

**CITY OF LOS BANOS  
PLANNING COMMISSION MEETING MINUTES  
SEPTEMBER 26, 2007**

*ACTION MINUTES – These minutes are prepared to depict action taken for agenda items presented to the Planning Commission. For greater detail of this meeting refer to the electronic media (audiotapes) kept as a permanent record.*

The Planning Commission of the City of Los Banos met on the above given date.

**CALL TO ORDER:** Planning Commissioner Donovan called the Planning Commission Meeting to order at the hour of 7:00 p.m.

**ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT:** Vice Chairman, Stephen Hammond, Araceli Anderson, Deborah Lewis, and Jose Manzo. Chairman, Norm Donovan absent.

**STAFF MEMBERS PRESENT:** Administrative Assistant/Secretary Cinthia Fast, City Attorney, Bill Vaughn, Planning Manager, John LeVan, and Assistant Planner, Stacy Souza.

**APPROVAL OF AGENDA:** Motion by Anderson, seconded by Lewis, to approve the agenda as submitted. The motion carried by the affirmative vote of all Commission Members present.

**CONSIDER APPROVAL OF ACTION MINUTES:** Motion by Manzo, seconded by Hammond, to approve the August 22, 2007 minutes, with the changes as requested. The motion carried by the affirmative vote of all Commission Members present.

**CONSIDER APPROVAL OF ACTION MINUTES:** Motion by Anderson, seconded by Manzo, to approve the September 12, 2007 minutes, with the changes as requested. The motion carried by the affirmative vote of all Commission Members present.

**PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION.** No one came forward to speak, and the public forum was closed.

**CONSIDERATION TO RECOMMEND APPROVAL FOR ORDINANCE AMENDMENT # 2007-01 AMENDMENT TO THE LOS BANOS MUNICIPAL CODE TO REVISE THE MOBILE VENDOR REQUIREMENTS.** John LeVan presented the report by PowerPoint. Commissioner Manzo, excused himself from the meeting due to a conflict of interest. Commissioner Lewis thanked planning manager, LeVan, for the hours put into this project and appreciates the help and also thanked the Commission for letting

her be a part of the project. Commissioner Lewis stated that she would like the hours of operation to change from 8:00am – 7:00pm. Commissioner Anderson recommended including churches under ordinance a-1 a mobile shall not operate 300 ft from school, parks, and community center.

Vice Chairman, Stephen Hammond, opened the public hearing. Dave Anderson, citizen of Los Banos, came forward to speak. He asked that if residential zones were going to restrict mobile vendors from shutting down at 7:00pm, does that mean that they can't sell ice cream on the streets at that hour in the summer on a 95 degree evening? A lot of kids look forward to having ice cream after dinner. Also, allowing mobile vendors to go into construction zones? He also had a concern to the definition and what qualifies as a mobile vending unit.

Janet Cortez, of Los Banos, had a question about background checks. She wanted to know if the background checks were for all the workers or just for the vendors? City Attorney, Vaughn, responded that it would be anyone operating a vending unit and that picture id would also be required.

Vice Chairman, Stephen Hammond, closed the Public Hearing.

Commissioner Lewis responded to the questions. It was a compromise they came to and one of the concerns that they had and the compromise was made due to kids and family time. Commissioner Anderson commended the city staff and the good job that was done in the revision process. Commissioner Anderson commented that the mobile vending trucks go in and set up shop for half an hour or so, and not much longer than that. She also recommended that the applicant can maybe request a variance if operating in a construction zone. If the applicant came to us individually, then we could attach a condition, also if the City Council wants to modify the hours of operation, the it is to their discretion. Commissioner Lewis, again stated that she wanted to thank the planning commission for having her input on the revision of the ordinance and thanked both planning manager, John LeVan and city attorney, Bill Vaughn, for finalizing the draft. It was recommended by Commissioner Lewis that a modification be made to the resolution to add the word churches and under condition 1A the hours of operation from 9:00am – 7:00pm.

Motioned for approval by Lewis, seconded by Anderson, to adopt planning commission resolution #2007-30, recommending approval of Ordinance Amendment # 2007-01 to the Los Banos Municipal Code.

**PLANNING MANAGER'S REPORT:** Nothing to Report.

**COMMISSIONERS REPORTS:**

**ARACELI ANDERSON:** No Report.

**DEBORAH LEWIS:** No Report.

**JOSE MANZO:** Absent.

**STEPHEN HAMMOND:** No Report.

**NORM DONOVAN:** Absent.

**ADJOURNMENT.** The meeting was adjourned to 6:30 a.m. on Thursday, October 4, 2007, at the Los Banos City Hall, 520 "J" Street, Los Banos, California, to attend a Residential Design Standards Tour located in Sacramento, Tracy, and San Jose; addresses are as follows: Sacramento City Hall, 915 "I" Street, Sacramento, CA 95814; Tracy City Hall, 333 Civic Center Plaza, Tracy, CA 95376; ROEM Corporation, 1650 Lafayette Street, Santa Clara, CA 95050.

The meeting was adjourned at the hour of 7:39 p.m.

APPROVED:

ATTEST:

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Norm Donovan, Chairman

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Cynthia Fast, Administrative Assistant