

# MINUTES

## TURLOCK CITY PLANNING COMMISSION THURSDAY, SEPTEMBER 3, 2009 7:00 PM

YOSEMITE COMMUNITY ROOM  
TURLOCK CITY HALL, 156 SOUTH BROADWAY

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**COMMISSIONERS PRESENT:** Pedroza, Hillberg, Brem, Bean, Dias

**ALTERNATE COMMISSIONERS (Non Voting):** None

**COMMISSIONERS ABSENT:** Fregosi, Hackler, Salcedo

**STAFF PRESENT:** Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Sergeant Nino Amirfar; Rose Stillo, Senior Planner; Adrienne Werner, Planning Technician; Dorinda Soiseth, Staff Services Technician,

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**A. CALL TO ORDER** The meeting was called to order at 7:00 p.m.

**B. APPROVAL OF MINUTES**

Chairman Brem asked for corrections or a motion for approval of the minutes of the August 6, 2009 Planning Commission meeting.

**MOTION:** Commissioner Hillberg moved, Commissioner Bean seconded that the Planning Commission approve the minutes from the August 6, 2009 meeting as submitted.

**AYES:** Pedroza, Hillberg, Bean, and Brem

**NOES:** None

**ABSTAIN:** Dias

**ABSENT:** Fregosi, Hackler, Salcedo

**NOT PARTICIPATING:** None

**NON-VOTING:** None

**C. ANNOUNCEMENTS:**

Debbie Whitmore introduced City Manager Roy Wasden. Mr. Wasden thanked the Commission for the job they do for the Community.

Debbie Whitmore announced the green sheet, which is a letter from Joseph Calderon concerning the proposed amendments to the mobile food vendor ordinance.

**D. CONFLICT OF INTEREST DECLARATION:** - None

**E. PUBLIC PARTICIPATION:** - None

**F. CONSENT CALENDAR** - None

**G. PUBLIC HEARINGS**

**H.**

**CONSENT ITEMS\*:**

1. **\*2009/2010 REVIEW OF PUBLIC WORKS PROJECTS FOR CONSISTENCY WITH THE TURLOCK GENERAL PLAN.** To review the 2009/2010 list of public works projects for consistency with the Turlock General Plan, pursuant to Government Code §65401. The annual review facilitates the coordination of public works projects undertaken by the City of Turlock and other public agencies with facilities located within the City's boundaries. The project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) [General Rule] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part IV(c).

**MOTION:** Commissioner Dias moved, Commissioner Bean seconded, that the Planning Commission determine that the proposed 2009/2010 Public Works projects are in conformance with the Turlock General Plan having determined that this action is exempt from the provisions of CEQA.

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

**NONCONSENT ITEMS:**

2. **PROPOSED AMENDMENTS TO LOCAL REGULATIONS REGARDING MOBILE FOOD FACILITIES DEFINITIONS, STANDARDS AND RESTRICTIONS, COMMISSARIES, AND OTHER COMMERCIAL AND INDUSTRIAL USES, CONTAINED IN TITLE 9 OF THE TURLOCK MUNICIPAL CODE (ZONING ORDINANCE)**

**STAFF REPORT:**

Debbie Whitmore presented the staff report that included a review of State Regulatory Requirements to operate a mobile food facility. She also provided the following information:

- The regulatory history of mobile food facilities in Turlock.
- The permitting process that allowed the Center Street Taco Truck Plaza to operate.
- A review of the current permitting process for mobile food facilities.
- The current and proposed renewal process for mobile food vendor permits.

Debbie noted that the new ordinance will be more specific in relation to fire, building and municipal services code requirements and the County Environmental Health permitting processes. She said a building permit would be required for electrical connections, and that no permanent fixtures, outdoor music, or canopies over 120 square feet would be permitted. She advised that the proposed application procedures include a notarized acknowledgment signed by the property owner stating their agreement to the conditions of permit approval.

Debbie said staff is proposing to place permitting requirements on commissaries that include limiting their location to the Industrial and Heavy Commercial zoning districts.

Debbie said other proposed changes to the Turlock Municipal Code have been added to this amendment that include allowing convalescent hospitals, nursing homes, discount stores, and food and beverage sales larger than 10,000 s.f. to be permitted by a Minor Discretionary Permit. In addition the section of the Code that addresses Temporary Uses of Land is part of this amendment as it had been inadvertently deleted in a past ordinance change.

Chairman Brem asked if there had been any complaints received concerning the existing mobile food vendors.

Debbie Whitmore said the complaints are not usually from the public but from City staff due to code violations.

Commissioner Pedroza asked how many mobile food vendors were located in Turlock.

Adrienne Werner responded that there were approximately 30 vendors; some with compliance issues.

**PUBLIC HEARING:**

Chairman Brem opened the public hearing.

Joseph Calderon, attorney, spoke as a representative of the mobile food vendors located at 441 S. Center Street and stated he is in favor of the proposed amendments.

Marta Valencia asked if the existing vendors would receive notification of the new regulations and if it would be possible for the other food vendors to establish a plaza similar to Center Street.

Debbie Whitmore said the existing vendors would be notified, and that a Conditional Use Permit which requires a public hearing and approval by the Planning Commission, would be the process to approve a food truck plaza similar to Center Street. She advised that the proposed amendments are very different from the Center Street plaza entitlements because the Mobile Food Vendor permit is meant to be for temporary uses.

Chairman Brem closed the public hearing.

**MOTION:** Commissioner Pedroza moved, Commissioner Hillberg seconded, that the Planning Commission recommend the City Council amend local regulations regarding Mobile Food Facilities definitions, standards and restrictions, Commissaries, and other commercial and industrial uses, contained in Title 9 of the Turlock Municipal Code (Zoning Ordinance), having found the project exempt from CEQA pursuant to Section 15061(b)(3) [No Environmental Impact] of the CEQA Guidelines and subject to attached draft Planning Commission Resolution 2009-27.

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

Debbie Whitmore advised that the City Council hearing for this ordinance amendment will be held on September 22 at 7:00PM.

3. **AMENDING TURLOCK MUNICIPAL CODE TITLE 11, CHAPTER 5, ARTICLE 401 (SUBDIVISION MAPS) AND TITLE 11, CHAPTER 6, ARTICLE 401 (PARCEL MAPS)** To extend the life of a tentative subdivision map or a tentative parcel map from five (5) years to six (6) years and to allow the subdivider to request a time extension of up to thirty-six (36) months.

**STAFF REPORT:**

Mike Pitcock presented the staff report and said Senate Bill 1185, enacted in 2008, granted an automatic one year time extension to the life of tentative maps, and gave local governments the authority to extend the maximum life of tentative maps from five to six years. He said under Turlock's current ordinance approval of a tentative map can be made for an initial period of up to three years and a one-time extension of two years. He advised that staff is proposing to modify the extension period to 36 months for a total of six years.

Commissioner Dias asked what would happen if a subdivision is not fully developed.

Mike Pitcock said the City will try to ensure the property is safe, then recommend another time extension.

**PUBLIC HEARING:**

Chairman Brem opened the public hearing. No one spoke. Chairman Brem closed the public hearing.

**MOTION:** Commissioner Bean moved, Commissioner Dias seconded, that the Planning Commission recommend the City Council amend Title 11, Chapter 5, Article 401 (Subdivision Maps) and Title 11, Chapter 6, Article 401 (Parcel Maps) of the City of Turlock Municipal Code to provide an additional 12 months to the life of Tentative maps as allowed in the Government Code (Subdivision Map Act) Section 66452.6(e).

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

H. **OTHER MATTERS** - None

I. **COMMISSIONER'S CONSIDERATION:** - None

J. **STANISLAUS COUNTY PLANNING REFERRAL ITEMS:** None

K. **COMMISSIONER'S COMMENTS**

Commissioner Dias asked about the status of storage container enforcement.

Debbie Whitmore said that enforcement has been put on hold because of the pending ordinance

amendment. She noted that a workshop to address this issue will be held in October.

Commissioner Dias commented about a tire shop on West Main Street that was utilizing a semi-truck trailer, with a ladder going up to the top, for storage.

Commissioner Dias commented on the temporary carport/canopies that are located all over town.

Commissioner Pedroza commented that political signs have gone up early this year and asked how they are regulated.

Debbie Whitmore advised that these types of signs are exempt and not regulated by the City unless they have been placed in the public right-of-way.

Chairman Brem commented that the landscaping in the median at Fulkerth and Dianne is impairing traffic.

**L. STAFF UPDATES**

Mike Pitcock reported that the annual slurry seal project has begun and work will be done in areas supported by property owner funded assessment districts.

Mike Pitcock also reported on the Canal Drive project that is almost fully designed. He said an application will be submitted to the State for funding, and the project will most likely go out to bid in the spring.

Rose Stillo provided an on-line demonstration of a walk-ability tool that is available on the internet.

Debbie Whitmore updated the Commission on the following meetings:

- A California Transportation Plan workshop in Fresno.
- A High Speed Rail meeting on September 10.
- Highway 165/99 corridor interchange advisory committee meetings have been scheduled for October 8 and 15.
- The City of Turlock will be holding public transit meetings on September 23 at 1:00 and 7:00 PM to discuss routes and fares. The meetings will be held at City Hall.
- The Census Complete Count Committee will meet on September 21.

**M. ADJOURNMENT:** Having no further business Chairman Brem adjourned the meeting at 8:12 PM.

Respectfully Submitted,

MIKE BREM  
Chair

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