

**MINUTES OF THE SANTA PAULA  
PLANNING COMMISSION**

**Tuesday, July 24, 2012**

**6:30 P.M.**

**CALL TO ORDER:** Chairman Michael Sommer

**PLEDGE OF ALLEGIANCE:** Chairman Michael Sommer

**ROLL CALL:**

**Commissioners present:** Michael Sommer, Marilyn Appleby, Rita Graham, John Wisda, and Ike Ikerd

**Absent** None

**Staff Present:** City Attorney John Cotti, Deputy Planning Director Stratis Perros, Planning Secretary Catherine M. Carras Cwiok

**FINAL AGENDA:** Agenda final as submitted

**PUBLIC COMMENT:** No public comment

**CONSENT CALENDAR:**

**A. Minutes of the Planning Commission Meeting on June 26, 2012**

**ACTION:** It was moved by Commissioner Ikerd, seconded by Commissioner Wisda to approve the minutes with added correction. All were in favor and the motion carried, Chairman Sommer and Commissioner Graham abstained since they were absent at the last meeting.

**PUBLIC HEARING:**

**A. Project No. 11-CDP-02** A request for Conditional Use Permit to establish three new industrial buildings and a caretaker's residence on a vacant undeveloped lot. Applied Silicone Corporation currently operates on the adjacent easterly property and this proposed development would be an expansion of this industrial facility. The property is located in the Industrial/Airport Safety Overlay Zone – Outer Safety Subzone (I/KS-OS) zoning district and has a General Plan land use designation of Industrial. The Planning Commission will also consider approval of a Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines.

**Location:** Western terminus of Lemonwood Drive (APN: 104-0-200-245; 107-0-011-290 and -300; and 107-0-011-350, -365, and -375)  
**Applicant:** Applied Silicone Corporation  
**General Plan:** Industrial/Airport  
**Zoning:** Industrial/Airport (I/KS-OS)  
**Environmental:**

**Verification of posting notice:** Chairman Sommer confirmed with the Planning Secretary that the Notice of Public Hearing was properly advertised and posted.

**Declaration of conflicts:** None

**Declaration of ex parte contacts:** None

**Open public hearing:** Chairman Michael Sommer opened the Public Hearing at 6:40 p.m. and called upon staff to present the item.

- Staff Presentation – Report, Deputy Planning Director Stratis Perros

**Public Comment:** Mark Shellnut, Architect, and Applicant Alastair Winn were available to answer questions.

Commissioner Appleby would like the Caretakers Residence exterior to be more cohesive with the three Industrial buildings.

After further discussion a motion was made.

**ACTION:** It was moved by Commissioner Wisda, seconded by Commissioner Ikerd to adopt Resolution No. 3699 approving Project No. 2011-CDP-02 subject to the Conditions of Approval identified in the Resolution. Under roll call vote all were in favor and the motion carried.

**B. Project 12-CDP-01: Proposed Amendments to Title 16 of the Santa Paula Municipal Code ("SPMC").** SPMC contains most of the City's land use regulations and development standards. A draft ordinance proposes amendment to Chapter 16.66 Drive Through Facilities. The proposed amendments would modify hours of operation and distance restrictions for drive-through facilities adjacent to residential uses. The applicant is also proposing design changes to their existing drive-through facility. The Planning Commission will also consider approval of a Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines.

**Location:** City Limits  
**Applicant:** McDonald's Corporation

**General Plan:** General Commercial  
**Zoning:** General Commercial (C-G)  
**Environmental:**

**Verification of posting notice:** Chairman Sommer confirmed with the Planning Secretary that the Notice of Public Hearing was properly advertised and posted.

**Declaration of conflicts:** None

**Declaration of ex parte contacts:** None

- Staff Presentation – Report, Deputy Planning Director Stratis Perros
- Applicant McDonald's USA, LLC

**Public Comment:** Ron Underwood – Bickel Underwood Architects, was available to answer questions.

Commissioner Graham had some concerns of increasing the drive through from a single lane to a double lane. Not sure about an extended lane. But overall thinks it's a good idea.

Commissioner Appleby questioned where storm water drainage would occur and if landscaping met Santa Paula standards. Santa Paula development code pertaining to parking requires seventy three parking spaces and this is short by ten. Deputy Planning Director Perros responded that project would comply with Public Works requirements regarding storm water drainage, new landscaping was being added in conformance with Development Code, and non-conforming off-street parking would be brought closer into conformance as a result of the project.

Ron Underwood explained McDonald's wants more functionality of their drive-thru, improving vehicle flow by taking multiple orders at a time. There is a nationwide acceptance of switching from single to double lanes.

Commissioner Appleby was concerned about removal of playground. She has always seen a lot of use by children. Ron Underwood stated that the demographics not as much of a draw for young children, more towards Baby Boomers and young adults.

Commissioner Wisda likes that it is open 24/7 but was concerned about speaker boxes.

Greg Paschen, franchise owner, commented that they wanted to update buildings and parking facilities. He reports no complaints by neighbors since they started 24/7 operations two years ago.

**Close Public Hearing:** Chairman Sommer closed the Public Hearing and began discussion among the Commissioners.

Commissioner Wisda is looking forward to the changes.

Commissioner Graham hopes they keep their landscape.

Commissioner Ikerd believes it will help brighten up that part of town.

**ACTION:** It was moved by Commissioner Graham, seconded by Vice Chairman Appleby to adopt Resolution No. 3700 approving Project No. 2012-CDP-01 subject to the Conditions of Approval identified in the Resolution. Under roll call vote all were in favor and the motion carried.

- C. Project No. 12-CI-08: Proposed Amendments to Title 16 of the Santa Paula Municipal Code ("SPMC").** SPMC Title 16 contains most of the City's land use regulations and development standards. A draft ordinance proposes amendments to Chapter 16.13 Division 7 Density Bonus and Concessions. The proposed amendments are proposed to ensure compliance with State Density Bonus law. Staff has determined the project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines per §15061 (b) (3)

**Location:** Various locations City-Wide

**Applicant:** City Initiated

**Verification of posting notice:** Chairman Sommer confirmed with the Planning Secretary that the Notice of Public Hearing was properly advertised and posted.

**Declaration of conflicts:** None

**Declaration of ex parte contacts:** None

- Staff Presentation – Report, Deputy Planning Director Stratis Perros
- Discussion

Commissioner Graham commented that State law requires the City to modify the Development Code to remain in conformance with State law.

Commissioner Wisda clarified that Development Code would be applicable to all areas of Santa Paula.

**Public Comment:**

Andres Garcia, California Rural Legal Assistance, stated some areas of proposed Ordinance still need to be amended to comply with State Density Bonus

Laws. In his opinion Section 16.13.320 – Other Development Standards is in conflict with the current State Density Bonus Laws. Assistant City Attorney Cotti clarified that particular section was not in conflict with Development Code, but rather provides an ability to request concessions beyond the three limited by State law by permitting further incentives as an option to developers.

**ACTION:** It was moved by Commissioner Graham, seconded by Commissioner Ikerd to adopt Resolution No. 3698 recommending that the City Council amend Chapter 16.13 Division 7 of the SPMC relating to Density Bonuses. Under roll call vote all were in favor and the motion carried.

**ORDER OF BUSINESS:** Discussion regarding City of Santa Paula Certified Housing Element Memo. This is in response to Commissioner Wisda's concern with the fact that the Weyerhaeuser Plant is leaving town and the property could be developed with affordable housing under the C/I overlay. This property is zoned LI, therefore, the C/I overlay for affordable housing is not applicable.

**NEW BUSINESS:** None

**CITY COMMUNICATIONS:**

Deputy Planning Director Stratis Perros will be presenting 12-CUP-03 Crown Disposal Item at the August 28<sup>th</sup> Planning Commission Meeting.

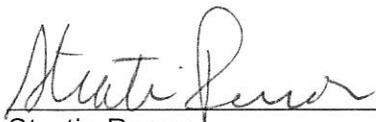
Commissioner Graham will not be at the October 23, Planning Commission Meeting.

Commissioner Wisda is involved with the Save Steckel Aviary. They are having an event on August 18<sup>th</sup> at Steckel Park. It is a barbeque with live music. Cost of the tickets are \$20.00. They hope to raise \$10,000.

**REQUEST FOR FUTURE AGENDA ITEMS:**

**ADJOURNMENT:** Chairman Sommer adjourned the meeting at 8:15 p.m.

**NOTICE:** Actions by the Planning Commission on the above items cannot be appealed to the City Council after 4:30 p.m. Friday August 3, 2012. Be advised that if you bring a legal challenge to a Planning Commission decision, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the Planning Commission at or before the meeting.

  
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Stratis Perros  
Deputy Planning Director