

PLANNING COMMISSION MEETING AGENDA



THURSDAY, MAY 7, 2015 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California

Commission Chair
Soraya Fregosi

Commission Members

Eric Gonsalves
Jeff Hillberg
Victor Pedroza

Nick Hackler
Jeanine Bean
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. CALL TO ORDER

B. APPROVAL OF MINUTES

1. Regular Meeting of April 2, 2015

[View Item](#)

C. ANNOUNCEMENTS

1. Planning Commission Vacancy
2. Presentation on the new Phase II Municipal Separate Storm Water Sewer System (MS4) Permit (Fallon Martin, Municipal Services)

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

3. DISCLOSURE OF EX PARTE COMMUNICATIONS

There are no agenda items subject to this requirement for this meeting.

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.

None

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. **PLANNING COMMISSION WORKSHOP ON THE 2015-2023 HOUSING ELEMENT UPDATE FOR THE CITY OF TURLOCK (General Plan Amendment 2015-01)** The Planning Commission will hold a public workshop to begin the process of updating its Housing Element to address new housing targets established by the Stanislaus Council of Governments for the 2015-2023 planning period. The City of Turlock is required by the State of California (§ 65580 – 65589.8 of the California Government Code) to prepare a Housing Element as one of the required seven mandatory elements contained in its General Plan. (*Whitmore*) [View Item](#)
- a) The Planning Commission will take public comments for the Housing Element Update.
2. **COMPREHENSIVE ZONING ORDINANCE AMENDMENT RECONSIDERATION OF SEVERAL ITEMS** At the direction of the City Council, the Planning Commission will reconsider the following items: (*Whitmore*) [View Item](#)
 - 1) Upgrading the permit approval process for drive-through restaurant facilities in the Transitional Commercial Overlay District (TMC 9-4-103) from a Minor Discretionary Permit (MDP) to a Conditional Use Permit (CUP);

- 2) Modifying the amended Section 9-2-214(j) to require double-striping of parking spaces and removing the provision that allows parking spaces to be single striped; and
- 3) Reconsidering whether existing cargo containers may be “grandfathered in” as it relates to Zoning, Building and Fire Code requirements.

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.

- a) Planning Commission consideration of potential changes in the recently approved Comprehensive Zoning Ordinance Amendment and cargo container permit amnesty program as requested by the City Council

H. OTHER MATTERS

None

I. COMMISSIONER’S CONSIDERATION

None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

1. **UPDATE ON COUNTY REVIEW OF USE PERMIT 2002-21 – MAR ADDAI CHURCH (LARSA EVENT CENTER):** On April 16, 2015, the Stanislaus County Planning Commission scheduled a hearing to reconsider revocation or possible modification of the Use Permit for the Larsa Event Center location a 2107 E. Monte Vista Avenue. The hearing was postponed to the May 7 Commission meeting due to a lack of quorum for the original hearing date. City staff has prepared a comment letter that has been transmitted to the County Planning and Community Development Department. The Planning Commission will have the opportunity to review and comment on the actions recommended by County staff. [View Item](#)

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

1. **LAFCO Agricultural Mitigation Policy Amendment:** Staff will provide a brief update on the action taken by the Stanislaus County Local Agency Formation Commission adding provisions related to the method for calculating the in lieu mitigation fee.
2. **Shopping Cart Plan Enforcement:** Staff will provide a brief update on recent activity by the Neighborhood Services Division regarding abandoned shopping carts.
3. **Active Transportation Plan Update:** Staff will update the Commission on the schedule for the Active Transportation Plan.

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.**