

# PLANNING COMMISSION MEETING AGENDA



**THURSDAY, MARCH 5, 2015 – 6:00 PM**  
**City of Turlock, Yosemite Community Room**  
**156 South Broadway**  
**Turlock, California**

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Commission Chair  
**Soraya Fregosi**

Commission Members

**Eric Gonsalves**  
**Steven Hallam**  
**Victor Pedroza**

**Nick Hackler**  
**Jeff Hillberg**  
**Jeanine Bean**  
Vice Chair

Deputy Director of Development Services  
**Debra A. Whitmore**

Alternate Members

**Ashour Badal**

**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](http://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**

## **B. APPROVAL OF MINUTES**

1. Regular Meeting of November 6, 2014
2. Regular Meeting of February 5, 2015

[View Item](#)  
[View Item](#)

## **C. ANNOUNCEMENTS**

Disclosure of Ex Parte Communications (*Whitmore*)

**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:

- **G.1** VESTING TENTATIVE SUBDIVISION MAP 2014-04 (CHRIS HAWKE – FAIRBANKS RANCH)
- **G.2** VESTING TENTATIVE SUBDIVISION MAP 2014-03 (RON KATAKIS – LES CHÂTEAUX).

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.

**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 hereinbelow 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.*

1. **2014 General Plan Implementation Report:** The California Government Code (Section 65400 (b)) requires that an annual report on the implementation of the General Plan be submitted to the Legislative Body. [View Item](#)
  - a) Planning Commission determination that the 2014 General Plan Implementation Report is in compliance with the California Government Code [Section 65400 (b)] having determined that this action is “exempt” from the provisions of CEQA.
2. **2015 Update to the City of Turlock CEQA Implementation Guidelines:** Under California law, each public agency must adopt local implementation guidelines to establish objectives, criteria, and specific procedures for administering its responsibilities under the California Environmental Quality Act (CEQA) and CEQA Guidelines (§15022). [View Item](#)
  - a) Planning Commission determination that the 2015 Update to the City of Turlock CEQA Implementation Guidelines is in compliance with the California Government Code (§15022) having determined that this action is “exempt” from the provisions of CEQA.

## 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. **THIS ITEM WAS CONTINUED FROM THE FEBRUARY 5<sup>TH</sup> MEETING. VESTING TENTATIVE SUBDIVISION MAP 2014-04 (CHRIS HAWKE – FAIRBANKS RANCH)** To subdivide approximately 40.6 acres into 129 single-family residential lots and one approximately 2.33 acre storm drainage basin within the East Tuolumne Master Plan (ETMP) Area. The project will be developed in accordance with the standards established for the R-L (ETMP) zoning district. Typical lot sizes range from approximately 7,855 square feet to 17,030 square feet. The subject property is located at 2707 East Tuolumne Road (Stanislaus County APN 073-013-003). 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. (Quintero) [View Item](#)
  - a) Planning Commission consideration of a Mitigated Negative Declaration for Vesting Tentative Subdivision Map 2014-04 (Fairbanks Ranch), declaring that the project will not have a significant effect on the environment.
  - b) Planning Commission action on Vesting Tentative Subdivision Map 2014-04 (Fairbanks Ranch).
  
2. **THIS ITEM WAS CONTINUED FROM THE FEBRUARY 5<sup>TH</sup> MEETING. VESTING TENTATIVE SUBDIVISION MAP 2014-03 (RON KATAKIS – LES CHÂTEAUX).** To subdivide approximately 19.7 acres into 60 single-family residential lots and one approximately 1.22 acre storm drainage basin within the East Tuolumne Master Plan (ETMP) Area. The project will be developed generally in accordance with the standards established for the R-L (ETMP) zoning district consistent with the property’s Low Density Residential General Plan land use designation. Typical lot sizes range from approximately 7,103 square feet to 21,196 square feet. The subject property is located at 3007 East Tuolumne Road (Stanislaus County APN 073-013-004). 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. (Quintero) [View Item](#)
  - a) Planning Commission consideration of a Mitigated Negative Declaration for Vesting Tentative Subdivision Map 2014-03 (Les Chateaux), declaring that the project will not have a significant effect on the environment.

- b) Planning Commission action on Vesting Tentative Subdivision Map 2014-03 (Les Chateaux).

**3. AMENDMENT TO THE CITY OF TURLOCK ZONING REGULATIONS TO PROHIBIT THE ISSUANCE OF A MOBILE FOOD FACILITY PERMIT ON PRIVATE PROPERTY LOCATED IN CERTAIN DOWNTOWN OVERLAY DISTRICTS:**

The Planning Commission will consider a recommendation to the City Council to prohibit the issuance of temporary, on-site mobile food facility permits pursuant to TMC Section 9-2-125 (Mobile food facilities) in three Downtown Overlay Districts – Downtown Core, Downtown Core Transition, and Office/Residential. This section of the Zoning Regulations allows mobile food facilities to apply for an annual permit to operate on private property for longer than 30 minutes per day and is effective for a period of one year. The permit may be renewed annually, and contains specific operating conditions and limitations that have been established by ordinance. The proposed changes would not affect the ability of qualified mobile food facilities from continuing to operate within the public right-of-way as a “street vendor” pursuant to TMC Chapter 5-17 (Vendors). [View Item](#)

- a) Planning Commission consideration of a recommendation to the City Council to amend TMC 9-2-125 (Mobile food facilities) to prohibit the issuance of a mobile food facility permit on private property located in three Downtown Overlay Districts (Downtown Core, Downtown Core Transition, and Office/Residential), having determined that the amendments are exempt from CEQA pursuant to Sections 15061(b)(3) and 15183 of the CEQA Guidelines and pursuant to the findings contained in draft Planning Commission Resolution No. 2015-05.

**4. COMPREHENSIVE UPDATE TO THE CITY OF TURLOCK ZONING REGULATIONS:**

The Planning Commission will consider a recommendation to the City Council for a comprehensive update to the Turlock Zoning Regulations (Title 9 of the Turlock Municipal Code). The Planning Commission is reviewing and amending the Zoning Regulations, in their entirety, and will consider public input on any aspect of the Zoning Regulations. The proposed changes will be citywide and will affect the permitting requirements for uses, development standards, and permitting processes in all zoning districts. These changes will also affect the range of uses and development standards for the Downtown Turlock zoning overlay districts. Technical changes such as definitions and procedures will also be affected by the proposed amendments. [View Item](#)

- a) Planning Commission consideration of a recommendation to the City Council to repeal Title 9 (Zoning Regulations) and replace the title with the proposed amendments, having determined that the amendments are exempt from CEQA pursuant to Sections 15061(b)(3) and 15183 of the CEQA Guidelines and pursuant to the findings contained in draft Planning Commission Resolution No. 2015-04.
- b) Planning Commission consideration of a recommendation to the City Council to establish an amnesty program for the Cargo Container permitting requirements proposed in the Comprehensive Zoning Regulations Update.

**H. OTHER MATTERS**

None

**I. COMMISSIONER’S CONSIDERATION**

None

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

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.*

**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.

**--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 \$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.**