



CITY OF MENDOTA

"Cantaloupe Center Of The World"

JUAN LUNA
Chair

CARLOS QUINTANAR
Vice-Chair

ALBERT ESCOBEDO

MARTIN GAMEZ

JOSHUA GARCIA

CITY OF MENDOTA PLANNING COMMISSION AGENDA

City Council Chambers
Mendota, CA 93640
REGULAR MEETING
May 19, 2015
6:30 P.M.

VINCE DiMAGGIO
City Manager

MATT FLOOD
Planning & Economic
Development Manager

JEFF O'NEAL
City Planner

The Mendota City Planning Commission welcomes you to its meetings, which are scheduled for the 3rd Tuesday every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Planning Commissioners may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phone off. Thank you for your respect and consideration.**

Any public writings distributed by the City of Mendota to at least a majority of the Planning Commission regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

FINALIZE THE AGENDA

1. Adoption of final Agenda.

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the Minutes of the Special meetings of March 10, 2015 and April 7, 2015.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

PUBLIC HEARING

1. Public Hearing to consider forwarding a recommendation to the Mendota City Council related to off-site temporary signs.
 - a. *Receive report from Planning & Economic Development Manager Flood*
 - b. *Inquiries from Commissioners to staff*
 - c. *Chair Luna opens the public hearing*
 - d. *Once all comment has been received, Chair Luna closes the public hearing*
 - e. *Planning Commission consensus to forward a recommendation to the City Council*

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

The public is invited to speak to the Planning Commission at this time about any item that is not on the Agenda. Please limit your comments to five (5) minutes. Please note that the Planning Commission cannot take action on any item not listed on the agenda.

PLANNING DIRECTOR UPDATE

PLANNING COMMISSIONERS' REPORTS

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota Planning Commission Regular Meeting of Tuesday, May 19, 2015 was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, May 15, 2015 at 9:15 a.m.



Celeste Cabrera, Deputy City Clerk



**MINUTES OF MENDOTA
MENDOTA CITY COUNCIL /PLANNING COMMISSION
JOINT WORK/STUDY SESSION**

Joint Work/Study Session Tuesday, March 10, 2015 3:00 PM

Meeting called to order by Mayor Robert Silva and Chairperson Juan Luna at 3:03 p.m.

ROLL CALL CITY COUNCIL

Council Members Present: Mayor Robert Silva, Mayor Pro Tem Sergio Valdez, Council Members Joseph Amador, Rolando Castro, and Joseph Riofrio.

Council Members Absent: None.

ROLL CALL PLANNING COMMISSION

Commissioners Present: Chairperson Juan Luna, Vice Chairperson Carlos Quintanar, Commissioners Albert Escobedo and Martin Gamez.

Commissioners Absent: Commissioner Joshua Garcia.

Others Present: Baseball Commissioner Paul Ochoa.

Staff Present: City Manager Vince DiMaggio, Finance Director Rudy Marquez, Chief of Police Gregg Andreotti, City Attorney Meggin Boranian, Public Works Director Cristian Gonzalez, Public Utilities Director Matt Lewis, Director of Support Operations Charles Johnson, and City Clerk Matt Flood.

WORK/STUDY SESSION

1. **AB 1234 Ethics training. [City Attorney, Boranian]**

Meggin Boranian, City Attorney, provided training that covered ethics topics as required by Article 2.4 of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code which include laws relating to personal financial gain by public servants, perquisites (“perks”) of office, prohibitions against the use of public resources for personal or political

purposes, prohibitions against gifts of public funds, and prohibitions against acceptance of free or discounted transportation, government transparency laws, fair processes, due process requirements, and competitive bidding requirements for public contracts.

(at 4:05 p.m. a recess was taken and the meeting was reconvened at 4:15 p.m.

Training continued on disqualification from participating in decisions affecting family members, reporting illegal activity, penal punishment for violations of the law, creating an organization where upholding ethical standards is a priority, and other general ethics principles relating to public service.

PUBLIC COMMENT

None Offered

ADJOURNMENT OF CITY COUNCIL

A motion was made by Councilor Amador and seconded by Council Riofrio to adjourn the work/study session at 5:01 p.m., unanimously approved (5 ayes).

ADJOURNMENT OF PLANNING COMMISSION

A motion was made by Vice-chair Quintanar and seconded by Commissioner Escobedo to adjourn the work/study session at the hour of 5:01 p.m.; approved (4 ayes; 1 absent: Garcia).

Juan Luna, Chairperson

ATTEST:

Matt Flood, City Clerk



CITY OF MENDOTA PLANNING COMMISSION MINUTES

Special Meeting

Tuesday, April 7, 2015

6:30 p.m.

Meeting called to order by Chairperson Luna at 6:30 PM.

Roll Call

Commissioners Present: Chairperson Juan Luna, Vice-Chairperson Carlos Quintanar, Commissioners Albert Escobedo and Martin Gamez.

Commissioners Absent: Commissioner Joshua Garcia.

Staff Present: Matt Flood, Planning & Economic Development Manager and Celeste Cabrera, Deputy City Clerk.

Flag Salute led by Chairperson Luna.

FINALIZE THE AGENDA

1. Adoption of final Agenda.

A motion was made by Vice-Chairperson Quintanar to adopt the agenda, seconded by Commissioner Gamez; unanimously approved (4 ayes, absent: Garcia).

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the Minutes of the Regular Meeting of February 17, 2015.

A motion to approve item 1 was made by Vice-Chairperson Quintanar, seconded by Commissioner Escobedo; unanimously approved (4 ayes, absent: Garcia).

2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

A motion to approve item 2 was made by Commissioner Gamez, seconded by Commissioner Escobedo; unanimously approved (4 ayes, absent: Garcia).

PUBLIC HEARING

1. Public Hearing to adopt **Resolution No. PC 15-03**, recommending that the Mendota City Council establish the Economic Incentive Zone via Zoning Text Amendment.

Chairperson Luna introduced the item and Planning & Economic Development Manager Flood summarized the report including the various incentives included within the Economic Incentive Zone (EIZ); the process of the Zoning Text Amendment; and the positive impact that it will have on economic growth.

Discussion was held on the positivity that the EIZ brings to the business community and the various incentives included.

At 6:39 p.m. Chairperson Luna opened the hearing to the public and, seeing no one present wishing to comment, closed it within the same minute.

A motion was made by Commissioner Escobedo to approve Resolution No. PC 15-03, seconded by Vice-Chairperson Quintanar; unanimously approved (4 ayes, absent: Garcia).

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

None offered

PLANNING DIRECTOR UPDATE

Planning & Economic Development Manager Flood reported that ordinance adding an alternate commissioner to the Planning Commission was passed by the City Council; the alternate commissioner should be appointed in the following months; Governor Brown's executive order regarding water conservation measures; the enforcement of water regulations through citations; and an update on the proposed McDonalds.

PLANNING COMMISSIONERS' REPORTS

Vice-Chairperson Quintanar reported on the possibility of the Mendota Planning Commission creating a scholarship to award to a Mendota High School student.

Discussion was held on the possibility of creating a non-profit arm of the City that can award scholarships to Mendota High School students.

ADJOURNMENT

At the hour of 6:51 p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Vice-Chairperson Quintanar, Commissioner Escobedo; unanimously approved (4 ayes, absent: Garcia).

Juan Luna, Chairperson

ATTEST:

Matt Flood, City Clerk

AGENDA ITEM – STAFF REPORT

TO: HONORABLE MEMBERS OF THE PLANNING COMMISSION
FROM: MATT FLOOD, PLANNING AND ECONOMIC DEVELOPMENT MANAGER
SUBJECT: CONSIDERATION OF ORDINANCE PERMITTING OFF-SITE TEMPORARY SIGNS.
DATE: MAY 19, 2015

BACKGROUND

The City Council and Planning Commission have recently been discussing and considering requests from local business owners and interested community members regarding the prohibition of off-site signs and any alternatives that could be considered to allow such for commercial marketing purposes.

While the Planning Commission recommended at a previous meeting that the Council not change the current ordinance as it relates to signs, the City Council requested that staff draft an ordinance to allow temporary signs for specific uses. Attached is that ordinance, which consists of two principal parts:

1. Section 1 creates a definition of an off-site temporary sign in the zoning code (added to definitions in MMC subsection 17.04.110[C]); and
2. Section 2 creates a process and regulations for permitting an off-site temporary sign in the general property development standards (added to subsection 17.88.010[A][11]).

Staff has discussed on various occasions how anything more permissive related to signs could create a poor image for the community, as the potential for blight (in the form of poor quality signs, deteriorating signs, a large amount of signs in one place, etc.) would be high.

However, staff also has serious concerns regarding the proposed ordinance. Cleanliness and sign deterioration could still be a factor, and businesses may not find it worth their time and resources to apply for a sign that would have such a narrow scope of use. This certainly would not fulfill the wishes of the businesses that brought forth this complaint in the first place.

As this body will recall, staff recently conducted a survey of cities in California and found that Mendota's current policy on off-site signs is consistent with the great majority. This is because it is proven to promote a neat, clean, and aesthetically pleasing

community. Staff wishes to remain consistent with contemporary urban planning practice which discourages off-site signs.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Staff recommends that the Planning Commission weigh the positive aspects for enacting such an ordinance against the negative ones, and forward a recommendation to the Council to not adopt this ordinance.

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA**

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MENDOTA AMENDING
SECTIONS 17.04.110 AND 17.88.010 OF
THE MENDOTA MUNICIPAL CODE
RELATED TO THE ESTABLISHMENT
AND REGULATION OF OFF-SITE
TEMPORARY SIGNS**

ORDINANCE NO. 15-XX

The City Council of the City of Mendota does hereby ordain as follows:

Section 1. The following definition is added to Subsection (C) of Section 17.04.110 of Chapter 17.04 of Title 17 of the Mendota Municipal Code:

“Off-Site Temporary Sign” means a sign that is installed, erected, or displayed on a site other than where the business being advertised is located and in conjunction with the opening or establishment of a new business.

Section 2. Subsection (g) of Subsection (11) of Subsection (A) of Section 17.88.010 of Chapter 17.88 of Title 17 of the Mendota Municipal Code is hereby added to read as follows:

g. Off-site temporary signs may be permitted in a non-residential district for a maximum of 30 days, subject to the following regulations:

- i. A sign permit is obtained from the planning department prior to the installation of such a sign, via a completed sign application, a graphical color rendering of the sign, and written permission of the owner of the property upon which the sign is to be placed.**
- ii. The content of such a sign contains only the name, address, phone number, website, hours of operation, and logo of the business.**
- iii. It is composed of a wood, plastic, banner, flag or similarly durable material.**
- iv. The maximum size of such a sign is 50 square feet.**
- v. Only one such sign is allowed per new business.**

Section 3. The City Council of the City of Mendota hereby finds that the amendments contained herein solely constitute changes to regulations, and do not authorize or approve any development or physical changes.

As such, they have no potential to significantly affect the environment, and are therefore not subject to the California Environmental Quality Act (CEQA) as indicated in CEQA Guidelines §15061(b)(3).

Section 4. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Mendota City Council hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional.

Section 5. Within fifteen (15) days of the adoption of this Ordinance, a summary thereof, including the names of the City Council Members voting for and against it, shall be prepared by the City Attorney for publication in the *Firebaugh-Mendota Journal*, and a certified copy of the Ordinance shall be posted in the office of the City Clerk.

Section 6. This ordinance shall become effective and in full force at 12:00 midnight on the 31st day following its adoption.

* * * * *

The foregoing ordinance was introduced on the 26th day of May, 2015 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 9th day of June, 2015 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Robert Silva, Mayor

ATTEST:

Matt Flood, City Clerk

APPROVED AS TO FORM:

Meggin Boranian, City Attorney