



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
SPECIAL MEETING

April 7, 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 Regular Meeting of February 17, 2015.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

PUBLIC HEARING

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

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 Special Meeting of Tuesday, April 7, 2015 was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, April 3, 2015 at 3:30 p.m.



Celeste Cabrera, Deputy City Clerk



CITY OF MENDOTA PLANNING COMMISSION MINUTES

Regular Meeting

Tuesday, February 17, 2015

6:30 p.m.

Meeting called to order by Vice-Chairperson Nolan at 6:32 PM.

Roll Call

Commissioners Present: Chairperson Juan Luna (upon swearing in), Vice-Chairperson Carlos Quintanar, Albert Escobedo, Martin Gamez and Commissioner Edith Nolan (until 6:40 p.m.).

Commissioners Absent: Commissioner Joshua Garcia.

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

Flag Salute led by Commissioner Quintanar.

FINALIZE THE AGENDA

1. Adoption of final Agenda.

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

SWEARING OF NEW COMMISSIONERS

1. Swearing In of Planning Commissioners Juan Luna and Martin Gamez.

Deputy City Clerk Cabrera administered the oath of office to Commissioners Luna and Gamez.

2. Reorganization of the Planning Commission.

A motion was made by Commissioner Quintanar to appoint Commissioner Luna as Chairperson, seconded by Commissioner Escobedo; unanimously approved (4 ayes, absent: Garcia).

A motion was made by Chairperson Luna to appoint Commissioner Quintanar as Vice Chairperson, seconded by Commissioner Gamez; unanimously approved (4 ayes, absent: Garcia).

NOTICE OF WAIVING READING

1. Approval of the Minutes of the Regular Meeting of January 20, 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 Quintanar, seconded by Commissioner Escobedo; unanimously approved (4 ayes, absent: Garcia).

PUBLIC HEARING

1. Public Hearing to adopt **Resolution No. PC 15-02**, recommending the City Council enact a general plan amendment and rezoning of Assessor's Parcel Nos. 013-221-06 and 013-221-07 from General Commercial to Public/Quasi-Public Facilities/P-F.

Chairperson Luna introduced the item and Planning & Economic Development Manager Flood summarized the report including the reasons for the rezoning; various ways to beautify the community; and the different options to utilize the described property.

Discussion was held on the usages for various zoning designations; different ways to beautify the community; and a discussion that Planning & Economic Development Manager Flood had with one of the property owners.

At 6:52 p.m. Chairperson Luna opened the hearing to the public.

Dino Perez (Westside Youth) - asked if the rezoning would require a general plan amendment and the positivity that a park would bring to the surrounding businesses.

Discussion was held on having to amend the general plan.

At 6:58 p.m. seeing that there was not anyone else wishing to comment, Chairperson Luna closed the hearing to the public.

A motion was made by Commissioner Gamez to approve PC Resolution No. 15-02, seconded by Commissioner Escobedo; unanimously approved (4 ayes, absent: Garcia).

BUSINESS

1. Commission discussion and recommendation concerning the prohibition of off-site advertising in the Mendota Municipal Code.

Chairperson Luna introduced the item and Planning & Economic Development Manager Flood summarized his report including Council recommending the Planning Commission to discuss the issue and take to Council their recommendation; the reasons why off-site signs are prohibited; business owners who were cited and contested the citation; and a survey that was sent out to various cities.

Discussion was held on having an ordinance allowing, with restrictions, the usage of off-site signs; different off-site signs throughout the City; and the negative impacts of allowing off-site signage.

Ramiro Espinoza (937 Stamoules) – stated that the City should encourage businesses to promote their business; creating a an application process for off-site signs; and the importance of a proactive relationship between the City and businesses.

Discussion was held on allowing off-site signs for special, one-time events; different ways businesses can promote their goods and services; and the possibility of allowing nonprofit organizations utilize off-site signs.

Planning Commission direction to staff to forward their recommendation to the City Council that the City ordinance related to off-site signage not be modified.

2. Commission discussion and consideration regarding changing the composition of the Planning Commission.

Chairperson Luna introduced the item and Planning & Economic Development Manager Flood summarized his report including the trouble in the past to fill vacancies and the reasons why adding an alternate alternate member to the Mendota Planning Commission will be positive.

Planning Commission direction to staff to forward their recommendation to the City Council to amend the City ordinance and add an alternate member to the Planning Commission.

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

None offered

PLANNING DIRECTOR UPDATE

Planning & Economic Development Manager Flood reported on the upcoming AB 1234 training to be held on March 10th.

PLANNING COMMISSIONERS' REPORTS

Vice-Chairperson Quintanar reported that the DiAmici Coffee shop sign at the entrance of town was removed.

Chairperson Luna requested information in regards to potential businesses coming to Mendota and requested an update on the new Catholic Church.

Deputy City Clerk Cabrera reported that the members of the Planning Commission were given the Form 700 to complete and return to the City Clerk's office.

ADJOURNMENT

At the hour of 7:29 p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Commissioner 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: PUBLIC HEARING TO FORWARD A RECOMMENDATION TO THE CITY COUNCIL TO ESTABLISH THE ECONOMIC INCENTIVE ZONE (EIZ) OVERLAY
DATE: APRIL 7, 2015

BACKGROUND

The City Council at its March 10th Meeting passed Resolution No. 15-19 (attached), wishing to establish a zone within the city that would help property owners develop their properties within those zones. This would help blight, keep dollars local, and create jobs, among other benefits.

This zone would be called the Economic Incentive Zone (EIZ) and the properties that would be included in it are in the attached resolution. Included as exhibits A and B to the resolution are a list of the properties that the zone would cover and a map to illustrate the area included. These will be integrated into the ordinance when it goes to Council for consideration.

Such a change of the Zoning Map of the City, according to Mendota Municipal Code Section 17.04.070, requires a public hearing and input from the Planning Commission. The Planning Commission can then determine whether or not to pass a resolution and make a recommendation to the City Council to establish the overlay through ordinance.

The benefits proposed to be implemented in the EIZ include expedited permit processing, waiver or reduction of development impact fees (depending on the size of the proposed development), reduction of application fees, reduction in building permit fees, and the promotion of development agreements granting incentives that would be advantageous to the City and the applicant, as long as they are consistent with the intention of the EIZ.

ENVIRONMENTAL

This activity constitutes a “project” as defined in CEQA. However, the proposed ordinance amendment does not approve or otherwise authorize any specific activity that would result in a physical change to the environment; it is solely an amendment to regulations. Therefore, the project is not subject to CEQA as indicated in Guidelines §15061(b)(3).

RECOMMENDATION

Staff recommends the Planning Chair open a hearing to the public and that the Planning Commission adopts Resolution No. PC 15-03.

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA DECLARING
ITS INTENTION TO PROPOSE AN
AMENDMENT TO THE ZONING
ORDINANCE**

RESOLUTION NO. 15-19

WHEREAS, the City of Mendota is empowered to foster the formation of policies that enrich the community, stimulate the economy, and protect the public in regards to public health and safety; and,

WHEREAS, the City is authorized pursuant to Mendota Municipal Code 17.08.040(B) to propose amendments to zoning text ordinances; and

WHEREAS, the City continues to implement policies that foster economic development; and

WHEREAS, the City Council desires to implement an incentive program that will support existing businesses and facilitate the development of new ones; and

WHEREAS, the implementation of a zoning overlay that would provide an economic incentive to businesses within its sphere requires an amendment to the zoning ordinance.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota, hereby declares its intention to propose an amendment to the zoning ordinance, implementing an economic incentive zone on various properties on Derrick and Oller Avenues and 7th Street.



Robert Silva, Mayor

ATTEST:

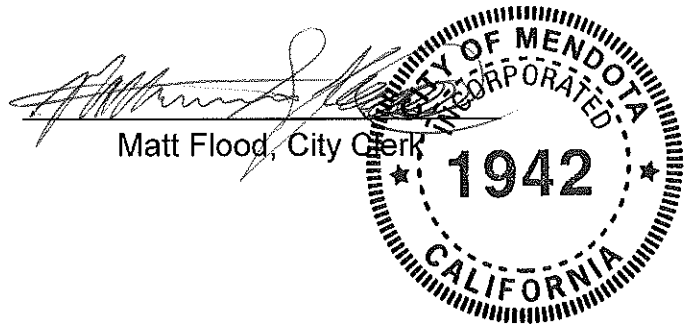
I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on March 10, 2015 by the following vote:

AYES: 4- Mayor Silva, Mayor Pro Tem Valdez, Councilors Castro and Riofrio.

NOES: 0

ABSENT: 1- Councilor Amador.

ABSTAIN: 0



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

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MENDOTA ESTABLISHING
CHAPTER 17.81, THE ECONOMIC INCENTIVE ZONE,
BY AMENDING TITLE 17 OF THE MENDOTA
MUNICIPAL CODE.**

ORDINANCE NO. 15-05

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

Section 1. Chapter 17.81 of Title 17 of the Mendota Municipal Code, entitled "***Economic Incentive Zone Overlay District***", is hereby established to read in its entirety as follows:

**Chapter 17.81
ECONOMIC INCENTIVE ZONE OVERLAY DISTRICT**

Sections:

17.81.010 Purpose

The purpose of the Economic Incentive Zone is to provide an area within the City that is considered to be a high priority commercial development corridor in which proposed new development will contribute to economic vitality of the City and is eligible to receive various incentives.

17.81.011 Applicability

The Economic Incentive Zone overlay may exist with any underlying commercial zoning district and shall be shown on the City's Official Zoning Map by adding an "EIZ" to the zoning designation for properties shown in Section 17.81.012.

17.81.012 Economic Incentive Zone Map

17.81.013 Conflict between regulations

Where a conflict occurs between the Economic Incentive Zone overlay district and any other section of the Zoning Code, the Economic Incentive Zone overlay district regulations shall prevail.

- 17.81.014 Reserved**
- 17.81.015 Reserved**
- 17.81.016 Reserved**
- 17.81.017 Reserved**
- 17.81.018 Reserved**
- 17.81.019 Reserved**

17.81.020 Use classifications

The use classifications allowed in the Economic Incentive Zone overlay district shall be those use classifications allowed in the underlying base zoning district.

17.81.021 Development standards

- A. The development standards for all development within the Economic Incentive Zone shall be those standards of the underlying base zoning district.
- B. Exemptions. The City Planner may administratively exempt the following projects from the underlying zoning district's development standards:
 - a. Additions expanding existing structures by less than 35% of the gross floor area;
 - b. Exterior or interior remodeling;
- C. Conditional Use Permits. Uses shown in the underlying base zoning district as requiring a Conditional Use Permit may be permitted with a Site Plan Review if the City Planner administratively finds that the project is exempt from the California Environmental Quality Act.
- D. Undefined/Uses Not Permitted. Any use proposed in the Economic Incentive Zone that is either undefined or not permitted in the underlying base zoning district, may be permitted with a Conditional Use Permit if the Planning Commission adopts a resolution and specifically finds that the proposed use: 1) is consistent with the purposes of the Economic Incentive Zone; 2) is consistent with the general character of surrounding land uses; 3) is a specific type of commercial use that does not exist elsewhere in the City.

17.81.022 Procedures

- A. Any use proposed to be located within the Economic Incentive Zone shall submit an application in accordance with the requirements of the underlying base zoning district, unless otherwise exempted herein.
- B. The City shall process all Site Plan Review and Conditional Use Permit development applications within the following time frames:
 - a. Requirements for additional information shall be provided to the applicant within two (2) days following the initial submittal of an application.
 - b. Following the resubmittal by the applicant of any additional information required for a Site Plan Review application, the City shall approve the Site Plan Review within seven (7) days.
 - c. Following the resubmittal by the applicant of any additional information required for a Conditional Use Permit, the City shall consider the application within 45 days.

17.81.023 Incentives

The following incentives shall be granted for projects approved in the Economic Incentive Zone:

- A. Development Impact Fees - Projects with new or expanded structures less than 2,000 square feet. All new construction within the Economic Incentive Zone where the new or expanded structure(s) is/are less than 2,000 square feet in floor area shall be entitled to a 100% waiver of development impact fees.
- B. Development Impact Fees - Projects with new or expanded structures greater than 2,000 square feet. All new construction within the Economic Incentive Zone where the new or expanded structure(s) is/are greater than 2,000 square feet in floor area shall be entitled to a 50% reduction in development impact fees.
- C. Development Impact Fees – City Council approval. For projects with new or expanded structures that are greater than 10,000 square feet in floor area, the City Council may, at its sole discretion, approve a reduction in development impact fees greater than 50%.
- D. Application fees. All projects proposed within the Economic Incentive Zone shall be given a 50% reduction for Site Plan Review or Conditional Use Permit application fees.
- E. Building Permits. The following incentive schedule shall apply for building permit fee waivers and reductions:
 - a. Construction of less than 2,000 square feet shall be exempt from building permit fees.
 - b. Construction of between 2,001 square feet and 5,000 square feet shall receive a 75% reduction in building permit fees.
 - c. Construction of between 5,001 and 10,000 square feet shall receive a 50% reduction in building permit fees.
 - d. Construction greater than 10,000 square feet shall receive a 25% reduction in building permit fees.
- F. Development Agreements. The City Council may alter any of the provisions of this Section and grant less, greater, or other incentives through approval of a development agreement and upon finding that the approval of the development agreement will implement the purposes of the Economic Incentive Zone.

- 17.81.024 Reserved**
- 17.81.025 Reserved**
- 17.81.026 Reserved**
- 17.81.027 Reserved**

17.81.028 Reserved
17.81.029 Reserved

Section 2. The City Council of the City of Mendota hereby finds that the text 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 3. 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 4. 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 5. 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 21st day of April, 2015 and duly passed and adopted by the City Council of the City of Mendota at a regular meeting thereof held on the 28th day of April, 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

Economic Incentive Zone

City of Mendota



**PLANNING COMMISSION
OF THE CITY OF MENDOTA
FRESNO COUNTY, CALIFORNIA**

RESOLUTION No. PC 15-03

**A RESOLUTION OF THE CITY OF MENDOTA PLANNING COMMISSION RECOMMENDING THAT
THE MENDOTA CITY COUNCIL APPROVE A ZONING TEXT AMENDMENT TO ESTABLISH THE
ECONOMIC INCENTIVE ZONE (EIZ) OVERLAY DISTRICT AND A REZONING ORDINANCE
APPLYING SAID EIZ OVERLAY DISTRICT TO THE PROPERTIES DESCRIBED HEREIN**

WHEREAS, at a regularly scheduled meeting on April 7, 2015, the Mendota Planning Commission did conduct a public hearing to consider testimony regarding a proposed zoning text amendment related to establishment of Economic Incentive Zone (EIZ) Overlay District and corresponding application of said Overlay District to various properties in the commercial corridors of Mendota along 7th Street and Oller and Derrick Avenues, which general area is laid out in "Exhibit B" attached hereto; and

WHEREAS, the City of Mendota is empowered by the California Constitution to protect and promote the health, safety, and general welfare of its citizens; and

WHEREAS, to that end, the City has established a codified Zoning Ordinance that, among other things, divides the City into various zoning districts, each permitting or conditionally permitting numerous residential, commercial, industrial, and other uses consistent with the City's General Plan and establishing development standards applicable within each of those zoning districts; and

WHEREAS, certain General Plan policies promote the economic well-being of the City through the designation of land uses; and

WHEREAS, the City Council has determined that there is a need to establish a zone in which agents of commerce can receive incentives for actions conducive to a strong local economy; and

WHEREAS, the City Council also determined that the preferred method for accomplishing both of these objectives is to establish an overlay district that would allow the opportunity for continued commercial development; and

WHEREAS, at said public hearing on April 7, 2015, the Planning Commission received testimony from members of the public concerning the possibility of establishing such a district; and

WHEREAS, the "EIZ" Overlay District would be applied to the following properties, whose Assessor's Parcel Number are attached and detailed hereto in "Exhibit A"; and

WHEREAS, pursuant to Mendota Municipal Code §17.08.040, any amendment to the text of the Zoning Ordinance or the Zoning Map must be considered by the Planning Commission, which will render a recommendation of approval or denial to the City Council; and

WHEREAS, the Planning Commission has determined that the proposed text amendment and application of an overlay district consist solely of changes to regulations, would not authorize or approve any development, has no potential to significantly impact the environment, and are therefore not subject to CEQA as indicated in Guidelines §15061(b)(3).

NOW, THEREFORE BE IT RESOLVED that the City of Mendota Planning Commission does hereby recommend that the City Council adopt the ordinance amendments that would establish the abovementioned district and apply the overlay district thereby created to the properties described in "Exhibit A", which is attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Mendota at a regular meeting held on the 7th day of April, 2015, upon a motion by Commissioner _____, a second by Commissioner _____, and by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Juan Luna, Chair

Matt Flood, City Clerk

EXHIBIT A

Assessor's Parcel Numbers
Economic Incentive Zone (EIZ)

012-190-21	013-161-10	013-251-09	013-224-14	013-132-14	013-191-19
012-190-36	013-161-11	013-224-11	013-225-11	013-132-03	013-191-10
013-152-02	013-161-12	013-173-01	013-225-15	013-132-13	013-191-18
013-152-04	013-161-13	013-173-02	013-221-06	013-132-11	013-192-02
012-190-31	013-193-01	013-181-22	013-124-08	013-133-08	013-192-03
013-152-03	013-193-02	013-181-03	013-143-08	013-153-01	013-192-04
013-152-09	013-193-03	013-181-24	013-143-09	013-133-09	013-153-04
013-152-19	013-193-04	013-185-05	013-132-04	013-142-05	013-153-08
013-152-18	013-193-05	013-185-07	013-121-01	013-142-07	013-162-02S
012-190-33	013-161-08	013-185-08	013-151-16	013-143-11	013-162-06S
012-190-32	013-161-07	013-183-01	013-133-05	013-144-06	013-162-12S
013-152-10	013-161-06	013-183-15	013-123-12	013-153-02	013-162-08S
013-162-20	013-173-03	013-183-05	013-123-09	013-143-07	013-162-10S
013-161-15	013-173-04	013-183-06	013-133-07	013-144-05	013-162-16S
013-161-02	013-173-16	013-194-01	013-151-13	013-192-01	013-162-18S
013-161-14	013-173-17	013-194-18	013-143-10	013-151-05	013-152-20S
013-161-03	013-244-17	013-194-22	013-133-06	013-153-03	013-162-19S
013-161-04	013-244-15	013-255-01	013-151-12	013-221-07	013-162-17S
013-244-07	013-172-01	013-255-07	013-124-04	013-221-08	013-162-09S
013-161-05	013-172-02	013-253-01	013-124-05	013-222-01	013-244-13S
013-161-09	013-172-03	013-242-04	013-151-09	013-222-14	013-061-01S
013-244-16	013-172-04	013-242-05	013-124-07	012-190-63	013-123-08S
013-253-27	013-172-05	013-251-08	013-151-08	012-190-62	013-142-10S
013-142-08S	013-142-09S				

EXHIBIT B

Economic Incentive Zone

City of Mendota

