



REGULAR MEETING AGENDA FOR THE PLANNING COMMISSION OF THE CITY OF MANTECA

**Thursday, September 2, 2021
7:00 PM**

Council Chambers

*1001 W. Center Street
Manteca, CA 95337*

PLANNING COMMISSION

Planning Commission Chair, Parminder Singh Sahi

Planning Commission Vice Chair, Jeffrey Zellner

Planning Commissioner, Ron Laffranchi

Planning Commissioner, Sean Randall

Planning Commissioner, Leonard Smith

Planning Commissioner, Kirk Dall - Alternate

See last pages of agenda for information regarding meeting procedures.



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MANTECA PLANNING COMMISSION
SEPTEMBER 2, 2021
7:00 PM
1001 W. Center Street
Manteca, CA 95337**

Members of the public that wish to submit public comments may do so by several different methods. Public Comment may be submitted in the following ways.

- In Person:
 - The City Council Chambers are open to the public in accordance with CDPH and CalOsha guidelines.
- Zoom Webinar:
 - To call or log into Zoom Webinar, please use the following:
Meeting ID: 844 5938 7613
Phone number: (669) 900-6833
 - To speak during an item you must use the Raise Your Hand feature. If dialing in, press *9 to Raise Your Hand.
 - Please remain muted until called upon
 - If you have questions on the Zoom Webinar process, please email: planning@ci.manteca.ca.us or call (209) 456-8500.
- Email: planning@ci.manteca.ca.us
 - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
 - Public Comment over 250 words will be made part of the official record.
- Mail: Office of the City Clerk, 1215 W. Center St., Ste. 201, Manteca, CA 95337
 - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
 - Public Comment over 250 words will be made part of the official record.
- Hand delivered to: Office of the City Clerk, 1215 W. Center St., Ste. 201, Manteca, CA 95337
 - Received no later than two hours prior to the meeting and limited to 250 words to be read into the record.
 - Public Comment over 250 words will be made part of the official record.

*Note: For written public comments indicate in the subject line the agenda item number or if the item is related to general public comment.

CALL TO ORDER:

ROLL CALL:

INVOCATION/FLAG SALUTE:

AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

A. PUBLIC COMMENT:

B. CONSENT ITEMS:

- B.1. [21-336](#)** Planning Commission Meeting Minutes from 7/15/2021

Attachments: [Attachment 1 - Regular Minutes 7-15-2021](#)

C. PUBLIC HEARINGS:

- C.1. [21-341](#) Adoption of a Resolution Recommending Approval to the City Council Municipal Code Amendments Adding Definitions for Liquor Stores and Tobacco Shops; Prohibiting Liquor Stores, Massage Therapy, Tobacco Related Uses and Tobacco Shops within the Central Business District (CBD) Overlay Zone; and Allowing Alcoholic Beverage Sales in CBD Zone 1.

Attachments:

[Attachment 1 -- CBD Area](#)

[Attachment 2 -- Redline Section 17.24.020.E Allowed Use Definitions Retail, Se](#)

[Attachment 3 -- Redline Section 17.30.020.C, Table 17.30.020 -1 Retail, Service](#)

[Attachment 4 -- Planning Commission Resolution](#)

[Attachment 4a -- Exhibit "A" Ordinance](#)

D. STAFF COMMENTS:

E. COMMISSIONER COMMENTS:

F. ADJOURNMENT:

The next scheduled Planning Commission meeting is September 16, 2021 at 7:00 p.m.

I hereby certify that the agenda for the above stated meeting was posted at a location accessible to members of the public at City Hall, 1001 W. Center Street, Manteca, CA on August 26, 2021 at 6:00 p.m.

/s/ Christopher Erias

CHRISTOPHER ERIAS
DIRECTOR OF DEVELOPMENT SERVICES

MEETING DATES:

The Planning Commission meets regularly on the second and fourth Tuesday of each month; additional meetings may be scheduled as needed.

INFORMATION AVAILABLE FOR MEETINGS:

Information and documents related to items on this agenda are available on the City's website at www.mantecagov.com; you may also contact the Development Services Department for information by email at planning@ci.manteca.ca.us; by calling (209) 456.8500. Any documents related to an agenda item that are provided to a majority of the Planning Commission after distribution of the agenda packet are reported by the Planning Secretary at the meeting under "Supplemental Reports" and are available for public inspection.

CITY POLICY TO FACILITATE ACCESS TO PUBLIC MEETINGS:

The City of Manteca complies with all applicable requirements of the Americans with Disabilities Act and California law, and does not discriminate against any person with a disability. If any person has a disability and requires information or materials in an appropriate alternative format (or any other reasonable accommodation), contact the Planning Secretary at (209) 456.8500 or email at planning@ci.manteca.ca.us. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. For TTY/ Speech-to-Speech users, dial 7-1-1 for the California Relay Service, for text-to-speech, speech-to-speech, and Spanish-language services 24 hours a day, 7 days a week. In making any request to the City for assistance, please provide advance notice of at least three (3) business days prior to the meeting.

CONDUCT OF MEETINGS:

Meetings are conducted in accordance with the requirements of state law (the "Ralph M. Brown Act," California Government Code Sections 54950, et seq.). Members of the public may address the Council at designated times and are expected to conduct themselves with courtesy and respect. Speakers should direct comments to the Planning Commissioners, not the audience. Speakers are expected to yield the floor when the time limit is identified and comply with the City's Rules of Order. Speaking times are limited to no more than three (3) minutes per person, with the exception of certain hearings and appeals, or at the discretion of the Planning Commission Chair or Planning Commission.

PUBLIC COMMENT (INCLUDING CONSENT ITEMS AND DISCUSSION ITEMS):

The public may directly address the Planning Commission on any subject within the Planning Commission's subject matter jurisdiction, including any matter that is not on the agenda. Speaking time is limited to no more than three (3) minutes per person, unless modified at the discretion of the Chairman or Planning Commission. If the matter is not on the agenda, or if the matter is a consent item or discussion item, submit a speaker card or request to speak during the Public Comment portion of the meeting. Speaker cards are not required if the speaker otherwise makes a clear and timely request to address the Planning Commission, but do promote the efficient and orderly progress of the meeting. Information on Speaker Cards is subject to disclosure under the California Public Records Act.

CONSENT ITEMS:

These items are considered routine and may be approved by a single vote. Only the Chairman or a majority of the Planning Commission may authorize public input after the consent calendar is introduced.

DISCUSSION ITEMS:

Only the Planning Commission may authorize public input after a discussion item is introduced.

PUBLIC HEARINGS/APPEALS:

During any public hearing or appeal, any person may directly address the Planning Commission. Applicants (or appellants) are allowed ten (10) minutes to present testimony at the beginning of the public hearing, and if needed, five (5) minutes to present rebuttal at the end of the public hearing. All other speakers will be limited to three (3) minutes.

INFORMATIONAL ITEMS:

The Informational Items section of the agenda is a place for Planning Commission and the public to receive general information that does not require action.

CLOSED SESSION:

The Planning Commission is authorized to meet in closed session, without attendance by the public, on limited confidential topics such as pending litigation, real property negotiations, or personnel or labor matters.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The California Environmental Quality Act ("CEQA") is the state law that requires the City to evaluate and document the potential environmental consequences of discretionary decision. (See, California Public Resources Code Sections 21000 - 21189.3; and the "CEQA Guidelines" at California Code of Regulations Title 14, Division 6, Chapter 3, Sections 15000 - 15387). For each item that requires a CEQA determination by Planning Commission, there is a reference to that determination on this agenda, and more information regarding the CEQA analysis is included in the documents that accompany this Agenda. To the extent that City staff determines that particular items are not subject to CEQA, there will be no indication of a CEQA action on this Agenda.

CHALLENGES TO DECISIONS MADE BY THE PLANNING COMMISSION:

If a person wishes to file a legal challenge to any decision made by the Planning Commission, you may be limited to raising only those issues which you or someone else raised during the meeting, or in a written communication received by the Planning Secretary prior to or during the meeting. In addition, a legal challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies. The time limit to commence any legal challenge may be subject to strict timing requirements, and failure to comply with applicable timing requirements may result in a legal challenge being barred. Any lawsuit or legal challenge to any quasi -adjudicative decision made by the Planning Commission is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by Planning Commission must be filed no later than the 90th day following the date on which such decision becomes final.

NOTE: Any decision of the Planning Commission may be appealed to the City Council within ten days of the decision. This is accomplished by submitting a letter to the Community Development Director's Office accompanied by the \$3,083.00 processing fee. (MMC §17.08.070)