



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

**AGENDA**  
**TUESDAY, AUGUST 20, 2019 – 6:00 P.M.**

**CALL TO ORDER:** Chair Brian Evans

**ROLL CALL:** Chair Brian Evans  
Vice Chair Julie Ann Strain  
Commissioner Kevin Cloherty  
Commissioner Brenda Henley  
Commissioner Alan McFadon

Staff to be Present: Raul Mendez, City Manager  
Daniel Schroeder, City Attorney  
Ashton Gose, Deputy City Clerk

**FLAG SALUTE:** Chair Brian Evans

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**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 Regular Meeting of March 19, 2019.

3.2: Recommend that the Hughson City Council Adopt Ordinance No. 2019-XX, Amending Chapter 17.03 of the Hughson Municipal Code.

**4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:        NONE.**

**5. INFORMATIONAL ITEMS:            NONE.**

**6. CORRESPONDENCE:                NONE.**

**7. COMMENTS:**

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

**City Manager:**

**Deputy 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:**

<b>August 26</b>	<ul style="list-style-type: none"> <li>▪ Economic Development Committee Meeting, City Hall Chambers, 5:30 P.M.</li> </ul>
<b>August 26</b>	<ul style="list-style-type: none"> <li>▪ Stanislaus County Community Development Block Grant (CDBG) Urban County Consolidated Annual Performance and Evaluation Report (CAPER) FY 2018-2019 Community Meeting, City Hall Chambers, 5:30 P.M.</li> </ul>
<b>August 26</b>	<ul style="list-style-type: none"> <li>▪ City Council Meeting, City Council Chambers, 7:00 P.M.</li> </ul>
<b>September 2</b>	<ul style="list-style-type: none"> <li>▪ Labor Day Holiday – City Hall Closed</li> </ul>
<b>September 5</b>	<ul style="list-style-type: none"> <li>▪ Hughson Government Night, Samaritan Village, 6:00 P.M.</li> </ul>

**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:** August 15, 2019 **TIME:** 9:00 a.m.

**NAME:** Ashton Gose **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](http://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  
**PLANNING COMMISSION MEETING**  
 City Hall Council Chambers  
 7018 Pine Street, Hughson, CA

**MINUTES**  
**TUESDAY, MARCH 19, 2019 – 6:00 P.M.**

**CALL TO ORDER:** Chair Brian Evans

**ROLL CALL:** Chair Brian Evans  
 Vice Chair Julie Ann Strain  
 Commissioner Alan McFadon  
 Commissioner Kevin Cloherty  
 Commissioner Brenda Henley

**Staff Present:** Lea Simvoulakis, Community Development Director  
 Ashton Gose, Deputy City Clerk  
 Monica Streeter, Deputy City Attorney

**FLAG SALUTE:** Chair Brian Evans

**RULES FOR ADDRESSING THE PLANNING COMMISSION**

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

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**2. PRESENTATIONS: NONE.**

**3. NEW BUSINESS:**

3.1: Approve the Minutes of the Regular Meeting of January 15, 2019.

**CLOHERTY/STRAIN 5-0-0-0 motion passes to approve the Minutes of the Regular Meeting of January 15, 2019.**

3.2: Recommend that the Hughson City Council Adopt Resolution No. 2019-XX, Accepting the 2018 Annual General Plan Report and the 2018 Annual Housing Element Progress Report.

**STRAIN/CLOHERTY 5-0-0-0 motion passes to approve the Recommendation that the Hughson City Council Adopt Resolution No. 2019-XX, Accepting the 2018 Annual General Plan Report and the 2018 Annual Housing Element Progress Report.**

**4. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.**

**5. INFORMATIONAL ITEMS: NONE.**

**6. CORRESPONDANCE: NONE.**

**7. COMMENTS:**

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

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

**Commissioner Cloherty informed the Commission that he will be retiring from Samaritan Village within the next three months.**

**Commissioner Henley attended a fundraiser for local school custodian Jorge Garcia.**

**Commissioner Evans provided a reminder for the upcoming Annual Boy Scouts Tri-Tip Dinner being held on April 12, 2019.**

**Commissioner McFadon informed the Commission of the passing of Stephen Mayotte, Chief of the Stanislaus Consolidated Fire Protection District.**

**ADJOURNMENT:**

**Chair Evans adjourned the meeting at 6:18 P.M.**

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**BRIAN EVANS, Chair**

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**ASHTON GOSE, Deputy City Clerk**



## **PLANNING COMMISSION AGENDA ITEM NO. 3.2 SECTION 3: NEW BUSINESS**

**Meeting Date:** August 20, 2019  
**Subject:** Recommend that the Hughson City Council Adopt Ordinance No. 2019-XX, Amending Chapter 17.03 of the Hughson Municipal Code

**Enclosures:** Draft Ordinance No. 2019-XX  
**Presented By:** Raul Mendez, City Manager

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### **Staff Recommendation:**

Recommend that the Hughson City Council adopt Ordinance No. 2019-0X, amending Chapter 17.03 of Hughson Municipal Code.

### **Background and Overview:**

Staff routinely updates the Municipal Code to incorporate clarifying changes, minor modifications, technical, formatting, and other non-substantive changes to the Code to ensure that the Code follows development trends and maintains consistency with the General Plan. There are also instances where the Council requests staff to address certain issues that arise in the community through an ordinance amendment. The two proposed ordinance amendments are a result of the discussions related to Recreational Vehicles (RVs) that have taken place at City Council over the last year.

At the June 22, 2019 City Council meeting, staff presented recommend changes to the Hughson Municipal Code as well as two proposed ordinance amendments to the Hughson Municipal Code to address the various concerns related to RVs. These proposed changes and amendments were the result of several discussions held during Council meetings. At the January 28, 2019 City Council meeting, City staff provided the City Council with the current rules and regulations related to the storage and parking of Recreational Vehicles (RVs) on private property and on public streets. This discussion arose after a member of the community requested that the City Council re-evaluate the rules and regulations related to the storage of RVs and other similar uses at the January 14, 2019 meeting. Similar complaints were raised by a member of the community during the November 13, 2018 City Council meeting. Between the years 2014 to 2019 the City's Code Enforcement Officer has received a total of 33 complaints about RVs. Out of the 33 complaints, 15 complaints were

about RVs on private property, and 18 were related to RVs parking in the public-right-of-way (city street).

The changes described below are intended to address two specific issues Council provided direction on. The first amendment addresses the number of RVs that can be stored on private property. The second amendment identifies the period of time someone can live in an RV while the main home is under construction.

It is the role of the Planning Commission to determine that the proposed amendments are consistent with the City's adopted General Plan. If the amendments are consistent with the General Plan, the Commission may recommend to the Council the adoption of the proposed amendments. If the Commission finds that the amendments are not consistent with the General Plan, they may not recommend the approval of the amendments to the City Council.

**Discussion:**

1. Section 17.03.052(D): Number of Vehicles Stored on Private Property

The Hughson Municipal Code Section 17.03.52.D **currently** reads as follows:

“ D. Storage. One mobile home, camper, motor home or trailer may be stored off the street and on a property; provided, that no living quarters shall be maintained or any business conducted in connection therewith while such vehicle is so parked or stored, except as otherwise provided in this section.”

This section currently exists in the Municipal Code and only allows **one** mobile home, camper, motor home or trailer to be stored on private property.

Proposed Ordinance Change:

“ D. Storage. Only one mobile home, camper, motor home, trailer, or watercraft may be stored off the street and on a property when not located behind a fence or in a garage with the garage door closed. Any mobile home, camper, motor home, or trailer, or watercraft stored on a property, including behind a fence or in a garage, shall not be used or maintained as a living quarter or business conducted therein while such vehicle is so parked or stored, except as otherwise provided in this section.”

The proposed amendment will maintain the limit of one mobile home, camper, motor home or trailer, that can be visible on the property. This limit is extended to watercrafts as well. This amendment also reinforces that no mobile home, camper, motor home, or trailer be used as living quarters.

2. Section 17.03.052(G): Temporary Use of Recreational Vehicles in Residential Zones

The Hughson Municipal Code Section 17.03.52.G **currently** reads as follows:

“G. Temporary Use of Recreational Vehicles in Residential Zones. A recreational vehicle may be used as a single-family dwelling unit on a property zoned for single-family residential use for a period of time not to exceed the time required to complete the project. An administrative permit shall be required for such recreational vehicles, subject to the following additional requirements:

1. There is an existing single-family dwelling unit on the site that cannot be occupied until repairs are completed, and a valid building permit has been issued to make all repairs required to make the dwelling unit habitable.
2. The occupied recreational vehicle is not placed within a required setback, with the exception of a designated driveway that conforms to the standards of the district in which the recreational vehicle is located.
3. Recreational vehicles shall be located in a designated area within the parcel as approved by the planning officer. Recreational vehicles shall be located so as to minimize their visibility from the public right-of-way or adjacent properties.”

Proposed Ordinance Change:

“G. Temporary Use of Recreational Vehicles in Residential Zones. A recreational vehicle may be used as a single-family dwelling unit on a property zoned for single-family residential use for a period of time not to exceed the time required to complete the project or one year, whichever is less. The City Manager or his/her designee in their sole discretion may allow a period of time greater than one year, but in no event more than two years. An administrative permit shall be required for such recreational vehicles, subject to the following additional requirements:

1. There is an existing single-family dwelling unit on the site that cannot be occupied until repairs are completed, and a valid building permit has been issued to make all repairs required to make the dwelling unit habitable.
2. The occupied recreational vehicle is not placed within a required setback, with the exception of a designated driveway that conforms to the standards of the district in which the recreational vehicle is located.
3. Recreational vehicles shall be located in a designated area within the parcel as approved by the planning officer. Recreational vehicles shall be located so as to minimize their visibility from the public right-of-way or adjacent properties.”

The proposed amendment limits the length of time someone can live in a RV during construction on the main home to one year unless the City Manager or his/her designee give the owner addition time to live in the RV.

**General Plan Conformance:**

The Hughson Planning Commission is tasked with determining that the proposed amendment is consistent with the City’s Adopted General Plan. Land Use Goal LU-3 encourages development to preserve and enhance Hughson’s unique small town character. In order to accomplish this, development should be visually interesting,

include landscaping with mature trees and promote compliance with the Design Guidelines. The City's Design Guidelines encourage landscaped setbacks and place an emphasis on minimizing the presence of garages and parking. These Design expectations and General Plan goal provide justification for limiting the number of RVs and watercrafts that are visible on single-family properties. There is an expectation that setbacks will be landscaped and kept free of an overabundance of vehicles. As such, the first ordinance change is in conformance to the General Plan.

The General Plan also contains the City's Housing Element, which promotes the creation and maintenance of a safe and livable housing supply. By limiting the length of time someone can live in an RV during construction, the code is preventing individuals from taking advantage of the temporary use of an RV as a living quarter. Housing Element Policy H-3.3 encourages the rehabilitation of substandard residential properties and encourages the overall development of quality housing opportunities throughout the city. An RV is not a quality permanent living situation, and the use of RVs as a home is not promoted by standard health and safety measures. As such, limiting the duration of livability in an RV during a period of construction to one year is a supportable limitation by the General Plan. It allows people time to complete major home construction projects without creating a burden on the homeowner by making them move off the property during this period, while still preventing the use of an RV as a permanent living quarter. Therefore the second Code amendment is supported by the General Plan.

**CITY OF HUGHSON  
CITY COUNCIL  
ORDINANCE NO. 2019-0\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING  
CHAPTER 17.03 OF THE HUGHSON MUNICIPAL CODE CONCERNING PARKING OF  
VEHICLES**

**WHEREAS**, the City of Hughson Municipal Code Chapter 17.03 currently provide regulations regarding of parking surface requirements for all vehicles as well as parking of recreational vehicles; and

**WHEREAS**, the City desires to amend Chapter 17.03 to specify the type of parking surfaces required for vehicles and regulate the parking of recreational vehicles.

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

**Section 1** Section 17.03.052(D) of the Hughson Municipal Code is added to read in full as follows:

“D. Storage. ~~Only One~~ mobile home, camper, motor home, ~~or trailer, or watercraft~~ may be stored off the street and on a property ~~when not located behind a fence or in a garage with the garage door closed. Any mobile home, camper, motor home, or trailer, or watercraft stored on a property, including behind a fence or in a garage, provided, that shall not be used or maintained as a~~ living quarters ~~shall be maintained or any~~ business conducted ~~therein in connection therewith~~ while such vehicle is so parked or stored, except as otherwise provided in this section.”

**Section 2** Section 17.03.052(G) of the Hughson Municipal Code is added to read in full as follows:

“G. Temporary Use of Recreational Vehicles in Residential Zones. A recreational vehicle may be used as a single-family dwelling unit on a property zoned for single-family residential use for a period of time not to exceed the time required to complete the project ~~or one year, whichever is less. The City Manager or his/her designee in their sole discretion may allow a period of time greater than one year, but in no event more than two years.~~ An administrative permit shall be required for such recreational vehicles, subject to the following additional requirements:

1. There is an existing single-family dwelling unit on the site that cannot be occupied until repairs are completed, and a valid building permit has been issued to make all repairs required to make the dwelling unit habitable.

2. The occupied recreational vehicle is not placed within a required setback, with the exception of a designated driveway that conforms to the standards of the district in which the recreational vehicle is located.

3. Recreational vehicles shall be located in a designated area within the parcel as approved by the planning officer. Recreational vehicles shall be located so as to minimize their visibility from the public right-of-way or adjacent properties.”

**Section 4** 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 5** 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 6** Within fifteen (15) days after its final passage, the City Clerk shall cause a summary of this Ordinance to be published in accordance with California Government Code section 36933.

**Section 7** This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

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 \_\_\_\_\_, 2019, and by a vote of the Council members present, further reading was waived.

On motion of Councilperson \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Ordinance was passed by the City Council of the City of Hughson at a regular meeting held on \_\_\_\_\_, 2019, by the following votes:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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JERAMY YOUNG, Mayor

ATTEST:

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ASHTON GOSE, Deputy City Clerk

DRAFT