

**Jackson Planning Commission
Minutes
Regular Meeting of April 17, 2006**

COMMISSION MEMBERS PRESENT:

Dave Butow,
Warren Carleton, Vice-Chair
Wayne Garibaldi
Rosemary Faulkner
Terri Works, Chairman

CITY STAFF PRESENT:

Susan Peters, City Planner
Candy Collins, Accounting Assistant

CITY STAFF ABSENT:

Michael Daly

COMMISSION MEMBERS ABSENT:

Chairman Works called the meeting to order at 6:00 p.m.

1. Public Matters Not on the Agenda.

None

2. Approval of Minutes of January 30, 2006

Moved by Commissioner Butow, seconded by Vice-Chairman Carleton and unanimously carried to approve the minutes of January 30, 2006.

3. Jackson View Estates Southern Access to Smith Property.

City Planner Peters read the following report:

At your March 20, 2006 meeting, Mr. Whitney Smith spoke during Public Matters Not on the Agenda regarding the lack of access from the southern portion of Jackson View Estates to his recently annexed property.

Copies of the minutes from the December 16, 2002 Planning Commission Meeting and the February 10, 2003 City Council Meeting were provided to the commissioners for their review. The December 16, 2002 minutes, page 5 of 14, shows where Mr. Morlan, the engineer for Jackson View Estates, requested that Condition of Approval (COA) #3 be removed. Later, on page 7 of 14, staff reviews the changes to the COA. The changes include deleting COA #3. The Conditions of Approval listed in the City Council minutes reflect these changes.

Staff did review the tapes from the December 16, 2002 meeting to confirm the Planning Commission determination to remove the condition requiring southern access.

Chairman Works opened the public hearing.

Hearing none, Chairman Works closed the public hearing.

Whitney Smith addressed his desire to have access to the City's infrastructure and felt that when he addressed this issue in December of 2002, he was assured that it would be taken care of. He further addressed the issue of the City's belief that there was 2 difference access points from his property, when in reality he felt that Cal Trans would never allow him access onto Hwy 49 without a stop light.

Further discussion ensued between the City Planner and the Commissioners in regards to trying to find a way to help Mr. Smith.

Ms. Peters stated she would ask the City Engineer Technician, Gary Urzik join her in meeting with Mr. Smith to further discuss his options as well as contacting Cal Trans.

Clerk instructed to put matter back on the May 15, 2006 agenda.

4. Certified Local Government Program.

Commissioner Butow addressed the issue on the need to mark the cities historical architectural properties. Mr. Butow further stated that when he came across a Certified Government Program, he talked the City Manager M. Daly, who in turn gave him the go ahead, if he could find the funds. At this point Mr. Butow stated he dug further and found a funding mechanism through the Federal Government that allocated money through the National Park Department to the State of California, who in turn gives it to the State Historical Society, who then monitors who will get it. He further stated that the cap was \$25,000.00 and that this would probably be enough to get an inventory for what constitutes a historical site or architectural building.

Further talk ensued between Commissioner Butow, City Planner Peters and the other Commissioners in regards to the time limit to meet this year's request is next month, so it was decided that it would be best to work on next years (2007) request. They also discussed getting an experienced grant writer to write up the request, and in the mean time the preliminary work could start. Ms. Peters stated that the Land Use Update includes a policy to have this done.

City Planner Peters stated that it would be ultimately up to the City Council. The procedure would be for the Planning Commission to recommend to the City Council their request for getting a Grant Writer, Costs, and initiation for the process, etc.

After much discussion, it was decided that the commissioners would fully read the material that Commissioner Butow presented and staff would research costs and names of Grant Writers and Commissioner Butow would see if he could find an expert on this subject to come and give a talk at a future planning meeting.

Clerk instructed to put matter back on the May 15, 2006 agenda.

5. Condominium Conversion Ordinance Amendment.

City Planner Peters read the following report:

At your March 20, 2006 meeting, you provided clarification to staff regarding the Condominium Conversion Ordinance requirement to have a seven percent vacancy rate for “comparable” housing within the City of Jackson. The Planning Commission interpretation of “comparable” did not include affordably designated rentals. Staff was given direction, however, to recommend changes to the City Council for the ordinance to have some flexibility regarding the use of affordably designated rentals and rentals outside the City limit which may be affecting the vacancy rate within the City of Jackson.

Attached for your information is the Staff Report and recommended changes to the Condominium Conversion Ordinance. The ordinance amendment was heard at the April 10, 2006 City Council meeting. A second reading of the ordinance and approval of the proposed amendment is expected at the April 24, 2006 City Council meeting.

Ordinance No. 650 read as follows:

Section 17.47.050(H)

2. In the case of condominium conversions, the vacancy factor of comparable apartment rental housing units in the city exceeds seven percent of the total rental-housing inventory. Existing rental units may be approved for conversion regardless of the vacancy factor if the city council determines that a new rental unit has or will be added to the city’s housing inventory for each rental unit removed through conversion.
**Additionally, the city council may allow for affordable designated housing or housing outside the city limits to count toward the city’s vacancy rate if it can be demonstrated that they have significantly increase the rental housing market.* To determine the vacancy factor and the disposition of the areas housing inventory, the applicant shall be responsible for paying the city for a housing study prepared by an independent contractor of the city’s choice.

(* The italicized area is what was added.)

6. Workshop – Proposed addition to Development Code Update – Large Retail Establishment Regulations.**City Planner Peters** read the following report:

At their April 10, 2006, meeting the City Council discussed the issues associated with “Big Box” or Large Retail Establishment (LRE) developments. Council member Escamilla presented a definition of LREs and their perceived pros and cons. This presentation was followed by public input regarding this issue. Also discussed were measures utilized by other jurisdictions to regulate LREs. Attached for your review is the PowerPoint presentation by Council member Escamilla along with the staff report and supporting information regarding LRE development.

At the conclusion of the discussion, the City Council directed staff to present options for regulation of LREs to the Planning Commission for consideration with the new Development Code. The

Development Code is currently undergoing peer review, however, insertion of additional regulation would be relatively simple at this time. The best location for any LRE regulations would be in Article II Section 17.12.040 Commercial, Office, and Industrial District General Development Standards. Regulation options range from regulations regarding their size and appearance to a complete ban on LREs. Regulations could include the following:

1. Establish architectural guidelines specifically for LREs including building situation of the parcels, appearance, parking lot configuration, signage, lighting, and landscaping.
2. Allow for LRE to site only on parcels specifically designated for LREs (this would require creating a new commercial designation and amending the Land Use Map).
3. Restrict maximum commercial parcel size.
4. Restrict maximum commercial square footage.

The objective tonight is to hold a public workshop to review the different LRE regulation options and provide direction to staff. Should the Planning Commission make a recommendation on the types of regulations, if any, regarding LRE development, staff could forward the proposed changes to the City Council and the peer review consultant for inclusion into the proposed Development Code. Planning Commission and City Council review of the regulations could then occur when the Development Code begins its adoption process, hopefully in May.

City Planner Peters and the Commissioners further discussed that after the proposed Development Code comes back from the peer review, it will be come back for one (1) or more public hearings and those property owners impacted by the code will be notified.

City Planner Peters and the Commissioners addressed how they wanted to tackle the issue of Big Box, whether to ban it or address the size and the geographical areas that could accommodate a big development without obscuring the city's views. They addressed how the City of Turlock addressed Big Box issues.

Chairman Works and City Planner Peters further specified that this is a workshop for Big Box, (LRE) Large Retail Establishments only, and not on any specific application that the City is currently processing.

Chairman Works opened the public hearing.

Mike Rolf stated that he was really enthused by the City Council meeting last week, and was pleased by what he has heard so far at this meeting in regards to the concern of keeping our historical areas in tact. He also addressed his concern on the small businesses that could be affected by a Big Box.

Kathy Dubois stated that she was here representing a group formed out of concern of another Big Box coming into the area. The group is called Amador Citizens for Smart Growth. They are broken down into three (3) groups.

- (1) Preservation of the Historical Integrity of our City.
- (2) Economics of the Big Box coming into a small community.
- (3) Mitigation resources available to the public.

She further shared the group's feelings that Big Box will compromise the historical integrity and character of the City of Jackson and how it will affect the smaller businesses. She also addressed that if the City put an architectural guideline on the design to keep the character of the City's historical look would limit Big Box coming in.

Vice-Chairman Carleton stated that the City of Placerville's City Council had the Home Depot change their architectural design plans and it came out very good.

Suzanne Plasse shared her concern for the small businesses that will go out of business when a large business of the same type comes. She also felt that a LRE wouldn't necessarily bring in more employment, but take the small businesses employees and give them part-time employment without any benefits.

City Planner Peters and the Commissioners shared their opinions on Big Box and where if it did come in would cause the least impact on the City, especially with our already heavily impacted traffic problem. They also addressed the issue of whether it would be a good investment or create a loss. They also exchanged the need for the County to agree to work with the City.

Mike Rolf returned to address the need for more participation from the community and the need to speak up soon to try and get the County of Amador to work with the City and to share the wealth. His hope for the City/Amador County was to remain a historical picture perfect draw for visitors.

City Planner Peters and the Commissioners further shared their opinions on whether they were for a Large Retail Establishment, property owner rights, the pros and cons of a LRE coming to either the North or South of town, putting architectural guidelines into the code, setting a maximum square footage limit to commercial development, and the economic pros and cons of a Big Box coming into Jackson.

City Planner Peters will look into the following for the next meeting:

1. Economic information.
2. Benefits vs. Costs.
3. Map of vacant commercial properties within the City of Jackson.
4. Architectural guidelines for such cities like Grass Valley, Truckee, Jackson Hole-Wyoming, Petaluma, etc.
5. Brief version of the City Finances over the last couple years.

Ms. Peters also requested if anyone had information they wanted to share, they could e-mail, fax, mail or drop it off at the City and she would be happy to accept.

Clerk instructed to set this matter for a special workshop on May 1, 2006 at 6:00 p.m.

7. ADMINISTRATIVE REPORTS.

City Planner Peters stated that she received information from the City Building Inspectors in regards to the Oak Tree at the Westview Estates was discovered to have a large pile of debris surrounding it, no orange field fencing around the drip line, and a bull dozer blading around the backside of it. It was red tagged until a report was received from a qualified arborist that it was not

damaged, the debris hand removed, and an orange field fencing placed by the arborist. Ms. Peters stated that Kathleen Lynch was scheduled to go out to the site on Tuesday, April 18, 2006. Ms. Peters also stated that Westview would be responsible for payment to the arborist and if there was any damage to the tree, it would be a violation and it will come back to the Planning Commissioners for recommendation.

Chairman Works announced that when she met with other City Planning Commissioners for a dinner meeting to discuss areas of mutual concern, it was decided to make it a monthly meeting. She further stated that she felt it went well and was looking forward to future meetings.

Chairman Works also asked for share of hands that would be in favor of changing the Planning Meetings to 7p.m. instead of 6p.m. After some debate it was decided to keep it at 6 p.m.

Adjourned: 8:45 p.m.

Attest:

Candy Collins, Accounting Services II

Date Approved: June 19, 2006