

MINUTES

TURLOCK CITY PLANNING COMMISSION THURSDAY, MARCH 5, 2009

7:00 PM

YOSEMITE COMMUNITY ROOM TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Hackler, Williams, Hillberg, Bean, Fregosi, Dias, Pedroza

ALTERNATE COMMISSIONERS (Non Voting):

COMMISSIONERS ABSENT: Brem, Welch

STAFF PRESENT: Debra Whitmore, Deputy Director of Development Services; Phaedra Norton, City Attorney, Rose Stillo, Senior Planner; Adrienne Werner, Planning Technician

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

B. APPROVAL OF MINUTES

Vice Chair Bean asked for corrections or a motion for approval of the minutes of the February 5, 2009 Planning Commission meeting and the special City Council/Planning Commission joint meeting of February 19, 2009.

MOTION: Commissioner Fregosi moved, Commissioner Dias seconded that the Planning Commission approve the minutes from the February 5, 2009 meeting and the special joint meeting of February 15, 2009 as submitted.

AYES: Hackler, Williams, Hillberg, Bean, Fregosi, Dias, and Pedroza

NOES: None

ABSTAIN: None

ABSENT: Brem, Welch

NOT PARTICIPATING: None

C. ANNOUNCEMENTS –

Debbie Whitmore made the following announcements:

- The annual joint City Council/Planning Commission meeting is scheduled for April 23, 2009 at 6:00 PM.
- The first General Plan Update community outreach meeting is scheduled for March 26, 2009 at 6:00 PM and will be held at the Senior Center.

D. CONFLICT OF INTEREST DECLARATION: - NONE

E. PUBLIC PARTICIPATION: - NONE

F. CONSENT CALENDAR

1. **2008 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. The report shall include the status of the existing General Plan and progress made in its implementation, including progress in meeting the City's share of regional housing needs determined pursuant to Section 65584 of the Government Code.

Vice Chair Bean asked for a motion to approve the consent calendar as submitted.

MOTION: Commissioner Fregosi moved, Commissioner Dias seconded, that the Planning Commission approve the Consent Calendar as presented.

AYES: Hackler, Williams, Hillberg, Bean, Fregosi, Dias, Pedroza
NOES: None
ABSTAIN: None
ABSENT: Brem, Welch
NOT PARTICIPATING: None

G. PUBLIC HEARINGS (*Consent Items)

***CONSENT ITEMS**

NONE

NONCONSENT ITEMS

NONE

H. OTHER MATTERS:

Large Family Day Care Ordinance Provisions – Options Paper

STAFF REPORT

Debbie Whitmore presented the staff report. Debbie provided background on the existing Large Family Day Care ordinance explaining that the current conditions of approval for large family day care homes have not been adopted by ordinance as required by State law. In accordance with the California Child Day Care Act staff is proposing to amend the current ordinance to specifically outline the standards, restrictions, and requirements for large family day care facilities. Debbie briefly discussed the following areas and asked the Commission for direction:

1. Spacing and concentration restrictions.
2. Restrictions on the hours of operations.
3. Minimum parking requirements.
4. Restrictions on advertising signs.
5. Play yard size.
6. Limitations on the use of the front yard as child play area.
7. Restrictions on interior and exterior modifications of the residence.
8. Demonstration of building code compliance.
9. Requirement to allow City inspection for compliance at any time.
10. Automatic permit expiration/revocation upon discontinuance of State license.
11. Automatic permit expiration/revocation upon finding of noncompliance with State, Federal, and/or Local laws and regulations of State building and fire codes.
12. Business license requirements.

The Commissioners agreed that amending the current ordinance to include the standards that would allow staff to issue a nondiscretionary permit is prudent.

The Commissioners discussed grandfathering existing large family day care facilities, expanding the spacing and concentration restriction from 300 feet to 500 feet, potentially limiting the hours of operation, and requiring a business license for large family day care facilities.

Staff will research the provisions and include them in the proposed ordinance change that will come before the Commission for recommendation.

I. COMMISSIONER'S CONSIDERATION

NONE

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

NONE

K. COMMISSIONER'S COMMENTS

Commissioner Fregosi asked how much money the City of Turlock will receive from the stimulus package.

Debbie replied that at this time there are no specifics regarding how much of the stimulus package local jurisdictions will receive. She will research and follow-up at a later meeting.

Commissioner Hackler would like make sure that bike paths are discussed at the City Council/Planning Commission joint meeting and included in the General Plan update.

Debbie noted that bike paths are discussed in the current General Plan and Bicycle Plan and assured the Commission that bike paths will continue to be addressed in the general plan update. Debbie noted that there is no revenue source to construct bike paths that are not included in a specific plan.

L. STAFF UPDATES *(Debbie Whitmore)*

Debbie updated the Commission on the following items:

1. Proposed driving range at Taylor Road/North Golden State Boulevard – Stanislaus County planning staff will be recommending denial.
2. Ag Mitigation Program for Stanislaus County that cities would participate in. The county program is currently in litigation. City managers have decided to put any decision on hold until the litigation is resolved. The County Ag Element will be considered during the general plan update.
3. The Regional Blueprint is moving forward. The Policy Advisory Committee will be discussing the Blueprint at their March 27, 2009 meeting.
4. Improvement plans for the Public Safety Building are in for plan check. The antennae will be coming back to the commission, as requested, and will be scheduled for the May 2009 meeting.
5. The Planning Division and the City Attorney are reviewing the current code enforcement process as it pertains to zoning violations. The Commission will begin seeing items where a complainant has appealed a staff decision.

M. **ADJOURNMENT:** Having no further business Vice Chair Bean asked for a motion to adjourn the meeting at 8:20 PM. Motion made and carried by unanimous voice vote

Respectfully Submitted,

JEANINE BEAN
Vice Chairman

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