



MINUTES

PLANNING COMMISSION REGULAR MEETING VIRTUAL PLANNING COMMISSION REGULAR MEETING

TUESDAY, January 26, 2021
7:00 P.M.

CALL TO ORDER
7:01 P.M.

1. PLEDGE OF ALLEGIANCE

Commissioner Gavidia

2. ROLL CALL

Chair Chippero, Vice Chair Denslow, Commissioner Altwal, and Commissioner Gavidia

3. PRESENTATION AND ANNOUNCEMENTS:

A. PRESENTATIONS:

None.

B. ANNOUNCEMENTS:

Chair Chippero:

- No comments

Vice Chair Denslow:

- Question if the February 2nd City Council date is when they will interview and appoint

Commissioner Altwal:

- There are no minutes from the last meeting

Commissioner Gavidia:

- No comments

Director Feske:

- Announced Planning Commission recruitment and extension of deadline
- Confirmed February 2nd City Council date for Planning Commission interviews and appointment
- Confirmed no minutes on tonight's agenda

4. ACCEPTANCE OF THE AGENDA:

Moton and vote 4-0

5. PUBLIC COMMENT (Non-Agenda Items) :

None

6. CONSENT CALENDAR

None

7. PUBLIC HEARINGS

None

8. ACTION ITEMS

No objection to hear item 8B before 8A to allow Mr. Haydon time to log in

A. Landscape Memorial (Keith Haydon)

Recommendation: Approve the Rory Richmond Memorial Garden
Motion and Vote 4-0

Mr. Haydon:

- Presentation and emphasized no City maintenance and water

Mr. Lane

- Are we talking about the bench arms?
- Discussed details of ADA details

Chair Chippero:

- How close does the nearby bench need to be?
- The bench to remain in existing location and add the pad condition 30 by 48

Vice Chair Denslow:

- Commend Mr. Haydon and Historical Society for bringing this forward
- Did not have the privilege to know Mr. Richmond
- Is this on City property or Historical Society property?
- Besides the technical, looking for the CEQA exemption and land use
- Park bench
 - o Does the City maintain the bench or does the Historical Society?
- Planning Altwal
 - o ADA access is applicable for a modification?

Commissioner Altwal:

- Great idea and presentation Mr. Haydon
- Does this need a permit from the City?
- Bench
 - o The short section of the bench a clear pad 30 by 48 which allows a person with disabilities, wheelchair, to be next to person on bench
 - o Code requirement
 - o This area not modified is subject to litigation
- The modification triggers ADA
 - o Yes and no
 - o Federal rules it is already triggered
 - o The bench is not in compliance unless there is another bench nearby – equal enjoyment of goods and services
- The equal enjoyment of goods and services is an interpretation
 - o I interrupt in court all the time
- Discussed in further detail the ADA details
- Add in condition that an ADA pad is required 30 by 48

Commissioner Gavidia:

- No comments

Director Feske

- Presentation and modification to condition that the park bench is to remain
- Yes, permit needed for the irrigation and monument
- City property and that is why it is before the Planning Commission
- City owns the bench and maintains

B. Housing Accountability Act (Vice Chair Denslow)

Recommendation: Receive and File

Motion and Vote 4-0

Chair Chippero:

- No subject matter comments

Vice Chair Denslow:

- Asked Director Feske to provide clarity on memo from HCD
- Commission has a lot of housing issues coming forward and before the Planning Commission
- Confusion among the public and even Planning Commissioner about the HAA
- Housing project bought forward prior had included a letter from YIMBY
- YIMBY advertises they sue suburbs
- Don't want to be one of those sued because of misunderstanding of HAA application
- Good time to discuss when the HAA applies
- When is the Planning Commission the decision body versus a recommendation body?
- Do the findings go through another review ... HCD?
- The finding has to be made and the impact has to be an adverse negative impact?

Commissioner Altwal:

- Government Code Section 65589.5 limits local government to reduce density
- During last election there was a lot of announcements of reducing the density of certain lots or reducing the zoning of certain lots
- Percentage to be submitted to Sacramento
- If it is decided to reduce the density of a lot and replace it – obviously have to replace it with a different lot – is there any rules and regulations on which lot gets what?
 - o Example high density lot most likely needs to near public transportation, so cannot remove a downtown high-density lot and replace it with a high-density lot in Regency for example.
- Can we reduce a density lot and replace it with another lot that is not under the same circumstances as the first lot?

Commissioner Gavidia:

- No comments

Director Feske:

- Presented with optional discussion points for the Planning Commissioners
- HAA flow chart was shared on-screen (HAA Matrix)
- New regulations and laws that strictly prohibit reducing density of properties
 - o There are only certain situations where you could
- Prior to the new laws one could swap one-for-one
- Deferred to the Council presentation on this subject and not get ahead of the presentation.

- When there is a Code Amendment, General Plan Amendment or any other Ordinance, it must go to the City Council. Only the City Council can act on Ordinances.
 - o If there are no Ordinances, then the Planning Commission is the decision body
- No HCD review, part of the written record and the appeal body reviews the written findings.
- Yes, has to be an adverse negative impact, not just a negative impact.

9. PLANNING COMMISSION REQUESTS AND UPCOMING AGENDA DEVELOPMENT

Chair Chippero:

- None

Vice Chair Denslow:

- None

Commissioner Altwal:

- None

Commissioner Gavidia:

- Announced that he has joined CBCA and giving his stipend to CBCA

10. ADJOURNMENT

8:16 P.M.