



City of Los Banos

At the Crossroads of California

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AGENDA

PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

WEDNESDAY, DECEMBER 9, 2015

If you require special assistance to attend or participate in this meeting, please call the Planning Secretary @ (209) 827-7000 extension 118 at least 48 hours prior to the meeting.

The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.

Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria del Departamento de Planificación al (209) 827-7000 extensión 118 a lo menos de 48 horas previas de la junta.

La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the meeting and in the Planning Department's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at www.losbanos.org.

Cualquier escritura o los documentos proporcionaron a una mayoría del Departamento de Planificación con respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina del Secretaria del Departamento de Planificación del City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la Ciudad en www.losbanos.org.

1. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: (Planning Commission Members)
Baker __, Cates __, Faktorovich __, Hammond __, McCoy __, Spada __,
Toscano __

4. APPROVAL OF AGENDA.

Recommendation: Approve the agenda as submitted.

5. CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF NOVEMBER 12, 2015.

Recommendation: Approve the minutes as submitted.

6. PUBLIC FORUM: Members of the public may address the Commission on any item of public interest that is within the jurisdiction of the Commission, including agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation.

7. PUBLIC HEARINGS: If you challenge the proposed action as described herein in court, you may be limited to raising only those issues you or someone else raised at the public hearing described herein or in written correspondence delivered to the City at, or prior to, the public hearing.

- A. Public Hearing – to Consider Vesting Tentative Tract Map #2015-01, Final Development Plan #2015-01, and Associated Development Agreement for Southpointe at Regency Park, Consisting of Subdividing 109 Acres into 510 Single-Family Residential Lots, Open Space, and a Detention Basin Located East of Place Road and Overland Avenue, North of Verona Estates, and West of Ward Road, More Specifically Identified as Assessor's Parcel Numbers: 424-120-009 and 073-220-015 **(Continue to a Date Uncertain)**.

Recommendation: Open the continued public hearing, receive public comment, close the public hearing, and continue the item to a date uncertain.

- B. Public Hearing – to Consider Vesting Tentative Tract Map #2015-02, Final Development Plan #2015-02, and Associated Development Agreement for Northpointe at Regency Park, Consisting of Subdividing 111 Acres into 596 Single-Family Residential Lots Located East of Westminster Way, South of San Simeone Way, and West of the San Luis Canal, More Specifically Identified as Assessor's Parcel Numbers: 424-010-002, 005, and 006 **(Continue to a Date Uncertain)**.

Recommendation: Open the continued public hearing, receive public comment, close the public hearing, and continue the item to a date uncertain.

- C. Public Hearing – to Consider and Make a Recommendation to the Los Banos City Council to Adopt a Proposed Ordinance Imposing an Express Ban on Marijuana Cultivation, Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Los Banos.

- 1) Planning Commission Resolution No. 2015-50 – Recommending to the City Council Adoption of an Ordinance Imposing an Express Ban on Marijuana Cultivation, Marijuana Processing, Marijuana Delivery, and Marijuana Dispensaries in the City of Los Banos.

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.

- D. Public Hearing – to Consider a Conditional Use Permit and Site Plan Review for the Development of a 1,914 Square Foot Telecommunication Headend Facility for Comcast Located in the Professional Office Zoning District at 604 Texas Avenue, More Specifically Identified as Assessor's Parcel Number: 027-211-001.

- 1) Planning Commission Resolution No. 2015-46 – Approving Conditional Use Permit #2015-13 to Allow the Operation of a Headend Facility at 604 Texas Avenue, More Specifically Identified as Assessor's Parcel Number: 027-211-001.
- 2) Planning Commission Resolution No. 2015-47 – Approving Site Plan #2015-07 for the Replacement and Construction of a 1,914 Square Foot Headend Facility Located at 604 Texas Avenue, More Specifically Identified as Assessor's Parcel Number: 027-211-001.

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolutions as submitted.

- E. Public Hearing – to Consider a Conditional Use Permit to Allow the Use of a Type 86 Alcohol License for the Instructional Tasting of Alcoholic Beverages Onsite for Wal-Mart Stores, Inc. Located at 1575 W. Pacheco Boulevard, More Specifically Identified as Assessor's Parcel Number: 430-010-012.

- 1) Planning Commission Resolution No. 2015-48 – Recommending Approval of Conditional Use Permit #2015-10 to the Los Banos City Council for the Use of a Type 86 Alcohol License, "Instructional Tasting", for Wal-Mart Located at 1575 West Pacheco Boulevard.

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.

- F. Public Hearing – to Consider a Conditional Use Permit to Allow the Use of a Type 40 Alcohol License for the On-sale of Beer in Conjunction with the Availability of Snacks for Aqua Entertainment Center Located at 923 W. Pacheco Boulevard, More Specifically Identified as Assessor's Parcel Number: 431-020-002.

- 1) Planning Commission Resolution No. 2015-49 – Recommending Approval of Conditional Use Permit #2015-11 to the Los Banos City Council for the On-sale of Beer for Aqua Entertainment Center Located at 923 West Pacheco Boulevard.

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.

8. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.
9. COMMISSIONER REPORTS.
 - A. Baker
 - B. Cates
 - C. Faktorovich
 - D. Hammond
 - E. McCoy
 - F. Spada
 - G. Toscano
10. ADJOURNMENT.

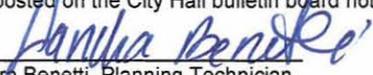
APPEAL RIGHTS AND FILING PROCEDURES

Any person dissatisfied with an act or determination of the Planning Commission may appeal such act or determination to the Planning Commission by filling written notice with the Planning Commission Secretary not later than five (5) business days (excluding holidays) after the day on which the act or determination was made. An appeal must state the act or determination which is being appealed, the identity of the applicant and his/her interest in the matter, and set forth in concise statement(s) the reasons which render the Commission's decision unjustified or inappropriate. (Los Banos Municipal Code Section 9-3.2326)

Concerning an action taken by the Planning Commission related to Chapter 2 Articles 1 through 17 of the Los Banos Municipal Code "Subdivisions", if a subdivider or other affected property owner is dissatisfied with any action of the Commission with respect to a tentative map or the nature and extent of improvements recommended or required he/she may within fifteen (15) days after such action appeal to the Planning Commission Secretary for a public hearing on the matter. An appeal must state the action being appealed, identify the agenda item by agency number or project title, and set forth in concise statement(s) the reasons for the appeal. (Los Banos Municipal Code Sections 9-2.807)

Appeals must be in writing and include the appellant's name and address and original signature. A filing fee of \$150.00 must accompany the notice of appeal.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.


Sandra Benetti, Planning Technician

Dated this 4th day of December 2015