

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
SEPTEMBER 5, 2017
MINUTES**

1. CALL TO ORDER – Chairman Hopper called the meeting to order at 6:23 p.m.

B. ROLL CALL **Present:** Commissioners Hopper, Boyd, Freels and Franco

Absent: Commissioner Moore

Staff Present: Acting City Manager Orbach, City Attorney Mall and Administrative Services Manager Paetz

2. PUBLIC COMMENT

There were no comments.

3. INFORMAL PROJECT REVIEW

There were no projects for review.

4. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting Public Hearing Notice**
- C. Approve Minutes for the June 6, 2017 Meeting**
- D. Approve Minutes for the July 10, 2017 Meeting**

A motion was made by Commissioner Franco and seconded by Commissioner Freels to approve all items on the consent agenda. The motion passed 4-0-0-1 with Commissioner Moore absent.

Chairperson Hopper request Action Item 6A be moved up in the agenda.

6. ACTION ITEMS

- A. Consider Sign Permit for 507 Third Street for Mission Hardware - Applicant: Vina and Mike Statua**

Acting City Manager Orbach provided a report stating the Statuas are requesting sign permit approval for two signs for their Mission Hardware store at 507 Third Street. The first proposed signs is 12' W x 2.5' H, vinyl, dark brown/wood color with white lettering in ad lib font style, and has a total area of 30 square feet; and the second sign is 8' W x 2.5' H, vinyl, dark brown/wood color with white lettering in ad lib font style, and has a total area of 22.4 square feet. The larger sign will be centered on the upper part of the back wall of the main building and the smaller sign will be placed on the upper part of the fence on the right side of the front gate. The signs are in compliance with the City's sign ordinance. The goal is to eventually replace these signs with hand carved wooden ones. There was no public comment.

A motion was made by Commissioner Boyd and seconded by Commissioner Franco to approve a sign permit for 507 Third Street, Mission Hardware. The motion passed unanimously, 4-0-0-1, with Commissioner Moore absent.

5. PUBLIC HEARING ITEMS

A. Consider Ordinance Banning Recreational Marijuana Sales, Cultivation, and Delivery

City Attorney Mall provided a report stating the City currently has a ban on medical marijuana dispensaries. The City Council desires to revise the current ban to include a ban on both commercial adult-use cannabis activity and commercial medicinal cannabis activity, including those operations for which licenses may be obtained, as set forth in California Business and Professions Code Sections 26050 and 26061. The City Council sees the revised ordinance as provisional and anticipates that the ordinance may be repealed and replaced with an ordinance to permit uses, at such time as such an ordinance has been vetted and ready for adoption.

Chairperson Hopper opened the public hearing. There was no public comment. Chairperson Hopper closed the public hearing.

A motion was made by Commissioner Boyd and seconded by Commissioner Freels to Approve Resolution 2017-25 recommending to the City Council a revision to the current ordinance banning recreational marijuana sales, cultivation, and delivery in the City of San Juan Bautista. The motion passed unanimously, 4-0-0-1, with Commissioner Moore absent.

B. Consider Approval of Initial Study for Well #5

i. Consider Approval of Resolution 2017-26 Adopting a Categorical Exemption for Initial Study for Well #5

Acting City Manager Orbach provided a report stating that, after completing the environmental checklist and conferring with representatives from the State Water Resources Control Board, City staff determined that Capital Improvement Project - Domestic Water Well Number 5 (CIP 46-802) qualified for a categorical exemption under CEQA §15302 "Replacement or Reconstruction." This determination was based on the fact that the project consists of the replacement of an existing facility where the new facility will be located on the same site as the facility replaced and will have substantially the same purpose and capacity as the facility replaced. Chairperson Hopper opened the public hearing. There was no public comment. Chairperson Hopper closed the public hearing.

A motion was made by Commissioner Franco and seconded by Commissioner Boyd to approve Resolution 2017-26 adopting a categorical exemption for an initial study for Well #5. The motion passed unanimously, 4-0-0-1, with Commissioner Moore absent.

ii. Consider Approval of Resolution 2017-27 Approving an Initial Study for Well #5
Chairperson Hopper opened the public hearing. There was no public comment.
Chairperson Hopper closed the public hearing.

A motion was made by Chairperson Hopper and seconded by Commissioner Freels to approve Resolution 2017-27 approving an initial study for Well #5. The motion passed unanimously, 4-0-0-1, with Commissioner Moore absent.

C. Consider Approval of Initial Study for Well #6

i. Consider Approval of Resolution 2017-28 Adopting a Categorical Exemption for Initial Study for Well #6

Acting City Manager Orbach provided a report stating that after completing the environmental checklist and conferring with representatives from the State Water Resources Control Board, City staff determined that Capital Improvement Project - Domestic Water Well Number 6 (CIP 46-801) qualified for a categorical exemption under CEQA §15301 "Existing Facilities." This determination was based on the fact that the project consists of the City taking over ownership and operation (with minor alterations to the pad and pump) of existing structures, facilities, and mechanical equipment involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Chairperson Hopper opened the public hearing. There was no public comment. Chairperson Hopper closed the public hearing.

A motion was made by Commissioner Freels and seconded by Commissioner Franco to approve Resolution 2017-28 adopting a categorical exemption for an initial study for Well #6. The motion passed unanimously, 4-0-0-1, with Commissioner Moore absent.

ii. Consider Approval of Resolution 2017-29 Approving an Initial Study for Well #6

Chairperson Hopper opened the public hearing. There was no public comment.
Chairperson Hopper closed the public hearing.

A motion was made by Chairperson Hopper and seconded by Commissioner Boyd to approve Resolution 2017-29 approving an initial study for Well #6. The motion passed unanimously, 4-0-0-1, with Commissioner Moore absent.

7. DISCUSSION ITEMS

A. Agenda Items for Next Joint Meeting with City of Hollister and San Benito County Planning Commissions

Chairperson Hopper provided an update.

8. COMMENTS

A. Planning Commissioners

Commissioner Freels asked the Acting City Manager to provide a record of inspections for Harvey's Lockup.

B. City Planner

Not present.

C. Acting City Manager

No comments provided.

9. ADJOURNMENT

The meeting adjourned at 7:07 p.m.


Vice Chairperson Darlene Boyd

ATTEST:


Trish Paetz, Deputy City Clerk