

**PLANNING COMMISSION REGULAR MEETING  
COUNCIL CHAMBERS, RICHMOND CITY HALL**  
450 Civic Center Drive, Richmond, CA  
February 6, 2020  
6:30 p.m.

**COMMISSION MEMBERS**

David Tucker, Chair	Andrew Butt, Vice Chair
Nancy Baer	Jen Loy
Michael Huang	Brandon Evans
Vacant	

The regular meeting was called to order by Chair Tucker at 6:30 p.m.

**ROLL CALL**

**Present:** Chair David Tucker, Vice Chair Andrew Butt; Commissioner Nancy Baer, Jen Loy, and Brandon Evans

**Absent:** Yu-Hsiang (Michael) Huang

**INTRODUCTIONS**

**Staff Present:** Planning Staff: Hector Lopez, Community Development Director Lina Velasco, and Attorney Shannon Moore

**MINUTES –**

December 19, 2019

**ACTION: It was M/S/C (Baer, Butt) to approve the minutes from December 19, 2019; which carried by the following vote: 4-0-1-1 (Ayes: Tucker, Butt, Baer, Evans; Noes: None; Abstain: Loy; Absent: Huang)**

**AGENDA**

Chair Tucker provided an overview of meeting procedures for speaker registration, public comment, and public hearing functions. He said items approved by the Commission may be appealed in writing to the City Clerk by Monday, February 18, 2020, by 5:00 p.m. and he announced the appeal process after each affected item, as needed.

**CONSENT CALENDAR –**

- 2. PLN19-415: CUP Amendment of PLN11-065 For A Wireless Facility PUBLIC HEARING** to consider a request for a Conditional Use Permit Amendment to modify the scope of work for a previously approved wireless facility (PLN11-065), specifically removing the notation that T-Mobile's existing antennas will be removed and relocated to the tree pole at 5500 Valley View Court (APN: 435-180-008). PA, Planned Area District.

Edriss LLC, owner; West Coast Towers, applicant Planner: Roberta Feliciano Tentative Recommendation: Conditional Approval

**ACTION: It was M/S/C (Tucker, Butt) to accept the Consent Calendar; which carried by the following vote: 5-0-1 (Ayes: Tucker, Butt, Baer, Loy, Evans; Noes: None; Absent: Huang).**

### **BROWN ACT – Public Forum**

CORDELL HINDLER corrected that Ms. Velasco held the position of Community Development Director. He voiced his concern that members of the public were having to wait long waits to speak to items during Planning Commission meetings. He stressed that Neighborhood Councils needed to be involved when a project came through the City for review and/or approval.

DAN BURKE announced that he wanted to discuss Item Number Two that was on the Consent Calendar. He was happy to see that the item was on the Consent Calendar and thanked the staff for their help with the item.

Ms. Velasco explained to Commissioner Baer that it was staff's practice to notify Neighborhood Councils of projects that were happening in their area as well as notifying anyone who was within a set distance of a project.

### **HOLDOVER ITEM**

- 1. PLN19-265: Ocean Avenue Lot Line Adjustment Appeal PUBLIC HEARING** to consider an appeal of the Zoning Administrator's decision to conditionally approve a lot line adjustment involving four vacant parcels on Ocean Avenue, south of Western Avenue (APNs: 558-232-005 to 008). RL1, Single Family Very Low Density Residential District. Four Star Oil & Gas Company, owner; Tom Dougherty, applicant Planner: Roberta Feliciano Tentative Recommendation: Deny the Appeal and Uphold the ZA's Approval

Chair Tucker explained that the item was held over due to the request that the two parties meet and discuss the item with legal counsel as well as to give time for Planning Staff and the City's Attorney's Office to review how neighboring Cities approach Lot Line Adjustments and sequential lot line adjustment issues.

The Commission voted to reopen the public hearing.

Ms. Velasco explained that since the meeting on December 19, 2019, a conference call was scheduled but the appellant requested written responses from the City Attorney's Office instead. Staff discovered that neighboring Cities had done lot line adjustments but several had not done them. Also, their ordinances did not include written prohibitions against sequential lot line adjustments. She announced that because a project was not being proposed at the current time, CEQA review was not required. Staff's recommendation was to deny the appeal and adopt Resolution Number 12-42 affirming the Zoning Administrator's conditional approval of the lot line adjustment.

Ms. Moore and several Commissioners discussed a letter that was written by the City's Attorney Office regarding the Lot Line Adjustment Ordinance. Ms. Moore explained that it was a mandatory approval and that the Commission had no discretion.

Public Comment:

CORDELL HINDLER requested that the Commission hear from all speakers.

DON MILL argued that the Subdivision Map Act was not being followed and that an Environmental Impact Report should be drafted.

BOB GOSHAY was concerned that if new residences were built near the Chevron parcel they would not be safe from a potential explosion. He was supportive of having an Environmental Impact Report done.

BERNADINE RIORDON wanted to see that the Grant Deed was submitted into the official record. She read a letter that was written by Doug Williams and wished that the letter be included in the official record as well.

JOSEPH JOHN wanted to see the park remain a park.

JULEE ALEXANDER expressed that the roads were too narrow and there was a concern about emergency vehicles not being able to access the area. Her main concerns were infrastructure, quality of life for residences who lived near the parcels, and safety.

DOUG WILLIAMS explained that the parcels were developed before the Subdivision Map Act and needed to be grandfathered in.

Vice Chair Butt asked Ms. Velasco to review what her key considerations were when she made her decision. Ms. Velasco explained that the lots would now conform to the existing zoning standards.

Ms. Velasco explained the Subdivision Map Act to the Commission and that it did not apply to the item because it was not creating more than four lots.

Vice Chair Butt stated he was not happy with how the item was being handled by the owners and he was frustrated that the lots may be developed in the future. He announced that the Zoning Administrator followed the laws and regulations, made an informed decision, and he supported her decision. Several Commissioners agreed with Vice Chair Butt's statement.

**ACTION: It was M/S/C (Evans, Baer) to approve the Staff's recommendation that the Planning Commission deny the appellant's appeal and uphold the condition of approval by the Zoning Administrator of the lot line adjustment PLN19-265; which carried by the following vote: 4-0-1-1 (Ayes: Tucker, Baer, Loy, Evans; Noes: None; Abstain: Butt; Absent: Huang)**

**NEW BUSINESS**

3. **PLN19-441: Zoning Ordinance Cleanup Amendments** PUBLIC HEARING to consider a recommendation to the City Council of an ordinance adopting clean up amendments to Sections 15.04.104.020, 15.04.610.060, 15.04.803.140, 15.04.201.020, 15.04.203.020 and 15.04.204.020 of Chapter 15.04 - Zoning and Subdivision Regulations of the Richmond Municipal Code. City of Richmond, applicant Planner: Roberta Feliciano  
Tentative Recommendation: Recommend Approval

Vice Chair Butt recused himself from the vote due to his family owning property that was affected by the proposed amendments.

Ms. Velasco reviewed the proposed amendments for the Commission. Staff's recommendation was to hold a public hearing and adopt the draft Resolution Number 20-02 that recommended that the City Council adopt the proposed amendments.

Public Comment:

CORDELL HINDLER was pleased with the new amendments regarding the sale of liquor.

**ACTION: It was M/S/C (Evans, Baer) to approve PLN19-441 Zoning Ordinance Clean Up Amendments 15.04.104.020, 15.04.610.060, 15.04.803.140, 15.04.201.020, 15.04.203.020 and 15.04.204.020 of Chapter 15.04; which carried by the following vote: 4-0-1-1 (Ayes: Tucker, Baer, Loy, Evans; Noes: None; Abstain: Butt; Absent: Huang)**

**STUDY SESSION** -None.

**COMMISSION BUSINESS**

**7. Reports of Officers, Commissioners and Staff –**

Chair Tucker expressed his gratitude to the Planning Staff for the work that they do. He reminded everyone about the 2020 Census.

Ms. Velasco announced that the next meeting was to be held on March 5, 2020

8. **Adjournment** - The meeting was adjourned at 7:42 p.m. to the next regular meeting on March 5, 2020.