



CITY OF HUGHSON
SPECIAL
PLANNING COMMISSION MEETING
 City Hall Council Chambers
 7018 Pine Street, Hughson, CA

AGENDA
THURSDAY, NOVEMBER 6, 2014 – 6:00 P.M.

CALL TO ORDER: Chair Julie Ann Strain

ROLL CALL: Chair Julie Ann Strain
 Vice Chair Karen Minyard
 Commissioner Sanjay Patel
 Commissioner Mark Fontana
 Commissioner Ken Sartain

FLAG SALUTE: Chair Julie Ann Strain

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the Audience may address the Planning Commission on any item of interest to the public pertaining to the City and may step to the podium, State their name and City of Residence for the record (requirement of Name and City of Residence is optional) and make their presentation. Please limit presentations to five minutes. Since the Planning Commission cannot take action on matters not on the Agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

2.1: Consider Amending the Hughson Municipal Code (HMC), Section 17, Zoning Ordinance, to Remove Current Prohibition Regarding Restaurant Related Drive-Throughs and Forward Recommendation onto the City Council.

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

UPCOMING EVENTS:

November 10	▪ City Council Meeting, City Council Chambers, 7:00 P.M.
November 11	▪ Veteran’s Day- City Hall Closed in Observance
November 12	▪ Parks & Recreation Commission Meeting, City Council Chambers, 6:00 P.M.
November 15	▪ United Samaritans Annual Legacy of Hope Event, St. Anthony’s Church
November 18	▪ Planning Commission Meeting, City Council Chambers, 6:00 P.M.
November 22	▪ Community Thanksgiving Dinner, Senior Community Center, 2-6:00 P.M.
November 22-23	▪ 20 th Century Club’s Arts & Crafts Faire, Hughson High School

RULES FOR ADDRESSING PLANNING COMMISSION

Members of the audience who wish to address the Planning Commission are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.**

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a Planning Commission meeting, please contact the City Clerk’s office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

AFFIDAVIT OF POSTING

DATE: November 5, 2014 **TIME:** 10:00am
NAME: Dominique Spinale **TITLE:** City Clerk

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson Planning Commission shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

General Information: The Hughson Planning Commission meets in the Council Chambers on the *third Tuesday* of each month at 6:00 p.m., unless otherwise noticed.

PC Agendas: The Planning Commission Agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054



**PLANNING COMMISSION
AGENDA ITEM NO. 2.1
SECTION 2: PUBLIC HEARING**

Meeting Date: November 6, 2014
Subject: Consider Amending the Hughson Municipal Code to Remove Prohibition Regarding Restaurant Related Drive-Throughs and Forward Recommendation onto City Council
Presented By: Jaylen French, Community Development Director
Approved By: _____

Staff Recommendation:

Consider amending the Hughson Municipal Code (HMC), Section 17, Zoning Ordinance, to remove current prohibition regarding restaurant related drive-throughs and forward recommendation onto the City Council.

Background and Overview:

During staff's work on two separate potential restaurants in the City, staff discovered that HMC Section 17.02.012.B.1.b. prohibits drive-through windows for restaurant uses.

In reviewing the history of the HMC, past amendments, and in talking with staff and others associated with the City, staff could not determine when or for what specific reasons the prohibition had been adopted. It is unclear if the intent was for environmental reasons, to preserve the small town feel and atmosphere of Hughson or for other reasons.

The intent of this item is to review and consider amending the Hughson Municipal Code to remove the drive-through prohibition. Ultimately, during a separate meeting, in which a public hearing will be held, the Planning Commission will provide a formal recommendation to the City Council that the proposed amendment is consistent with the General Plan.

A public hearing will be held before the Planning Commission to receive public input regarding the proposed amendment. Once the hearing is complete and the Planning Commission has deliberated, the Commission will render a formal recommendation to the City Council, which will include the proposed amendment language if necessary. The City Council will then hold a public hearing on

November 10, 2014 on the proposed amendment. At that time, the Council may approve, modify or disapprove the amendment. If approved, the Amendment will be adopted through ordinance and the amendment will take effect 30 days thereafter.

Discussion:

Previously, City staff brought this issue before the City’s Economic Development Committee (EDC) on August 25, 2014 as a discussion item. The purpose of the item was to gauge the EDC member’s interest in preserving or removing the drive-through window prohibition, and to discuss the potential benefits and downsides to allowing this use. These include, but are not limited to:

Potential Benefits of Prohibition

- Reduce Noise Impacts
- Lessen Traffic and Traffic Congestion
- Reduce Air Pollution (This issue is questioned by many professionals)
- Preserve Small Town Feel and Atmosphere
- Preserve Current City Image

Potential Detriments of Prohibition

- Inconvenience for the Elderly, Families with Small Children, and the Disabled
- Revenue Seepage to Other Communities
- Provide more Space/Land for Parking

After a lengthy discussion, the EDC members favored removing the drive-through window prohibition.

The proposed amendment would simply remove the one sentence in Section 17.02.012.B.1.b, which states, “Drive-through windows for restaurants are prohibited.”

General Plan Consistency

The Planning Commission shall ultimately decide if the proposed HMC amendment is consistent with the General Plan and if the proposed amendment is in the best interest of the City.

After reviewing the General Plan and performing other research, Staff is of the opinion that the proposed amendment is not inconsistent with the General Plan and therefore consistent.

Fiscal Impact:

There is no fiscal impact associated with the proposed Code amendment.