

CITY OF CERES
PLANNING COMMISSION
MINUTES

September 19, 2011

MEETING CALLED TO ORDER: 6:00 p.m.

ROLL CALL:

PRESENT: Del Nero, Kachel, Kline, Molina

ABSENT: Smith

ALSO PRESENT: City Attorney Michael Lyons, Planning, Building & Housing Division Manager Tom Westbrook, Director/City Engineer Toby Wells, Associate Planner James Michaels, Secretary Ann Montgomery

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Kachel.

APPROVAL OF MINUTES:

1. It was moved by Commissioner Kline; seconded by Commissioner Molina, to approve the minutes from the July 18, 2011 meeting; Carried 4/0; Commissioner Smith absent.

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATION:

None

APPROVAL OF AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING:

It was moved by Commissioner Kline seconded by Commissioner Molina, to approve the agenda as posted. Carried 4/0.

CONSENT CALENDAR:

None

PUBLIC HEARING(S):

2. 11-02 ZOTA – Zoning Ordinance Text Amendment for the modification of various definitions listed in the City of Ceres Zoning Ordinance.

Associate Planner James Michaels presented the Staff Report.

Questions from Commissioners:

Commissioner Kline presented two questions:

- In the last four years, he has seen “CUP” on these things, and wants to know why they’re trying to put it with all these acronyms?

Mr. Westbrook explained that we all know that CUP = Conditional Use Permit. When the fees were adjusted and adopted by the City Council in August, there were definitions between a CUP Major versus a CUP Minor. What staff is trying to do is clarify some actions that are required in the Conditional Use Permit because the processing is a bit different. For example, the Mitchell Ranch project was approved with a Conditional Use Permit. We would classify that as a “major” Conditional Use Permit. Alternatively, another example is, remember the little gym that went into the industrial building, when it was there. It was just for the use, so there was a lot less work that was done. So, really those two should have two different rates in terms of what’s charged for them. They were not, because they were all done under the old fee schedule. So that’s why, with the fees, we’re trying to give definitions so the public knows, and anyone who submits a development application, the types of projects that would be a major conditional use permit versus a minor, so we charge them more or less depending on the action that is taken.

Mr. Westbrook further explained when we did the necessary update through the City Council we reviewed the definitions of the fees that we charge. If there were no definitions in our zoning code, that’s a problem, so we’re adding them in.

- Where in the city limits do we have a “Residential Agricultural” designation?

Mr. Westbrook replied that the only area of the city that is zoned as “residential agricultural” is on Richard Way, east of Richland Avenue. There are probably less than twenty parcels that are zoned that way.

Chairperson Kachel added that’s a big zone in the county ordinance, but not typically in the city. It’s probably a pretty old definition.

Mr. Westbrook agreed and stated that he thinks when properties were annexed and the Fair Tract that was annexed in 1972, that residential rural home site was in existence, so they got a “residential agricultural” designation to keep them consistent.

- Commissioner Del Nero clarified that we’re not talking about if the garbage or water rates go up.

Mr. Michaels stated that is correct. This text amendment is to help clarify definitions. For example, we didn’t have a definition of what an “initial study” is. The definition explains what it is and what it does, as there is a fee associated with it.

Mr. Westbrook further explained that these are all user fees. So, when someone brings an application, which ultimately gets presented to the Planning Commission, those are the people who will be paying these rates. These are not anything that the normal citizen would pay; has nothing to do with garbage or sewer rates. As a matter of record, the City Council has already approved the fee increase; you’re just approving the definitions.

Chairperson Kachel stated that ordinances need to be worked on every so often, especially when there are fees already in place for things that aren’t an ordinance. Nice work on that.

It was moved by Commissioner Kline; seconded by Commissioner Del Nero to accept Resolution 11-15; Carried 4/0. It is recommended to the City Council.

NEW BUSINESS:

None

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTER INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

City Staff - Mr. Westbrook reported that as most on the Planning Commission are aware, the Mitchell Ranch Center project was approved by the City Council at their last meeting on September 12, 2011. As many of you know, that was a project I was on from the

beginning to September 12, 2011. Four and a half years, that project took to get processed. It was quite some time, and we'll see what happens.

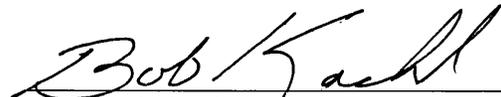
Chairperson Kachel clarified for the record, part of that time includes down time, or time when the applicant is not moving ahead.

Mr. Westbrook agreed and explained there were pauses in the process; some that were generated by the applicant when they said we need to pull back, so stop work on this. Obviously, as you know this body was presented with the project in February of this year and it was finally approved. It was a total of six public hearings; two at the Planning Commission and four at the City Council.

ADJOURNMENT:

The Commission adjourned at 6:12 p.m. to the next regularly scheduled meeting of Monday, October 3, 2011.

APPROVED:


Bob Kachel, Chairperson

ATTEST:


Tom Westbrook, Secretary