

PLANNING COMMISSION MEETING AGENDA



THURSDAY, SEPTEMBER 3, 2015 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California

Commission Chair
Soraya Fregosi

Commission Members

Elvis Dias
Nick Hackler
Victor Pedroza

Eric Gonsalves
Jeff Hillberg
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 August 6, 2015

[View Item](#)

C. ANNOUNCEMENTS

- Annual Planning Commissioners' Workshop: "Health and the Built Environment", October 10 starting at 8:30 AM at the Ceres Community Center
- Presentations by Municipal Services and Parks, Recreation and Public Facilities on the effects of the drought and water conservation measures

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:

- **MINOR DISCRETIONARY PERMIT 2015-11 – TURLOCK ASSISTED CARE CENTER**

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.

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.*

1. Staff is requesting that this item be continued to a future meeting. AMENDMENT TO CONDITIONAL USE PERMIT 2008-06 – THE UDDER PLACE: An amendment to an approved Conditional Use Permit to allow an expansion of The Udder Place into an adjoining vacant tenant space at 108 W. Main Street referred to as Stanislaus County APN 061-016-027. The expanded space will add live entertainment, dancing, food, and an outdoor dining component. This project is Exempt from the California Environmental Quality Act pursuant to Section 15301 (e) Existing Facilities. [View Item](#)

- a) Planning Commission action on the request to continue the Amendment to Conditional Use Permit 2008-06 –The Udder Place.

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

2. MINOR DISCRETIONARY PERMIT 2015-11 – TURLOCK ASSISTED CARE

CENTER: The project is located at 1015 and 1043 East Main Street, more specifically described as Stanislaus County APNs 042-028-003 and 042-028-004. The applicant is proposing to construct a licensed assisted living and memory care community. The project consists of a two-story 67,430 square foot building that will include a total of 82 assisted living apartments. Twenty of these units are specifically designated for individuals with higher acuity needs and 19 units designated for memory support. This project is exempt from the California Environmental Quality Act pursuant to Section 15332 (In-fill Projects). [View Item](#)

- a) Planning Commission determination that Minor Discretionary Permit 2015-11 – Turlock Assisted Care Center, is “Exempt” from CEQA pursuant to Section 115332 In-fill Projects of the CEQA Guidelines.
- b) Planning Commission action on Minor Discretionary Permit 2015-11 – Turlock Assisted Care Center

3. REZONE 15-02 (PLANNED DEVELOPMENT 273) – TURLOCK WALNUT

COMPANY EXPANSION: The project is located at 400 D and 400 Third Streets, more specifically described as Stanislaus County APNs 042-028-003 and 042-028-004. The applicant is proposing an expansion of an existing processing plant currently located at 400 D Street onto 400 Third Street, including the reuse of a 900 square foot office building and construction of approximately 62,500 square feet of warehouse, packing, cold storage, and fumigation space. A planned development is required to grant an exception from the 20-foot front and corner side yard setback requirements for the Industrial zoning district. This project is Exempt from the California Environmental Quality Act pursuant to Section 15332 (In-fill Projects). [View Item](#)

- a) Planning Commission determination that Rezone 15-02 (Planned Development 273) – Turlock Walnut Company Expansion, is “Exempt” from CEQA pursuant to Section 15332 (In-fill Projects) of the CEQA guidelines.
- b) Planning Commission recommendation to the City Council on Rezone 15-02 (Planned Development 273) – Turlock Walnut Company Expansion.

4. 2014-2023 HOUSING ELEMENT UPDATE FOR THE CITY OF TURLOCK

(GENERAL PLAN AMENDMENT 2015-01): The 5th cycle update to the City of Turlock Housing Element to address new housing targets established by the Stanislaus Council of Governments for the 2014-2023 planning period. The State of California (§ 65580 – 65589.8 of the California Government Code) requires that a city prepare a Housing Element as one of the required seven mandatory elements contained in its General Plan. This action is consistent with the Turlock General Plan and its Environmental Impact Report, and has been deemed exempt from CEQA

review pursuant to Sections 15162 (Subsequent EIRs and Negative Declarations) and/ or Section 15262 (Feasibility and Planning Studies). [View Item](#)

- a) Planning Commission determination that the 2014-2023 Housing Element Update for the City of Turlock (General Plan Amendment 2015-01) is Exempt from CEQA pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) and/or Section 15262 (Feasibility and Planning Studies) of the CEQA guidelines.
- b) Planning Commission recommendation to the City Council on the 2014-2023 Housing Element Update for the City of Turlock (General Plan Amendment 2015-01).

H. OTHER MATTERS

None

I. COMMISSIONER’S CONSIDERATION

None

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.

- 1) **ORDINANCE AMENDMENT APPLICATION NO. PLN 2015-0047 – HOUSING RELATED CODE AMENDMENTS:** The County of Stanislaus is processing an amendment to its Zoning Code to establish a ministerial process for approving emergency shelters as required under Senate Bill 2. The ministerial process is proposed in the Industrial (M) zone located within the Sphere of Influence of a city. The City of Turlock is one of four cities with County industrial zoning within its Sphere of Influence. The ordinance would require a Conditional Use Permit when a City has adopted an emergency shelter overlay zone for these purposes.

[View Item](#)

- 2) **STAFF APPROVAL PERMIT APPLICATION NO. 2015-0071 – ASPIRANET DBA EXCELL CENTER:** The applicant is requesting to replace two existing modular buildings with a single modular with the same square footage on a 10.5 acre parcel.

[View Item](#)

- 3) **STAFF APPROVAL PERMIT APPLICATION NO. 2015-0046 – R.A.M. FARMS, INC.:** The applicant is requesting to amend Use Permit Application No. PLN 2013-0032 to extend the length of the season and winter hours of operation, and expand small seasonal activities to both the fall and winter season. [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

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.**