

## MINUTES

**TURLOCK CITY PLANNING COMMISSION  
THURSDAY, FEBRUARY 6, 2014  
6:00 PM**

**YOSEMITE COMMUNITY ROOM  
TURLOCK CITY HALL, 156 SOUTH BROADWAY**

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**COMMISSIONERS PRESENT:** Bean, Brem, Dias, Fregosi, Hackler, Hillberg and Pedroza

**ALTERNATE COMMISSIONERS PRESENT:** Badal and Pollard

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Katie Quintero, Associate Planner; Adrienne Werner, Assistant Planner; Dorinda Soiseth, Staff Services Technician

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**A. CALL TO ORDER** The meeting was called to order at 6:01 p.m.

City Clerk Kellie Weaver administered the Oath of Office for re-appointed Planning Commissioner Nicholas Hackler, and newly appointed Planning Commissioner Victor Pedroza.

**B. APPROVAL OF MINUTES**

1. Chairman Brem asked for corrections or a motion to approve the minutes from December 5, 2013. Motion and second (Hillberg/Dias) to approve the minutes as submitted, with Commissioners Hackler, Pollard and Pedroza abstaining.

2. Chairman Brem asked for corrections or a motion to approve the minutes from January 16, 2014. Motion and second (Hillberg/Hackler) to approve the minutes as submitted, with Commissioners Badal, Brem, Dias and Pedroza abstaining.

**C. ANNOUNCEMENTS**

Debbie Whitmore announced the upcoming public hearing concerning the proposed water rate increase.

**D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**

There were none.

**E. PUBLIC PARTICIPATION**

None

**F. CONSENT CALENDAR**

None

## G. PUBLIC HEARINGS

### CONSENT ITEMS\*

\* None

### NONCONSENT ITEMS

#### **1. COMPREHENSIVE UPDATE OF THE CITY'S ZONING REGULATIONS:**

Debbie Whitmore reviewed the proposed changes to Title 9 of the Turlock Municipal Code as follows:

**Chapter 9-1 – General Provisions** – There are changes to the definitions and some minor rewording to improve clarity.

**Chapter 9-2 – Regulations that apply to all districts** – Changes to regulations include:

- accessory structures and buildings
- building projections
- landscaping and irrigation
- recreational vehicle storage
- mobile food facilities
- cargo containers
- electrified fences
- drive-through facilities
- off-street parking and loading
- nonconforming structures and uses
- wireless communications

Discussion included the proposed prohibition of mobile food vendors in the Downtown Core, Downtown Core Transition and Office Residential zoning districts, the feasibility of limiting the number of mobile food vendors, and how other jurisdictions limit food trucks. Debbie Whitmore noted that 35 food trucks are currently permitted in Turlock.

Carrie Hernandez, commented on the cleanliness of most food trucks, and asked that her food truck permit for Saucy Girls, located in the downtown area, be permitted long term.

Commissioner Fregosi asked about food trucks that participate in the downtown Farmer's Market. Debbie Whitmore advised that the Farmer's Market permit was a separate issue and permitting process.

Chairman Brem commented that the issue is the appropriateness of food trucks in certain areas, and if they should be limited in number. He said that he is not convinced that mobile food trucks are appropriate for the downtown, and that the Commission's job is to decide what is best for the community as a whole.

Christopher Shawn, owner of the Vida Vital food truck, spoke against prohibiting mobile food trucks in the downtown area, and suggested that specific regulations be established for trucks wanting to

locate in the downtown area. He commented about the difficulties he has had in trying to operate his mobile food truck business in downtown Turlock.

The Commission discussed the investments made in downtown and why this area is attracting more people.

Commissioner Hackler said that he would like to hear from more people who favor mobile vendors in the downtown area. He commented he does not favor placing a limit on the number of mobile food trucks, but where they can be located needs to have further discussion.

Commissioner Pedroza encouraged those in favor of food trucks in the downtown area to come to a meeting and voice their opinion because people who attend public hearings and voice their concerns are heard.

There was discussion about the process for establishing a "food truck plaza" similar to what currently exists on East Avenue. Debbie Whitmore advised that a Conditional Use Permit would be required that includes a public hearing before the Planning Commission and notification of property owners within a 500 foot radius.

Commissioner Pollard commented that the issue is the precedent that would be set for the downtown area and not a matter of competition because the free market system drives the economy.

Chairman Brem said he does not favor limiting the number of food trucks.

Debbie Whitmore said changes to regulations for Cargo Containers include the establishment of a process to use these containers as structures. She noted there are size and number limitations depending on the zoning district, and that a building permit is required if they are going to be permanent.

Commissioner Fregosi commented on the time period cargo containers could remain in a residential driveway, and said that three months may be too long.

Art Seeger, owner of Seeger's Printing, said that he has two cargo containers on his business property. He asked the Commission to "grandfather" cargo containers if they have been on a property for five years or more because this is a practical way to provide storage.

Debbie Whitmore advised that an entitlement process could be established to permit existing cargo containers, but there are building code issues that would need to be addressed. She said there may be a way to establish a design process to allow for a time period to come in to compliance without any type of penalty.

There was discussion about "grandfathering" versus establishing a permitting process that encourages people to come in to compliance.

Commissioner Hackler asked if cargo containers were subject to ADA. Mike Pitcock said they were subject to ADA and must meet all aspects of the current building code.

**Chapter 9-3 – Base District Regulations – Changes to:**

- agricultural uses
- residential, commercial and public districts

Debbie said that provisions would be added to allow crop productions in all zones, and community gardens with certain approval processes.

Commissioner Hackler commented that he would prefer a Minor Discretionary Permit process that notifies adjacent properties for a community garden project.

Chairman Brem said he would prefer a Conditional Use Permit for community gardens as there would be a wider noticing area.

**Chapter 9-4 – Overlay District Regulations – Changes to:**

- downtown overlay district
- pets at emergency shelters

Dana McGarry, Turlock Downtown Property Owners Association manager, thanked staff and the Commission for their work on the downtown overlay district.

**Chapter 9-5 – Administration – Changes to:**

- temporary uses of land
- enforcement
- home occupation permits
- outdoor dining permit insurance

**MOTION:** Commissioner Fregosi moved, Commissioner Pedroza seconded, that the Planning Commission continue the Comprehensive Update to the City's Zoning Regulations, including the revisions discussed, to the March 6, 2014 meeting. Motion carried unanimously.

H. **OTHER MATTERS** - None

I. **COMMISSIONER'S CONSIDERATION**

1. **ELECTION OF OFFICERS**

Chairman Brem nominated Soraya Fregosi to be the new Commission Chairperson for 2014. Nomination carried unanimously.

Commissioner Hackler nominated Jeff Hillberg to be the new Commission Vice Chairperson for 2014. Nomination carried unanimously.

J. **STANISLAUS COUNTY PLANNING REFERRAL ITEMS** - None

K. **COMMISSIONER'S COMMENTS**

Chairman Brem commented about unsolicited newspapers delivered each Saturday in his neighborhood. He also commented about the number of vehicles that are parked "for sale" on Monte Vista Avenue between Colorado and Berkeley that are creating a traffic hazard in the area.

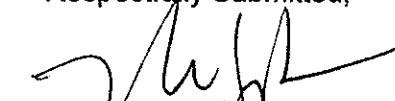
Commissioner Pedroza commented about an upcoming Planning Commissioner's workshop on water issues. He also thanked the City Council for his appointment to the Commission, and staff for their encouragement and support to re-apply.

**L. STAFF UPDATES**


1. **Upcoming Planning Commission items:** Debbie noted that the March agenda will include a new subdivision map, a review of CEQA Guidelines, and a workshop on the noise and sign ordinance.

**M. ADJOURNMENT:** Chairman Brem adjourned the meeting at 8:06 p.m.

Respectfully Submitted,



MIKE BREM  
Chair



DEBRA A. WHITMORE  
Deputy Director of Development Services,  
Secretary of the Turlock Planning Commission