

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
AUGUST 12, 2020**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the Planning Commission. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

CALL TO ORDER: Chairperson Cates called the Planning Commission Meeting to order at the hour of 5:30 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Higby.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, Thomas Higby III and Rob Robinson, Susan Toscano and Katherine Uhley were present remotely via the GoToMeeting web based application.

STAFF MEMBERS PRESENT: City Attorney William A. Vaughn, Community & Economic Development Director Stacy Elms, Associate Planner Rudy Luquin, and Planning Commission Secretary Sara Blevins were present remotely via the GoToMeeting web based application.

CONSIDERATION OF APPROVAL OF AGENDA. Motion by Uhley, seconded by Higby to approve the agenda as submitted. The motion carried by the following roll call vote: AYES: Cates, Higby, Toscano, Uhley; NOES: None; ABSENT: None.

Commissioner Robinson was having technical difficulties with his wireless connection and was unable to participate in the roll call vote.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF JULY 22, 2020. Motion by Higby, seconded by Uhley to approve the minutes as submitted. The motion carried by the following roll call vote: AYES: Cates, Higby, Toscano, Uhley; NOES: None; ABSENT: None.

Commissioner Robinson was having technical difficulties with his wireless connection and was unable to participate in the roll call vote.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE.

Chairperson Cates opened the public forum. Secretary Blevins stated that one email had been received and it was read into the record. The public comment comprised of concerns a citizen had about the costs associated with being able to have chickens in their backyard

and having to obtain a conditional use permit. No other comments were received and Chairperson Cates closed the public forum.

PUBLIC HEARING – TO CONSIDER A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND MOBILE FOOD VENDOR PERMIT #2020-08 TO ALLOW THE OPERATION OF A MOBILE FOOD VENDING VEHICLE ON ROUTE THROUGHOUT THE CITY OF LOS BANOS WITHIN THE PUBLIC RIGHT-OF-WAY FOR CRUZ LUNA DBA LUNA’S PRODUCE. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Chairperson Cates opened the public hearing and recessed the meeting for five minutes to receive public comment via email.

The meeting resumed and Secretary Blevins confirmed that no public comments had been received via email.

Motion by Higby, seconded by Uhley to adopt Planning Commission Resolution No. 2020-21 – Approving a Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15311, Accessory Structures, and Approving Mobile Food Vendor Permit #2020-08 for the Operation of a Mobile Food Vending Unit to Vend on the Public Right-of-Way. The motion carried by the following roll call vote: AYES: Cates, Higby, Robinson, Toscano, Uhley; NOES: None; ABSENT: None.

PUBLIC HEARING – TO CONSIDER A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND MOBILE FOOD VENDOR PERMIT #2020-09 TO ALLOW THE OPERATION OF A MOBILE FOOD VENDING VEHICLE ON PRIVATE PROPERTY FOR ELIZABETH ALVAREZ DBA TACOS Y MARISCOS EL PLEBE LOCATED WITHIN THE MIXED USE ZONING DISTRICT AT 939 SIXTH STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 025-241-013. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Chairperson Cates opened the public hearing and recessed the meeting for five minutes to receive public comment via email.

The meeting resumed and Secretary Blevins confirmed that no public comments had been received via email.

Motion by Uhley, seconded by Higby to adopt Planning Commission Resolution No. 2020-22 – Approving a Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15311, Accessory Structures, and Approving Mobile Food Vendor Permit #2020-09 for the Operation of a Mobile Food Vending Unit to Vend on Private Property Located at 939 Sixth Street, More Specifically Identified as Assessor’s Parcel Number: 025-241-013. The motion carried by the following roll call vote: AYES: Cates, Higby, Robinson, Toscano, Uhley; NOES: None; ABSENT: None.

PUBLIC HEARING – TO CONSIDER A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND MOBILE FOOD VENDOR PERMIT #2020-10 TO ALLOW THE OPERATION OF A MOBILE FOOD

VENDING VEHICLE ON PRIVATE PROPERTY FOR JUAN C. ANGULO DBA LA COCINA DE MAMA LOCATED WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT AT 402 WASHINGTON AVENUE, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 026-062-006. Associate Planner Luquin presented the staff report which included a PowerPoint presentation.

Chairperson Cates opened the public hearing and recessed the meeting for five minutes to receive public comment via email.

The meeting resumed and Secretary Blevins confirmed that no public comments had been received via email.

Motion by Higby, seconded by Uhley to adopt Planning Commission Resolution No. 2020-23 – Approving a Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15311, Accessory Structures, and Approving Mobile Food Vendor Permit #2020-10 for the Operation of a Mobile Food Vending Unit to Vend on Private Property Located at 402 Washington Avenue, More Specifically Identified as Assessor's Parcel Number: 026-062-006. The motion carried by the following roll call vote: AYES: Cates, Higby, Robinson, Toscano, Uhley; NOES: None; ABSENT: None.

PUBLIC HEARING – TO CONSIDER AND MAKE A RECOMMENDATION TO THE LOS BANOS CITY COUNCIL TO AMEND TITLE 9 CHAPTER 3 OF THE LOS BANOS MUNICIPAL CODE REGARDING LARGE FAMILY DAYCARE HOMES. Community & Economic Development Director Elms presented the staff report..

There was Commission and staff discussion regarding how these amendments would affect the home daycares currently in operation and approximately how many large family daycare homes currently exist in Los Banos.

Chairperson Cates opened the public hearing and recessed the meeting for five minutes to receive public comment via email.

The meeting resumed and Secretary Blevins confirmed that no public comments had been received via email.

Motion by Higby, seconded by Uhley to adopt Planning Commission Resolution No. 2020-24 – Recommending to the City Council Adoption of an Ordinance of the City of Los Banos Amending Title 9 Chapter 3 of the Los Banos Municipal Code Regarding Large Family Daycare Homes. More Specifically Identified as Assessor's Parcel Number: 026-062-006. The motion carried by the following roll call vote: AYES: Cates, Higby, Robinson, Toscano, Uhley; NOES: None; ABSENT: None.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.

Community & Economic Development Director Elms stated that they cannot have discussion during her report but she wanted to state that historically in the past the City has had requests to have chickens in private residences but that conditional use permits are needed. She has never seen anyone pursue a conditional use permit for this purpose but there have been discussions about possibly creating an ordinance in order to accommodate those people who would like to have chickens. She would like to bring an

item back to the Planning Commission with an analysis and different options surround this issue.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Chairperson Cates asked when groundbreaking would be taking place for Chipotle and Dutch Bros., for which Community & Economic Development Director Elms stated that Dutch Bros. is ready to go and Chipotle is currently in the plan check stage. Groundbreaking may take place in the next couple of weeks. She further noted that the new Starbucks on Overland Avenue would be opening soon as well.

HIGBY: No report.

ROBINSON: No report.

TOSCANO: No report.

UHLEY: Commissioner Uhley apologized for her absence at the last Planning Commission meeting.

ADJOURNMENT: The meeting was adjourned at the hour of 6:58 p.m.

APPROVED:

/s/ John Cates

John Cates, Planning Commission Chairperson

ATTEST:

/s/ Sara Blevins

Sara Blevins, Planning Commission Secretary