

A. CALL TO ORDER – Chairman Pedroza called the meeting to order at 6:00 p.m.

PRESENT: Commissioners Nick Hackler, Elvis Dias, Constance Anderson, Jim Reape and Chairman Victor Pedroza

ABSENT: Commissioner Geoff Powers

- 1. RECOGNITION OF OUTGOING COMMISSIONERS:** Commissioner Pedroza presented Soraya Fregosi and Jeanine Bean with plaques in recognition for their service on the Planning Commission. Soraya thanked the staff for their dedication and professional manner. She also thanked the Planning Commissioners and citizens for being so respectful even when they had difficulty coming to an agreement. She wished everyone health and safety and stated she will be back as a regular city citizen.

Jeanine Bean expressed her appreciation for the opportunity to influence development in the City and stated she will continue to serve on the Library Committee.

Commissioner Pedroza expressed they will be missed and are leaving big shoes to fill. He stated they served the community for a number of years and were the conscious of this panel.

2. OATH OF OFFICE FOR NEWLY APPOINTED PLANNING COMMISSIONERS: (City Clerk)

City Clerk Jennifer Land swore in Constance Anderson and Jim Reape together as the newly appointed Planning Commissioners. Both were seated at the dais.

Commissioner Constance Anderson stated she is thrilled to be here. She was born and raised nearby, left for college and coming back as an adult, and is excited to be chosen. She currently is the director of events at CSUS.

Commissioner Jim Reape lived in Turlock, went away to the Air Force, and has worked in health care for the past 15 years. He wanted to give back to City and is pleased the Mayor is given him a shot.

B. APPROVAL OF MINUTES

Accepting minutes of regular Planning Commission meeting of December 1, 2016 was continued until next meeting due to lack of quorum.

C. ANNOUNCEMENTS

1. Election of Officers will be held at the February 2, 2017 meeting for Planning Commission Chair and Vice Chair.

2. Brown Act Training will be done at the February 2, 2017 meeting. City attorney, Phaedra Norton, congratulated the new Planning Commission stating she will be giving a brief explanation of the Brown Act. The beginning of the year is a great opportunity to update everyone. Deputy Director of Development Services Debra Whitmore added

that Phaedra Norton will be acting City Manager in the absence in our City Manager in February.

3. The Annual Planning Commission Meeting is on March 18th in Newman. The meeting is an opportunity for the Planning Commissioners to meet and discuss the aspects of being a Planning Commissioner with Commissioners from other cities and the County. More information will be provided at a later date.

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

None

E. PUBLIC PARTICIPATION

None

F. CONSENT CALENDAR

None

G. PUBLIC HEARINGS

***CONSENT ITEMS**

None

NONCONSENT ITEMS

None

H. OTHER MATTERS

None

I. COMMISSIONERS CONSIDERATION

None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

K. COMMISSIONERS COMMENTS

Commissioner Pedroza inquired about the stop sign on D and 5th Street. Development Services Director Mike Pitcock stated the Engineering Division is investigating this intersection.

Commissioner Hackler expressed his appreciation to serve with Jeanine Bean and Soraya Fregosi. The City has grown in a positive direction and will continue to move that direction.

Commissioner Dias stated he noticed the construction of the new church building across from Pedretti Park has started. Mr. Pitcock said the weather is needed for the farmers but it slows down construction. He noted that Turlock has good soil that can take the rain. Commissioner Hackler asked if the water level is rising. Mr. Pitcock stated we are still in a drought and he hasn't heard how much the rain has helped the ground water situation.

L. STAFF UPDATES

1. **AMENDMENT TO PLANNED DEVELOPMENT 126 – SEE'S CANDIES (2962 GEER ROAD):** Staff provided an update of the proposed modifications to the building. See's Candies worked with staff to come up with façade modifications that met the design guidelines and could be approved by staff.

Associate Planner Adrienne Werner explained that, in December, See's Candies store opened up next to GameStop on Geer Road. The façade improvements did not fit in with the City's Design Guidelines. See's Candies wanted an awning to wrap all the way around the building and to fill in the arches with graphics which would be counted as additional signage. The landlord would not approve of any changes made to the GameStop side of the building. The City was able to come to a resolution allowing awning over the main entrance and delivery door and painting of the arches. Ms. Werner felt comfortable to accept these improvements making it unnecessary for See's to come back to Commission for a vote prior to submitting a building permit application.

Commissioner Hackler commented the changes looked great.

2. **AMENDMENT TO CONDITIONAL USE PERMIT 2000-16 – (1400 EAST AVENUE, TURLOCK CENTRAL CONGREGATION OF JEHOVAH'S WITNESS):** Staff provided an update on the proposed modifications to the building. The revised modifications to the worship hall comply with the design guidelines and could be approved by staff. Renderings of the modifications are attached as part of this agenda.

Ms. Werner explained the original Conditional Use Permit (CUP) approved in 2000 was to construct two worship halls. When they came in with the plans to build the second hall, it did not fit in with the City's Design Guidelines or the requirements of the CUP, so staff could not approve it without Planning Commission approval. Planning Commission directed staff to work with the congregation to develop a façade more in line with the architecture in the neighborhood as required by the original CUP. The new plans showed a pitched roof which incorporate the design of the existing building and make the building look more like a residential building. Staff approved the changes to allow the applicant to move forward with building permits.

3. **ACCESSORY DWELLING UNITS (AB 2299, SB 1069, SB 2406):** Staff provided a brief overview of the new requirements for accessory dwelling units. Ms. Debra Whitmore provided a brochure to lay out the new laws for accessory dwelling units. She explained that the Planning Department usually gets one or two requests for second dwelling units a month but have not been able to move forward on any due to set back restrictions. With this new law, there is more flexibility for the City.

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4. **PROPOSITION 64-ADULT USE OF MARIJUANA ACT:** Staff updated the Commissioners on the action taken by the Council on an ordinance addressing the new requirements of the Adult Use of Marijuana Act. Ms. Debra Whitmore explained there were two new actions taken to City Council regarding the new laws regarding residential use of marijuana. Commercial sale, distribution, transport, and cultivation for both medical and recreational marijuana will continue to be prohibited under the new ordinances adopted by the City Council. The indoor cultivation of up to six marijuana plants per residence must be allowed under the new law. Although staff put forward an ordinance to regulate the indoor cultivation of marijuana, the City Council felt uncomfortable passing an ordinance because marijuana is still classified as a Schedule 1 substance under the Controlled Substances Act and is therefore illegal under federal law. The City Council expressed its desire to work with Stanislaus County on this issue.

M. ADJOURNMENT

Motion by Commissioner Hackler, seconded by Commissioner Dias to adjourn the meeting at 6:39 p.m. The motion carried unanimously.

RESPECTFULLY SUBMITTED

Victor Pedroza
Chair

Debra A. Whitmore
Deputy Director of Development Services