

Planning Commission Minutes

September 5, 2017

1. Call to Order

Chairperson Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:00 p.m.

2. Pledge of Allegiance

Chairperson Nuck led the Commission and audience in the Pledge of Allegiance.

3. Roll Call

Chairperson David Nuck X Vice Chair David Mendez X
Michael Barbree X Margaret Raschella X Ralph Lee X

Commissioner Mendez made a motion to excuse Commissioner Lee, seconded by Commissioner Barbree. Motion carried 4-0.

Staff present: Community Development Director, Doreen Liberto-Blanck; Principal Planner, Don Funk; Admin. Asst./Deputy City Clerk, Erica Sonne.

4. Public Comments

None

5. Presentations

None

6. Consent Calendar

All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

A. Approval of Minutes: August 15, 2017

Action: Motion made by Commissioner Raschella to approve minutes of August 15, 2017. Seconded by Commissioner Barbree. Motion carried 4-0.

7. Public Hearing Items

- | | |
|----------------|--|
| A. Project: | Variance Permit |
| Case No.: | VAR 2017-001 |
| Applicant: | Timothy Davis |
| Location: | 331 N. Russ Street (APN 026-174-001-000) and 327 N. Russ Street (APN 026-174-002) King City, CA 93930. |
| Consideration: | The request is for a variance permit to rebuild a residence that was destroyed by a fire on APN: 026-174-001, Lot 1, Block 13. The project includes a setback variance and resolve an existing non-conforming land use with the adjoining parcel, Lot 2, Block 13, APN: 026-174-002 that involves correcting a unit that currently straddles the lot line between the two parcels. |

Recommendation: Conduct the public hearing and adopt Resolution No. 2017-189 which approves Variance Case No. VAR2017-001, based on the findings of fact and subject to the Conditions of Approval.

Environmental Determination: The project is categorically exempt (Class 1 Existing Facilities and Class 3 New Construction or Conversion of Small Structures) pursuant to Section 15301 and Section 15303 of the California Environmental Quality Act ("**CEQA**") Guidelines.

Principal Planner Don Funk introduced this item, showing a power point presentation.

Commissioner Lee arrived to the meeting 6:04p.m.

Chair Nuck opened the public hearing

Tim Davis the applicant stated that the building codes don't fit the lots in King City. He would have to have all the residence sprinklered because of creating new lots. He doesn't feel the lot line adjustment is feasible for him. If that is the only way Planning Commission can grant the variance he is not interested.

Doreen Liberto suggested speaking to the City Attorney to explore another alternative.

ADU is being discussed by the applicant and Planning Commission.

Chair Nuck continued the public hearing to September 19, 2017.

Action: Motion made by Commissioner Barbree to continue this item to the September 19th meeting and have staff check with the City Attorney on different options. Seconded by Commissioner Raschella. Motion carried 5-0.

Planning Commission and Applicant feel that the code needs to be worked on and changed to fit King City.

- B. **Project:** Amending CUP2017-004 Conditions of Approval
- Case No.:** CUP2017-004 Amendment
- Applicant:** David Downs, Mobilitie, LLC
- Location:** Latitude/Longitude: 36.205456, -121.133448. (Franciscan Way)
- Consideration:** Removal from calendar of the previously noticed item - *Amendment to Conditional Use Permit Case No. CUP2017-004 to Amend Conditions of Approval for the small cell site within the existing public right-of-way along Franciscan Way.*
- Recommendation:** Refer back to staff and remove from calendar for re-noticing
- Environmental Determination:** Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("**CEQA**") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).

Community Development Director Doreen Liberto introduced this item.

Action: Motion made by Commissioner Raschella to refer back to staff and remove from calendar for re-noticing. Seconded by Commissioner Mendez. Motion carried 5-0.

C. Project: Amending CUP2016-004 Conditions of Approval

Case No.: CUP2016-004 Amendment

Applicant: David Downs, Mobilitie, LLC

Location: Latitude/Longitude: 36.213680/-121.129431. (Ellis Street)

Consideration: Removal from calendar of the previously noticed item - *Amendment to Conditional Use Permit Case No. CUP2016-004 to Amend the Conditions of Approval for the small cell site within the existing public right-of-way along Ellis Street.*

Recommendation: Refer back to staff and remove from calendar for re-noticing

Environmental Determination: Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("CEQA") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).

Community Development Director Doreen Liberto introduced this item.

Action: Motion made by Commissioner Raschella to refer back to staff and remove from calendar for re-noticing. Seconded by Commissioner Barbree. Motion carried 5-0.

D. Project: Amending CUP2016-003 Conditions of Approval

Case No.: CUP2016-003 Amendment

Applicant: David Downs, Mobilitie, LLC

Location: Latitude/Longitude: 36.215359/-121.130148. (Vanderhurst Avenue)

Consideration: Removal from calendar of the previously noticed item - *Amendment to Conditional Use Permit Case No. CUP2016-003 to Amend the Conditions of Approval for the small cell site within the existing public right-of-way along Vanderhurst Avenue.*

Recommendation: Refer back to staff and remove from calendar for re-noticing

Environmental Determination: Staff has found the project categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act ("CEQA") Guidelines: New Construction or Conversion of Small Structures, Class 3 (b).

Community Development Director Doreen Liberto introduced this item.

Action: Motion made by Commissioner Raschella to refer back to staff and remove from calendar for re-noticing. Seconded by Commissioner Barbree. Motion carried 5-0.

E. Project: General Plan Amendment and Zone Change for WWTP properties

Case No.: GPA2017-002, ZC2017-002

Applicant: City of King

Location: APN: 245-111-030-000 and 245-111-029-000

Consideration: The proposal involves amending the General Plan Land Use Map and the Zoning Map for the remainder portion of APN: 245-111-030 and all of APN 245-111-029. The properties are situated west of the City and adjacent to the Waste Water Treatment Plant (“*WWTP*”) and zoned Light Industrial (“*M-1*”) and within the Public Quasi (“*PQ*”) General Plan Land Use Designation. The proposed amendment and zone change are properties within the city limits.

Recommendation: Planning Commission will make recommendation to the City Council on whether to approve a general plan amendment and zone change of the remainder portion of APN 245-111-030-000 and all of APN 245-111-029-000 and adopt Resolution No. 2017-187.

Environmental Determination: This project is categorically exempt from the California Environmental Quality Act (“CEQA”) because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines §15061(b)(3)).

Community Development Director Doreen Liberto introduced this item.

Chair Nuck opened the public hearing, seeing no one come forward, closed the public hearing.

Action: Motion made by Commissioner Raschella to recommend the City Council approve a general plan amendment and zone change of the remainder portion of APN 245-111-030-000 and all of APN 245-111-029-000 and adopt Resolution No. 2017-187. Seconded by Commissioner Barbree. Motion carried 5-0.

- F. Project: Sign Ordinance
- Applicant: City of King
- Location: Citywide. Applies to all zones and land uses in the City.
- Consideration: The project includes changes to Municipal Code Title 17, Chapter 17.55, Sign Regulations. The changes include, but are not limited to, allowing certain signs to be approved by the Community Development Director rather than the Planning Commission; adding procedures for sign deviations; identifying Planning Commission’s authority to approve pole signs; modify Master Sign Programs to be required for 11 or more separate tenants; expand the area of window signs from twenty (20%) percent to twenty-five (25%) percent; changes the method of calculating double sided signs; provides exemptions for many signs including temporary banners and feather signs; adds a new Table 1 which establishes standards for specific sign types, and modifies the provisions of non-conforming signs.
- Recommendation: Planning Commission will make recommendations to the City Council on whether to amend Title 17.55 Signs.
- Environmental Determination: The new Sign Ordinance does not substantially change the sizes, colors, shapes or heights of future signs nor does it substantially change appearance of businesses nor does it negatively impact the views from US 101 or from major streets within the City. Based upon Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act, Section 15061. (b)(3) a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the

environment, the activity is not subject to CEQA." The proposed sign regulations do not have the potential to negatively impact views or appearance of the City.

Principal Planner Don Funk introduced this item, showing a power point presentation.

Commissioner Lee would like to have a handout/booklet that applicants could review.

Chair Nuck opened the public hearing, seeing no one come forward, Chair Nuck closed the public hearing.

Action: Motion made by Commissioner Raschella recommending to the City Council to amend Title 17.55 Signs. Seconded by Commissioner Mendez. Motion carried 5-0.

Motion made by Commissioner Lee to have the Planning Department make a handout that covers that gives design guidelines. Seconded by Commissioner Barbree. Motion carried 5-0.

8. Non-Public Hearing Items -

- A. Project: General Plan Consistency for WWTP properties
- Case No.: GPC2017-004
- Applicant: City of King
- Location: Assessor Parcel Numbers: 245-111-030-000 and 245-111-029-000
- Consideration: Consistency Determination of the General Plan regarding selling of Assessor Parcel Numbers: 245-111-030-000 and 245-111-029-000.
- Recommendation: Adoption of Resolution No 2017-188 which finds the General Plan consistency determination for the sale of APN245-111-030-000 and APN245-111-029-000.
- Environmental Determination: This project is categorically exempt from the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines §15061(3).

Action: Motion made by Commissioner Barbree Adopt of Resolution No 2017-188 which finds the General Plan consistency determination for the sale of APN245-111-030-000 and APN245-111-029-000. Seconded by Commissioner Raschella. Motion carried 5-0.

9. Regular Business- None

10. Planning Commission Report –

11. Director Reports-

12. Written Correspondence– None

13. Adjournment

There being no further business, the Planning Commission meeting was adjourned at 6:38 p.m.


David Nuck
Planning Commission Chairperson
City of King


Erica Sonne
Planning Commission Secretary
City of King