes, and clarifying the requirement for a nondiscretionary permit (i.e., a Minor Administrative Approval) in the Agricultural and Residential zoning districts. In addition, the City will be considering a change to its current policy which exempts large family day care facilities from paying business license fees. The proposed amendments are “Exempt” from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) [No Environmental Impact] of the CEQA Guidelines. [View Item](#)

- a) Planning Commission determination that the proposed amendments are “Exempt” from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) [No Environmental Impact] of the CEQA Guidelines
- b) Planning Commission consideration of a recommendation to City Council to approve the proposed amendments to Turlock Municipal Code related to Large Family Day Care Facilities

5. NOTICE OF PROPOSED AMENDMENTS TO LOCAL REGULATIONS REGARDING HOUSE AND BUILDING NUMBERING STANDARDS CONTAINED IN TITLE 8 AND TITLE 11 OF THE TURLOCK MUNICIPAL CODE, INCLUDING CHAPTER 8-4 (HOUSE AND BUILDING NUMBERING), CHAPTER 11-5 SUBDIVISION MAPS (SUBDIVISION MAPS: FIVE OR MORE PARCELS), AND CHAPTER 11-6 PARCEL MAPS (PARCEL MAPS: FOUR OR LESS PARCELS) The City of Turlock purposes to change certain provisions of the Turlock Municipal Code relating to street names and house and building numbering. The purpose of the amendment is to clearly identify the criteria and standards for designating street names of new subdivisions and assigning house and building numbers. The proposed amendments are “Exempt” from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) [No Environmental Impact] of the CEQA Guidelines. [View Item](#)

- a) Planning Commission determination that the proposed amendments are “Exempt” from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) [No Environmental Impact] of the CEQA Guidelines
- b) Planning Commission consideration of a recommendation to City Council to approve the proposed amendments to Turlock Municipal Code related to House and Building Numbering

H. OTHER MATTERS

1. Planning Commission consideration of the final design and rendering of the Public Safety Building Communications Tower pursuant to Condition of Approval #94 of Conditional Use Permit 2008-07. The project is located in an area bounded by N. Broadway, Florence, N. Laurel, and W. Olive adjacent to the proposed Carnegie Community/Arts Center. [View Item](#)
2. Planning Commission consideration of a request to initiate an amendment to Title 9 of the Turlock Municipal Code (Zoning Ordinance) to address design and development standards for cargo containers [View Item](#)

I. COMMISSIONER’S CONSIDERATION

1. Turlock Unified School District “School Facilities Needs Analysis” submitted to the Planning Division on April 2, 2009 [View Item](#)

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

K. COMMISSIONERS COMMENTS:

L. STAFF UPDATES: (*Debbie Whitmore*)

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. IF YOU CHALLENGE ANY OF THE ABOVE MATTERS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUE YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING(S) DESCRIBED IN THIS AGENDA, OR WRITTEN CORRESPONDENCE DELIVERED TO THE PLANNING COMMISSION OF THE CITY OF TURLOCK 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.

--CONTINUANCE-- -- APPLICANT REQUESTS-- EFFECTIVE NOVEMBER 27, 1989

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 \$280.00 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.**