

MINUTES

TURLOCK CITY PLANNING COMMISSION THURSDAY, OCTOBER 6, 2011 7:00 PM

YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Salcedo, Hackler, Hillberg, Brem, Bean, Fregosi, Dias

ALTERNATE COMMISSIONERS (Non Voting): Williams

COMMISSIONERS ABSENT: Pedroza

STAFF PRESENT: Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Phaedra Norton, City Attorney; Rose Stillo, Senior Planner; Katie Melson, Assistant Planner, Adrienne Werner, Planning Technician; Dorinda Soiseth, Staff Services Technician

A. CALL TO ORDER The meeting was called to order at 7:01 p.m.

B. APPROVAL OF MINUTES
Chairman Brem asked for corrections or a motion for approval of the minutes of the September 1, 2011 Planning Commission meeting. Commissioner Bean asked for a correction to reflect that she did not make the motion to approve the August 4, 2011 minutes as she was absent from this meeting. There was a motion and second to approve the September 1 minutes as corrected. Carried unanimously with Commissioners Dias and Salcedo abstaining.

C. ANNOUNCEMENTS
Debbie Whitmore informed the Commission that October 20 was the date for the next community workshop on the General Plan Update. The meeting will be held at 6:00 PM in the Senior Center on Cahill Drive, and the full Draft General Plan document will be available for public review and comment.

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS
There were none.

E. PUBLIC PARTICIPATION
None

F. CONSENT CALENDAR
None

G. PUBLIC HEARINGS

CONSENT ITEMS*:

None

NONCONSENT ITEMS:

1. **AMENDMENT TO CONDITIONAL USE PERMIT 2003-12 (SIGN PROGRAM FOR MI PUEBLO SHOPPING CENTER)** Debbie noted that staff is requesting this item be continued to the November 3, 2011 regular meeting of the Planning Commission.

MOTION: Commissioner Hillberg moved, Commissioner Hackler seconded, that the Planning Commission continue the Amendment to Conditional Use Permit 2003-12 to the November 3, 2011 Planning Commission meeting. Motion carried unanimously.

AYES: Salcedo, Hackler, Hillberg, Brem, Bean, Fregosi and Dias
NOES: None
ABSTAIN: None
ABSENT: Pedroza
NOT PARTICIPATING: None
NON-VOTING: Williams

H. OTHER MATTERS

1. **AGRICULTURAL PRESERVATION PLAN MAP 2050: TURLOCK AREA MAP**
Debbie presented the staff report and advised that the Turlock City Council has requested the Planning Commission review and provide a recommendation on the potential Turlock area boundaries for the Agricultural Preservation Plan 2050. The goal of the process is to develop a way to preserve agricultural land in the County by establishing the areas where growth would be permitted by the year 2050 and designating areas that would remain in agricultural use over the long-term. The map was prepared by the Mayors Group as a response to a proposal by one LAFCO board member to establish a mandatory mitigation program for all cities requiring the preservation of one acre of land for every acre of land converted to an urban use. The map was prepared by the mayors of the nine cities to provide an alternative approach to the preservation of agricultural land due to concerns that additional fees on development in cities would continue to create a fiscal incentive for urban uses to locate outside city boundaries.

The map would serve as the center piece for an initiative to be put before the voters some time next year. There are a number of unresolved issues that would have to be addressed as the initiative is drafted. The boundary proposed for the Turlock area corresponds with the official "planning area" boundary proposed in the upcoming General Plan Update. The boundary is located approximately one mile beyond the area proposed for urban development and also includes land proposed for development in the unincorporated communities of Denair and Keyes.

Debbie mentioned that in addition to the "planning area" boundary, the General Plan identifies other boundaries that would reduce the size of the proposed growth area, such as the "study area" and the growth or "master plan" area. There was a general discussion about the growth projections used for the General Plan Update process and whether the General Plan Update process is a 2030 plan or the plan will last beyond that growth horizon.

Commissioner Fregosi commented that the map made it look like the cities all plan to grow together and there would be no agricultural separators between the cities.

Chairman Brem commented that the General Plan process is intended to address the issues of agricultural preservation and that it was unclear how this proposed map would relate to the General Plan process. Debbie responded that the Agricultural Preservation Plan 2050 is intended to address what happens after the General Plan period, beyond 2030.

Chairman Brem commented that he was having trouble putting the two processes together. Debbie commented that the map, as proposed, is a starting point for discussion. If it is the will of the Planning Commission, the boundary could be modified by reducing its size and the Council is looking for feedback along these lines. Chairman Brem opened the discussion to the audience for public comment.

Jeani Ferrari spoke, indicating that she had attended the LAFCO and the Board of Supervisors meetings, as well as the City of Modesto meetings regarding ag land preservation. Ms. Ferrari reiterated her opposition to the Turlock City Council decision to plan for housing development west of Highway 99. She did however believe that Turlock has done a great job of planning in its current General Plan by emphasizing growth in the southeast area on poorer soils. She went on to express her disappointment that there was no soils or water recharge map presented because she felt that the cities did not have a strategy for protecting the county's most valued farmland. Furthermore, she stated that the cities need to also plan for food production. She then read a prepared statement which emphasized the need to retain agricultural land for job growth and to feed the growing population.

Commissioner Fregosi noted the one of the biggest obstacles to preserving agricultural land is the difference in the impact fees charged by the County. She asked staff what the difference in cost would be for a similar development in the County. Debbie commented that the fees for similar development are typically 50% or less than the cost to develop in the City.

Ms. Ferrari suggested that the City enter into negotiations with the County concerning growth on the borders. She also mentioned that the City of Turlock needs to review its revenue sharing agreement with the County. She then emphasized that farmland should be treated as a treasure, not as "extra land" for the cities to grow on. Debbie responded that the City has been interested in engaging the County on issues dealing with county growth on city borders and on the revenue sharing agreement, but that it has been difficult to get the county to the table. Fiscal troubles at the county combined with a desire to develop jobs in the unincorporated area, have made it difficult for staff to make any progress on a more comprehensive solution to agricultural preservation. The new General Plan proposes to extend City fees into the area immediately surrounding the City to level the playing field for development impact fees. However, it will take a great deal of political support to bring the county to table to assess new fees on development in the unincorporated area.

Milt Trieweiller then spoke noting the growth in the national and world population. He encouraged the cities to grow up (10 or 12 story buildings) to create higher density development (grow up, not out) and to establish a permanent boundary for Turlock to preserve farmland.

Chairman Brem expressed his concern that more people had not shown up to discuss this important topic.

Commissioner Fregosi agreed with Ms. Ferrari's comment that most of the people agree that there should not be growth west of Highway 99.

Commissioner Hackler said it makes sense that development occur around the Highway 99 corridors because it has access to an existing highway. He did not understand the expansion proposals of some of the other cities.

Ms. Ferrari then urged the cities to continue working with the County on these issues and stated that regional planning just is not feasible.

Commissioner Hackler asked whether this initiative was being pushed to respond to a competing initiative. Debbie responded that she had heard, third hand, such an initiative was being drafted but was not aware of any of the details. Commissioner Hackler then urged the Mayor to stick with the current General Plan process.

Chairman Brem indicated that the Commission had reached a consensus that the current General Plan process should be upheld. With very little public input on the matter, the Commission was reluctant to take any action.

Commissioner Fregosi commented that the City and County need to review the fee structures and to see how those could be modified to preserve ag land.

The consensus of the Commission was to proceed with the current general plan process and not take additional action to make a recommendation on the Agricultural Preservation Plan Map at this time.

I. COMMISSIONER'S CONSIDERATION

1. SIGN WORKSHOP: THE LEGAL ASPECTS OF SIGN REGULATION

City Attorney Phaedra Norton presented the workshop. She provided information including the regulation of speech on signs; the constitutional power of government to regulate signs; content neutral sign criteria; non-commercial vs. commercial signs; what can be prohibited by local governments; and amortization of non-conforming signs. Phaedra advised the Commission to keep these concepts in mind when making decisions on signs because exceptions make a sign ordinance vulnerable to challenge.

Commissioner Fregosi referred to a letter from the Chamber concerning various signs, and expressed frustration with the enforcement process of existing sign violations and the process to amend the current ordinance.

Debbie Whitmore noted that the Planning Commission had requested a comprehensive review of the current sign ordinance. The review will start with the legal aspects of sign regulation and will evaluate all aspects of the ordinance. Chairman Brem confirmed that was the will of the Planning Commission.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

K. COMMISSIONER'S COMMENTS

None

L. STAFF UPDATES

1. California High Speed Rail/Commuter Rail Station Planning for the City of Turlock.

Debbie reported that an alternatives analysis will be available for public review in December.

2. **Avena Bella:** Debbie reported that this project has been awarded and will be moving forward.

M. ADJOURNMENT: Having no further business Chairman Brem adjourned the meeting at 8:41 p.m.

Respectfully Submitted,

MIKE BREM
Chair

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