
CITY OF PATTERSON PLANNING COMMISSION AGENDA
REGULAR MEETING
THURSDAY, JUNE 22, 2023, AT 7:00 P.M.
City Council Chambers
1 Plaza, Patterson, California

To minimize the spread of the COVID-19 virus, this hybrid meeting will be held in accordance with certain requirements of the Ralph M. Brown Act and the Federal Americans with Disabilities Act. If you would like to attend the Planning Commission meeting in person, it is strongly recommended to wear a face covering and maintain appropriate social distancing.

MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING IN PERSON OR VIA TELECONFERENCE BY CALLING 1-669-900-6833, MEETING ID: 701 906 1477 PASSWORD: 20995363 AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT. JOIN FROM A PC, MAC, IPAD, IPHONE, OR ANDROID DEVICE BY USING THIS URL:

<https://us06web.zoom.us/j/7019061477?pwd=VElrMTlYdmNZTk53ZitzZUdSZUQxZz09>

Regular Planning Commission meetings are scheduled on the 2nd and 4th Thursday of each month at 7:00 p.m. January-October and on the 3rd Thursday only in November and December. The agenda/packet is usually posted by 5:00 p.m. the Thursday before a scheduled Thursday Planning Commission meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (209) 895-8020. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II].

The Planning Commission agenda and supporting public documents are available for viewing in City Hall, Planning Department, 1 Plaza, 2nd Floor, Patterson, California, during normal business hours. The Planning Commission agenda and supporting public documents are also available online on the City web site www.ci.patterson.ca.us listed under Agenda Center "Planning Commission" or please call or email the Planning Department at (209) 895-8020 or planning@ci.patterson.ca.us

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

OATH OF OFFICE – LYNN APLAND & MICHAEL SIDHU

NOMINATION AND ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

ROLL CALL

ITEMS FROM THE PUBLIC The public wishing to address the Planning Commission on items that do not appear on the agenda may do so; however, the Planning Commission will take no action other than referring the item to Staff for study and analysis and may place the item on a future agenda [Resolution 92-25].

Any member of the audience desiring to address the Planning Commission regarding a matter on the agenda, please raise your hand or step to the podium at the time the item is announced by the Chairperson. In order that all interested parties have an opportunity to speak, any person addressing the Planning Commission will be limited to a maximum of five (5) minutes unless the Chairperson grants a longer period of time.

STATEMENT OF CONFLICT BY COMMISSIONERS

RIGHT TO APPEAL Any person who is dissatisfied with the decision of the Planning Commission may appeal such action to the City Council within ten (10) business days after action.

CORRESPONDENCE

None

CONSENT AGENDA

1. Planning Commission Meeting Minutes of April 13, 2023.
2. Planning Commission Meeting Minutes of April 27, 2023.
3. Planning Commission Resolution #2023-03 - Recognition of Jose Lopez Dedicated Service
4. Planning Commission Resolution #2023-04 - Recognition of Titus Linares Dedicated Service

AGENDA ITEMS

1. **PowerPoint Presentation of Current and Future Projects**
 - **ITEMS FROM STAFF**
 - **ITEMS FROM COMMISSION**
 - **ADJOURNMENT**

**CITY OF PATTERSON
PLANNING COMMISSION MINUTES
APRIL 13, 2023**

The Planning Commission regular meeting of April 13, 2023, was called to order by Chairperson West at 7:02 p.m.

SHOWN PRESENT (HYBRID MEETING): Shown present: Chairperson West, Vice Chairperson Bendix, Commissioner Linares and Commissioner Lopez. Also shown present: Community Development Director Stice, Deputy City Attorney Josh Varinsky (zoom), IT Manager Ford and Planning Commission Secretary Melo. Shown excused: Commissioner Anderson, City Planner Andrews and Associate Planner Rodriguez.

ROLL CALL: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Lopez

ITEMS FROM PUBLIC: **Yolanda Magana, resident of Patterson**
Ms. Magana asked what the Planning Commission's role was to bring family-friendly businesses to town. Chairperson West stated that the Planning Commission's role was land use and Community Development Director Stice mentioned the Downtown Revitalization Committee meetings and their role to add economic vitality to downtown Patterson.

STATEMENT OF CONFLICT BY COMMISSIONERS: None

CORRESPONDENCE: None

CONSENT ITEMS:

Motion to approve Planning Commission meeting minutes of March 23, 2023:

Vice Chairperson Bendix

Second: Commissioner Lopez

Motion passed: 4-0 vote

ROLL CALL: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Lopez

Ayes: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Lopez

Noes: None

Abstained: None

Excused: Commissioner Anderson

AGENDA ITEMS:

1. Public Hearing: Architectural & Site Plan Review Application #23-01, north side of Keystone Pacific Parkway and east Haggerty Drive, APN #021-085-013

A public hearing to consider potential architectural and site review approval of a new approximately 128,800 sq. ft., two-story manufacturing facility on an 8-acre site, located on the north side of Keystone Pacific Parkway and east of Haggerty Drive (APN 021-085-013), in accordance with the City of Patterson Municipal Code and the California Environmental Quality Act (CEQA).

Community Development Director Stice gave a verbal presentation on the proposed project and answered questions from the Commission. He stated that staff received a comment letter via email from Lozeau Drury LLP on behalf of the Laborers' International Union of North America, Local Union 1130 ("LiUNA") challenging basis of environmental review. He mentioned replacing condition of approval #80 to replace with language concerning parking. Condition of approval #80 reads, "That the project shall comply with parking requirements in place at the time of building permit issuance subject to review and approval by the Community Development Director."

He also stated that the proposed project is subject to provisions of a past development agreement (DA) by and between the County of Stanislaus and the Keystone Pacific Business Park LLC and all subsequent applicable amendments since May 6, 2003, when the original DA was recorded.

Open Public Hearing: 7:20 p.m.

Keith Schneider, Keystone Corporation, 1700 Keystone Pacific Parkway, Patterson

Mr. Schneider thanked City staff and introduced the owner of HPL and everyone on the HPL team that have worked on the project so far. He also thanked the commissioners for touring the current HPL facility. Mr. Schneider talked about the proposed project and asked the commissioners to approve the project per staff's recommendation.

Michael Lozeau, attorney from Lozeau Drury LLP, representing Laborers' International Union of North America, Local Union 1130 ("LiUNA") via Zoom

Mr. Lozeau went over content in the letter that was emailed to staff earlier today. He stated that he would like to ask staff to update the initial study to reflect current analysis and mitigation measures.

Close Public Hearing: 7:30 p.m.

Community Development Director Stice stated that the submitted site plan is showing the future roadway which shows a potential connection. He asked the Commission to strikeout the last four sentences of condition #40 and it would read, "Two access points are required to access the back portion of the building property, subject to review and approval by the Fire Department and the Community Development Department."

Motion to approve Architectural & Site Plan Review #23-01 with findings and conditions of approval with condition of approval #40 and #80 as modified by staff:

By: Vice Chairperson Bendix

Conditions of Approval

On-going

- 1 The project shall comply with all applicable State and Municipal Codes, including the most recently adopted California Building Codes and the California Green Code and meet the requirements of the Public Works Department, City Engineer, Building Inspector, Community Development Department and Fire Chief.
- 2 The applicant shall comply with all conditions of approval herein and adopted mitigation measures.
- 3 Development shall occur in substantial conformance with the site plan and elevations as approved by the Planning Commission.
- 4 The applicant shall agree to defend at his/her sole expense any action brought against the City, its present or former agents, officers, or employees because of the issuance of said approval, or in any way relating to the implementation thereof, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.
5. That it shall be the applicant/successor in interest's responsibility and obligation to maintain all project related landscaping, both on site and within the right-of-way in a viable growth condition in perpetuity. It shall not be acceptable to install landscaping in furtherance of an occupancy permit only to subsequently neglect and abandon the landscape elements.
6. That the mitigation measures outlined in the West Patterson Projects Environmental Impact Report and addendum, as applicable, are hereby incorporated, by reference, as mitigation measures for this project.
7. That the mitigation measures outlined in the City of Patterson General Plan Environmental Impact Report, as applicable, are hereby incorporated, by reference, as mitigation measures for this project.

Design Requirements

8. All planted areas shall be separated from driveways by concrete curbs.
9. Stop signs with stop bar and legend shall be provided at all project exits and internally as needed to ensure safety and be consistent with the Traffic Impact Study findings.
10. All sight distances for all corners and driveways shall conform to the City's sight distance requirements to the satisfaction of the City Engineer.

11. As applicable, streets, alleys, sidewalks, curbs, and gutters adjacent to the project shall be improved as necessary to provide safe vertical and horizontal transitions to connect improvements constructed within the project to existing improvements, as directed by the City Engineer.
12. All on-site utilities shall be underground and all utility fixtures, transformers, switching boxes and other installations shall be screened from view.
13. Per Title 24, CBC Section 11B-208, parking lots shall provide the required number and configuration of accessible parking spaces.
14. That the developer shall provide an accessible pedestrian path of travel from a public sidewalk to a point of building ingress, to the satisfaction of the Building Official, Community Development Director, and Engineering Director.
15. Improvements required for project development shall include street paving, curb, gutter, streetlights, sidewalks, landscaping, the required utilities, grading and drainage.
16. At the time of Public Improvement Plan review, plans shall be submitted to all applicable public utility companies for review. Comments from the utilities regarding required easements, transformer locations, etc. shall be forwarded to the Public Works Department for review and approval.
17. All required public improvements shall be designed and constructed in accordance with the City of Patterson Standard Specifications and Drawings, including any standards updated prior to approval of the improvement plans.
18. All signage shall be submitted for a sign permit and shall be in accordance with relevant provisions of the Patterson Zoning Ordinance and sign program and that any proposed monument sign shall be constructed with design elements and materials reflective of those of the main building.
19. Setbacks shall be verified by a licensed surveyor.
20. Project shall be designed to meet LID standards. The City of Patterson Post-Construction Stormwater Standards Manual shall be followed for guidance AND full trash capture devices shall be installed.
21. Developer shall install new frontage improvements on Keystone Pacific Parkway, as necessary. Improvements shall be in place to the satisfaction of the City Engineer prior to occupancy.
22. All trash enclosures shall be constructed to comply with the latest Health Department and Storm Water regulations (located at least 50' from any storm drain inlet, have covers, have adequate secondary containment, etc.). Trash enclosures shall be sized to comply with commercial and organics recycling requirements. The project shall install 100 percent full trash capturing devices to comply with Stormwater Regulations and provide the City with a copy of the maintenance plan. A maintenance agreement will be required, and devices must be adequately maintained, and business must sign up with the City's FOG program to ensure maintenance. The trash enclosure design shall use colors and materials consistent with the building. All trash enclosure plans shall be reviewed and approved by the City's Planning Department.

23. Interior vehicle travel ways shall be designed to be capable of withstanding loads imposed by trash and delivery trucks.
24. The project shall conform to the requirements of AB 939 and AB 1826 (Recycling). Commercial projects shall submit a Construction Waste Management Plan for the City's review/approval. All businesses generating four cubic yards of waste or more per week, must comply with AB 939 Commercial Recycling requirements.
25. Plans for off-site public improvements and landscape plans must be submitted to the City Engineer for review and approval.
26. Project shall comply with all Stormwater Pollution Prevention and Valley Air Pollution Control District regulations, including the City's Post Construction/LID Standards and the Construction Activities Storm Water General Permit.
27. That prior to building permit issuance, the applicant shall provide a plan for parking, including ADA facilities. All end parking spaces adjacent to raised curbing shall be one foot wider than the normal stall width (10 feet total).
28. A 20' wide fire lane shall be maintained throughout the site. An approved fire apparatus turnaround shall be provided. Fire lane and turn around shall be an all-weather surface.
29. If the site grading area exceeds one acre or is part of a larger common plan of development, therefore the applicant must obtain a Construction Activities Storm Water General Permit. In addition, a State's WDID number, SWPPP, and Storm Water Pollution Prevention Manager Information shall be required.
30. On-site and off-site storm water runoff shall be detained and metered into the storm drainage system to the satisfaction of the City Engineer.
31. For new water service or existing water service, a Reduced Pressure Backflow prevention apparatus shall be installed per City Standards.
32. Street lighting shall be provided consistent with City standards. Location and material shall be approved by the Public Works Department. All new street lighting shall be LED.
33. Street trees shall be installed along public rights of way to City standards. Street trees shall comply with the City's approved street tree plan and species list.
34. Frontage improvements shall be replaced/installed including sidewalk, curb, gutter, and commercial driveways, as needed. Pavement, sidewalk and driveway approach improvements shall require compaction tests per City Standards.
35. All curb ramps (both sides of drive approaches) shall be Type-1 City Standard Detail 3-T and meet all new updated ADA standards.
36. Moisture barrier shall be installed behind sidewalk and medians.

37. Landscaping shall be provided along the frontage of the property. Landscaping plan shall be subject to review and approval by the Public Works and Community Development Departments.
38. Project shall comply with all applicable stormwater regulations (Federal, State, and Local). The applicant shall work with the City as it monitors the project during construction activities and perform adequate inspections as required by the City's MS4 Phase II Permit. A deposit account shall be established by the developer/project owner to cover all SWPPP inspections conducted by the City.
39. That storm drainage infrastructure shall be designed to meet the post-construction stormwater standards and AB 1881 requirements. Storm drainage plans shall be engineered and/or developed by a Qualified Stormwater Designer (QSD). Prior to dedicating any basin/storm drainage facility to the City, they shall meet City Standards, stormwater regulations, be set-up with SCADA, and be included in the maintenance district to provide funding for on-going maintenance. Any temporary basin shall have adequate Best Management Practices (BMPs) and shall be monitored and inspected by a QSP to ensure stormwater compliance. The temporary basin shall have a monitoring gauge to monitor the levels as well as have an emergency contingency plan to address high levels during the heavy storm season. Any discharge to the City's storm system is prohibited and requires the City's authorization and lab sampling to ensure water quality meets State requirements. All costs associated with discharge/sampling are the responsibility of the developer/project owner. A secured maintenance agreement shall be required to ensure that the basin is monitored, maintained, and completed to satisfy state, local, federal stormwater, and FEMA regulations.
40. Two access points are required to access the back portion of the building property, subject to review and approval by the Fire Department and the Community Development Department.
41. An approved fire safety and evacuation plan in accordance with CA Fire Code Section 404 and 406 shall be prepared and maintained for buildings over one hundred thousand (100,000) square feet in aggregate floor area.
42. Fire hydrants shall be located to the Fire Inspector's specifications. Fire hydrants and fire hydrant flows shall meet all City of Patterson standards.
43. That a Fire Department Connection (FDC) shall be located at the street. The FDC shall be within 75' of a fire hydrant, and 25' away from a driveway. The FDC shall be equipped with locking FDC plugs.
44. All facilities shall be connected to the City's municipal system for water, sewer, and storm and be signed up for services prior to operation.
45. Water, sewer and storm calculations shall be provided for review during plan submittal.
46. All water meters shall be placed 1-foot behind the sidewalk with reduced pressure backflows. Backflow prevention devices shall be as close as possible to the water meter box.
47. Landscaping and water service shall include reduced pressure back flow prevention devices.
48. All on-site water lines and fire hydrants shall be private.

49. All non-potable water valves shall be Christy G-4 with triangular lid purple in color or approved equal.
50. Non-potable water main and appurtenances shall be installed as required by the City for demands that are compatible with non-potable water, including, but not limited to landscape irrigation and vehicle washing. Non-potable water system and installation shall be in accordance with the latest version of the City's non-potable water standards or guidelines, including pipe color, signage, cross connection control program, etc. Connection to the non-potable water system shall be required when it becomes available. Connection shall be made by the owner at no expense to the City. City engineer may ask the owner to pay their fair share in lieu of installation of the non-potable system.

Prior to Grading

51. Any abandoned wells on the project site shall be destroyed in accordance with requirements of the Stanislaus County Environmental Health Division prior to issuance of any grading permit or other site improvements. All abandoned/destroyed wells shall be clearly shown on the improvement plans for the project. A well destruction permit shall be required by Public Works prior to starting the work and inspections/confirmation of well destruction shall be confirmed by the Public Works Department.
52. Prior to the approval of grading and public improvement plans, the applicant shall establish a deposit account for plan check and inspection costs, post bonds as appropriate and obtain an encroachment permit as required.
53. Complete grading and drainage plans shall be submitted to and approved by the City Engineer.
54. At the time of grading/improvement plan submittal, the applicant shall deposit with the City, at time of plan check submittal, adequate funds to employ a qualified independent engineering consultant selected by the City to review grading and drainage improvement plans and to inspect the site prior to and during all major site preparation and grading. A qualified Soils Engineer shall submit tests and reports to certify each parcel as ready for construction prior to starting foundations.
55. Where the difference in average elevations between adjacent lots is in excess of six inches, slope shall not exceed 2 to 1 grade or a grade found reasonable in the soils report, or a retaining wall shall be required.
56. Prior to any site grading or construction, an erosion control plan and program shall be submitted to and approved by the Public Works Department. Said plan and program shall address specific temporary and permanent erosion control measures associated with the project.
57. It is the contractor's responsibility to use watering, dust fences, soil binders, or other methods as directed by the City, to control dust throughout the construction operation. The applicant shall use all reasonable efforts to obtain non-potable water for construction or dust control purposes. This condition shall not be interpreted as prohibiting the use of City potable water supplies for the irrigation of landscaping required in common areas.
58. All grading construction debris materials shall be removed and disposed into an approved dump site prior to any excavation or fill operations and/or as specified by the Solid Waste Management Plan and/or directed by Public Works. All grading activities must comply with all

stormwater regulations including stabilization of any soil disturbed area. All excess dirt must be leveled and/or disposed of correctly and may not be taken to a facility that is not listed in the SWPPP of Solid Waste Management Plan and/or approved by the City.

59. The applicant or his/her agents or employees shall be responsible for removal and clean-up of any spill on public streets during his/her entire grading operations.
60. Lots shall drain in such a manner that there will be no undrained depressions. The design of all such drains shall be subject to the review and approval of the City Engineer.
61. An engineering cost estimate shall be submitted with the grading and improvement plans for public improvements. The applicant's engineer shall sign and stamp the calculation and cost estimates prior to issuance of building permits.
62. Prior to issuance of the grading permit, final right-of-way width and routes for drainage channels, pipelines, and service roads needed shall be established.
63. Measures to control erosion during construction shall be incorporated into the grading plans and shall be subject to review and approval by the City Engineer and property maintenance throughout the grading process.
64. Prior to issuance of a grading permit, the applicant shall submit a soils report, prepared by a registered geologist or qualified civil engineer, concerning soil conditions for grading, excavations, slope stabilization and revegetation, and footing and foundation construction.
65. The applicant shall obtain a grading permit for on-site excavation and fill prior to construction.
66. Prior to concrete pour inspection, compaction tests are required for all footings.
67. The project shall obtain an Industrial Stormwater Permit under the State Water Board and Regional Water Quality Control Board general permit, if applicable.

Final Map

68. That the final map submitted for checking and recordation shall be prepared by a licensed civil engineer or land surveyor, each licensed to practice in the state of California, and shall meet all of the specifications of the state Subdivision Map Act.
69. That the parcels shall comply with the requirements of the General Commercial zoning classification.
70. That the approval shall comply with all applicable state and municipal codes and meet the requirements of the City Engineer.
71. That easements of record shall remain in effect and shall be recorded on the final map.
72. Public utility easements shall be granted as required by the appropriate companies and to the satisfaction of the Public Works Director and City Engineer.
73. The applicant shall file one copy of the Tentative Map to be used for assigning addresses.

74. That no non-conforming condition of zoning may be created by this approval.
75. The subdivider shall set all monuments required by the Subdivision Map Act before project acceptance for off-site improvements are approved.
76. That, per Patterson Municipal Code Section 16.20.010, failure to record a final map within twenty-four months of the date of approval or conditional approval of the tentative map shall terminate all proceedings, unless otherwise provided for under the Subdivision Map Act; provided, however, that upon application of the subdivider in writing, an extension not exceeding one year may be granted by the planning commission, except as provided under subsections (B) and (C) of this section. In the event the commission denies the subdivider's application for extension, the subdivider may appeal to the city council. Where proceedings have terminated because of failure to file a final map or failure to receive extension by the planning commission or city council, a new tentative map shall be filed in accordance with the provisions of this chapter before a final map may thereafter be recorded or any lot sold.

Construction Phase

77. Construction shall be limited to between the hours of 7:00 a.m. and 6:00 p.m. on non-holiday weekdays, and on Saturdays to between the hours 8:00 a.m. and 6:00 p.m.; that additional hours may be permitted at the discretion of the Public Works Director. Construction activities may be allowed at any time on the interior of buildings once they are entirely enclosed, in conformance with the City's noise ordinance.
78. The applicant shall be responsible during construction for cleaning city streets, curbs, gutters and sidewalks of dirt tracked from the subject site. The flushing of dirt and debris to storm drain or sanitary sewer facilities shall not be permitted. The cleaning shall be done after each day's work or as directed by the Director of Public Works or the Planning Department.
79. All water, gas, sewer, underground electrical power, cable TV, telephone lines, conduits, or underground drain lines shall be installed before any paving is placed.

Prior to Building Permit Issuance

80. That the project shall comply with parking requirements in place at the time of building permit issuance subject to review and approval by the Community Development Director.
81. Prior to issuance of a building permit, an exterior lighting plan and site photometric plan shall be prepared subject to the review and approval of the Community Development Department. Lighting shall meet City standards, including mounting, aiming, and shielding light fixtures to prevent glare, light trespass, and light pollution.
82. For landscape and irrigation within the public ROW, a deposit shall be required to cover the installation of irrigation, landscaping, and plant materials (relocation) based upon the estimate of costs to be paid for and provided by the applicant. Project landscape plans must comply with AB1881 (Water Use Efficiency) requirements. Once the landscaping is complete an audit must be completed, and the certificate sent into the City.

83. Prior to building permit issuance, the applicant shall submit to the City for review and approval a grading and drainage plan in compliance with all applicable regulations of the City of Patterson.
84. The applicant shall annex into all applicable Community Facilities Districts (CFDs) and/or Maintenance Districts that the City has in place for providing services to the site and/or on-going maintenance of any improvements that the City will take over (CFD 2013-01, Landscape Maintenance Districts (LMDs) Benefit Assessment Districts (BADs), County Service Area (CSA) and pay for all costs associated with this item.
85. "The applicant shall submit a mitigation monitoring plan for review and approval by the City and the San Joaquin Valley Air Pollution Control District (SJVAPCD) for construction-related emissions prior to construction. Such a plan shall include provisions for compliance with District Rule VIII and shall include at least the following requirements:
- a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
 - b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
 - c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
 - d. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
 - e. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
 - f. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets if and as needed when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
 - g. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant. "
 - h. Limit traffic speeds on unpaved roads to 15 mph; and
 - i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
86. Public records are to be researched for the location of all possible survey monuments within the scope of the project and report shall be furnished to City Engineer and County Surveyor.
87. "Prior to issuance of a building permit, the applicant shall submit a Final Landscape and Irrigation Plan in compliance with AB 1881. The City of Patterson Post-Construction Stormwater Standards Manual shall be followed for guidance. The landscaping plan shall be consistent with City Standards and shall include at least two of the following low impact development methods:
- bioretention
 - cisterns and rain barrels
 - green roofs

- roof leader disconnection
 - permeable and porous paving (must be no less than 20% of walking or patio surface per Section 18.78.040)
 - vegetative swell and filter strips
 - volume retention"
88. Prior to issuance of a building permit, sufficient water pressure and capacity to serve the project area shall be assured. Water mains shall be installed on-site to provide adequate flow and reliability as required by the Public Works Director, City Engineer, and Fire Chief.
 89. "Design of the proposed project facilities shall include provisions to minimize water requirements, including the use of the following, to the extent deemed practical by the City:
 - a. Use of low-flow fixtures, including shower heads and toilets as per the Uniform Building Code.
 - b. Use of drought-tolerant, native landscaping."
 90. Separate water meters shall be installed for landscaping and indoor water services.
 91. The project shall comply with City of Patterson Best Management Practices as defined in the City's latest Urban Water Management Plan, California Urban Water Conservation Council BMPs, AB 1881, and mandatory water conservation measures defined in the State of California Green Building Code.
 92. Future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements.
 93. Appropriate storm and sewer interceptors shall be included to the satisfaction of the City Engineer and Public Works Director. Use of a grease/oil interceptor shall be required and shall be located on private property on the sewer service lateral to the satisfaction of the Public Works Director and City Engineer.
 94. A Stormwater Pollution Prevention Plan (SWPPP) shall be completed and submitted to the City prior to any construction activities and must address grading, drainage, erosion control, and Post Construction Best Management Practices (BMPs). In compliance with the City's Post-Construction Stormwater Standards Manual, an Operations and Maintenance Plan also must be submitted. A SWPPP Inspection Deposit must be posted with the City to cover all SWPPP Inspections for the duration of the project.
 95. If using truncated domes, City prefers "Set in Place" domes.
 96. Water meters shall be ordered and purchased through the Public Works Department.
 97. If construction water will be obtained from the City's Fire Hydrant(s), a Fire Hydrant Use Permit Application shall be submitted and approved by the Public Works Department.
 98. That the developer shall submit a Construction and Demolition Waste Management Plan to the Public Works Department. The City shall require a final package prior to obtaining final approval to be submitted to ensure 60% diversion rate has been achieved.
 99. If the property is within a Special Flood Hazard Area, applicant shall obtain a floodplain development permit and build according to floodplain standards.

100. All pre-existing sewer laterals and storm drain lines shall be video inspected to ensure that the lines are clear of any debris and that they are not damaged.
101. All landscaping in the Public Right-of-Way shall be subject to review and approval by the Public Works and Community Development Department.
102. All pre-existing public improvements adjacent to the project area shall meet current City Standards and ADA standards.
103. Sprinkler plans, if necessary, shall be submitted prior to construction materials being brought on site.
104. Bicycle racks to accommodate four bicycles shall be designed and installed in accordance with City Standards, with placement to be approved by the Community Development Department.

Prior to Certificate of Occupancy

105. Prior to issuance of a certificate of occupancy for each building, all ducts, meters, air conditioning equipment and all other mechanical equipment, whether on the ground, on the structure or elsewhere, shall be screened from public view with materials architecturally compatible with the main structure. This includes gas and electric meters, electric transformers, and large water piping systems to be completely screened from a standard public viewing height of 6 feet. All roof-mounted equipment which generates noise, solid particles, odors, etcetera, shall cause the objectionable material or effects to be directed away or shielded from adjoining land designated for residential development. A plan for the treatment of rooftop equipment shall be submitted to the Planning Department prior to issuance of a building permit.
106. Any street, alley, sidewalk, curb, or gutter, damaged by the applicant or its agents or employees shall be repaired, prior to final acceptance of tract improvements by the City Council, or sooner, at the discretion of the City Engineer.
107. Prior to issuance of a certificate of occupancy, mail receptacles shall be provided as required by the Postmaster of the City of Patterson.
108. A "Landscape & Stormwater Treatment Control Maintenance & Access Agreement" shall be required to ensure the maintenance of all landscaping and Stormwater treatment control devices/post-construction BMPs that will be owned and maintained by the project owner onsite. The agreement will be reviewed and approved by the City Council and recorded at the County Recorder's Office.
109. Project shall be required to stabilize the project for stormwater compliance and work with the City to perform a Final Stormwater inspection and acquire a Notice of Termination for the project. All construction/temporary BMPs must be removed, and all post-construction BMPs/stormwater treatment controls be in place and properly inspected.
110. Final inspection of the sewer and storm drain system shall be by televised inspection device as approved by the City Engineer at applicant's expense.

111. That the owner/applicant shall enter into and record a reciprocal ingress/egress agreement for each lot in a form acceptable to and approved by the Community Development Department.
112. To facilitate emergency response, exterior doors leading to fire service features or rooms shall be labeled as 'ROOF ACCESS', 'ELECTRICAL ROOM', 'FIRE PUMP ROOM', 'FIRE ALARM CONTROL PANEL', 'FACP', 'FIRE RISER' or similar approved wording. Letters shall be a minimum of four (4) inch tall with a minimum stroke width of half (1/2) inch.
113. Commercial address numbers shall be a minimum of six (6) inch tall Arabic numerals with a minimum stroke width of three quarter (3/4) inch. Larger numbers, suite and rear door identification, etc. may be required by Fire Code Official to facilitate emergency response.
114. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of one hundred fifty (150) feet (45 720 miii) from a water supply on a public street, as measured by an approved route around the exterior of the faculty or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief. Fire hydrants shall be located on the supply side of the fire suppression system check valve. Fire hydrants shall be accessible to the Fire Department apparatus by roads meeting the requirements of Section 503.1 and Appendix D.
115. An approved automatic fire sprinkler system is required in all new buildings and structures, notwithstanding the use and occupancy thereof, when the total aggregate floor area exceeds five thousand (5,000) square feet.
116. When manually operated gates cross required fire access lanes, or prevent access to building, a Knox padlock or Knox Key Box shall be installed at access gate. Electrically operated gates that crossfire access lanes shall be required to be equipped with an Opticom type strobe light system or Knox Key Switch used by the Patterson Fire Department
117. Key boxes (Knox box) shall be installed and secured in accordance with manufactures specifications and mounted to the right of the main entrance door with the top of box no higher than six (6) feet above finished grade or in an approved location.
118. Knox locking caps for fire department connections (FDC's) shall be required on all new construction.
119. "7 A certificate from Underwriter's Laboratories (UL) shall be required on all commercial fire alarm systems installed. UL certification is required to be maintained for commercial fire alarm systems throughout the life of the alarmed building."
120. All fire lanes must be posted and enforced, per Police and Fire Department Guidelines.
121. Fire department connections shall be within seventy-five (75) feet of a fire hydrant.

Second: Commissioner Linares
Motion passed: 4-0 vote

ROLL CALL: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Lopez

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Ayes: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Lopez
Noes: None
Abstained: None
Excused: Commissioner Anderson

**2. Public Hearing: City of Patterson
Zoning Code Amendment #23-01**

A public hearing to consider an ordinance amending Chapter 18.76 (Parking and Loading) of Title 18 of the Patterson Municipal Code.

Community Development Director Stice gave a powerpoint presentation regarding the amendments to the parking ordinance and answered questions from the Commission.

Open Public Hearing: 7:39 p.m.

Keith Schneider, Keystone Corporation, 1700 Keystone Pacific Parkway, Patterson

Mr. Schneider requested that the Planning Commission recommend approval of the zoning code amendment to the City Council. He spoke about the parking spaces for the existing businesses in the business park on Baldwin Road. He stated that the standard needs to be more competitive with other cities that are trying to attract manufacturing businesses.

Larry Buehner, resident of Patterson

Mr. Buehner was in favor of upgrading the parking standards with the code amendment.

Close Public Hearing: 7:44 p.m.

Motion to recommend City Council adopt draft language for Zoning Code Amendment #23-01:

By: Vice Chairperson Bendix

Second: Commissioner Linares

Motion passed: 4-0 vote

ROLL CALL: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Lopez

Ayes: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Lopez

Noes: None

Abstained: None

Excused: Commissioner Anderson

ITEMS FROM STAFF:

Community Development Director Stice stated that the next Planning Commission meeting will be on April 27th.

ITEMS FROM COMMISSION: None

ADJOURNMENT: The Planning Commission regular meeting of April 13, 2023, was adjourned by Chairperson West at 7:45 p.m.

Prepared by Denise Melo, Secretary of City of Patterson Planning Commission

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**CITY OF PATTERSON
PLANNING COMMISSION MINUTES
APRIL 27, 2023**

The Planning Commission regular meeting of April 27, 2023, was called to order by Chairperson West at 7:01 p.m.

SHOWN PRESENT (HYBRID MEETING): Shown present: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Anderson and Commissioner Lopez. Also shown present: Community Development Director Stice, Deputy City Attorney Josh Varinsky (zoom), Associate Planner Rodriguez, IT Manager Ford and Planning Commission Secretary Melo. Shown excused: City Planner Andrews.

ROLL CALL: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Anderson, Commissioner Lopez

ITEMS FROM PUBLIC: None

STATEMENT OF CONFLICT BY COMMISSIONERS: None

CORRESPONDENCE: None

CONSENT ITEMS: None

AGENDA ITEMS:

- 1. Public Hearing: Conditional Use Permit #23-03, Flare Smoke Shop, 207 E. Las Palmas Avenue, Patterson, APN 047-034-038**
A public hearing to consider Conditional Use Permit (CUP) approval of a proposed tobacco shop at 207 E. Las Palmas Ave. The applicant proposes to operate the tobacco shop out of an existing 2,700-square-foot building. No exterior modifications are proposed, as improvements are all interior. The proposed business hours for the use would be Monday-Sunday from 9:00 a.m. to 9:00 p.m. with three (3) employees. The project was reviewed pursuant to the California Environmental Quality Act (CEQA) and was determined to be Categorically Exempt per Section 15301, (Existing Facilities).

Associate Planner Rodriguez gave a verbal presentation and answered questions from the Commission.

Open Public Hearing: 7:12 p.m.

Nadia Mohsen, applicant for the project

Mrs. Mohsen spoke about hookah products, cigarettes and tobacco products. She answered questions from the Commission.

Close Public Hearing: 7:16 p.m.

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Motion to approve Conditional Use Permit #23-03 with two findings and sixteen conditions of approval with addition of condition #17 “requiring a 6-month review for the CUP”:

By: Vice Chairperson Bendix

Conditions of Approval

1. The project shall be developed in accordance with the approved site plan provided and incorporated herein by reference.
2. The applicant shall clean the property in its entirety and remove inoperable vehicle(s), and all other waste materials on site.
3. That a trash enclosure shall be provided for all uses located at 207 E. Las Palmas Avenue. All litter generated by all site occupants shall be picked up within a 100-foot radius of the site prior to closure.
4. A business license shall be obtained from the Finance Department prior to commencing business operations and must show proof of a valid Cigarette and Tobacco Products Retailer’s License issued by the California Department of Tax and Fee Administration.
5. That the applicant shall follow all law pertaining to tobacco sales as outlined by the California Department of Public Health.
6. No outdoor amplified sound or loudspeakers shall be permitted. The operation shall at all times comply with the noise limits established in Chapter 6.44 of the Patterson Municipal Code.
7. That all proposed building signage shall require a separate Sign Permit and Building Permit.
8. Wind feathers, banners or other temporary signage shall not be used as permanent signage or as principal signage. All signage shall comply with Chapter 18.82 of the Patterson Municipal Code.
9. The project site shall be maintained in good, clean, orderly manner, free of any debris or junk materials.
10. The project shall comply with all applicable Federal, State and Local codes, ordinances and resolutions.
11. That a key box (Knox Box) be installed and secured in accordance with manufactures specifications and mounted to the right of the main entrance door with the top of box no higher than six (6) feet above finished grade or in an approved location
12. That approved fire extinguishers be installed within the building and shall be at least a 2A10BC.
13. That all improvements within the City’s right of way shall be designed and built according to the City standards and specifications for review with an Encroachment Permit Application.
14. That this use permit is not transferable and shall expire and shall be to no effect if the licensee forfeits, is required to surrender or for any reason abandons the business license.
15. That the project shall comply with all applicable State and Municipal Codes, and meet the requirements of the Public Works Director, City Engineer, Building Official, Community Development Director, and Fire Chief. Plans submitted for construction shall be overprinted or have attached all conditions of approval.

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16. That the applicant shall indemnify, defend, and hold harmless the City of Patterson, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Patterson, its agents, officers and employees to attack, set aside, void, or annul, any approval by the City of Patterson and its advisory agency, appeal board, or legislative body concerning the project, which action is brought within the time period provided for by the Government Code of the State of California. The City of Patterson shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense. If the City fails to do so, the applicant shall not thereafter be responsible to defend, indemnify or hold the City harmless.
17. This permit shall be reviewed 6 months after completion of the project for compliance with the listed conditions of approval. Based on any record of complaints as well as observations made by Planning Commissioners and/or staff, the Commission may alter or add to the existing conditions of approval or find that the use is in compliance with all conditions of approval. Further, the Commission may rescind the requirement for further review or schedule further review. (new condition)

Second: Commissioner Anderson
Motion passed: 5-0 vote

ROLL CALL: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Anderson, Commissioner Lopez
Ayes: Chairperson West, Vice Chairperson Bendix, Commissioner Linares, Commissioner Anderson, Commissioner Lopez
Noes: None
Abstained: None
Excused: None

ITEMS FROM STAFF:

Community Development Director Stice stated that the next Planning Commission meeting will be on May 11th.

ITEMS FROM COMMISSION:

Chairperson West asked a question regarding the interest of the union with the HPL project.

Vice Chairperson Bendix asked about union involvement in the county project (Zacharias).

ADJOURNMENT: The Planning Commission regular meeting of April 27, 2023, was adjourned by Chairperson West at 7:21 p.m.

Prepared by Denise Melo, Secretary of City of Patterson Planning Commission

RESOLUTION NO. 2023-03

**A RESOLUTION OF
THE CITY OF PATTERSON PLANNING COMMISSION
IN RECOGNITION OF JOSE LOPEZ'S DEDICATED
SERVICE AS A CITY OF PATTERSON PLANNING
COMMISSION MEMBER**

WHEREAS, JOSE LOPEZ has demonstrated his desire and commitment to serve the citizens of Patterson, and

WHEREAS, JOSE LOPEZ was appointed to the Planning Commission in April 2021, and

WHEREAS, JOSE LOPEZ has served as a Planning Commissioner for (1) years, and 10 months

WHEREAS, JOSE LOPEZ has unselfishly donated his time and abilities during his term to serve as a Planning Commissioner, which has contributed to the planning, approval, and development of several projects, such as the Bicycle Trail Salado Creek, Rogers Road Replacement Bridge, Zacharias/Baldwin Master Plan, Dutch Bros. Coffee, Grocery Outlet, New Life Christian Church, Apricot Veterinary Clinic, multiple Villages of Patterson housing projects, Chipotle Restaurant, and many other projects and helped shape modern Patterson, and

WHEREAS, JOSE LOPEZ brought his considerable knowledge and understanding of the planning issues facing the City of Patterson, and with that has served the community with honor and dignity, and

NOW, THEREFORE, LET IT BE RESOLVED by the Planning Commission that we express our deepest appreciation to **JOSE LOPEZ** for his dedicated service to the City of Patterson and its citizens as a Planning Commissioner.

The foregoing resolution was passed, approved and adopted at the regular meeting of the City of Patterson Planning Commission hereby assembled this 22nd day of June, 2023

APPROVED:

Ron West, Chairperson
City of Patterson Planning Commission

ATTEST:

Denise Melo, Secretary
City of Patterson Planning Commission

RESOLUTION NO. 2023-04

**A RESOLUTION OF
THE CITY OF PATTERSON PLANNING COMMISSION
IN RECOGNITION OF TITUS LINARES DEDICATED
SERVICE AS A CITY OF PATTERSON PLANNING
COMMISSION MEMBER**

WHEREAS, TITUS LINARES has demonstrated his desire and commitment to serve the citizens of Patterson, and

WHEREAS, TITUS LINARES was appointed to the Planning Commission in May 2019, and

WHEREAS, TITUS LINARES has served as a Planning Commissioner for (3) years, and 9 months

WHEREAS, TITUS LINARES has unselfishly donated his time and abilities during his term to serve as a Planning Commissioner, which has contributed to the planning, approval, and development of several projects, such as the Arambel Business Park Expansion, Grainger Expansion Project, La Quinta Inn, Patterson Travel Center, PJUSD Performing Arts Center, Baldwin Ranch North Project, Bicycle Trail Salado Creek, Rogers Road Replacement Bridge, Zacharias/Baldwin Master Plan, Dutch Bros. Coffee, Grocery Outlet, New Life Christian Church, Apricot Veterinary Clinic, multiple Villages of Patterson housing projects, Chipotle Restaurant, and many other projects and helped shape modern Patterson, and

WHEREAS, TITUS LINARES brought his considerable knowledge and understanding of the planning issues facing the City of Patterson, and with that has served the community with honor and dignity, and

NOW, THEREFORE, LET IT BE RESOLVED by the Planning Commission that we express our deepest appreciation to **TITUS LINARES** for his dedicated service to the City of Patterson and its citizens as a Planning Commissioner.

The foregoing resolution was passed, approved and adopted at the regular meeting of the City of Patterson Planning Commission hereby assembled this 22nd day of June, 2023

APPROVED:

Ron West, Chairperson
City of Patterson Planning Commission

ATTEST:

Denise Melo, Secretary
City of Patterson Planning Commission