

MINUTES

REGULAR MEETING CITY OF PLACERVILLE PLANNING COMMISSION TUESDAY, DECEMBER 15, 2015, 6:00 P.M. TOWN HALL, 549 MAIN STREET, PLACERVILLE, CALIFORNIA

Call to Order and Pledge of Allegiance to the Flag

Chair Wolfe called the meeting to order at 6:00 p.m. then led those in attendance in the Pledge of Allegiance.

Roll Call:

*Members Present: List, Lowry, Wolfe, Frenn (Arrived at 6:08pm)
Members Absent: Robey
Staff Present: Executive Secretary and City Planner Painter,
Development Services Director Rivas
City Engineer Neves*

1. Consent Calendar:

1.1 Adoption of Agenda

1.2 Minutes of the November 17, 2015 Regular Meeting

The motion to approve the Consent Calendar was approved by unanimous consent.

2. Items Pulled From Consent Calendar (If Applicable):

None.

3. Items of Interest to the Public (Public Comment) - Not on Agenda

None.

4. Written Communications to the Commission:

Executive Secretary Painter announced the receipt of two communications after Planning Commission packets were distributed. For Item 5.1: Email from Sue Taylor. For Item 5.2: Email from Greg Machado. Copies of communications were made available to the Members and the applicants.

5. Environmental Assessments / Public Hearings:

- 5.1 618 Main Street – Conditional Use Permit (CUP) 2015-03, Site Plan Review (SPR) 2015-05, Variance (VAR) 2015-03:** Continued public hearing from the November 17, 2015 Regular Meeting to consider potential amendments by the Commission to the Planning Commission's November 3, 2015 conceptual approval of the parking lot project. The Commission also to further consider, amend as necessary, and adopt findings and conditions of approval for the 618 Main Street project.

Chair Wolfe re-opened the public hearing. City Planner Painter introduced status of the request. Sue Taylor, applicants' representative, addressed the Commission. Public comment was received from Steve Calfee, Phil McCarthy, Marian Washburn, Kathi Lishman, Michael Drobesh and a non-identified speaker who provided a written exhibit and three photos for the record. Chair Wolfe closed the public hearing.

Member Frenn moved to approve CUP 2015-03 and VAR 2015-03, with the findings as stated by staff in its report, to allow for the construction and use of the private parking lot located at 618 Main Street, along the south side of the street. The motion died for lack of a second.

Motion by Chair Wolfe, seconded by Vice Chair List to deny without prejudice CUP 2015-03, SPR 2015-05 and VAR 2015-03, finding that the application is deemed insufficient to the specifics regarding landscaping, paving surfaces and materials, erosion control and compliance with standards for parking lots, therefore the Commission is not in a position to consider the project as submitted, was approved on a 4-0 vote.

City Planner Painter announced the action taken may be appealed to the City Council within ten calendar days.

- 5.2 1600 Broadway – Conditional Use Permit (CUP) 2015-06, Site Plan Review (SPR) 2015-09:** A request by Adrian Navarro Ramirez, Town Clean Recycle Center, to establish and operate a small, 8' x 8.5' x 20', recycling collection facility kiosk, a conditional use, within the Highway Commercial (HWC) Zone. Staff is recommending approval of a Categorical Exemption for this project.

Chair Wolfe announced the item. City Planner Painter provided staff's report. Project applicant Adrian Navarro Ramirez addressed the Commission. Public comment was received from Gina and Mark (last name not provided), Les Russell and Michael Drobesh.

The motion to make the findings presented in staff's report and conditionally approve CUP 2015-06 and SPR 2015-09, as follows, was approved on Member Frenn's motion, Vice Chair List's second on a 4-0 vote:

I. Make the following findings:

- A. Find that the project is categorically exempt from the California Environmental Quality Act per §15303(c) of the California Environmental Quality Act Guidelines, in that it involves the placement of a new 160 square foot commercial structure that is less than 2,500 square feet in area and that does not involve the use of hazardous materials.*
- B. The requested small collection facility kiosk is a type of small collection facility that is similar to but less intensive than a reverse vending machine use, a conditional use within the HWC zone, in that the facility will not occupy more than 500 square feet in area, no power driven machinery to process recycled cans, bottles and plastic materials is proposed, nor will the facility require the connection of wet or dry utilities.*
- C. The proposed use is essential and desirable to the public convenience or welfare, in that it provides an easily accessible recycling opportunity for the public to utilize.*
- D. The proposed use, as conditioned, is in harmony with the various elements or objectives of the City of Placerville General Plan, in that the request is consistent with Goal F of the Natural, Cultural and Scenic Resources Element, in that the proposed use would help to promote the conservation of recyclable cans, bottles and plastic resources that might otherwise be discarded as common household refuse or along the community's roads and streets.*
- E. The request is consistent with Policy 4 of Goal F of the Natural, Cultural and Scenic Resources Element, in that by approving the use the City would be supporting a recycling based business.*
- F. The proposed use as conditioned is not detrimental to surrounding property, in that the applicant's intent is to store received recycled items, sorting containers, chairs and tables for the onsite attendant, etc. inside the storage kiosk when the facility is closed; keep the facility and its immediate surroundings maintained and free from trash and debris; paint the kiosk green to soften the exterior appearance of the kiosk and to blend its appearance into the predominantly green tree canopy along Hangtown Creek.*
- G. Per the State of California Department of Resources, Recycling and Recovery, a designated Convenience Zone is established around the Grocery Outlet Market at 1426 Broadway.*

- H. *Per the Placerville USGS Quadrangle Map, the project's 1600 Broadway location is 1,650 lineal feet east of the Grocery Outlet Market at 1426 Broadway, or within the one half-mile radius of the Grocery Outlet Convenience Zone.*
- II. *Conditionally approve CUP 2015-06 and SPR 2015-09, the request by Adrian Navarro Ramirez, to operate a small recycling collection facility kiosk at 1600 Broadway on the site as shown on the project site plan, subject to the following conditions of approval:*
1. *Project Description: Conditional Use Permit 2015-06 and Site Plan Review 2015-09 is hereby granted at 1600 Broadway, Placerville. APN 049-100-15. The project would establish and allow the operation of a new small, 8' x 8.5' x 20', recycling collection facility kiosk. The request is approved as shown in Exhibit A of staff's December 15, 2015 staff report, and as conditioned or modified below.*
 2. *Conditional Use Permit 2015-06 and Site Plan Review 2015-09 shall expire and become null and void eighteen (18) month after the Planning Commission approval, unless a building permit has been obtained for the facility. All conditions must be completed prior to or concurrently with the establishment of the granted use.*
 3. *Failure to comply with the conditions specified herein as the basis for approval of Conditional Use Permit 2015-06 constitutes cause for the revocation of said permit per the Placerville Zoning Ordinance Section 10-3-6(D), the provisions set forth in the Placerville Zoning Ordinance Section 10-3-8: Enforcement, Section 10-3-9: Abatement and Section 10-3-10: Penalties. Violation of the conditions of an approved Site Plan Review is subject to penalty as provided under Section 10-4-9 (N) of the Zoning Ordinance.*
 4. *The terms and conditions of this permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assigns of the property owner.*
 5. *A building permit is required from the City of Placerville Development Services Department, in that the storage building is greater than 120 square feet. The unit is to be installed on a level and stable surface. Include three copies of plan set with application submittal.*
 6. *A City of Placerville business license is required to operate the approved use and must be obtained before business onsite may commence.*

7. *The small collection facility use shall operate as follows:*
 - a) *All received recycled items, sorting containers, chairs and tables for site attendant, etc. shall be stored inside the storage kiosk when the facility is closed;*
 - b) *The facility and its immediate surroundings shall be maintained daily so that facility and the immediate surroundings are free from trash and debris;*
 - c) *The kiosk shall be painted and maintained with a green exterior color to soften the exterior appearance of the kiosk and to blend its appearance into the predominantly green tree canopy along Hangtown Creek.*
 - d) *A minimum of three evergreen potted trees, or a raised planter containing evergreen shrubs, shall be placed and maintained along the full length of the kiosk's Broadway elevation.*
8. *Facility signage will require a sign permit from the Development Services Department. Facility signage shall conform to the City's Sign Regulations under City Code Section 10-4-17.*
9. *In the event the use granted under CUP 2015-06 is abandoned, any structure, sorting bins or other equipment used to operate the approved use, shall be removed within 30 days of the abandonment of the use.*

El Dorado County Fire Protection District

10. *One minimum rated 2A10BC fire extinguisher is required for the container. It must be readily visible and easily accessible within 75 foot of travel from all points. Top of the unit must be mounted no higher than 5 feet from the floor.*

By unanimous consent of the Members, staff was directed to report back to the Commission in six months regarding the operation of CUP 2015-06 and SPR 2015-09.

- 5.3 **Zone Change (ZC) 2015-08:** The Planning Commission to consider and make recommendation to City Council regarding the City Council initiated intent to amend the Placerville Zoning Ordinance to prohibit within all zone classifications of the City of Placerville medical marijuana dispensaries, medical marijuana cultivation and the delivery of medical marijuana. Staff is recommending approval of a Categorical Exemption for this project.

Chair Wolfe announced the item. Director Rivas presented staff's report. Public comment was received from Michael Drobesch.

The motion to recommend to City Council to adopt an ordinance adding Chapter 10, Sections 1-6 to Title 10 of the Placerville City Code prohibiting medical marijuana dispensaries, medical marijuana cultivation and the delivery of medical marijuana in all land use zones in the City of Placerville on a 4-0 vote.

6. Matters from Commissioners and Staff:

6.1 Commissioners: *Vice Chair List announced he will not be in attendance at the January 5, 2016 Regular Meeting. Member Frenn announced that a community meeting regarding the City of Placerville's Clay Street Realignment Project / Clay Street Bridge Replacement Project will be held at Town Hall on January 6, 2016 beginning at 6:30pm.*

6.2 Staff: *Mr. Painter announced possible upcoming items for Commission agendas.*

7. Adjournment:

Chair Wolfe adjourned the meeting at 9:09 p.m.

/s/

Andrew Painter, Executive Secretary
Placerville Planning Commission