



AGENDA

PLANNING COMMISSION

155 W. DURIAN AVE., COALINGA CA 93210
TUESDAY FEBRUARY 13, 2018

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

ROLL CALL

Commissioners:

- Chairman Sailer*
- Vice Chairman Gonzalez*
- Commissioner Stoppenbrink*
- Commissioner Jacobs*
- Commissioner Helmar*

Staff:

- Sean Brewer, Community Development Director*
- Marissa Trejo, City Manager*

PUBLIC COMMENTS

Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.

INFORMATION/CONSENT CALENDAR

1. Approval of Minutes from the January 23, 2018 Planning Commission Meeting

PUBLIC HEARINGS

1. Planning Commission Consideration and Recommendation to the City Council, Approval of a Zoning Text Amendment Amending the Planning and Zoning Code Related to Land Use Classifications for Home Occupation Permits

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

DEPARTMENT REPORTS

COMMUNICATIONS

1. Staff Announcements
2. Commissioner Announcements
3. Chairman Announcements

ADJOURN



Staff Report- Chairman and Planning Commission

Subject: Approval of Minutes from the January 23, 2018 Planning Commission Meeting
Meeting Date February 13, 2018
Project Location:
Applicant:
Owner:
Prepared By: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Staff recommends the Approval of the Minutes from the January 23, 2018 Planning Commission Meeting.

II. BACKGROUND:

III. PROPOSAL AND ANALYSIS:

IV. FISCAL IMPACT:

V. REASONS FOR RECOMMENDATION:

ATTACHMENTS:

Description

- ☐ January 23, 2018 Minutes PC

MINUTES

PLANNING COMMISSION 155 W. Durian Ave., Coalinga CA 93210 TUESDAY January 23, 2018

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA – Decision made to Reorganize Commission as First Item of Business on the Agenda.

ROLL CALL

Commissioners:

Chairman Stoppenbrink (Excused Absence)

Vice Chairman Sailer

Commissioner Jacobs

Commissioner Gonzales

Commissioner Helmar

Staff:

Sean Brewer, Community Development Director

Marissa Trejo, City Manager (not present)

Wanda Earls, Secretary/City Clerk

PUBLIC COMMENTS None

PLANNING COMMISSIN REORGANIZATION

*Motion by Helmar, Second by Jacobs to Nominate Josh Sailer as Chairman of the Planning Commission. Motion **Approved** by a 4/0 Voice Majority Vote. (Stoppenbrink absent)*

*Motion by Jacobs, Second by Helmar to Nominate Luis Gonzales as Vice Chairman of the Planning Commission. Motion **Approved** by a 4/0 Voice Majority Vote. (Stoppenbrink absent)*

INFORMATION/CONSENT CALENDAR

1. Approval of the 2018 Planning Commission Meeting Schedule
2. Approval of Minutes from the January 9, 2018 Planning Commission Meeting

*Motion by Helmar, Second by Gonzales to Approve Consent Calendar Items 1 and 2. Motion **Approved** by a 4/0 Voice Majority Vote. (Stoppenbrink absent)*

PUBLIC HEARINGS - None

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

1. Discussion and Potential Action Regarding Unattended Collection Boxes within the City of Coalinga

Community Development Director Sean Brewer presented the staff report:

- Background
- Proposed performance standards 1, 2, 3, 4, and 5
- Unattended Collection Boxes be removed or brought into conformance with the proposed standards within sixty (60) days of adoption of the new zoning regulations.
- Proposed Revisions to Other Section of the Coalinga Municipal Code
- Environmental Impact Analysis
- Reasons for Recommendation
 - The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City.
 - The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and action of the General Plan and the other applicable provisions of the Zoning Ordinance.
 - If applicable, the site is physically suitable (including but not limited to access provision of utilities, compatibility with adjoining land uses and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
 - The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

Comments:

- Draft ordinance can come back
- Permission of property owner – owner would have to sign
- Timeline?
- If clean and kept up it is okay. If not, must be maintained
- Who would remove them? – Abated by the City
- If property owner is approached by person and person reneges how would it play out? – Property owner would be responsible for the box.
- Collection bins for clothes, shoes, etc.
- Behind Thrift Store – it might benefit
- Non-profits granted Freedom of Speech rights
- Make sure company is a viable company
- City removed one at Save Mart
- One was behind machine shop
- None in town right now

- Core of town – commercial zones
- Depends on number of bins allowed

Consensus of the Commissions to recommend 1,000 linear feet providing bins are kept neat and tidy.

Mr. Oscar Garza agreed that 1,000 linear feet is good if picked up.

Mr. Brewer indicated that conditions can be put into CUP as to maintenance.

Commissioner Helmar said bins should be serviced every two weeks or as needed.

Mr. Brewer said John and he are working and are slightly overwhelmed right now. PD is handling Code Enforcement with guidance from John and himself.

*Motion by Jacobs, Second by Helmar to Recommend to the City Council to Adopt Ordinance in Reference to Unattended Collection Boxes within the City of Coalinga with the recommended change to 1,000 linear feet rather than 2,500 linear feet. Motion **Approved** by a 4/0 Voice Majority Vote. (Stoppenbrink absent)*

2. Planning Commission Reorganization

This item was moved forward as the first item on the Agenda.

DEPARTMENT REPORTS

COMMUNICATIONS

1. Staff Announcements

Mr. Brewer reported two new applications for Cannabis and new subdivision application. Houses selling at present subdivision.

Activity on Industrial Park – PG&E working on underground.

Claremont expansion and Cody Street projects moving.

Should have info on retail dispensary in February or March. Deadline is Monday the 29th.

First meeting in March should have new Commissioner on board.

Recognition for Ken in February or March. He has served on the Planning Commission since 1986.

2. Commissioner Announcements

Vice Chairman Gonzales said he will be in Long Beach at a conference the 2nd week in March and will not be available for the March 13th meeting.

3. Chairman Announcements

None

ADJOURN 6:36 PM

Chairman/Vice Chairman

City Clerk/Deputy Clerk

Date



Staff Report- Chairman and Planning Commission

Subject: Planning Commission Consideration and Recommendation to the City Council, Approval of a Zoning Text Amendment Amending the Planning and Zoning Code Related to Land Use Classifications for Home Occupation Permits

Meeting Date: February 13, 2018

Project Location: City of Coalinga

Applicant: City of Coalinga

Owner: City of Coalinga

Prepared By: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Planning Commission recommendation to the City Council to approve a zoning text amendment (Draft Ordinance #808) to amend the planning and zoning code related to home occupation permits.

II. BACKGROUND:

The Council gave staff direction regarding expanding the permitted uses for home occupations with the imposition of reasonable regulations. At their January 4, 2018 meeting, the City Council directed staff to prepare an ordinance that would expand home occupations as permitted uses within the land use classification of "Practitioners of the Medical Arts" in addition to other uses that could operate from a residence where the services they provide are not conducted at the permitted residence.

Section 9-5.113 of the Coalinga Planning and Zoning Code establishes regulations to reduce and control the impact of home occupations so that its effects on a neighborhood are undetectable from normal and usual residential activity. Currently, the City of Coalinga 's home occupation regulations strictly prohibit "doctors, dentists, osteopaths, chiropractors and other practitioners of the medical arts" as home occupations in Residential districts (CMC Section 9-5.113(11)(b).

Staff reviewed various municipalities home occupation permit ordinances and found that practitioners of the medical arts use classifications are permitted as home occupations with a condition that office visits and treatments shall not occur at the permitted residence of the home occupation. This could be amended to accommodate these uses in addition to other mobile type uses that do not typically provide services at the permitted residence of the home occupation (ie. Contractors, handyperson, janitorial services, landscape contractors, and gardening services).

III. PROPOSAL AND ANALYSIS:

The text amendment includes a draft ordinance that will amend section 9-5.113 of the planning and zoning code to include the following modifications:

1. Establish an "Intent" section to provide staff clear guidance in approving home occupation permits.
2. Include regulations for doctors, dentists, osteopaths, chiropractors and other practitioners of the medical arts as permitted home occupation, in so that office visits and treatment do not occur at the permitted residence. This also is contingent as to whether State and/or Federal Law allows for certain medical practitioners to use a home address for a business.
3. Regulations for a contractor, handyperson, janitorial service, landscape contractor, and gardening service, subject to special conditions stating that the permitted residence may contain only an office related to the occupation. No employees may report to the permitted residence for work assignments.
4. The ordinance will also authorize the Community Development Director to place additional conditions on the home occupation to ensure the impact of a home occupations effects on a neighborhood are undetectable from normal and usual residential activity.

Public Notification

Public hearing notices for the zoning text amendment were posted on February 1, 2018, in accordance with both State and Local Planning and Zoning Laws (City's Website, Library, Chamber, Police Department, City Hall and Fire Department).

Environmental Clearance

The Community Development Director has determined that the proposed zone text amendment are exempt from environmental review under CEQA, pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen that these actions will not have a significant effect on the environment beyond that analyzed in the General Plan Master EIR therefore not requiring subsequent review. Any potential impact related to this zoning text amendment has been identified in the General Plan Master EIR and self mitigated through General Plan policies, goals and implementation measures as well as zoning regulation.

IV. FISCAL IMPACT:

- The Planning Commission may provide direction to staff if there are changes that they would like to make to the text amendment (draft ordinance); and/or
- Do not recommend to the City Council adoption of said text amendment.

V. REASONS FOR RECOMMENDATION:

The following standard findings must be made for each Zoning Ordinance amendment.

- (1) The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- (2) The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- (3) If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.

(4) The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

Staff feels that all of these findings have been made and will not have detrimental impact on the public interest, health, safety, convenience, or welfare.

ATTACHMENTS:

Description

- Ordinance No. 808 with track changes
- Ordinance No. 808 - Clean

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA AMENDING SECTION 113 OF ARTICLE 1 OF CHAPTER 5 OF TITLE 9 OF THE COALINGA MUNICIPAL CODE RELATED TO HOME OCCUPATIONS

The City Council of the City of Coalinga does ordain as follows:

Section 1. Section 113 of Article 1 of Chapter 5 of Title 9 of the Coalinga Municipal Code is hereby revised to read as follows:

Sec. 9-5.113. - Home occupations.

(a) The intent of these regulations is to reduce and control the impact of a home occupation so that its effects on a neighborhood are undetectable from normal and usual residential activity. For purposes of this chapter, the term "permitted residence" means the dwelling unit (including accessory structures) for which a home occupation permit is issued under this chapter.

(b) Home occupations are allowed in association with residential uses, subject to the following regulations.

(1) Articles offered for sale shall be limited to those produced on the premises or sale of items considered by the Community Development Director to be accessory and incidental to an allowed home occupation. A person conducting an allowed home occupation in which he or she serves as an agent or intermediary between off-site suppliers and off-site customers may have sales from the residence where all articles, except samples, shall be received, stored and sold to the customers at off-premises locations.

(2) Home occupations shall be conducted either within a dwelling or in a detached accessory structure on the same property by a resident thereof. Home occupations shall be clearly incidental to the use of the structure as a dwelling.

(3) Any external alteration to the dwelling to accommodate the home occupation shall conform to the residential appearance of the building and the existence of a home occupation shall not be apparent beyond the boundaries of a lot, except for a small name plate, not directly lighted and not exceeding one square foot in area, as allowed pursuant to Chapter 4, Article 5, Signs.

(4) Only immediate family members residing within the residence shall be employed in the conduct of a home occupation.

(5) No motor power other than electrically-operated motors shall be used in conjunction with a home occupation. The horsepower of any single motor shall not exceed three (3) horsepower and the total horsepower of all such motors shall not exceed five (5) horsepower.

(6) A home occupation shall not create any radio waves, television interference or similar electronic interference on adjacent properties. Noise audible beyond the boundaries of the lot shall not exceed the sound level standards as set forth in Chapter 4, Article 4.405, Noise, for the Zoning District in which the use is located.

(7) No odor, liquid or solid waste, other than normally associated with a residential use, shall be emitted.

(8) Not more than one truck of not more than one ton capacity and no semi-trailers associated with a home occupation shall be kept on site.

(9) A home occupation shall not create pedestrian, automobile, or truck traffic in excess of the normal amount typical of the Zoning District, with no more than one non-occupant vehicle present on the street at any given time.

(10) Prior to Community Development and Building Official approval of an application for a home occupation under this section, the applicant shall be required show by signature that he or she has reviewed and agrees to abide by regulations to not create any impact, disturbances, or nuisances to the neighborhood.

(11) Doctors, dentists, osteopaths, chiropractors and other practitioners of the medical arts, as prescribed by State and Federal Law, are subject to the following condition: office visits and treatment shall not occur at the permitted residence. ~~not permitted as home occupations in Residential districts.~~

(12) Contractor, handyperson, janitorial service, landscape contractor, and gardening service, subject to the following special conditions: the permitted residence may contain only an office related to the occupation. No employees may report to the permitted residence for work assignments.

~~(13)~~ The specified uses below shall not be permitted as home occupations because of their nature that have one or more of the following characteristics: equipment or machinery of a type or quantity not typically found in the house; need for outside storage; parking needs greater than what can be provided on-site; need for special permits from other agencies; and need for extensive alteration to the residence or lot.

a. No motorized vehicle or trailer repair or tune-up shall be operated as a home occupation.

~~b. Doctors, dentists, osteopaths, chiropractors and other practitioners of the medical arts are not permitted as home occupations in Residential districts.~~

c. On-site painting services (including auto, boat, and appliances).

d. Care, treatment, breeding or boarding of cats, dogs and other animals for a fee or barter.

e. Activities involving substantial amounts of dangerous or hazardous materials, including but not limited to pesticides, herbicides, poisons and highly flammable materials as determined by the Fire Chief.

(14) The Community Development Director shall have the authority to place additional conditions on the home occupation to ensure the impact of a home occupations effects on a neighborhood are undetectable from normal and usual residential activity.

Section 2. This Ordinance shall take effect 30 days after its adoption.

Section 3. The City Clerk is further directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Coalinga, within fifteen (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

The foregoing Ordinance was introduced by the City Council of the City of Coalinga, California, at a regular meeting held on _____, and was passed and adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Mayor
City of Coalinga

ATTEST:

City Clerk/Deputy City Clerk
City of Coalinga

ORDINANCE NO. 808

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APPROVED:

Mayor
City of Coalinga

ATTEST:

City Clerk/Deputy City Clerk
City of Coalinga