



City of Davis
Planning Commission Meeting Minutes
Community Chambers, 23 Russell Boulevard, Davis, CA 95616
Wednesday, November 13, 2019
7:00 P.M.

Commissioners Present: Herman Boschken, Cheryl Essex (Vice Chair), Stephen Mikesell, Stephen Streeter (Chair), Greg Rowe, Emily Shandy (Alternate)

Commissioners Absent: David Robertson, Darryl Rutherford

1. **Call to Order** Chair Streeter called the meeting to order at 7:01 p.m.
2. **Approval of Agenda** S. Mikesell moved to approve the agenda, seconded by G. Rowe. Motion approved by the following vote:
AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter
NOES: None
ABSENT: Rutherford, Robertson

3. **Brief Announcements from Staff, Commissioners, and Liaisons.** None.

4. **Public Comment.** None.

5. **Consent Calendar**

A. Minutes from the Planning Commission Meetings of October 9 and 23, 2019

E. Shandy: Regarding October 9 minutes, related to 628 C Street. Request commissioner comments include: Concern regarding setting precedent that there are no repercussions for demolition without a permit, and concern that over time the accumulation of each of these individual changes to properties that are designated as contributing to the historical value of Old North Davis will contribute to a decline to the character and value of that resource.

Regarding October 23 minutes: Structure of public comments for the Wireless item subjective: Opposed were grouped, three individuals in favor were listed separately.

C. Essex: Discussed corrections that were emailed previously to clerks' office.

C. Essex moved to approve the minutes as amended to correct typographical error and add comments, seconded by E. Shandy. Motion approved by the following vote:

AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter

NOES: None

ABSENT: Rutherford, Robertson

6. **Regular Items**

A. Continued Public Hearing: Zoning Ordinance Amendment—Omnibus Zoning Ordinance Amendment 2019

Principal Planner Sherri Metzker: The proposed amendments include additional and

amended definitions, clarification language to provisions that do not ultimately change the nature of the provision, changing certain uses from conditional to permitted, clarifying standards for accessory buildings, the approval process of a public convenience and necessity determination, and the addition to a tolling provision to entitlements that could potentially expire under a legal challenge.

Chair Streeter opened the public hearing.

Connor Gorman: Consider recommending Planning Commission having veto power over certain items. Untrusting of police power given over decisions in city.

Chair Streeter closed the public hearing.

Sarah Worley, Business Engagement Manager: Staff recommends preserving the auto center designation. There is a limited area in our community that can actually support those uses and the city has an objective to maximize the benefit of our existing commercial and business inventory. This designation is a tool that increases flexibility to allow additional uses where deemed appropriate, and allow the City to be responsive and allow more business opportunities in a timely manner.

E. Shandy moved to amend Section 40.01.010, Definition “kitchen or kitchenette” as follows:

1. Equipment shall include one from each category...(2) a sink (remove requirement for garbage disposal)
2. Add “garbage disposal” to list of optional permitted features (A kitchen may also include a dishwasher, trash compactor, and garbage disposal).

Seconded by G. Rowe. Motion passed by the following vote:

AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter
NOES: None
ABSENT: Rutherford, Robertson

E. Shandy moved to amend Section 40.01.010, Definition “wet bar” as follows: A wet bar shall not include...(3) a garbage disposal. Seconded by G. Rowe. Motion passed by the following vote:

AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter
NOES: None
ABSENT: Rutherford, Robertson

E. Shandy moved to amend Section 4 Residential One-Family (R-1) District (Conditional Uses), 40.03.045(b) Guest houses as follows: Add (6) Allow separate leases for non-residential uses to support home-based businesses. Seconded by S. Mikesell. Motion passed by the following vote:

AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter
NOES: None
ABSENT: Rutherford, Robertson

E. Shandy moved to amend 40.18.040, Conditional Uses, as follows:

The following conditional uses may be permitted in a CMU district: Delete (a) Any of

the permitted uses or combinations thereof that exceed the stated use size limits.” Seconded C. Essex. Motion passed by the following vote:

AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter
NOES: None
ABSENT: Rutherford, Robertson

C. Essex: Motion to not approve the change throughout the ordinance replacing the planning commission decision making authority with the administrative. Seconded by G. Rowe. Motion passed by the following vote:

AYES: Rowe, Essex, Boshken, Streeter
NOES: Shandy, Mikesell
ABSENT: Rutherford, Robertson

Commissioner comments included:

E. Shandy: Should consider an alternate approach and approve the replacements provided that the Commission receives an informational item in every agenda packet for administrative decisions that have been made since the prior meeting, at which time the Commission would have the option to review those and appeal anything disagreed with.

C. Essex: Interested in staff drafting a proposal for how to streamline the process.

G. Rowe: Support alternative language that would sync up with the concept of the Director approving items of the same general character and how the Commission would be notified.

G. Rowe moved to accept the staff proposed ordinance language for 40.40.010 Application for determination of public convenience or necessity for sale of alcohol as follows: (a) Any person whose application.....shall apply (delete “may” and replace with “shall”). Seconded by S. Mikesell. Motion passed by the following vote:

AYES: Shandy, Rowe, Boschken, Mikesell, Streeter
NOES: Essex

E. Shandy moved to approve the proposed Zoning Ordinance Amendment, as modified by the Planning Commission motions. Seconded by C. Essex. Friendly amendment by S. Mikesell that the Planning Commission recommend approval to City Council. Accepted by mover and second. Motion approved by the following vote:

AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter
NOES: None
ABSENT: Rutherford, Robertson

7. Commission and Staff Updates

- a. Davis Downtown Liaison Update: C. Essex: November 14: DPAC meeting will be focused on public comment. January 14, 2020 is the end of public review period for the Downtown Plan. November 20: “Introduction to Training” for Zoning Code” training will be provided in the Community Chambers. In December 2019, there will be a presentation by a consultant to the City Commissions. January 23: DPAC review public comments and recommendations from consultants and city staff. February 2020: Planning Commission check in. February/March: City Council review.

Sherri Metzker: In process to hire Senior Planner who will take lead on the General Plan update.

b. Upcoming Meeting Dates/Long Range Calendar.

G. Rowe moved, seconded by C. Essex, to not hold meetings on November 27 and December 25, 2019. Approved by the following vote:

AYES: Shandy, Rowe, Boschken, Essex, Mikesell, Streeter

NOES: None

ABSENT: Rutherford, Robertson

S. Mikesell will be absent on December 11, 2019.

8. Adjournment Meeting adjourned at 9:20 p.m.