



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

AGENDA
TUESDAY, JULY 18, 2017 – 6:00 P.M.

CALL TO ORDER: Chair Alan McFadon

ROLL CALL: Chair Alan McFadon
 Vice Chair Ken Sartain
 Commissioner Julie Ann Strain
 Commissioner Brian Evans
 Commissioner Kevin Cloherty

Staff to be Present: Jaylen French, Community Development Director
 Susana Diaz, Deputy City Clerk
 Monica Streeter, Deputy City Attorney

FLAG SALUTE: Chair Alan McFadon

RULES FOR ADDRESSING THE 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.***

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. PRESENTATIONS: NONE.

3. NEW BUSINESS:

3.1: Approve the Minutes of the Special Meeting of June 6, 2017.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

4.1: Consider determining that the Proposed Amendment is Consistent with the City of Hughson General Plan and Recommend that the Hughson City Council Adopt Ordinance No. 2017-05, Amending Section 17.03.060 of the Hughson Municipal Code Pertaining to Parking on Unimproved Surfaces.

5. INFORMATIONAL ITEMS: NONE.

6. CORRESPONDENCE: NONE.

7. COMMENTS:

7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director:

City Clerk:

City Attorney:

7.2: Commissioner Comments: (Information Only – No Action)

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:

May 11 – Sept 28	▪ Hughson Downtown Farmers Market, Hughson Avenue, Thursday's 5:00 P.M. – 8:00 P.M.
July 14 - 23	▪ Stanislaus County Fair, Turlock Fairgrounds
July 24	▪ Economic Development Committee Meeting, City Hall, 5:30 P.M.
July 24	▪ City Council Meeting, City Hall Chambers, 7:00 P.M.

July 29	▪ City Council Goals and Objectives Workshop, City Hall 9:00 A.M.
August 1	▪ National Night Out, 5:30 P.M.

**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.

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.

AFFIDAVIT OF POSTING

DATE: July 13, 2017 **TIME:** 5:00 pm
NAME: Susana Diaz **TITLE:** Deputy City Clerk

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.



CITY OF HUGHSON
SPECIAL PLANNING COMMISSION MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

MINUTES
TUESDAY, JUNE 6, 2017 – 6:00 P.M.

CALL TO ORDER: Chair Alan McFadon

ROLL CALL:

Present: Chair Alan McFadon
Vice Chair Ken Sartain
Commissioner Julie Ann Strain
Commissioner Brian Evans
Commissioner Kevin Cloherty

Staff Present: Jaylen French, Community Development Director
Susana Diaz, Deputy City Clerk
Monica Streeter, Deputy City Attorney

FLAG SALUTE: Chair Alan McFadon

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

No Public Comments.

2. PRESENTATIONS: NONE.

3. NEW BUSINESS:

3.1: Approve the Minutes of the Regular Meeting of April 18, 2017.

STRAIN/EVANS 5-0-0-0 motion passes to approve the Minutes as presented.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

4.1: Consideration to Recommend that the Hughson City Council Adopt Ordinance No. 2017-01, Amending the Hughson Municipal Code to Prohibit All Recreational Marijuana Activities in the City.

Director French presented the staff report on item 4.1.

Chair McFadon opened the Public Hearing at 6:26 P.M. There was no public comment, public hearing closed at 6:26 P.M.

SARTAIN/EVANS 5-0-0-0 Motion passes to recommend that the Hughson City Council Adopt Ordinance No. 2017-01, Amending the Hughson Municipal Code to Prohibit All Recreational Marijuana Activities in the City.

4.2: Consideration to Recommend that the Hughson City Council Adopt Ordinance No. 2017-02, Amending the Hughson Municipal Code Pursuant to SB 1069 and AB 2299, Accessory Dwelling Unit Legislation.

Director French presented the staff report on item 4.2.

Chair McFadon opened the Public Hearing at 6:48 P.M. There was no public comment, public hearing closed at 6:48 P.M.

STRAIN/SARTAIN 5-0-0-0 Motion passes to recommend that the Hughson City Council Adopt Ordinance No. 2017-02, Amending the Hughson Municipal Code Pursuant to SB 1069 and AB 2299, Accessory Dwelling Unit Legislation.

5. INFORMATION ITEMS: NONE.

6. CORRESPONDENCE: NONE.

7. COMMENTS:

7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director:

Director French provided information regarding the LAFCO 101 Workshop scheduled for June 28, 2017 at 1010 Tenth St. Modesto.

Director French provided an update on the Hatch Road/Santa Fe Avenue signalization project.

Director French provided an update on the Tully Road and Whitmore Avenue reconstruction project.

Director French provided an update on the Fox Road Sidewalk Infill Project.

Director French provided an update on the Golden Bowl Restaurant and Coco's Restaurant.

City Clerk: NONE.

City Attorney: NONE.

7.2: Commissioner Comments: (Information Only – No Action)

Commissioner Strain provided an update on the scholarship awards given to Modesto and Hughson High School students.

ADJOURNMENT:

Chair McFadon adjourned the meeting at 7:07 P.M.

ALAN MCFADON, Chair

SUSANA DIAZ, Deputy City Clerk



**PLANNING COMMISSION
AGENDA ITEM NO. 4.1
SECTION 4: PUBLIC HEARING**

Meeting Date: July 18, 2017
Subject: Consider determining that the Proposed Amendment is Consistent with the City of Hughson General Plan and Recommend that the Hughson City Council Adopt Ordinance No. 2017-05, Amending Section 17.03.060 of the Hughson Municipal Code Pertaining to Parking on Unimproved Surfaces.

Enclosures: Draft Ordinance No. 2017-05
Presented By: Jaylen French, Community Development Director

Staff Recommendation:

1. Determine that the proposed amendment to Section 17.03.060 of the Hughson Municipal Code is consistent with the adopted City of Hughson General Plan and recommend that the Hughson City Council adopt Ordinance No. 2017-05, amending Section 17.03.060 of Hughson Municipal Code Chapter 17.03 – Citywide Regulations and Special Provisions to add provisions pertaining to the parking of vehicles on unimproved surfaces.

Background and Overview:

Over the years, Hughson Code Enforcement has received many complaints from residents about vehicles parked in front yard areas. City staff has reviewed the pertinent sections of the Hughson Municipal Code carefully and while one could interpret that parking is prohibited in front yard areas, the code is not explicit in this regard.

Parking vehicles in front yard areas can create visual blight, lower property values, eliminate landscaped areas thus impacting the aesthetics of neighborhoods and in some cases create a safety concern.

City staff is recommending this item to add provisions to the HMC to make expressly clear that parking all vehicles on unimproved surfaces, except those owned and or operated by another public entity, is a violation. There is also an exception for temporary parking associated with temporary activities, such as carnivals, fairs, concerts, farmers' markets, etc. An unimproved surface is defined

as any unpaved area, earthen or bare lot, lawn, landscaping, parks, parkways, gardens, and similar type surfaces. If adopted, this will improve code enforcement efforts in responding to complaints from residents and will ensure that a process is in place to remedy such matters for any offender.

The Hughson Planning Commission is tasked with determining that the proposed amendment is consistent with the City's Adopted General Plan. The General plan is coordinated with the Zoning Code, Chapter 17—a chapter of the HMC. City staff has reviewed the General Plan and found nothing that would be contrary to this amendment.

The General Plan's circulation element includes language and goals regarding parking, which primarily deal with parking availability in the downtown. Goal C-4, states, "Ensure that there is adequate on- and off-street parking for residents and visitors to Hughson".

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2017 – 05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON
AMENDING SECTION 17.03.060 OF MUNICIPAL CODE CHAPTER 17.03 –
CITYWIDE REGULATIONS AND SPECIAL PROVISIONS**

WHEREAS, The City Council of the City of Hughson desires to amend Section 17.03.060 of the Hughson Municipal Code, Chapter 17.03, to add provisions pertaining to the parking of self-operating vehicles on unimproved surfaces.

WHEREAS, The City Council held a duly noticed public hearing on this Ordinance on _____, 2017, at which time it considered all evidence presented, both written and oral.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUGHSON
DOES ORDAIN AS FOLLOWS:**

Section 1. Section 17.03.060 of Chapter 17.03 of Title 17 of the Hughson Municipal Code is amended to add B.4.c to read as follows:

B. General Provisions.

4. Existing Facilities.

c. Parking throughout the City is prohibited on unimproved surfaces such as unpaved areas, earthen or bare lots, lawns, landscaping, parks, parkways, gardens and similar types of surfaces. An exception is the use of an unimproved surface for the temporary parking of operable motor vehicles for temporary activities (*e.g., carnivals, circuses, fairs, concerts, farmers' markets*) being held in accordance with a city issued temporary activity or temporary parking permit. Any temporary parking must comply with the minimum vehicular parking requirements set forth in Table 17.03.060(A). This provision shall not apply to any unimproved surfaces owned or operated by another public entity, as defined in Government Code Section 811.2, within the City limits.

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this

end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 4. This ordinance shall become effective thirty (30) days after its final passage.

Section 5. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on _____, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the second reading of the foregoing ordinance was waived and this ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on _____, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

JERAMY YOUNG, Mayor

ATTEST:

SUSANA DIAZ, Deputy City Clerk