

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

FEBRUARY 12, 2019
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of February 12, 2019, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Hernandez and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	JoElle Hernandez
	Commissioner:	Terry Hines
	Commissioner:	Mike Krey
	Commissioner:	Maggie Ostrowski
	Commissioner:	Michael L. Rich

Commissioners Absent:	Vice Chair:	Andrew Rivlin
	Commissioner:	Stuart Ching

Staff Present:	Community	
	Development Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Krey, seconded by Commissioner Ostrowski, the Planning Commission minutes of the meeting of January 22, 2019, were approved as submitted. (5-0-2; Commissioners Ching and Rivlin were absent)

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

Chair Hernandez read Agenda Item No. 1 into the record as follows:

1. **PLN2018-163
City-Initiated** Public Hearing to consider a City-initiated Zoning Code Amendment (PLN2018-163) to adopt a new Chapter 21.45 and amending other sections of the Campbell Municipal Code pertaining to the permitting and regulation of temporary uses on private property. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: March 19, 2019. Project Planner: Daniel Fama, Senior Planner

Mr. Daniel Fama, Senior Planner, provided the staff report.

Chair Hernandez asked if there were questions for staff.

Commissioner Rich asked if this new ordinance is basically to deal with temporary uses to establish standard guidelines for short-duration business such as pop-up shops.

Planner Daniel Fama replied yes. He said it would help establish oversight but as well it would provide a mechanism for more entertaining activities such as food truck events. It will attract those types of events for which there is no process to allow at this time.

Director Paul Kermoyan added that the intent is also to make sure that neighborhoods are being preserved. Right now there is no process for temporary uses so people just do what they want to do. This ordinance will certainly serve as a regulatory document but will be encouraging as well.

Chair Hernandez asked if someone were to approach the City with less than 60 days advance notice whether that request could be accommodated.

Planner Daniel Fama:

- Replied, not really, practically speaking. However, if it were possible something might be accommodated.
- Continued to say that this ordinance will serve to inform businesses of regulations for allowing these short term uses.
- Added that non-profits (501C-3) would be offered a significant discount on the application filing fee charged for processing temporary use events/requests.

Commissioner Hines asked how staff would manage the list of allowable events.

Planner Daniel Fama replied that these special events would be dealt with as they come in. He added that there is no current experience with this process in Campbell and staff will learn as it goes along.

Commissioner Hines asked if staff used examples of similar ordinances from other cities.

Planner Daniel Fama replied that staff tries to write original ordinances based on our own codes. However, those from other communities were looked into.

Director Paul Kermoyan:

- Advised that Campbell is the first city at which he has worked that didn't have a temporary use process in place.
- Told the Commission that if there is something they see as wrong in the draft we can adjust that right now.

Commissioner Hines said that it seems to be a well-developed ordinance that will allow for a new revenue stream for the City.

Director Paul Kermoyan advised that staff will have to advertise this process so business owners are made aware it exists moving forward.

Commissioner Krey said the ordinance amendments made since the last meeting seem fine. He asked if there would be a maximum time limit for the duration of a temporary use.

Planner Daniel Fama said the approval document would specify the time limit. If a temporary use is considered more like a semi-permanent event it may instead need to secure a Conditional Use Permit.

Commissioner Ostrowski asked if this process would impact events that occur on neighborhood streets for events such as block parties.

Planner Daniel Fama replied that such events held in the public right-of-way would continue to be managed under the existing Special Event Permit process.

Chair Hernandez opened the Public Hearing for Agenda Item No. 1.

Chair Hernandez closed the Public Hearing for Agenda Item No. 1.

Motion: **Upon motion of Commissioner Rich, seconded by Commissioner Ostrowski, the Planning Commission adopted Resolution No. 4478 recommending that the City Council adopt a City-initiated Zoning Code Amendment (PLN2018-163) to adopt a new Chapter 21.45 and amending other sections of the Campbell Municipal Code pertaining to the permitting and regulation of temporary uses on private property, by the following roll call vote:**

AYES: **Hernandez, Hines, Krey, Ostrowski and Rich**

NOES: **None**

ABSENT: **Ching and Rivlin**

ABSTAIN: **None**

Chair Hernandez advised that item would be considered by the City Council for final action at its meeting of March 19, 2019.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan had no additional additions to his written report.

Commissioner Ostrowski asked for the other pending meetings for the In-N-Out Burger project in addition to the EIR public discussion set to occur at the next PC meeting on February 26th.

Planner Daniel Fama advised that SARC would consider the project on April 23rd and the public hearing for both the project and EIR would be considered by the Planning Commission at its meeting on May 28th.

Director Paul Kermoyan advised that this project's schedule takes into consideration the requirement for a 45-day public comment period. This step is to encourage public participation in the process. Once the comments are received the consultant must then prepare responses for each comment received.

Commissioner Hines asked if additional materials would be provided together with the EIR document.

Planner Daniel Fama said that a standard staff report for the entire project would be provided as well.

ADJOURNMENT

The Planning Commission meeting adjourned at 7:46 p.m. to the next Regular Planning Commission Meeting of **February 26, 2019**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
JoElle Hernandez, Chair

ATTEST: _____
Paul Kermoyan, Secretary