CITY OF ANGELS
PLANNING COMMISSION

A G E N D A

January 13, 2022
6:00 p.m.

The meeting will not be physically open to the public. All members of the public may participate in the meeting via Zoom using the following link and will be given the opportunity to provide public comment. If you have problems calling in, please contact the City Planner at 209-743-2323.

Join Zoom Meeting
https://us02web.zoom.us/j/83721763951

Meeting ID: 837 2176 3951
One tap mobile
+16699009128

The Planning Commission appreciates your interest and encourages your participation. Regularly scheduled meetings are held the 2nd Thursday of each month.

Note: The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Chair or other Commission Members. **All requests shall be directed to the Chair who, at his/her discretion, will refer to staff.**

Recording: All meetings are tape-recorded pursuant to Municipal Code Section 17.85.170.B.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Chair John Broeder, Vice-Chair Gary Gordon, Commissioner Robert Moncada, and Commissioner Kristopher Klerk (One Commissioner Position Vacant)

APPROVAL OF AGENDA

Approval of Regular Agenda for January 13, 2022.

APPROVAL OF MINUTES

December 9, 2021

PUBLIC COMMENTS

At this time, any person may comment on any item that is not on the agenda. Please state your name and address for the record and sign your name and address on the sign-up sheet (you may decline to provide this information). Action will not be taken on any item. If a non-agendized item requires action, it will be referred to staff and/or placed on the next agenda.

PUBLIC HEARING

1. Notice of Intent Resolution 21-28 to Amend Chapter 17.31 Commercial: Planned Development (C:PD and CH:PD) and Public Service (PS:PD) District to be renamed to reflect their applicability to Greenhorn Creek and reformatted for code consistency. Relocate provisions related to the Public Service: Planned Development Combining District to Chapter 17.40 where applicable.

2. Notice of Intent Resolution 21-29 to amend Chapter 17.40 OS-PD and OSG-PD Open Space Districts to eliminate the OS-PD zone (see new Chapter 17.47) and rename it the Greenhorn Creek Golf Course District (GHG-GC) and incorporate the Public Service (PS:PD) provisions of Chapter 17.31 as they relate to Greenhorn Creek.

3. Notice of Intent Resolution 21-30 to create a new Chapter 17.47 the Open Space (OS) Zoning District for consistency with the General Plan.

4. Notice of Intent Resolution 21-31 to update and comprehensively revise Chapter 17.36 Public Services (PS) District to be renamed the Public (P) zoning district to include a provision allowing housing in the Public Zoning District and create a new Chapter 17.36, the Quasi-Public (QP) Zoning District establishing Quasi-Public Uses as identified in the General Plan.

5. Notice of Intent Resolution 21-32 to Amend Chapter 17.49 Mining Combining (MN) District to become the Resources Management Combining District (:RM) for consistency with the general plan.

COMMISSION BUSINESS

1. Sign review code amendment.

COMMITTEE REPORTS

Information item only, no action will be taken.

COMMISSIONER'S REPORTS
Information items only, no action will be taken.

STAFF REPORTS
Information items only, no action will be taken.

ADJOURNMENT
The next regularly scheduled meeting of the Planning Commission is **February 10, 2022**.

Availability of Public Records: All public records relating to this notice, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body will be available for public review at the Community Development Dept, 200-B Monte Verda Street North Main, Angels Camp for 10 days prior to the public hearing date.

Accessibility: In compliance with Title II of the Americans With Disabilities Act, 28 CFR Part 36, if you require any disability related modification or accommodation, including auxiliary aids or services to participate in this meeting, please contact Angels Camp City Hall at (209)736-2181 or fax your request to (209)736-0709. Notification must be made 72 hours in advance of the hearing to ensure accessibility**.** Agendas and other writings may also be requested in alternative formats, as outlined in Section 12132 of the Americans with Disability Act.

Appeals: Any decisions of the Planning Commission may be appealed to the City Council within 10 days of the decision, by submitting a written request and applicable fee to Angels Camp City Hall.

CITY OF ANGELS
PLANNING COMMISSION
MINUTES

Regular Meeting of Thursday December 9, 2021
Zoom Meeting
Angels Camp, California

CALL TO ORDER
Chair Broeder called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present**:**	Chair Broeder, Vice-Chair Gordon, Commissioner Moncada, and Commissioner Klerk
Commissioners Absent:	None (One vacancy)
Staff Present:	City Planner Amy Augustine

AGENDA APPROVAL
Approval of Regular Agenda for December 9, 2021.

MOTION BY COMMISSIONER GORDON, DULY SECONDED BY COMMISSIONER KLERK, AND CARRIED 4-0 TO APPROVE THE REGULAR MEETING AGENDA FOR DECEMBER 9, 2021.

MINUTES APPROVAL
Meeting minutes for November 11, 2021.

MOTION BY COMMISSIONER GORDON, DULY SECONDED BY COMMISSIONER MONCADA, AND CARRIED 4-0 TO APPROVE THE MINUTES OF THE NOVEMBER 11, 2021, MEETING.

PUBLIC COMMENTS

OPENED AT 6:03 P.M.
CLOSED AT 6:04 P.M.

PUBLIC HEARING

1. **Resolution 21-26** Conditional Use permit pursuant to Angels Municipal Code Section 15.28.040(D)(2) to allow a 35-panel 12.95kW ground-mounted solar system with

battery back-up on a parcel of less than one acre in size. 803 Tuolumne Avenue. Assessor's Parcel Number: 060-016-018.

The City Planner presented a PowerPoint summary of the application with photos of the proposed location and adjoining land uses.

Chair Broeder opened the public hearing at 6:06 p.m.

Speakers:
The applicants/landowners, Grant and Valerie Apley described their proposal. Commissioner Gordon asked if they would use the area beneath the panels as storage. The Apleys responded that the ground-mounted solar would, in fact, be raised and create a cover over a deck.

Chair Broeder closed the public hearing at 6:10 p.m.

Discussion:
Commissioner Klerk stated that, as the "ground-mounted" solar would actually be elevated, did the commission require any additional conditions. Staff suggested adding a condition that the solar panels shall not exceed the height of the roofline and that staff be allowed to approve minor deviations.

MOTION BY COMMISSIONER MONCADA, DULY SECONDED BY COMMISSIONER KLERK TO APPROVE RESOLUTION 21-26 with the addition of a condition that solar panels shall not exceed the height of the roofline and that staff be allowed to approve minor deviations. AYES: CHAIR BROEDER, COMMISSIONERS GORDON, MONCADA, AND KLERK. NOES: NONE. THE MOTION CARRIED 4-0 TO APPROVE RESOLUTION 21-26.

2. **Notice of Intent Resolution 21-27** to update and comprehensively revise A) Chapter 17.27 Central Commercial (CC) to be renamed Community Commercial, B) 17.30 Suburban Commercial (SC) to be renamed Shopping Center Commercial, C) to incorporate permitted and conditional uses, and design standards, and update Chapters 17.34 (Permitted and Conditional Uses) and 17.09 (Definitions) as needed for consistency with proposed changes.

The City Planner provided a PowerPoint slide overview of the basic types of permits identified in the Central (Community) Commercial and Suburban (Shopping Center) commercial districts (e.g., Exempt projects, Administrative Site Plan Review, Site Development Permit, Administrative Conditional Use Permit and Conditional Use Permit) and noted that outdoor storage design guidelines associated with the commercial districts would also be updated under a separate item in the future using LEAP Grant funds.

Chair Broeder opened the public hearing at 6:23 p.m.

Speakers:
There were no speakers.

Chair Broeder closed the public hearing at 6:24 p.m.

Discussion:
Commissioner Klerk stated that he didn't want the Planning Commission to lose its ability to review large projects with the proposed code changes. Staff responded that the nature of the changes primarily meant that the nature of the entitlement being reviewed by the Commission (Site Plan Review, Site Development Permit or Conditional Use Permit) would change, but that the requirement for Planning Commission review would not change except for those items identified by Staff in her presentation (e.g., salons and spas in existing buildings would revert to administrative site plan reviews where no objections from adjoining landowners were received).

MOTION BY COMMISSIONER KLERK, DULY SECONDED BY COMMISSIONER MONCADA TO APPROVE RESOLUTION 21-27. AYES: CHAIR BROEDER, COMMISSIONERS GORDON, MONCADA, AND KLERK. NOES: NONE. THE MOTION CARRIED 4-0 TO APPROVE RESOLUTION 21-27.

3. All of the following items were taken together:

   Notice of Intent Resolution 21-28 to Amend Chapter 17.31 Commercial: Planned Development (C:PD and CH:PD) and Public Service (PS:PD) District to be renamed to reflect their applicability to Greenhorn Creek and reformatted for code consistency. Relocate provisions related to the Public Service: Planned Development Combining District to Chapter 17.40 where applicable.

   Notice of Intent Resolution 21-29 to amend Chapter 17.40 OS-PD and OSG-PD Open Space Districts to eliminate the OS-PD zone (see new Chapter 17.47) and rename it the Greenhorn Creek Golf Course District (GHG-GC) and incorporate the Public Service (PS:PD) provisions of Chapter 17.31 as they relate to Greenhorn Creek.

   Notice of Intent Resolution 21-30 to create a new Chapter 17.47 the Open Space (OS) Zoning District for consistency with the General Plan.

   Notice of Intent Resolution 21-31 to update and comprehensively revise Chapter 17.36 Public Services (PS) District to be renamed the Public (P) zoning district to include a provision allowing housing in the Public Zoning District and create a new Chapter 17.36, the Quasi-Public (QP) Zoning District establishing Quasi-Public Uses as identified in the General Plan.

   Notice of Intent Resolution 21-32 to Amend Chapter 17.49 Mining Combining (MN) District to become the Resources Management Combining District (:RM) for consistency with the general plan.

MOTION BY COMMISSIONER MONCADA, DULY SECONDED BY COMMISSIONER KLERK TO CONTINUE RESOLUTIONS 21-28, 21-29, 21-30, 21-31 AND 21-32 TO JANUARY 13, 2022, AT 6:00 P.M. AYES: CHAIR BROEDER,

COMMISSIONERS GORDON, MONCADA, and KLERK. NOES: NONE. THE MOTION CARRIED 4-0 TO CONTINUE THESE ITEMS.

COMMISSION BUSINESS
There was no commission business.

COMMITTEE REPORTS
There were no committee meetings in the preceding month.

COMMISSIONER'S REPORTS
Commissioner Gordon reported on the most recent Destination Angels Camp meeting.

Commissioner Klerk reported on the success of the Angels Camp Business Association (ACBA) Light Up the Night 2021 held on Saturday.
Commissioner Moncada reported that the Miner's Lounge was open at the Utica Hotel and that the tree on the ore car looked nice.

Chair Broeder reported on some good websites and videos related to prescribed burning and prescribed burning associations (PBAs), in particular, thelookout.org (with videos by Zeke Lunder including "Burning the Forest" with W. Kamau Bell) and CalPBA.org. He noted that Calaveras County does not have any PBAs.

STAFF REPORTS
Planner Amy Augustine reported that a new Administrative Services Specialist had been hired and would be present at the Commission's January meeting.

Amy asked each Commissioner to identify items that they would like to have the Planning Commission address or accomplish in 2022 to discuss at the January 2022 meeting.

MOTION BY COMMISSIONER MONCADA, DULY SECONDED BY COMMISSIONER KERK, AND CARRIED 4-0 TO ADJOURN THE MEETING.

MEETING WAS ADJOURNED AT 6:50 P.M.

_____
ATTEST: John Broeder, Chair

_____
Amy Augustine, City Planner

ANGELS CAMP CALIFORNIA

PLANNING DEPARTMENT

CITY OF ANGELS PO Box 667, 200 B Monte Verda Street, Angels Camp, CA 95222 P: (209) 736-1346 F: (209) 736-9048

CITY OF ANGELS CAMP
PLANNING COMMISSION
STAFF REPORT

Resolution of Intent 22-01 Recommending to the City Council
An update and revision to Angels Municipal Code (AMC)
Chapter 17.31 Commercial: Planned Development Combining (C:PD and CH:PD), Public Service: Planned Development Combining (PS:PD) Districts; and
Chapter 17.40 Open Space: Planned Development (OS-PD) and Open Space Golf: Planned Development (OSG-PD) Districts to:

A. 17.31 Greenhorn Creek Commercial District (GHC - C)

B. 17.40 Greenhorn Creek Golf Course District (GHC - Golf)

ITEM NO. 1

DATE: January 13, 2022

FROM: Amy Augustine, AICP – City Planner

LOCATION: Citywide

RECOMMENDATION:
Approve Resolution of Intent 22-01, recommending to the City Council an update and revision to Angels Municipal Code (AMC) Chapter 17.31 Commercial: Planned Development Combining (C:PD and CH:PD) and Public Service: Planned Development Combining (PS:PD) Districts and Chapter 17.40 Open Space: Planned Development Combining (OS-PD) and Open Space Golf: Planned Development Combining (OSG-PD) Districts to:

A. 17.31 Greenhorn Creek Commercial District (GHC - C)

B. 17.40 Greenhorn Creek Golf Course District (GHC – Golf)

BACKGROUND:
Pursuant to Angels Municipal Code (AMC) Section 17.90.020(B), an amendment may be initiated by a Resolution of Intent of the Planning Commission. The proposed Resolution of Intent will provide the changes described above. The proposed changes included here:

A. Reorganizes the three separate zoning districts addressed in Chapter 17.31 into a single commercial zoning district applicable to Greenhorn Creek

B. Relocates the Greenhorn Creek Public District to Chapter 17.40 for consistency with its intended purpose.

C. Amends Chapter 17.40 to include Greenhorn Creek golf course-related uses into a single zoning district encompassing the OSG-PD and PS:PD provisions of Chapters 17.31 and 17.40)

D. Eliminates the Open Space-PD zoning district (see Chapter 17.47, proposed Resolution of Intent 22-02)

E. Revises the names of certain land uses to conform with recently adopted code definitions and amends the "site plan review" process referenced to conform with recently adopted procedures applicable to site plan review and site development permit review for uniformity citywide.

The City received SB2 funds to assist in a comprehensive update of its Municipal Code.

ANALYSIS
Pursuant to AMC Section 17.90.040, the following findings are required for code amendments:

Finding A: The proposal conforms with the City's General Plan and Municipal Code
The proposed amendments will implement the following general plan program:

1.A.b Continue to Conduct Reviews of the Angels Camp Municipal Code and General Plan for Consistency

The proposed revisions are necessary to implement this general plan program and ensure that the municipal code is internally consistent both with the general plan and internally, within the AMC itself. Therefore, the proposed changes are consistent with the general plan and municipal code.

Finding B: The proposed changes or amendments will not be substantially detrimental to the health, safety, or general welfare of the City.
The primary purpose of the proposed code amendments related to general plan consistency and internal code consistency. Permits issued pursuant to the AMC continue to require a finding, on a case-by-case basis, that each project is not substantially detrimental to the health, safety, or general welfare of the City. Therefore, the proposed code amendments are consistent with this finding.

ENVIRONMENTAL FINDINGS
Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed code amendments are exempt from further review, because the proposed amendments implement a program identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

ATTACHMENTS:
1. Resolution of Intent 22-01 with Attachment A to Resolution 22-01: Chapter s17.31 ("Clean" copy) and 17.40 ("Clean" copy).

2. Attachment B - Redline/strikeout version of Chapters 17.31 and 17.40 (reference only)

CITY OF ANGELS
PLANNING COMMISSION

RESOLUTION NO. 22-01

A RESOLUTION OF INTENTION OF THE CITY OF ANGELS PLANNING COMMISSION CITY COUNCIL AN UPDATE AND REVISION TO ANGELS MUNICIPAL CODE (AMC) CHAPTER 17.31 COMMERCIAL: PLANNED DEVELOPMENT COMBINING (C:PD AND CH:PD) AND PUBLIC SERVICE: PLANNED DEVELOPMENT COMBINING (PS:PD) DISTRICTS AND CHAPTER 17.40 OPEN SPACE: PLANNED DEVELOPMENT COMBINING (OS-PD) AND OPEN SPACE GOLF: PLANNED DEVELOPMENT COMBINING (OSG-PD) DISTRICTS TO:

A. 17.31 GREENHORN CREEK COMMERCIAL DISTRICT (GHC - C)

B. 17.40 GREENHORN CREEK GOLF COURSE DISTRICT (GHC – GOLF)

WHEREAS, the City of Angels, Planning Commission is authorized by Angels Municipal Code Section 17.90.020(B) to initiate amendment to the City's zoning code upon adopting a resolution of intention; and

WHEREAS, the Planning Commission finds that it is to the mutual benefit of the City, the public health, safety and general welfare of the public; necessary for General Plan implementation and consistency with the City of Angels General Plan and internal code consistency; and

WHEREAS, a notice of public hearing for the proposed action was published November 18, 2021, in the Calaveras Enterprise; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 13, 2022, and received public input on the proposed amendments to Chapters 17.31 and 17.40 of the Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code are in conformance with the City's general plan; and

WHEREAS, the proposed changes are consistent with the City's Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code will not be detrimental to the health, safety, and general welfare of the City and its people; and

WHEREAS, the proposed changes to the Municipal Code are exempt from further environmental review pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), because the proposed amendments implement a program identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission hereby recommends to the City Council

amending Chapters 17.31 and 17.40 of the Municipal Code pursuant to Attachment A in accordance with the City Standards and State Law and directs staff to provide this recommendation of the planning commission and supporting findings to the City Council in writing within thirty days.

The foregoing resolution was introduced and moved for adoption on January 13, 2022, by Commissioner _____ and being duly seconded by Commissioner _____.
PASSED AND ADOPTED THIS 13th day of January, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____
John Broeder, Chairman

_____
Alicia Smith, Deputy City Clerk

Attachment 1

Chapter 17.31
GREENHORN CREEK COMMERCIAL DISTRICT (GHC-C)

Sections:

17.31.010 Purpose and intent.
17.31.020 Permitted uses.
17.31.030 Uses subject to site plan review or site development permit.
17.31.040 Conditional uses.
17.31.050 Site development standards.

17.31.010 Purpose and intent.

The Greenhorn Creek Commercial District (GHC - C) is intended to provide a range of retail sales and services in the Greenhorn Creek Subdivision. (Ord. 361 (part), 1998: Ord. 347 §2(part), 1995; Ord. 326 (part), 1992)

17.31.020 Permitted uses.

There are no uses permitted outright in the GHC-C District. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

17.31.030 Uses subject to site plan review or site development permit.

All Permitted uses in the GHC-C district are subject to either an Administrative Site Plan review pursuant to Chapter 17.73 or a Site Plan Review pursuant to Chapter 17.74 unless otherwise exempted pursuant to those chapters. Permitted uses include:

A. Retail sales and service located within a building,

B. Transient guest lodging, hotel, motel, inn, time shares, bed and breakfast inn,

C. Professional office,

D. Restaurant, sit-down/cocktail lounge,

E. Residential hotel/motel,

F. Places of assembly,

G. Spa and related facilities,

H. Swimming pool/sport courts,

I. Fire station;

J. Golf clubhouse/pro shop,

K. Swimming pool,

L. Sport courts,

M. Golf cart storage,

N. Restaurant and cocktail lounge,

O. Places of assembly,

P. Exercise room,

Q. Banquet room,

R. Clubhouse/recreation building,

S. *Day care center/child day care facility*. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

T. Accessory uses and structures appurtenant to permitted uses

U. Temporary contractor's office used on the construction site for a period not to exceed eighteen months or the duration of a building permit, whichever is shorter, renewable yearly

17.31.040 Conditional uses.

In the GHC-C district, the following uses are subject to the issuance of a conditional use permit:

A. Service station;

B. Residential use, multiple-family, no more than one unit per three thousand five hundred square feet of land area. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

17.31.050 Site development standards.

Site development standards in the GHC-C district are as follows:

A. Minimum lot area for new lots, five thousand square feet;

B. Building coverage, one hundred percent, maximum;

C. Maximum building height, fifty feet;

D. Lot width, forty feet, minimum;

E. Lot depth, eighty feet, minimum;

F. Minimum building setbacks:

1. Front, zero feet,

2. Side, zero feet,

3. Exterior side of a corner lot, same as front,

4. Rear:

a. Principal building, zero feet,

b. Accessory building, zero feet,

5. Between buildings, zero feet,

6. Vision clearance, fifteen feet. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

Chapter 17.40
GREENHORN CREEK GOLF COURSE DISTRICT (GHC-Golf)

Sections:

17.40.010 Purpose and intent.
17.40.020 Permitted uses.
17.40.030 Uses subject to site plan review or site development permit.
17.40.040 Conditional uses.

17.40.010 Purpose and intent.

The intent of the Greenhorn Creek Golf Course District (GHC-Golf) is to provide for the development of a golf course and its related facilities in the Greenhorn Creek Subdivision. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

17.40.020 Permitted uses.

Uses permitted in the Greenhorn Creek Golf Course District (GHC-Golf) district are as follows:

A. Roads,

B. Driveways,

C. Bridges,

D. Pathways and walks,

E. Sanitary sewer lines,

F. Sanitary sewer lift stations,

G. Water lines,

H. Underground public utility lines,

I. Storm drainage facilities,

J. Water pumping stations,

K. Water storage ponds,

L. Project identification signage

M. Temporary uses associated with the preceding uses not to exceed 18 months or the duration of a building permit, whichever is shorter and renewable annually.

N. Accessory uses and structures appurtenant to permitted uses.

(Ord. 361 (part), 1998: Ord. 326 (part), 1992)

17.40.030 Uses subject to site plan review or site development permit.

The following uses are subject to issuance of a site plan review or site development permit pursuant to Chapters 17.73 and 17.74, unless otherwise exempted by those Chapters:

A. Permanent golf related structures. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

B. Special events

C. Accessory uses and structures appurtenant to the preceding uses.

17.40.040 Conditional uses

A conditional use permit is required for the following uses:

A. Recreational uses other than golf-related recreational uses.

B. Accessory uses and structures appurtenant to conditional uses.

Attachment 2
(Redline/Strikeout)
For Reference Only

Chapter 17.31

~~C-PD, CH-PD COMMERCIAL~~ Greenhorn Creek Commercial District ~~(GHC - C) DISTRICTS AND PS-PD PUBLIC SERVICE DISTRICT~~

Sections:

17.31.010 Purpose and intent.
17.31.020 Permitted ~~U~~uses ~~permitted~~.
17.31.030 Uses subject to site plan review or site development permit.
17.31.040 Conditional u~~U~~ses ~~subject to a conditional use permit~~.
~~17.31.050 Temporary uses permitted.~~
~~17.31.060 Accessory uses permitted.~~
17.31.~~070~~ 050 Site development standards.

17.31.010 Purpose and intent.

SHARE

The ~~C~~Greenhorn Creek Commercial District (GHC-C) ~~-PD, CH-PD and PS-PD districts are~~is intended to provide a range of retail sales and services ~~that would relate to the varied needs of public use of the~~in the Greenhorn Creek Subdivision ~~and the city. These zones are designed to partially implement the C, commercial, land use category of the city's general plan. For areas zoned in a combination of C-PD, CH-PD and R1-PD, all R1-PD and accessory uses shall be developed according to the standards and provisions of Chapter 17.19, and all other uses shall be developed according to the standards and provisions of this chapter~~. (Ord. 361 (part), 1998: Ord. 347 §2(part), 1995; Ord. 326 (part), 1992)

17.31.020 Permitted ~~U~~uses ~~permitted~~.

SHARE

There are no uses permitted outright in the ~~C~~GHC-C District ~~-PD, CH-PD and PS-PD districts~~. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

17.31.030 Uses subject to site plan review or site development permit.

SHARE

~~In the C-PD, CH-PD and PS-PD districts, the following uses are subject to site plan review:~~

~~A. C-PD and PS-PD:~~ All Permitted uses in the GHC-C district are subject to either an Administrative Site Plan review pursuant to Chapter 17.73 or a Site Plan Review pursuant to Chapter 17.74 unless otherwise exempted pursuant to those chapters. Permitted uses include:

A. ~~1~~. Retail sales and service located within a building,

~~2~~B. Transient guest lodging, hotel, motel, inn, time shares, bed and breakfast inn,

~~3~~C. Professional office,

~~4~~D. Restaurant, sit-down/cocktail lounge,

~~5~~E. Residential hotel/motel,

~~6~~F. Places of assembly,

~~7~~G. Spa and related facilities,

~~8~~H. Swimming pool/sport courts,

~~9~~I. Fire station;

~~B. CH-PD:~~

~~1~~J. Golf clubhouse/pro shop,

~~2~~K. Swimming pool,

~~3~~L. Sport courts,

~~4~~M. Golf cart storage,

~~5~~N. Restaurant and cocktail lounge,

~~6~~O. Places of assembly,

~~7~~P. Exercise room,

~~8~~Q. Banquet room,

~~9~~R. Clubhouse/recreation building,

~~10~~S. *Day care center/child day care facility~~/child care~~*. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

T. Accessory uses and structures appurtenant to permitted uses

U. Temporary contractor's office used on the construction site for a period not to exceed eighteen months or the duration of a building permit, whichever is shorter, renewable yearly

17.31.040 Conditional u~~U~~ses ~~subject to a conditional use permit~~.

SHARE

In the ~~C~~GHC-C ~~-PD and PS-PD districts~~district, the following uses are subject to the issuance of a conditional use permit:

A. Service station;

B. Residential use, multiple-family, no more than one unit per three thousand five hundred square feet of land area. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

~~17.31.050 Temporary uses permitted.~~ ~~SHARE~~

~~The following are uses permitted for a period not to exceed eighteen months or the duration of a building permit, whichever is shorter, renewable yearly:~~

~~A. Temporary subdivision directional signs subject to review and approval of the city planning director;~~

~~B. Temporary contractor's office used on the construction site. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)~~

~~17.31.060 Accessory uses permitted.~~ ~~SHARE~~

~~The normal accessory uses consistent with the definition in this title, and any and all of the following uses are permitted:~~

~~A. Signs in compliance with Chapter 15.12;~~

~~B. One residential unit which is clearly accessory to another permitted use; no more than one unit per lot;~~

~~C. Home occupations in compliance with Section 17.06.060. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)~~

17.31.~~070~~ 050 Site development standards. SHARE

Site development standards in the ~~C~~GHC-C ~~-PD, and CH-PD~~ district~~s~~ are as follows:

A. Minimum lot area for new lots, five thousand square feet;

B. Building coverage, one hundred percent, maximum;

C. Maximum building height, fifty feet;

D. Lot width, forty feet, minimum;

E. _Lot depth, eighty feet, minimum;

F. _Minimum building setbacks:

1. Front, zero feet,

2. Side, zero feet,

3. Exterior side of a corner lot, same as front,

4. Rear:

a. _~~Principle~~ Principal building, zero feet,

b. _Accessory building, zero feet,

5. Between buildings, zero feet,

6. Vision clearance, fifteen feet. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

Chapter 17.40
~~OS-PD and OSG-PD OPEN SPACE~~ GREENHORN CREEK GOLF COURSE DISTRICT~~S~~ (GHC-Golf)

Sections:

17.40.010 Purpose and intent.
17.40.020 Permitted ~~Uses~~ uses~~permitted~~.
17.40.030 Uses subject to site plan review or site development permit.
17.40.040 Conditional uses.
~~17.40.040 Temporary uses permitted.~~

17.40.010 Purpose and intent.

SHARE

~~The intent of the OS-PD district is to preserve and protect scenic and wildlife habitat areas and other areas that are in the public interest not to be disturbed.~~ The intent of the ~~OSG-PD~~Greehorn Creek Golf Course District (GHC-GC) ~~district~~ is to provide for the development of a golf course and its related facilities. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

17.40.020 Permitted u~~U~~ses ~~permitted~~.

SHARE

Uses permitted in the ~~OS-PD and OSG-PD~~Greenhorn Creek Golf Course District (GHC-Golf) district~~s~~ are as follows:

~~A. OS-PD:~~

~~1. Roads,~~

~~2. Driveways,~~

~~3. Bridges,~~

~~4. Pathways and walks,~~

~~5. Sanitary sewer lines,~~

~~6. Sanitary sewer lift stations,~~

~~7. Water lines,~~

~~8. Underground public utility lines,~~

~~9. Storm drainage facilities,~~

~~10. Recreational facilities,~~

~~11. Project identification signage;~~

~~B. OSG-PD:~~

~~1~~A. Roads,

~~2~~B. Driveways,

~~3~~C. Bridges,

~~4~~D. Pathways and walks,

~~5~~E. Sanitary sewer lines,

~~6~~F. Sanitary sewer lift stations,

~~7~~G. Water lines,

H~~8~~. Underground public utility lines,

~~9~~I. Storm drainage facilities,

~~10~~J. Water pumping stations,

~~11~~K. Water storage ponds,

L. Project identification signage

M. Temporary uses associated with the preceding uses not to exceed 18 months or the duration of a building permit, whichever is shorter and renewable annually.

N. Accessory uses and structures appurtenant to permitted uses.

(Ord. 361 (part), 1998: Ord. 326 (part), 1992)

17.40.030 Uses subject to site plan review or site development permit.

The following uses are subject to issuance of a site plan review or site development permit pursuant to Chapters 17.73 and 17.74, unless otherwise exempted by those Chapters:

A. Permanent golf related structures ~~-- maintenance yard~~. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)

B. Special events

C. Accessory uses and structures appurtenant to the preceding uses.

17.40.040 Conditional uses

A conditional use permit is required for the following uses:

A. Recreational uses other than golf-related recreational uses.

B. Accessory uses and structures appurtenant to conditional uses.

~~**17.40.040 Temporary uses permitted.**~~

~~The following uses permitted for a period not to exceed eighteen months or the duration of a building permit, whichever is shorter, renewable yearly:~~

~~A. Temporary subdivision signs, subject to review and approval of the city's planning director;~~

~~B. Temporary contractor's office used on the construction site;~~

~~C. Temporary golf course office and pro shop;~~

~~D. Temporary golf related structures;~~

~~E. Temporary special events and related structures. (Ord. 361 (part), 1998: Ord. 326 (part), 1992)~~

ANGELS CAMP CALIFORNIA

PLANNING DEPARTMENT

CITY OF ANGELS PO Box 667, 200 B Monte Verda Street, Angels Camp, CA 95222 P: (209) 736-1346 F: (209) 736-9048

CITY OF ANGELS CAMP
PLANNING COMMISSION
STAFF REPORT

Resolution of Intent 22-02 Recommending to the City Council
An update and revision to Angels Municipal Code (AMC)
Chapter 17.40 Open Space: Planned Development (OS-PD) eliminating the OS-PD district applicable only to Greenhorn Creek and replacing it with Chapter 17.41 Open Space (OS) applicable citywide

ITEM NO. 3

DATE: January 13, 2022

FROM: Amy Augustine, AICP – City Planner

LOCATION: Citywide

RECOMMENDATION:
Approve Resolution of Intent 22-02, recommending to the City Council an update and revision to Angels Municipal Code (AMC) Chapter 17.40 Open Space: Planned Development (OS-PD) eliminating the OS-PD district applicable only to Greenhorn Creek and replacing it with Chapter 17.41 Open Space (OS) applicable citywide.

BACKGROUND:
Pursuant to Angels Municipal Code (AMC) Section 17.90.020(B), an amendment may be initiated by a Resolution of Intent of the Planning Commission. The proposed Resolution of Intent will provide the changes described above.

Currently, when an environmental document identifies the need to avoid a sensitive resource or safety hazard area (e.g., flood hazard zone, creek setback, sensitive archaeological site), an easement and legal description must be prepared and recorded. That easement, in the past, has only sometimes been recorded and often is not shown on maps routinely consulted prior to development. As a result, areas identified for conservation or avoidance in prior environmental documents and subdivision agreements are frequently forgotten and may be inadvertently disturbed and even destroyed.

This proposed zoning district provides an alternative to an easement (which would remain an option) to identify sensitive resource or safety hazard areas. The open space zoning district would be shown on the City's zoning map, would require landowner / developer approval, would eliminate the costs of preparing and recording an easement, and would provide a more effective alternative for identifying areas to be avoided by development.

In addition, multiple general plan 2020 implementation programs call for establishing an open space zoning district as identified in the following analysis.

The City received SB2 funds to assist in a comprehensive update of its Municipal Code, including this amendment.

ANALYSIS
Pursuant to AMC Section 17.90.040, the following findings are required for code amendments:

Finding A: The proposal conforms with the City's General Plan and Municipal Code
The proposed amendments will implement the following general plan programs:

1.A.b Continue to Conduct Reviews of the Angels Camp Municipal Code and General Plan for Consistency

1.B.e, 4Ha Designate Identified Flood Hazard Areas as Resource Management/Open Space
Designate flood hazard areas, as identified by the Federal Emergency Management Agency or as refined through local studies, as Resource Management ("RM" general plan) and Open Space ("OS" zoning).

1.B.f, 4.D.d, 4Gc, 6Bg, 11Bb: Designate Resource Management & Open Space Setbacks Along Creeks
Establish an open space setback encompassing designated flood hazard areas along Angels Creek and Six Mile Creek. Designate these areas as Resource Management (RM) on the city's general plan maps and as Open Space (OS) on the city's zoning maps. Establish similar setbacks along other drainages within the city (e.g., China Gulch) or along drainages in areas that may be annexed into the city in the future.

1.C.g, 4.D.i, 11Ba Establish a Resources Management (RM) Land Use Designation and Maintain and Update the City's Open Space Zoning District
Establish a Resources Management (RM) General Plan Land Use Designation in the city's general plan that is compatible with an Open Space (OS) zoning district. The city's municipal code should use the Open Space (OS) zoning district to provide for conservation of biological, scenic and cultural resources. Alternative zoning districts may be developed consistent with the Resources Management (RM) General Plan Land Use Designation to address flood protection, recreation and similar uses. Update the city's Open Space (OS) zoning district to address permitted and conditional uses, use of native plants, trail construction, and similar uses in the Open Space (OS) zoning district.

4.D.h Integrate Coordinated Resources Management Principles in Open Space Management Planning Efforts
To the maximum extent feasible, integrate design features in support of all of the following when undertaking open space management planning efforts (e.g., creek corridor management plans): flood protection, increased recreational opportunities, biological resources conservation, water quality protection and enhancement, cultural resource protection, educational opportunities, erosion and sediment control, economic opportunities, community character preservation and enhancement, and similar community benefits

4.H.c **Designate Areas Under High Voltage Power Lines as Resource Management - Open Space** Designate areas under high voltage power lines as Resource Management ("RM" - General Plan) and Open Space ("OS" - Zoning). Consider incorporating these open spaces into the city's recreation master plan for trails while maintaining private property rights.

6.A.i **Designate Identified Hazard Areas Through Appropriate Zoning** Where Feasible Zone areas within 100 feet of capable fault areas or other identified geological hazard areas as Open Space (OS), Parks and Recreation (REC) or, if appropriate, Public (P) (e.g., land owned by the United States Bureau of Reclamation). Allow recreational uses without structures (e.g., trails) within hazard zones where appropriate.

The proposed revisions are necessary to implement these general plan programs and ensure that the municipal code is internally consistent both with the general plan and internally, within the AMC itself. Therefore, the proposed changes are consistent with the general plan and provides the necessary amendment making the municipal code consistent with the general plan.

Finding B: The proposed changes or amendments will not be substantially detrimental to the health, safety, or general welfare of the City.

The primary purposes of the proposed code amendments are related to general plan consistency and internal code consistency. The proposed open space district is specifically intended to identify areas with potential safety hazards to ensure avoidance as necessary to protect public health and safety.

Permits issued pursuant to the AMC continue to require a finding, on a case-by-case basis, that each project is not substantially detrimental to the health, safety, or general welfare of the City.

Based on the preceding, the proposed code amendments are consistent with this finding.

ENVIRONMENTAL FINDINGS

Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed code amendments are exempt from further review, because the proposed amendments implement a program identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

ATTACHMENTS:

1. Resolution of Intent 22-02 with Attachment A to Resolution 22-02: Chapter 17.41 ("Clean" copy)

Attachment 1

CITY OF ANGELS
PLANNING COMMISSION

RESOLUTION NO. 22-02

A RESOLUTION OF INTENTION OF THE CITY OF ANGELS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL AN UPDATE AND REVISION TO ANGELS MUNICIPAL CODE (AMC) CHAPTER 17.40 OPEN SPACE: PLANNED DEVELOPMENT (OS-PD) ELIMINATING THE OS-PD DISTRICT APPLICABLE ONLY TO GREENHORN CREEK AND REPLACING IT WITH CHAPTER 17.41 OPEN SPACE (OS) APPLICABLE CITYWIDE

WHEREAS, the City of Angels, Planning Commission is authorized by Angels Municipal Code Section 17.90.020(B) to initiate amendment to the City's zoning code upon adopting a resolution of intention; and

WHEREAS, the Planning Commission finds that it is to the mutual benefit of the City, the public health, safety and general welfare of the public; necessary for General Plan implementation and consistency with the City of Angels General Plan and internal code consistency; and

WHEREAS, a notice of public hearing for the proposed action was published November 18, 2021, in the Calaveras Enterprise; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 13, 2022, and received public input on the proposed amendments to Chapters 17.40 and 17.41 of the Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code are in conformance with the City's general plan; and

WHEREAS, the proposed changes are consistent with the City's Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code will not be detrimental to the health, safety, and general welfare of the City and its people; and

WHEREAS, the proposed changes to the Municipal Code are exempt from further environmental review pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), because the proposed amendments implement a program identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission hereby recommends to the City Council amending Chapters 17.40 and creating 17.41 of the Municipal Code pursuant to Attachment A in accordance with the City Standards and State Law and directs staff to provide this recommendation of the planning commission and supporting findings to the City Council in writing within thirty days.

The foregoing resolution was introduced and moved for adoption on January 13, 2022, by Commissioner _____ and being duly seconded by Commissioner _____.
PASSED AND ADOPTED THIS 13th day of January, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____
John Broeder, Chairman

_____
Alicia Smith, Deputy City Clerk

Attachment A to
Resolution 22-02

Chapter 17.41
OPEN SPACE DISTRICT (OS)

Sections:

17.40.010 Purpose and intent.
17.40.020 Permitted uses.
17.40.030 Conditional uses.
17.40.040 Site development standards.

17.41.010 Purpose and intent.

The purposes and intent of the Open Space (OS) district are to:

A. Identify lands where minimal or no development is planned to occur;

B. Protect the public and public infrastructure from known public health and safety hazards including, but not limited to, designated flood hazard zones, unstable slopes, capable earthquake faults and other geological hazards;

C. Preserve and protect sensitive biological resources including, but not limited to, creeks;

D. Protect sensitive archaeological resources;

E. Provide a tool to identify and maintain sensitive resourced or resource areas designated for protection in perpetuity in approved environmental documents including biological and cultural resources.

17.41.020 Permitted Uses.

Uses permitted in the Open Space District are:

A. Roads, driveways, trails, bridges, underground public utilities, residential gardens in conjunction with another entitlement for which environmental review pursuant to the California Environmental Quality Act has been performed and adopted and addressed the proposed use.

B. Vegetation management required by the City of Angels Fire Department subject to City Planner approval.

C. Vegetation removal by hand only when necessary for reasons of health of safety to protect persons residing on or using the parcel, subject to City Planner approval.

D. Planting vegetation in conjunction with a revegetation or habitat enhancement project for which environmental review pursuant to the California Environmental Quality Act has been performed and adopted, or as approved by the City Planner.

17.41.030 Conditional Uses.

Within any Open Space District, the following uses are permitted subject to securing a conditional use permit which may be issued only if it is found that the use does not conflict with the purposes of the open space district:

A. General recreation with no buildings including recreational trails

B. Public utility uses

C. Vegetation removal other than that required for reasons of health and safety

D. Roads, driveways, bridges where access through another district is infeasible.

17.41.040 Site development standards.

There are no minimum widths or parcel sizes for this district.

ANGELS CAMP CALIFORNIA

PLANNING DEPARTMENT

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CITY OF ANGELS CAMP
PLANNING COMMISSION
STAFF REPORT

Resolution of Intent 22-03 Recommending to the City Council An update and revision to Angels Municipal Code (AMC) Chapter 17.36 (Public Services District), renaming it the Public - Quasi Public (P) District, adding a provision for housing to the District; and updating Chapter 17.09 definitions to address these changes

ITEM NO. 4

DATE: January 13, 2022

FROM: Amy Augustine, AICP – City Planner

LOCATION: Citywide

RECOMMENDATION:
Approve Resolution of Intent 22-03, recommending to the City Council an update and revision to Angels Municipal Code (AMC) Chapter 17.36 (Public Services District), renaming it the Public and Quasi Public (P) District, adding a provision for housing to the district, and updating Chapter 17.09 definitions to address these changes.

BACKGROUND:
Pursuant to Angels Municipal Code (AMC) Section 17.90.020(B), an amendment may be initiated by a Resolution of Intent of the Planning Commission. The proposed Resolution of Intent will provide the changes described above.

Prior to adopting General Plan 2020, numerous parcels citywide owned by schools, local, state and/or federal agencies, special districts, and public utilities were identified as residential, commercial or otherwise identified as non-public. To facilitate identifying public and quasi-public properties in the City and to avoid "counting" such parcels towards the City's stock of residential and/or commercial lands; these lands were re-designated as Public.

The city has minimal or no jurisdiction to regulate most public and quasi-public land uses. The Public/Quasi public general plan land use designation is intended to recognize this. In addition, the City's Housing Element requires an amendment providing a mechanism to allow housing on public land. The proposed zoning district implements the Public/Quasi Public general plan land use designation and fulfills both purposes.

The City received SB2 funds to assist in a comprehensive update of its Municipal Code, including this amendment.

ANALYSIS
Pursuant to AMC Section 17.90.040, the following findings are required for code amendments:

Finding A: The proposal conforms with the City's General Plan and Municipal Code
The proposed amendments will implement, or facilitate implementing, the following general plan programs:

GENERAL PLAN LAND USES:
Public & Quasi Public (P)
Purpose and Intent
To accommodate both public and quasi-public uses for those agencies that serve as their own Lead Agency when conducting environmental reviews (e.g., government buildings, schools, transportation facilities, public utilities, special districts).

To allow for public-private partnerships in the furtherance of General Plan goals, policies, and programs.

Location
Government buildings, schools, transportation facilities, public utilities, special districts and similar uses. Public and quasi-public uses may be located throughout the city.

Minimum Design Standards
- Maximum impervious surfaces: 75% or equal to requirements for adjoining land uses; whichever is less.
- A minimum 20% landscaping is required for this land use.
- For parcels adjoining or visible from highways, arterials or collectors, project design shall accommodate the provision of street trees

1.A.b Continue to Conduct Reviews of the Angels Camp Municipal Code and General Plan for Consistency

1.B.k, 7Ic Recognize Opportunities and Constraints of Public Land Uses
Continue to recognize the opportunities and constraints created by public lands in and around Angels Camp and integrate these elements in the city's land use planning decisions. Planning opportunities associated with public lands include:

a. Providing buffers between communities to assist in retaining individual community character

b. Providing recreational opportunities for residents and visitors

c. Providing open space for conserving natural resources

d. Providing defined public lands boundaries that may be integrated into the established boundaries of the city's sphere of influence

e. Providing defined public lands boundaries that may be integrated into established city limit boundaries Planning constraints that may be associated with public lands include:

f. Increased demands on the city's police and fire services

g. Generating significant noise levels (e.g., concerts at the fairgrounds)

h. Increased traffic through the city (e.g., recreational vehicles, boats)

1.I.a, 7Id Facilitate City Cooperation/Coordination with Other Agencies
The city will seek input from county, state, federal, regional, public and quasi-public agencies regarding projects undertaken by the city with the potential to influence the interests of these agencies.

1.I.b Facilitate Agency Cooperation/Coordination with the City
The city will contact local representatives of the county, state, federal, regional, public and quasi-public agencies within its Sphere of Influence, requesting that each agency notify the city and provide the city with an opportunity to provide input for projects with the potential to influence the interests of the City.

2.A.I Allow Housing in the Public (P) Zoning District
Amend the Public (P) zoning district to allow for the development of affordable housing opportunities by public agencies.

The proposed revisions are necessary to implement these general plan programs by facilitating the identification of public and quasi-public lands citywide; implement the public/quasit public land use designation, and ensure that the municipal code is internally consistent both with the general plan and internally, within the AMC itself. Therefore, the proposed changes are consistent with the general plan and provides the necessary amendment making the municipal code consistent with the general plan.

Finding B: The proposed changes or amendments will not be substantially detrimental to the health, safety, or general welfare of the City.
The primary purposes of the proposed code amendments are related to general plan consistency and internal code consistency.

Permits issued pursuant to the AMC continue to require a finding, on a case-by-case basis, that each project is not substantially detrimental to the health, safety, or general welfare of the City.

Based on the preceding, the proposed code amendments are consistent with this finding.

ENVIRONMENTAL FINDINGS
Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed code amendments are exempt from further review, because the proposed amendments implement programs identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

ATTACHMENTS:

1. Resolution of Intent 22-03 with Attachment A to Resolution 22-03: Chapters 17.09 and 17.36 ("Clean" copy)

2. Redline/Strikeout version Chapters 17.09 (Definitions) and 17.36 (Public)

Attachment 1

CITY OF ANGELS
PLANNING COMMISSION

RESOLUTION NO. 22-03

A RESOLUTION OF INTENTION OF THE CITY OF ANGELS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL AN UPDATE AND REVISION TO ANGELS MUNICIPAL CODE (AMC) CHAPTER 17.36 (PUBLIC SERVICES DISTRICT), RENAMING IT THE PUBLIC AND QUASI PUBLIC (P) DISTRICT, ADDING A PROVISION FOR HOUSING TO THE DISTRICT, AND UPDATING CHAPTER 17.09 DEFINITIONS TO ADDRESS THESE CHANGES.

WHEREAS, the City of Angels, Planning Commission is authorized by Angels Municipal Code Section 17.90.020(B) to initiate amendment to the City's zoning code upon adopting a resolution of intention; and

WHEREAS, the Planning Commission finds that it is to the mutual benefit of the City, the public health, safety and general welfare of the public; necessary for General Plan implementation and consistency with the City of Angels General Plan and internal code consistency; and

WHEREAS, a notice of public hearing for the proposed action was published November 18, 2021, in the Calaveras Enterprise; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 13, 2022, and received public input on the proposed amendments to Chapters 17.36 and 17.09 of the Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code are in conformance with the City's general plan; and

WHEREAS, the proposed changes are consistent with the City's Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code will not be detrimental to the health, safety, and general welfare of the City and its people; and

WHEREAS, the proposed changes to the Municipal Code are exempt from further environmental review pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), because the proposed amendments implement a program identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission hereby recommends to the City Council amending Chapter 17.36 of the Municipal Code pursuant to Attachment A in accordance with the City Standards and State Law and directs staff to provide this recommendation of the planning commission and supporting findings to the City Council in writing within thirty days.

The foregoing resolution was introduced and moved for adoption on January 13, 2022, by Commissioner _____ and being duly seconded by Commissioner _____.
PASSED AND ADOPTED THIS 13th day of January, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____

John Broeder, Chairman

_____

Alicia Smith, Deputy City Clerk

Attachment A to
Resolution 22-03

17.09
Definitions

Public.

“Public” for the purposes of Chapter 17.36, means a “public agency” or “public utility”. See “public agency” and “public utility.”

Quasi-public.

“Quasi-public” means those entities governed by a constituent-elected board of directors; and/or authorized through the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Government Code §56000 to §57550 (and as may be amended).

Public agency.

"Public agency" means any taxing agency, government, special district, or municipality or subordinate division thereof.

Public utility.

"Public utility" shall mean any agency that, under public franchise or ownership, or under certificate of convenience and necessity, or by grant of authority by a governmental agency, provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage collection, or other similar service. (Ord. 439 (part), 2010: Ord. 403 §2(part), 2003. Formerly 17.09.327)

Chapter 17.36
PUBLIC AND QUASI-PUBLIC ZONING DISTRICT (P)

Sections:

17.36.010 Purposes and intent.
17.36.020 Permitted Uses.
17.36.030 Uses subject to site development permit or site plan review.
17.36.040 Conditional Uses.
17.36.050 Uses subject to an encroachment permit.
17.36.060 Site development standards.
17.36.070 Ownership transfer.

17.36.010 Purposes and intent.

The purposes and intent of the *Public* and *Quasi Public* Zoning District are to:

A. Accommodate *public* and *quasi-public* uses for those agencies that serve as their own Lead Agency pursuant to the California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA); and

B. Acknowledge the limited ability of the City to impose regulations on land under the jurisdiction of *public* agencies and most *quasi-public* agencies including local, state, and federal governments, public utilities, and special districts; and

C. Accommodate government buildings, schools, transportation facilities, public utilities, special districts, and similar uses in support of the City.

Public and *quasi-public* uses may be located throughout the City.

17.36.020 Permitted Uses.

The following uses are permitted in the P zone when the use is located on land owned or leased by the entity and the use is associated with the purpose of purposes of the *public* or *quasi-public* entity. For those public entities undertaking activities on land over which they do not have jurisdiction, see **Section 17.36.050** (Encroachments):

A. Water or sewer treatment facilities;

B. Public utility distribution facilities;

C. Public transportation facilities;

D. Fire stations;

E. Public safety facilities;

F. Public parks;

G. Cemeteries;

H. Schools;

I. Visitor Centers;

J. Museums, art galleries;

K. Libraries;

L. Post offices;

M. Law enforcement and judiciary facilities;

N. Administrative offices;

O. Parking facilities, including shared use parking facilities;

P. One caretaker unit per parcel;

Q. Accessory uses and structures appurtenant to permitted uses including temporary offices used during construction;

17.36.030 Uses subject to site development permit or site plan review.

In the P zone, the following uses are subject to a site plan review in accordance with **Chapters 17.73** and **17.74** unless otherwise exempted by those Chapters:

Single or multi-family residential uses not exceeding 15 dwelling units per acre. Higher densities are possible through density bonuses granted for the provision of workforce housing in accordance with the general plan.

17.36.040 Conditional Uses

In the P zone, the following uses are subject to a conditional use permit unless the use is otherwise subject to another entitlement pursuant to **Sections 17.36.020, 17.36.030**, or **17.36.050**:

A. Uses unrelated to the purpose or purposes for which the public or quasi-public entity was established unless the use is part of a public/private partnership and undertakes a rezoning pursuant to **Chapter 17.75** [Public Private Partnership Combining District (:P3)].

B. Corporation yards, storage or repair yards, warehouse,

17.36.050 Encroachment Permits

Public or *quasi-public* entities undertaking activities on land they neither lease nor own shall secure an encroachment permit from the City pursuant to Angels Municipal Code **Chapter 12.12**_for activities undertaken on City lands, roadways, easements, rights-of-way, or otherwise under City of Angels' jurisdiction (e.g., powerlines and cable services installed along or under public roadways or within rights-of-way).

17.36.060 Site development standards.

Site development standards in the P zoning district are as follows:

A. There is no minimum parcel size, lot width, or lot depth requirement for the purposes of creating new parcels;

B. Maximum impervious surfaces are 75% or equal to adjoining land uses, whichever is less;

C. Landscaping shall be a minimum of 20%;

D. Outdoor storage, parking, corporation yards, repair yards shall be screened from highways, arterials or collectors;

E. Maximum building height, thirty-five feet;

F. Minimum building setbacks are the same as those for the adjoining land use(s). Deviations may be permitted for those uses requiring issuance of an entitlement pursuant to **Sections 17.36.020, 17.36.030, 17.36.040** or **17.36.050**. (Ord. 270 (part), 1984)

G. For parcels adjoining or visible from highways, arterials or collectors, project design shall accommodate the provision of street trees.

17.36.070 Ownership Transfer.

Upon land transfers from *public* or *quasi-public* agencies to private individuals or entities; land uses shall be limited to those listed under **Section 17.36.020** until the land is reclassified to another zoning district.

Attachment 2
(Redline/Strikeout – Reference only)

17.09
Definitions
(Part III)

Add the following definitions:

Public

"Public" for the purposes of Chapter 17.36, means a "public agency" or "public utility". See "public agency" and "public utility."

Quasi-public

"Quasi-public" means those entities governed by a constituent-elected board of directors; and/or authorized through the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Government Code §56000 to §57550 (and as may be amended).

~~17.09.1820~~ Public agency.

~~"Public agency" shall mean an agency supported by tax moneys. (Ord. 439 (part), 2010: Ord. 270 (part), 1984. Formerly 17.09.325)~~ "Public agency" means any taxing agency, government, special district, or municipality or subordinate division thereof.

~~17.09.1830~~ Public utility.

"Public utility" shall mean any agency that, under public franchise or ownership, or under certificate of convenience and necessity, or by grant of authority by a governmental agency, provides the public with electricity, gas, heat, steam, communication, transportation, water, sewage collection, or other similar service. (Ord. 439 (part), 2010: Ord. 403 §2(part), 2003. Formerly 17.09.327)

Chapter 17.36

~~PS~~ PUBLIC ~~SERVICE DISTRICT~~AND QUASI-PUBLIC ZONING DISTRICT (P)

Sections:

17.36.010 Purposes and intent.
17.36.020 Permitted Uses ~~permitted~~.
17.36.030 Uses subject to site development permit or site plan review.
17.36.040 Conditional Uses ~~subject to a conditional use permit~~.
17.36.050 Uses subject to an encroachment permit.
~~17.36.050 Temporary uses permitted.~~
~~17.36.060 Accessory uses permitted.~~
17.36.~~070~~ 060 Site development standards.
17.36.070 Ownership transfer.

17.36.010 Purposes and intent.

~~A. The purpose and intent of the public service district is to provide areas for local, state and federal use of land, and public utility uses of land, to meet a public need.~~

~~B. This zone is designed to implement the PS, public service, land use category of the city's general plan. (Ord. 270 (part), 1984)~~

The purposes and intent of the *Public* and *Quasi Public* Zoning District are to:

A. Accommodate *public* and *quasi-public* uses for those agencies that serve as their own Lead Agency pursuant to the California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA); and

B. Acknowledge the limited ability of the City to impose regulations on land under the jurisdiction of *public* agencies and most *quasi-public* agencies including local, state, and federal governments, public utilities, and special districts; and

C. Accommodate government buildings, schools, transportation facilities, public utilities, special districts, and similar uses in support of the City.

Public and *quasi-public* uses may be located throughout the City.

17.36.020 Permitted Uses ~~permitted~~.

~~There are no uses permitted outright in the PS zone. (Ord. 270 (part), 1984)~~

The following uses are permitted in the P zone when the use is located on land owned or leased by the entity and the use is associated with the purpose of purposes of the *public* or *quasi-public* entity. For those public entities undertaking activities on land over which they do not have jurisdiction, see **Section 17.36.050** (Encroachments):

A. Water or sewer treatment facilities;

B. Public utility distribution facilities;

C. Public transportation facilities;

D. Fire stations;

E. Public safety facilities;

F. Public parks;

G. Cemeteries;

H. Schools;

I. Visitor Centers;

J. Museums, art galleries;

K. Libraries;

L. Post offices;

M. Law enforcement and judiciary facilities;

N. Administrative offices;

O. Parking facilities, including shared use parking facilities;

P. One caretaker unit per parcel;

Q. Accessory uses and structures appurtenant to permitted uses including temporary offices used during construction;

17.36.030 Uses subject to site development permit or site plan review.

~~There are no uses subject to site plan review in the PS district. (Ord. 270 (part), 1984)~~

In the P zone, the following uses are subject to a site plan review in accordance with **Chapters 17.73** and **17.74** unless otherwise exempted by those Chapters:

Single or multi-family residential uses not exceeding 15 dwelling units per acre. Higher densities are possible through density bonuses granted for the provision of workforce housing in accordance with the general plan.

17.36.040 Conditional Uses

In the P zone, the following uses are subject to a conditional use permit unless the use is otherwise subject to another entitlement pursuant to **Sections 17.36.020, 17.36.030**, or **17.36.050**:

A. Uses unrelated to the purpose or purposes for which the public or quasi-public entity was established unless the use is part of a public/private partnership and undertakes a rezoning pursuant to **Chapter 17.75** [Public Private Partnership Combining District (:P3)].

B. Corporation yards, storage or repair yards, warehouse,

17.36.050 Encroachment Permits

Public or *quasi-public* entities undertaking activities on land they neither lease nor own shall secure an encroachment permit from the City pursuant to Angels Municipal Code **Chapter 12.12** for activities undertaken on City lands, roadways, easements, rights-of-way, or otherwise under City of Angels' jurisdiction (e.g., powerlines and cable services installed along or under public roadways or within rights-of-way).

~~17.36.040 Uses subject to a conditional use permit.~~

~~In the PS district, the following uses are subject to the issuance of a conditional use permit:~~

~~A. All government agency uses and structures;~~

~~B. Public utility uses and structures. (Ord. 270 (part), 1984)~~

~~17.36.050 Temporary uses permitted.~~

~~The following are uses permitted for a period not to exceed eighteen months or the duration of a building permit whichever is shorter:~~

~~A. Continued use of an existing building during construction of a new building on the same site;~~

~~B. Temporary contractor's office used on the construction site;~~

~~C. The use of a travel trailer or single-wide mobilehome. (Ord. 270 (part), 1984)~~

~~17.36.060 Accessory uses permitted.~~

~~The normal accessory uses consistent with the purpose and intent of the public services zoning district are permitted. (Ord. 270 (part), 1984)~~

17.36.~~070~~ 060 Site development standards.

Site development standards in the ~~PS~~ P zoning district are as follows:

A. ~~Minimum lot area for new lots, five thousand square feet~~There is no minimum parcel size, lot width, or lot depth requirement for the purposes of creating new parcels;

B. ~~Building coverage, fifty percent, maximum;~~Maximum impervious surfaces are 75% or equal to adjoining land uses, whichever is less;

C. Landscaping shall be a minimum of 20%;

D. Outdoor storage, parking, corporation yards, repair yards shall be screened from highways, arterials or collectors;

E. Maximum building height, thirty-five feet;

~~D. Lot width, no requirement;~~

~~E. Lot depth, no requirement;~~

~~F~~F. ~~-~~Minimum building ~~setbacks, as required by the permit~~setbacks are the same as those for the adjoining land use(s). Deviations may be permitted for those uses requiring issuance of an entitlement pursuant to **Sections 17.36.020, 17.36.030, 17.36.040** or **17.36.050.** (Ord. 270 (part), 1984)

G. For parcels adjoining or visible from highways, arterials or collectors, project design shall accommodate the provision of street trees.

17.36.070 Ownership Transfer.

Upon land transfers from *public* or *quasi-public* agencies to private individuals or entities; land uses shall be limited to those listed under **Section 17.36.020** until the land is reclassified to another zoning district.

ANGELS CAMP CALIFORNIA

PLANNING DEPARTMENT

CITY OF ANGELS PO Box 667, 200 B Monte Verda Street, Angels Camp, CA 95222 P: (209) 736-1346 F: (209) 736-9048

CITY OF ANGELS CAMP
PLANNING COMMISSION
STAFF REPORT

Resolution of Intent 22-04
Recommending to the City Council
An update and revision to Angels Municipal Code (AMC)
Chapter 17.49 Mining Combining District to become the Resources Management Combining District (:RM) for general plan consistency

ITEM NO. 5

DATE: January 13, 2022

FROM: Amy Augustine, AICP – City Planner

LOCATION: Citywide

RECOMMENDATION:
Approve Resolution of Intent 22-04, recommending to the City Council An update and revision to Angels Municipal Code (AMC) Chapter 17.49 Mining Combining District to become the Resources Management Combining District (:RM) for general plan consistency.

BACKGROUND:
Pursuant to Angels Municipal Code (AMC) Section 17.90.020(B), an amendment may be initiated by a Resolution of Intent of the Planning Commission. The proposed Resolution of Intent will provide the changes described above.

Multiple general plan 2020 implementation programs call for establishing a Resources Management district as identified in the following analysis. The proposed amendment will implement these programs.

The City received SB2 funds to assist in a comprehensive update of its Municipal Code, including this amendment.

ANALYSIS
Pursuant to AMC Section 17.90.040, the following findings are required for code amendments:

Finding A: The proposal conforms with the City's General Plan and Municipal Code
The proposed amendments will implement the following general plan programs:

1.A.b Continue to Conduct Reviews of the Angels Camp Municipal Code and General Plan for Consistency

1.B.e, 4Ha Designate Identified Flood Hazard Areas as Resource Management/Open Space Designate flood hazard areas, as identified by the Federal Emergency Management Agency or as refined through local studies, as Resource Management ("RM" general plan) and Open Space ("OS" zoning).

1.B.f, 4.D.d, 4Gc, 6Bg, 11Bb: Designate Resource Management & Open Space Setbacks Along Creeks

Establish an open space setback encompassing designated flood hazard areas along Angels Creek and Six Mile Creek. Designate these areas as Resource Management (RM) on the city's general plan maps and as Open Space (OS) on the city's zoning maps. Establish similar setbacks along other drainages within the city (e.g., China Gulch) or along drainages in areas that may be annexed into the city in the future.

1.C.g, 4.D.i, 11Ba Establish a Resources Management (RM) Land Use Designation and Maintain and Update the City's Open Space Zoning District

Establish a Resources Management (RM) General Plan Land Use Designation in the city's general plan that is compatible with an Open Space (OS) zoning district. The city's municipal code should use the Open Space (OS) zoning district to provide for conservation of biological, scenic and cultural resources. Alternative zoning districts may be developed consistent with the Resources Management (RM) General Plan Land Use Designation to address flood protection, recreation and similar uses. Update the city's Open Space (OS) zoning district to address permitted and conditional uses, use of native plants, trail construction, and similar uses in the Open Space (OS) zoning district.

4.D.h Integrate Coordinated Resources Management Principles in Open Space Management Planning Efforts

To the maximum extent feasible, integrate design features in support of all of the following when undertaking open space management planning efforts (e.g., creek corridor management plans): flood protection, increased recreational opportunities, biological resources conservation, water quality protection and enhancement, cultural resource protection, educational opportunities, erosion and sediment control, economic opportunities, community character preservation and enhancement, and similar community benefits

4.H.c Designate Areas Under High Voltage Power Lines as Resource Management - Open Space Designate areas under high voltage power lines as Resource Management ("RM" - General Plan) and Open Space ("OS" - Zoning). Consider incorporating these open spaces into the city's recreation master plan for trails while maintaining private property rights.

The proposed revisions are necessary to implement these general plan programs and ensure that the municipal code is internally consistent both with the general plan and internally, within the AMC itself. Therefore, the proposed changes are consistent with the general plan and provides the necessary amendment making the municipal code consistent with the general plan.

Finding B: The proposed changes or amendments will not be substantially detrimental to the health, safety, or general welfare of the City.

The primary purposes of the proposed code amendments are related to general plan consistency and internal code consistency. The proposed district also assists in identifying areas with potential safety hazards to ensure avoidance as necessary to protect public health and safety.

Permits issued pursuant to the AMC continue to require a finding, on a case-by-case basis, that each project is not substantially detrimental to the health, safety, or general welfare of the City.

Based on the preceding, the proposed code amendments are consistent with this finding.

ENVIRONMENTAL FINDINGS

Pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), the proposed code amendments are exempt from further review, because the proposed amendments implement a program identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

ATTACHMENTS:

1. Resolution of Intent 22-04 with Attachment A to Resolution 22-04: Chapter 17.49 (“Clean” copy)

2. Redline/Strikeout Chapter 17.49 (Reference only)

Attachment 1

CITY OF ANGELS
PLANNING COMMISSION

RESOLUTION NO. 22-04
RECOMMENDING TO THE CITY COUNCIL
AN UPDATE AND REVISION TO ANGELS MUNICIPAL CODE (AMC)
CHAPTER 17.49 MINING COMBINING DISTRICT TO BECOME THE RESOURCES MANAGEMENT COMBINING DISTRICT (:RM) FOR GENERAL PLAN CONSISTENCY

A RESOLUTION OF INTENTION OF THE CITY OF ANGELS PLANNING COMMISSION

WHEREAS, the City of Angels, Planning Commission is authorized by Angels Municipal Code Section 17.90.020(B) to initiate amendment to the City's zoning code upon adopting a resolution of intention; and

WHEREAS, the Planning Commission finds that it is to the mutual benefit of the City, the public health, safety and general welfare of the public; necessary for General Plan implementation and consistency with the City of Angels General Plan and internal code consistency; and

WHEREAS, a notice of public hearing for the proposed action was published November 18, 2021, in the Calaveras Enterprise; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 13, 2022, and received public input on the proposed amendments to Chapters 17.49 of the Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code are in conformance with the City's general plan; and

WHEREAS, the proposed changes are consistent with the City's Municipal Code; and

WHEREAS, the proposed changes to the Municipal Code will not be detrimental to the health, safety, and general welfare of the City and its people; and

WHEREAS, the proposed changes to the Municipal Code are exempt from further environmental review pursuant to the state guidelines for implementing the California Environmental Quality Act (CEQA), because the proposed amendments implement a program identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission hereby recommends to the City Council amending Chapters 17.49 of the Municipal Code pursuant to Attachment A in accordance with the City Standards and State Law and directs staff to provide this recommendation of the planning commission and supporting findings to the City Council in writing within thirty days.

The foregoing resolution was introduced and moved for adoption on January 13, 2022, by Commissioner _____ and being duly seconded by Commissioner _____.
PASSED AND ADOPTED THIS 13th day of January, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____
John Broeder, Chairman

_____
Alicia Smith, Deputy City Clerk

Attachment A to
Resolution 22-04

Chapter 17.49
RESOURCES MANAGEMENT COMBINING DISTRICT (:RM)

Sections:

17.49.010 Purposes and intent.
17.49.020 Permitted Uses.
17.49.030 Conditional Uses.
17.49.040 Site Development Standards.

17.49.010 Purpose and intent.

The purposes and intent of the Resources Management Combining District (:RM) are:

A. To protect economically valuable natural resources from the encroachment of incompatible uses and preserve them for ongoing or future resource production activities. Specifically, the :RM District is intended to protect lands with identified commercially valuable mineral or aggregate resources, geothermal resources, agricultural resources, or similar resources.

B. In any zone where the primary zoning district is combined with the Resources Management Combining District, the requirements of this chapter shall apply, in addition to the requirements of the primary zoning district.

C. In any instance where the provisions of this chapter conflict with the provisions of the primary zoning district, the provisions of this chapter shall apply. (Ord. 322 §2(part), 1992)

17.49.020 Permitted Uses.

There are no permitted uses in the :RM combining district.

17.49.030 Conditional Uses.

A, Mining operations subject to the provisions of Chapter 8.36. (Ord. 322 §2(part), 1992)

B. No proposed land use, building or structure is allowed in the RM combining district unless the Planning Commission, or the City Council upon appeal, finds that:

The proposed use will be arranged and conducted so as not to preclude or create conflict with the eventual or on-going use of commercially valuable or potentially commercially valuable natural resources from the site.

17.49.040 Site Development Standards

No subdivision of land creating any parcel of land less than five acres in size may be permitted in the RM combining district unless the planning commission, or city council upon appeal, finds that:

The proposed use will be arranged and conducted so as not to preclude or create conflict with the eventual or on-going use of commercially valuable or potentially commercially valuable natural resources from the site. (Ord. 322 §2(part), 1992)

Attachment 2
Redline/Strikeout 17.49
(Reference only)

Chapter 17.49

~~MN MINING~~ RESOURCES MANAGEMENT COMBINING DISTRICT (:RM)

Sections:

17.49.010 Purposes and intent.
17.49.020 Permitted Uses ~~permitted~~.
~~17.49.030 Uses subject to site plan review.~~
17.49.~~040~~ 030 Conditional Uses ~~subject to conditional use permit~~.
17.49.040 Site Development Standards.
~~17.49.050 Required findings.~~

17.49.010 Purpose and intent.

The purposes and intent of the Resources Management Combining District (:RM) are:

A. ~~The purpose of the MN combining district is to~~ To provide a district in which mineral ~~resources may be~~ protect~~ed~~ economically valuable natural resources from the encroachment of incompatible uses and preserve them for ongoing or future resource production activities. Specifically, the :RM District is intended to protect lands with identified commercially valuable mineral or aggregate resources, geothermal resources, agricultural resources, or similar resources. ~~and mining activities may be conducted in accordance to the provisions of Chapter 8.36~~.

B. In any zone where the ~~zoning symbol~~primary zoning district is ~~followed by the "MN" suffix symbo~~combined with the Resources Management Combining District, ~~I~~the requirements of this chapter shall apply, in addition to the requirements of the ~~base zone~~primary zoning district.

C. In any instance where the provisions of this chapter conflict with the provisions of the ~~zoning district with which the MN symbol is combined~~primary zoning district, the provisions of this chapter shall apply. (Ord. 322 §2(part), 1992)

17.49.020 Permitted Uses ~~permitted~~.

~~Mining operations subject to the provisions of Chapter 8.36. (Ord. 322 §2(part), 1992)~~

There are no permitted uses in the :RM combining district.

~~17.49.030 Uses subject to site plan review.~~

~~Uses allowed in the MN combining district, are those permitted in the zoning district with which the MN district is combined and the findings of Section 17.49.050 are found to apply. (Ord. 322 §2(part), 1992)~~

17.49.~~040~~ 030 Conditional Uses ~~subject to conditional use permit~~.

A. Mining operations subject to the provisions of Chapter 8.36. (Ord. 322 §2(part), 1992)

B. No proposed land use, building or structure ~~Conditional uses~~is allowed in the ~~MN~~ RM combining district ~~are those indicated in the zoning district with which the MN district is combined and providing the~~ unless the Planning Commission, or the City Council upon appeal, find~~ings that:s of Section 17.49.050 are found to apply. (Ord. 322 §2(part), 1992)~~

The proposed use will be arranged and conducted so as not to preclude or create conflict with the eventual or on-going use of commercially valuable or potentially commercially valuable natural resources from the site.

17.49.040 Site Development Standards

~~17.49.050 Required findings.~~

No ~~proposed land use, building or structure in the MN combining district or any~~ subdivision of land creating any parcel of land less than five acres in size may be permitted in the ~~MN~~ RM combining district unless the planning commission, or city council upon appeal, find~~s~~ that:

~~A. The use meets the findings of Section 17.84.010;~~

~~B.~~ The proposed use will be arranged and conducted so as not to preclude or create conflict with the eventual or on-going ~~extraction~~ use of commercially valuable or potentially commercially valuable ~~mineral~~ natural resources from the site. (Ord. 322 §2(part), 1992)

ANGELS CAMP CALIFORNIA

PLANNING DEPARTMENT

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CITY OF ANGELS CAMP
PLANNING COMMISSION HEARING
STAFF REPORT
SIGN REVIEW SUBCOMMITTEE
PLANNING COMMISSION PROCEDURES

ITEM NO. **COMISSION BUSINESS #1 – DISCUSSION ONLY**

DATE: January 13, 2022

TO: Planning Commission

FROM: Amy Augustine, AICP – City Planner

RE: **Amend Planning Commission Procedures and establish a sign review subcommittee**

RECOMMENDATION
Review and discuss draft for formal consideration in February.

BACKGROUND/DISCUSSION
The Planning Commission discussed the potential to establish a subcommittee to review signs in the historic district outside of its regular meetings held monthly to facilitate approvals. The attached DRAFT includes those provisions.

The Commission will review and discuss, but will not take action on the proposal.

ATTACHMENTS
1. Chapter 17.85 Planning Commission Procedures (Clean)

2. Chapter 17.85 Planning Commission Procedures (Redline/Strikeout)

Attachment 1
17.85 (Clean)

Chapter 17.85
PLANNING COMMISSION PROCEDURES

Sections:

17.85.010 Name.
17.85.020 Duties.
17.85.030 Membership--Officers.
17.85.040 Committees.
17.85.050 Quorum.
17.85.060 Meetings.
17.85.070 Agenda.
17.85.080 Procedural standards.
17.85.090 Required actions.
17.85.100 Planning projects.
17.85.105 Sign Review Committee.
17.85.110 General conduct.
17.85.120 Policy.
17.85.130 Information for commissioners.
17.85.140 Information for public.
17.85.150 Applications and scheduling.
17.85.160 Legal notices.
17.85.170 Records.
17.85.180 Reports to city council.
17.85.190 Amendments.

17.85.010 Name.

The name of this commission shall be the City of Angels Planning Commission (Planning Commission). (Ord. 302 (part), 1989)

17.85.020 Duties.

Duties of the Planning Commission shall be as follows:

A. To develop and maintain a comprehensive, long-term general plan for the physical development of the City of Angels planning area as provided by the California Planning and Zoning Law;

B. To develop such specific plans as may be necessary or desirable;

C. To take action upon or make recommendations to the city council regarding general plan amendments, rezonings, annexations, subdivision or parcel maps, development agreements, conditional use permits, administrative conditional use permits, site development permits, administrative site plan reviews, variances and other related matters referred by the city council;

D. To carry out the duties specified by law; to conduct studies and report on matters referred for action by the city council; and generally to assist and advise the city council and the public in matters pertaining to planning so as to protect and promote the public health, safety, and general welfare. (Ord. 302 (part), 1989)

17.85.030 Membership--Officers.

A. The Commission officers shall be a chairperson, a vice-chairperson and a secretary.

B. The offices of chair and vice-chair shall be filled by voting members elected by a majority of the total voting membership. The persons so elected shall serve for terms of one year. Elections shall be held during the annual meeting which shall be the regular meeting held in the month of July of each year.

C. Unless the Planning Commission determines otherwise, the vice-chairman will succeed the chairman.

D. The office of secretary shall be held by a qualified staff person appointed by the City Planner and be a nonvoting member.

E. The duties of the planning commission officers shall be as follows: It shall be the duty of the chair to preside over all meetings of the commission, to appoint committees, to serve as an ex-officio member of all committees so appointed; and to refer matters requiring attention to the proper standing committee.

F. It shall be the duty of the vice-chair to assist the chair in the execution of the duties of his/her office and to act in his/her stead during his/her absence from conferences or meetings.

G. It shall be the duty of the secretary to keep a record of all meetings of the planning commission, and to direct the operation of routine business in accordance with policies established by the commission and city council.

H. Membership of the planning commission shall be five at-large members who reside within the city limits appointed by the city council for three-year terms. (Ord. 437 §§1, 2, 2009; Ord. 302 (part), 1989)

17.85.040 Committees.

A. Committees shall consist of two or more members. Each shall serve for a period of one year, and each committee shall determine its own procedures unless otherwise provided herein.

B. The following committees are designed as standing committees:

1.

1. Planning Committee

2. Historical District Sign Review Committee (See Section 17.85.105).

C. The Planning Committee shall assist the commission in all matters pertaining to the development and maintenance of an adequate general plan, and in the accomplishment of the

various units thereof, and shall recommend revisions in or additions thereto by annual reports to the commission.

D. The chairperson shall appoint special committees as they may be required. (Ord. 302 (part), 1989)

17.85.050 Quorum. Majority Vote. Appeals

A. A majority of the voting members shall constitute a quorum for the purpose of conducting routine business. (Ord. 302 (part), 1989)

B. All Planning Commission decisions and recommendations shall be by majority vote of the total commission membership.

C. Any Planning Commission decision may be appealed to the City Council pursuant to Chapter 17.81.

17.85.060 Meetings.

A. Regular and special meetings of the planning commission shall be held at those times and places set forth by resolution of the city council. Meetings shall commence at six o'clock p.m. on the second Thursday of each month at City Hall, unless otherwise agreed upon at a regular meeting as provided under this chapter.

B. The City Planner, chairperson or three members of the planning commission may call a special meeting as deemed necessary providing proper notice can be given.

C. No public hearing will commence after ten p.m., and no item of business will commence after eleven p.m. Scheduled items which cannot be heard because of lack of time will be continued to the earliest possible date.

D. Any regular meeting may be adjourned and reconvened at any specified time and place upon a majority vote of a quorum.

E. Special meetings may be held upon twenty-four hours' notice to each member of the commission, the meetings to be held at such times and places as ordered by the chairperson. The notice shall state the purpose of any such special meeting, and shall be given to the news media which request the same.

F. The secretary of the planning commission shall report the absence of any member at three consecutive meetings without an acceptable excuse. This may be grounds for the planning commission to recommend the removal of that member from the commission. (Ord. 437 §§3, 4, 2009; Ord. 302 (part), 1989)

17.85.070 Agenda.

A. The agenda shall show the order of business of each regular meeting substantially as follows:

1. Call to order, roll call;

2. Approval of minutes;

3. Matters of the public not on the agenda (discussion only, no action);

4. Approval of the agenda;

6. Public comment;

7. Public hearings;

8. Planning commission business;

9. Commission reports.

10. Staff reports;

11. Adjournment;

12. This statement shall appear at the bottom of each agenda:

Planning commission decisions can be appealed to the City Council. Appeal must be filed with the City Clerk's office (City Hall) with the appropriate fee within 10 calendar days of the hearing. For more information contact the Planning Commission secretary at 736-1346.

B. No deliberations or actions shall be performed by the planning commission which are in violation of the Brown Act. Each planning commissioner should be thoroughly aware of the requirements of the Brown Act.

C. Each agenda item should be handled in the following order unless the chair determines it is necessary or expeditious to rearrange the order for a particular item of business.

1. Staff presents report and makes recommendations;

2. The planning commission may ask questions regarding the staff presentation and report;

3. Open public hearing or meeting for public comments;

4. Proponents of the agenda item make presentation(s);

5. Any opponents make presentations;

6. Applicant makes rebuttal of any points not previously covered;

7. Close public hearing or meeting to public comments;

8. Planning commission asks any questions it may have of the proponents, opponents or staff;

9. Actions:

   a. Adopt negative declaration, certify EIR, or otherwise approve environmental findings;

   b. Adopt/deny project with findings (reasons), or

   c. Make recommendation to city council on both items. (Ord. 437 §§5, 6, 2009; Ord. 302 (part), 1989)

17.85.080 Procedural standards.

A. Public Testimony.

1. Public testimony at a regular meeting or a public hearing may be either written or oral. If written, it should be submitted at least one week prior to the public hearing or meeting to the secretary who will reproduce and distribute it to the planning commissioners prior to the hearing. If not submitted one week prior to the public hearing or meeting, it must be read into the record of the meeting. All written material will contain the name of the person(s) submitting it, and if a resident, his/her address. If not a resident, it shall identify the property or organization represented. All such written comments should be identified and summarized or read into the record of the public meeting or hearing.

2. Every speaker may state his/her name and address, or he/she may state his/her name and identify the property or organization he/she is representing.

3. Every speaker shall make his/her presentation at a place within the meeting room designated by the chairperson unless maps or other visual presentation requires him/her to stand next to the visual material.

4. Every speaker shall address the planning commission through the chairperson. There shall be no direct communication with any other member of the commission, any staff member or any other individual except as recognized and authorized by the chairperson.

5. If a member of the public wishes to remain directly informed regarding commission action upon any given application or project, the person shall file a notice containing his/her name, address and other information as required by the planning commission on forms which shall be furnished by the secretary. The secretary shall then notify all persons with such information on file of the time, date and place of any further action on the specific subject;

6. The chairperson, when he/she deems it necessary, may limit the amount of time a speaker may use and/or the number of times he/she may speak. However, these limits must apply equally to all speakers at any one meeting or hearing. The commission need not hear the

same opinion, concern or comment repeated on the public record more than twice and the chairperson may direct hearings to avoid such repetition. (Ord. 323 §50, 1992; Ord. 302 (part), 1989)

17.85.090 Required actions.

A. All planning commission actions shall be by resolution and shall include findings of fact (reasons) supporting the decision. Resolutions shall use a consistent format and numbering system that is acceptable to the commission and council. The planning commission shall, when acting upon any given project or decision, make clear on the public record what its findings of fact (reasons) for the action are to be. After the Commission takes action on resolution, it shall be reviewed by the chair prior to signature by the chair.

B. Difficult Decisions. When differences of opinion exist among commissioners while deliberating an issue or project and a decision appears confused or difficult, the chair shall control order and progress by directing commissioners to introduce individual findings of fact related to the decision, each of which may be acted upon separately. In this effort, a difficult decision is broken into components (related facts). It shall be the commission's intent that a separate action upon each component should lead to a consensus upon the whole decision.

C. Conditions Versus Findings. Most planning commission actions for approval will include conditions of approval. Conditions shall be attached or otherwise incorporated within the resolution. The commission shall make clear on the public record what all the conditions for approval shall be. (Ord. 302 (part), 1989)

17.85.100 Planning projects.

City codes and state law prescribe responsibilities of the planning commission and procedures to be followed in processing, reviewing, hearing, and acting upon project applications. Additional details regarding permit applications and processing may be adopted by separate resolution.

A. Zoning Amendments. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.90 of this title and Sections 65854 through 65858 of the California Government Code regarding zoning amendments.

B. General Plan Amendments. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.90 of this title and Sections 65353 through 65354 of the California Government Code regarding general plan amendments.

C. Annexations. The planning commission shall follow the procedures and responsibilities set forth in Section 66454 of the California Government Code.

D. Subdivisions. The planning commission shall follow the procedures and responsibilities set forth in Title 16, Subdivisions, of this code and the California Subdivision Map Act.

E. Regulations Establishing Procedures and Requirements for Consideration of Development Agreements. The Planning Commission shall follow the procedures and responsibilities set forth in Chapter 17.79 and California Government Code Sections 65864-65869.5

F. Conditional Use Permits and Administrative Conditional Use Permits. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.78 of this title regarding use permits and Section 65905 of the California Government Code.

G. Variances. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.75 of this title regarding variances and Section 65906 of the California Government Code.

H. Site Development Permits. The Planning Commission shall follow the procedures and responsibilities set forth in Chapter 17.74 of this Title.

I. Administrative Site Plan Reviews. The Planning Commission shall follow the procedures and responsibilities set forth in Chapter 17.73 of this title.

J. Environmental Review. The California Environmental Quality Act (CEQA) requires that most applications will require a review for the potential environmental effects they may generate. The planning commission or city council must then adopt either an exemption, negative declaration, mitigated negative declaration or an environmental impact report before or along with any project approval. Environmental review procedures are set forth in Section 21000 of the California Public Resources Code and the California Environmental Quality Act (CEQA) guidelines. Each project staff report to the commission shall include either a recommendation that a project be found to be exempt from CEQA or include an initial study with a negative declaration, mitigated negative declaration; or an environmental impact report (EIR). Every planning commission action and resolution concerning a project shall include necessary findings pursuant to CEQA.

K. Interpretations of Zoning Title or General Plan. From time to time it shall be the planning commission's duty to interpret sections of the city's zoning title or general plan. The commission shall deliberate such matters and render its decision and/or recommendation to the city council by resolution with findings as though it were any other action. It shall be the City Planner's duty to review and report to the commission regarding previous resolutions and the precedents that may have been set regarding the needed interpretation of the code or general plan before the matter is deliberated by the commission. It shall also be the City Planner's duty to prepare and submit amendments to the ordinance and/or general plan which will remove the area of confusion or inconsistency. (Ord. 437 §7, 2009; Ord. 323 §57, 1992; Ord. 302 (part), 1989)

17.85.105 Historical District Sign Review Committee

A. Historical District Sign Review Committee. A Historical District Sign Review Committee is hereby established to review and take action on applications for sign permits within the Historical Commercial zoning district (HC). The purpose of the committee is to reduce the review and approval time for new signs or alterations of existing signs in the Historical District when scheduling sign review at the next regularly scheduled Planning Commission could hamper business operations.

The committee shall be comprised of two representatives of the Planning Commission, and one alternate, as appointed by the Planning Commission.

B. Procedures for the Historic District Sign Review Committee. Meetings of the Historical District Sign Review Committee shall be held on an as needed basis. The City Planner shall schedule meetings upon receipt of a completed sign application. Scheduling shall comply with California's open meeting laws. The Historical District Sign Review Committee shall meet and take action to approve, conditionally approve, or deny the proposed sign(s). A quorum of the committee shall consist of no fewer than two committee members.

C. Appeals of decisions of the Historic District Sign Review Committee. Historical District Sign Review Committee decisions may be appealed as set forth in Chapter 17.81 except that appeals shall be directly to the City Council. Appeals must be submitted in writing to the Community Development Department within 10 day of the Historical District Sign Review Committee decision. No fee shall be charged for such an appeal.

17.85.110 General conduct.

Appearance of conflict or wrongdoing by commissioners shall be avoided. In general, the following rules shall be followed:

A. On any action, commissioners have three choices, aye, nay or non-vote. An "aye" vote is in favor of the resolution, a "nay" vote is in opposition to the resolution. For a non-vote, the commissioner may abstain from voting or he/she may disqualify him/herself. An abstention is a "no position." Disqualification should be used if the commissioner has a financial interest. If a commissioner disqualifies him/herself, he/she must refrain from participating in any discussion.

B. A commissioner should exercise care when discussing projects with project applicants outside of the public hearing or meeting. While this is not forbidden by law, it may give an appearance of wrongdoing and it often leads to difficulty in later deliberations. Commissioners should make known any information obtained or discussions held with an applicant, during the meeting and prior to any public hearing on the applicant's project. (Ord. 302 (part), 1989)

17.85.120 Policy.

All matters of policy not covered by law shall be adopted by resolution with findings and when so adopted, shall be considered the official policy of the planning commission. It shall be the duty of the planning staff to draft and submit such policies in the form of code and/or general plan amendments. (Ord. 302 (part), 1989)

17.85.130 Information for commissioners.

The following information shall be supplied to each commissioner for his/her use in processing applications and handling regular business; also found on the city's website:

A. A copy of the general plan and an up-to-date map of city zoning;

B. A complete and up-to-date copy of all city codes and, if different, ordinances and resolutions related to planning;

C. Copies of all current policies, procedures and special reports;

D. A schedule of terms of office of commissioners. (Ord. 437 §8, 2009: Ord. 302 (part), 1989)

17.85.140 Information for public.

A. The Planning Commission Secretary shall make available to the public, subject to the fee schedule adopted by the city council, various documents containing such information as the planning commission schedule, information and dates required for filing various types of applications, all ordinances and policies used by the department and these procedures.

B. The secretary shall maintain a file for every planning commission action item that shall be available for public review at City Hall during normal or posted working hours. The file shall contain copies of all available information pertaining to the action item. All such information should be fixed in place in the file and in chronological order as items are received. Such files may be electronic. The public may be allowed to obtain copies of information contained in the file but in no instance shall the file or any of its contents be removed from City Hall.

C. There shall be available at every planning commission meeting, a copy of these procedures as well as a copy available in the Community Development Department. (Ord. 302 (part), 1989)

17.85.150 Applications and scheduling.

A. Applications, except for those of a special or infrequent nature, shall be made on forms provided by the City Planner and shall show all necessary information to show compliance with all applicable city ordinances and shall be accompanied by all necessary fees and information.

B. The scheduling of public hearings and meetings shall be the responsibility of the planning commission Secretary unless otherwise directed by the City Planner, planning commission or city council.

C. When an applicant requests a delay or continuance of an action pertaining to his/her application before, during or after a public meeting or hearing, the matter will be rescheduled not more than sixty days from the date first set for a public hearing. (Ord. 302 (part), 1989)

17.85.160 Legal notices.

A. The Planning Commission secretary shall be responsible for the preparing, publishing, posting and/or mailing public hearing and meeting notices.

B. As used in this title, " public hearing notice" or " public meeting notice" means a notice that includes the date, time and place of a public hearing or meeting, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing or meeting.

C. When a public meeting notice is required, such notice shall be posted at least three days prior to the meeting in at least two public places within the city limits.

In addition to the notice required by this section, the city may give notice of the meeting in any other manner it deems necessary or desirable.

D. Whenever a public hearing notice is required by this code or state law, notice shall be given in all the following ways:

1. Notice of the hearing shall be mailed, e-mailed, or delivered at least ten days prior to the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant;

2. Notice of the hearing shall be mailed, e-mailed, or delivered at least ten days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected, unless those agencies were notified in conjunction with project review and did not request additional public hearing notification;

3. Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to all owners of real property as shown on the last equalized assessment roll within three hundred feet of the real property that is the subject of the hearing. In lieu of using the assessment roll, records of the county assessor or tax collector which contain more recent information than the assessment roll may be used. If the number of owners to whom notice would be mailed or delivered, or is greater than one thousand, in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation with the local agency in which the proceeding is conducted at least ten days prior to the hearing. This provision does not apply if owners of real property within 300 feet were notified in conjunction with project review and did not requested additional public hearing notification.

4. Public hearing notices shall be published in at least one newspaper of general circulation within the jurisdiction of the city at least ten days prior to the meeting, or if there is no such newspaper of general circulation, the notice shall be posted at least ten day prior to the meeting in at least three public places within the City limits including one public place in the area directly affected by the proceeding.

5. In addition to the notice required pursuant to this section, the City may give notice of the public hearing in any other manner it deems necessary or desirable.

E. In order to hold a special meeting, the Community Development Department must provide advance notice of such meeting to each member of the commission. The notice shall state the time and place of the special meeting. It shall also state the business to be transacted, and no other business shall be considered at the special meeting.

Notice is required even if no action is taken by the planning commission at the special meeting. It is also required if the special meeting is to be held in closed session. If a planning commission holds an informal meeting falling within the scope of the Brown Act, such as a luncheon meeting, notice must also be given.

F. In an emergency situation, the legislative body is not required to deliver written notice to the news media twenty-four hours in advance of its special meeting. An "emergency situation" is

defined to include a work stoppage or other activity and a crippling disaster, which severely impairs public health, safety, or both, as determined by a majority of the members of the planning commission or city council. In such cases, telephonic notice shall be provided to news media one hour prior to the meeting unless telephonic services are not functioning.

G. Adjourned or continued meetings should be noticed twenty-four hours in advance with notice posted on or near the door of the meeting place provided no new agenda items are acted upon and clear public announcement of the continued or adjourned meeting is made at the preceding regularly scheduled meeting. (Ord. 437 §§9, 10, 2009; Ord. 302 (part), 1989)

17.85.170 Records.

A. Each applicant shall be furnished a copy of the resolution stating the action on his application.

B. A tape recording of each meeting shall be made and filed in the office of the secretary of the planning commission, permanently. Tapes are to be made available to the public.

C. A tape recording of each public hearing shall be made and permanently filed in the secretary's office. Tapes are to be made available to the public, however, original recordings may not be taken from City Hall.

D. All minutes, resolutions, and other pertinent information shall be permanently filed in the office of the Planning Commission secretary. Filing may be by electronic means. Minutes are to be made available to the public. (Ord. 302 (part), 1989)

17.85.180 Reports to city council.

The secretary shall submit all resolutions and minutes to the city council. If requested or directed by the commission or council, the City Planner shall also provide a brief report to the city council on any particular action(s) taken by the planning commission. (Ord. 302 (part), 1989)

17.85.190 Amendments.

These procedures may be amended at any regular meeting of the planning commission by a vote of a majority of the full membership. (Ord. 302 (part), 1989)

Attachment 2
(Redline/Strikeout – Reference Only)

Chapter 17.85
PLANNING COMMISSION PROCEDURES

Sections:

17.85.010 Name.
17.85.020 Duties.
17.85.030 Membership--Officers.
17.85.040 Committees.
17.85.050 Quorum.
17.85.060 Meetings.
17.85.070 Agenda.
17.85.080 Procedural standards.
17.85.090 Required actions.
17.85.100 Planning projects.
17.85.105 Sign Review Committee
17.85.110 General conduct.
17.85.120 Policy.
17.85.130 Information for commissioners.
17.85.140 Information for public.
17.85.150 Applications and scheduling.
17.85.160 Legal notices.
17.85.170 Records.
17.85.180 Reports to city council.
17.85.190 Amendments.

17.85.010 Name.

SHARE

The name of this commission shall be the City of Angels ~~planning~~ Planning ~~commission~~Commission (Planning Commission). (Ord. 302 (part), 1989)

17.85.020 Duties.

SHARE

Duties of the ~~planning~~ Planning ~~commission~~ Commission shall be as follows:

A. To develop and maintain a comprehensive, long-term general plan for the physical development of the City of Angels planning area as provided by the California Planning and ~~Zone~~ Zoning Law;

B. To develop such specific plans as may be necessary or desirable;

C. To take action upon or make recommendations to the city council regarding general plan ~~changes~~amendments, rezonings, annexations, subdivision or parcel ~~tentative~~ maps, development agreements, conditional use permits, administrative conditional use permits, site development permits, administrative site plan reviews, variances and other related matters referred by the city council;

D. To carry out the duties specified by law; to conduct studies and report on matters referred for action by the city council; and generally to assist and advise the city council and the public in matters pertaining to planning so as to protect and promote the public health, safety, ~~comfort, convenience~~ and general welfare. (Ord. 302 (part), 1989)

17.85.030 Membership--Officers.

A. The Commission officers ~~of the commission~~ shall be a chairperson, a vice-chairperson and a secretary.

B. The offices of chair and vice-chair shall be filled by voting members elected by a majority of the total voting membership. The persons so elected shall serve for terms of one year. Elections shall be held during the annual meeting which shall be the regular meeting held in the month of July of each year.

C. Unless the ~~planning~~ Planning ~~commission~~ Commission determines otherwise, the vice-chairman will succeed the chairman.

D. The office of secretary shall be held by a qualified staff person appointed by the ~~city clerk~~City Planner and be a nonvoting member.

E. The duties of the ~~officers of the~~ planning commission officers shall be as follows: It shall be the duty of the chair to preside over all meetings of the commission, to appoint committees, ~~and~~ to serve as an ex-officio member of all committees so appointed; and to refer matters requiring attention to the proper standing committee.

F. It shall be the duty of the vice-chair to assist the chair in the execution of the duties of his/her office and to act in his/her stead during his/her absence from conferences or meetings.

G. It shall be the duty of the secretary to keep a record of all meetings of the planning commission, and to direct the operation of routine business in accordance with policies established by the commission and city council.

H. Membership of the planning commission shall be five at-large members who reside within the city limits appointed by the city council for three-year terms. (Ord. 437 §§1, 2, 2009; Ord. 302 (part), 1989)

17.85.040 Committees.

A. Committees shall consist of two or more members. Each shall serve for a period of one year, and each committee shall determine its own procedures unless otherwise provided herein.

B. The following committees are designed as standing committees:

1. ~~Zoning committee;~~

~~2. Subdivision committee;~~

~~3. General plan committee;~~

~~4. Landscape review committee.~~

1. Planning Committee

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2. Historical District Sign Review Committee (See Section 17.85.105).

C. The ~~general plan~~Planning ~~committee~~ Committee shall assist the commission in all matters pertaining to the development and maintenance of an adequate general plan, and in the accomplishment of the various units thereof, and shall recommend revisions in or additions thereto by annual reports to the commission.

D. The chairperson shall appoint special committees as they may be required. (Ord. 302 (part), 1989)

17.85.050 Quorum.~~SHARE~~ Majority Vote. Appeals

A. A majority of the voting members shall constitute a quorum for the purpose of conducting routine business. ~~The affirmative vote of a majority of the voting members shall be required for the approval of any general plan element or amendment thereto, any rezone, variance, use permit, tentative map or other planning commission action.~~ (Ord. 302 (part), 1989)

B. All Planning Commission decisions and recommendations shall be by majority vote of the total commission membership.

C. Any Planning Commission decision may be appealed to the City Council pursuant to Chapter 17.81.

17.85.060 Meetings.SHARE

A. Regular and special meetings of the planning commission shall be held at those times and places set forth by resolution of the city council. Meetings shall commence at six o'clock p.m. on the second Thursday of each month at City Hall, unless otherwise agreed upon at a regular meeting as provided under this chapter.

B. The City Planner, chairperson or three members of the planning commission may call a special meeting as deemed necessary providing proper notice can be given.

C. No public hearing will commence after ten p.m., and no item of business will commence after eleven p.m. Scheduled items which cannot be heard because of lack of time will be continued to the earliest possible date.

D. Any regular meeting may be adjourned and reconvened at any specified time and place upon a majority vote of a quorum.

E. Special meetings may be held upon twenty-four hours' notice to each member of the commission, the meetings to be held at such times and places as ordered by the chairperson. The notice shall state the purpose of any such special meeting, and shall be given to the news media which request the same.

F. The secretary of the planning commission shall report the absence of any member at three consecutive meetings without an acceptable excuse. This may be grounds for the planning commission to recommend the removal of that member from the commission. (Ord. 437 §§3, 4, 2009; Ord. 302 (part), 1989)

17.85.070 Agenda.

~~A. To be placed on an agenda for consideration by the planning commission, a matter must be submitted before five p.m. eight calendar days before the next regularly scheduled meeting.~~

~~B~~A. The agenda shall show the order of business of each regular meeting substantially as follows:

1. Call to order, roll call;
2. Approval of minutes;
3. Matters of the public not on the agenda (discussion only, no action);
4. Approval of the agenda;
5. ~~Verification of resolutions;~~
6. ~~Communications and petitions~~Public comment;
7. Public hearings;
8. Planning commission ~~matters~~business;
9. Commission reports.
    a. ~~Action list;~~
10. Staff reports;
11. Adjournment;
12. This statement shall appear at the bottom of each agenda:

Planning commission decisions can be appealed to the City Council. Appeal must be filed with the City Clerk's office (City Hall) with the appropriate fee within ~~15~~ 10 calendar days of the hearing. For more information contact the Planning Commission secretary at 736-1346.

C. No deliberations or actions shall be performed by the planning commission which are in violation of the Brown Act. Each planning commissioner should be thoroughly aware of the requirements of the Brown Act.

D. Each agenda item should be handled in the following order unless the chair determines it is necessary or expeditious to rearrange the order for a particular item of business.

1. Staff presents report and makes recommendations;
2. The planning commission may ask questions regarding the staff presentation and report;

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3. Open public hearing or meeting for public comments;

4. Proponents of the agenda item make presentation(s);

5. Any opponents make presentations;

6. Applicant makes rebuttal of any points not previously covered;

7. Close public hearing or meeting to public comments;

8. Planning commission asks any questions it may have of the proponents, opponents or staff;

9. Actions:

a. Adopt negative declaration, ~~or~~ certify EIR, or otherwise approve environmental findings;

b. Adopt/deny project with findings (reasons), or

c. Make recommendation to city council on both items. (Ord. 437 §§5, 6, 2009; Ord. 302 (part), 1989)

17.85.080 Procedural standards.

SHARE

A. Public Testimony.

1. Public testimony at a regular meeting or a public hearing may be either written or oral. If written, it should be submitted at least one week prior to the public hearing or meeting to the secretary who will reproduce and distribute it to the planning commissioners prior to the hearing. If not submitted one week prior to the public hearing or meeting, it must be read into the record of the meeting. All written material will contain the name of the person(s) submitting it, and if a resident, his/her address. If not a resident, it shall identify the property or organization represented. All such written comments should be identified and summarized or read into the record of the public meeting or hearing.

2. Every speaker ~~shall~~ may state his/her name and address ~~if speaking as a resident~~, or he/she ~~shall~~ may state his/her name and identify the property or organization he/she is representing.

3. Every speaker shall make his/her presentation at a place within the meeting room designated by the chairperson unless maps or other visual presentation requires him/her to stand next to the visual material.

4. Every speaker shall address the planning commission through the chairperson. There shall be no direct communication with any other member of the commission, any staff member or any other individual except as recognized and authorized by the chairperson.

5. If a member of the public wishes to remain directly informed regarding commission action upon any given application or project, the person shall file a notice containing his/her name, address and other information as required by the planning commission on forms which shall be furnished by the secretary. The secretary shall then notify all persons with such information on file of the time, date and place of any further action on the specific subject;

6. The chairperson, when he/she deems it necessary, may limit the amount of time a speaker may use and/or the number of times he/she may speak. However, these limits must apply equally to all speakers at any one meeting or hearing. The commission need not hear the same opinion, concern or comment repeated on the public record more than twice and the chairperson may direct hearings to avoid such repetition. (Ord. 323 §50, 1992; Ord. 302 (part), 1989)

17.85.090 Required actions.

SHARE

A. All planning commission actions shall be by resolution and shall include findings of fact (reasons) supporting the decision. ~~Resolutions shall, in most instances, be drafted by the secretary in the week immediately following the commission action. The resolutions~~ Resolutions shall use a consistent format and numbering system that is acceptable to the commission and council. The planning commission shall, when acting upon any given project or decision, make clear on the public record what its findings of fact (reasons) for the action are to be. After the ~~secretary prepares a~~ Commission takes action on resolution, it shall be reviewed by the chair prior to signature ~~of~~ by the chair. ~~If confusion develops regarding the secretary's interpretation of the commission's findings, conditions or actions, the item shall be returned to the commission for clarification.~~

~~A~~B. Difficult Decisions. When differences of opinion exist among commissioners while deliberating an issue or project and a decision appears confused or difficult, the chair shall control order and progress by directing commissioners to introduce individual findings of fact related to the decision, each of which may be acted upon separately. In this effort, a difficult decision is broken into components (related facts). It shall be the commission's intent that a separate action upon each component should lead to a consensus upon the whole decision.

~~B~~C. Conditions Versus Findings. Most planning commission actions for approval will include conditions of approval. Conditions ~~are not findings, however, conditions shall be referenced by one or more findings and they~~ shall be attached or otherwise incorporated within the resolution. The commission shall make clear on the public record what all the conditions for approval shall be. (Ord. 302 (part), 1989)

17.85.100 Planning projects.

SHARE

City codes and state law prescribe responsibilities of the planning commission and procedures to be followed in processing, reviewing, hearing, and acting upon project applications. Additional details regarding permit applications and processing may be adopted by separate resolution.

A. Zoning Amendments. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.90 of this title and Sections 65854 through 65858 of the California Government Code regarding zoning amendments.

B. General Plan Amendments. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.90 of this title and Sections 65353 through 65354 of the California Government Code regarding general plan amendments.

C. Annexations. The planning commission shall follow the procedures and responsibilities set forth in Section 66454 of the California Government Code.

D. Subdivisions. The planning commission shall follow the procedures and responsibilities set forth in Title 16, Subdivisions, of this code and the California Subdivision Map Act.

E. Regulations Establishing Procedures and Requirements for Consideration of Development Agreements. The Planning Commission shall follow the procedures and responsibilities set forth in Chapter 17.79 and California Government Code Sections 65864-65869.5

~~1. Authority For Adoption and Applications. These regulations are adopted under the authority of Government Code Sections 65864-65869.5.~~

~~a. Applications.~~

~~i. The planning director shall prescribe the form for each application, notice and documents provided for or required under these regulations for the preparation and implementation of development agreements.~~

~~ii. The planning director may require an applicant to submit such information and supporting data as the planning director considers necessary to process the application.~~

~~b. Fees. The city council shall by separate resolution fix the schedule of fees and charges imposed for the filing and processing of each application and document provided for or required under these regulations.~~

~~c. Qualification as an Applicant. Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person who has legal or equitable interest in the real property which is the subject of the development agreement. "Applicant" includes authorized agent. The planning director may require an applicant to submit proof of his interest in the real property and of the authority of the agent to act for the applicant. Before processing the application, the planning director may obtain the opinion of the city attorney as to the sufficiency of the applicant's interest in the real property to enter into the agreement.~~

~~d. Proposed Form of Agreement. Each application shall be accompanied by the form of development agreement proposed by the applicant. This requirement may be met by designating the city's standard form of development agreement and including specific proposals for changes in or additions to the language of the standard form.~~

~~e. Review of Application. The planning director shall endorse on the application the date it is received. He shall review the application and may reject it if it is incomplete or inaccurate for processing. If he finds that the application is complete, he shall accept it for filing. The director shall review the application and determine the additional requirements necessary to complete the agreement. After receiving~~

the required information, a staff report and recommendation shall be prepared, which shall state whether or not the agreement as proposed or in an amended form would be consistent with the general plan and any applicable specific plan.

2. Hearing and Notice. The planning commission and city council shall each hold a public hearing on each application for a development agreement. The planning director shall give notice of intention to consider adoption of the development agreement. Notice of the public hearing shall be given not less than ten days nor more than thirty days prior to the date of the hearing by mailing a notice to all property owners within three hundred feet of the property which is the subject of the proposed development agreement, and by publication in a newspaper of general circulation within the city. The form of the notice of intention to consider adoption of the development agreement shall contain:

a. The time and place of the hearing;

b. A general explanation of the matter to be considered including a general description of the area affected;

c. Other information required by specific provision of these regulations or which the planning director considers necessary or, desirable.

The failure of any person entitled to notice required by law or these regulations to actually receive such notice, does not affect the authority of the city to enter into a development agreement. No action, inaction or recommendation regarding the proposed development agreement shall be held void or invalid or be set aside by a court by reason of error, irregularity, informality, neglect or omission ("error") as to any matter pertaining to petition, application, notice, finding, record, hearing, report, recommendation or, any matters of procedure whatever unless after an examination of the entire case, including the evidence, the court is of the opinion that the error complained of was prejudicial and that by reason of the error the complaining party sustained and suffered substantial injury, and that a different result would have been probable if the error had not occurred or existed. There is not presumption that error is prejudicial or that injury was done if error is shown.

3. Action by Planning Commission. After the public hearing, the planning commission shall make its recommendation in writing to the city council. The recommendation shall include the planning commission's determination whether or not the following findings can be made:

a. That the proposed development agreement is consistent with the objectives, policies, general land uses and programs specified in the general plan, any applicable specific plan and/or any proposed amendment to the general plan or applicable specific plan submitted simultaneously and in conjunction with the proposed development agreement;

b. That the proposed development agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;

c. That the proposed development agreement is in conformity with public convenience, general welfare and good land use practice;

d. That the proposed development agreement will not be detrimental to the public health, safety and general welfare;

e. That the proposed development agreement will not adversely affect the orderly development of property or the preservation of property values.

The recommendation shall include the reasons for the recommendation.

4. Action by City Council. After the city council completes the public hearing, it may accept, modify or disapprove the recommendation of the planning commission. It may, but need not, refer matters not previously considered by the planning commission during its hearing back to the planning commission for report and recommendation.

The planning commission may, but need not, hold a public hearing on matters referred back to it by the city council.

The city council may not approve the development agreement unless it finds that the provisions of the agreement are consistent with the general plan, and any applicable specific plan. Any proposed change in the general plan or applicable specific plan must be approved prior to, but simultaneously with, the approval of the development agreement.

If the city council approves the development agreement, it shall do so by the adoption of an ordinance. Upon the ordinance approving the development agreement taking effect, the city may enter into the agreement.

5. Amendment or Cancellation of Agreement by Mutual Consent. Either party may propose an amendment to or cancellation in whole or in part of the development agreement previously entered into. The procedure for such proposing and adoption of an amendment or cancellation is the same as the procedure for entering into an agreement in the first instance, as prescribed by subsections (E)(1) through (4) of this section. However, where the city of Angels initiates the proposed amendment to or cancellation in whole or in part of the development agreement, it shall first give notice to the property owner of its intention to initiate such proceedings at least thirty days in advance of the giving of notice of intention to consider the amendment or cancellation required by this section.

6. Recordation. Within ten days after the city of Angels enters into the development agreement, the city clerk shall have the agreement recorded with the county recorder. If the parties to the agreement or their successors in interest amend or cancel the agreement as provided in subsection (E)(5) of this section, or if the city terminates or modifies the agreement as provided in subsection (E)(8) of this section for failure of the applicant to comply in good faith with the terms or conditions of the agreement the city clerk shall have notice of such action recorded with the county recorder.

7. Periodic Review.

a. Time for Initiation of Review. The city planning staff shall review the development agreement every twelve months from the date the agreement is entered into. The time for review may be modified either by agreement between the parties or by initiation in one or more of the following ways:

i. Recommendation of the planning staff;

ii. Affirmative vote of at least three members of the planning commission;

iii. Affirmative vote of at least three members of the city council.

b. Notice of Periodic Review. The planning director shall begin the review proceeding by giving notice to the property owner that the city of Angeles intends to undertake a periodic review of the development agreement. Following the review of the development agreement, the planning director shall make a determination that the property owner has made good faith performance and compliance with the terms of the agreement. If such finding is made by the planning director, no further action on the part of the city need be taken. If the, planning director finds reasonable cause or evidence that the property owner has not demonstrated good faith performance and compliance with the terms of the agreement, such finding constitutes grounds for referring the matter of periodic review before the planning commission in public hearing. The planning director shall give the notice at least thirty days in advance of the time at which the matter will be considered by the planning commission.

c. Public Hearing. The planning commission shall conduct a public hearing at which the property owner must demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue is upon the property owner.

d. Findings Upon Public Hearing. The planning commission shall determine upon the basis of substantial evidence whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the agreement.

e. Procedure Upon Findings.

i. If the planning commission finds and determines on the basis of substantial evidence that the property owner has complied in good faith with the terms and conditions of the agreement during the period under review, the review for that period is concluded.

ii. If the planning commission finds and determines on the basis of substantial evidence that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the planning commission may recommend to the city council that the agreement be modified or terminated.

8. Modification or Termination.

a. If, upon a finding under subsection (E)(7)(e)(ii) of this section, the planning commission recommends the modification or termination of the agreement, the city; council shall give notice to the property, owner of its intention to consider such modification or termination. The notice shall contain:

i. The time and place of the council meeting at which the matter is to be considered;

ii. A statement as to whether the city proposes to terminate or to modify the development agreement;

iii. Other information which the city considers necessary to inform the property owner of the nature of the proceeding.

b. Action by City Council. At the time and place set for the consideration of modification or termination, the property owner shall be given an opportunity to be heard. The city council may modify or terminate the agreement. The council may but need not, refer the matter back to the planning commission for further proceedings. The council may impose those conditions to the action it takes as it considers necessary to protect the interests of the city of Angels. The decision of the council is final.

9. Moratorium on Further Development. In the event that the applicant fails to complete the agreement as specified under subsection (E)(6) of this section or the agreement is terminated as specified under subsection (e)(8) of this section the city council shall enact an urgency ordinance placing a moratorium on further development activities on the property which is the subject of the agreement so terminated. The moratorium shall continue until such time as a new development agreement is executed; or until the property is rezoned or other regulations or controls on the development of the property are enacted which the city considers sufficient to protect its interests.

F. Conditional Use Permits and Administrative Conditional Use Permits. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.78 of this title regarding use permits and Section 65905 of the California Government Code.

G. Variances. The planning commission shall follow the procedures and responsibilities set forth in Chapter 17.75 of this title regarding variances and Section 65906 of the California Government Code.

H. Site Development Permits. The Planning Commission shall follow the procedures and responsibilities set forth in Chapter 17.74 of this Title.

I. Administrative Site Plan Reviews. The Planning Commission shall follow the procedures and responsibilities set forth in Chatper 17.73 of this title.

HJ. Environmental Review. The California Environmental Quality Act (CEQA) requires that almost every "project" referenced in this section, except for variances, most applications will require a review for the negative potential environmental effects they may generate. The planning commission or city council must then adopt either an exemption, negative declaration, mitigated negative declaration or an environmental impact report before or along with any project approval. Environmental review procedures are set forth in Section 21000 of the California Public Resources Code and the California Environmental Quality Act (CEQA) guidelines. Each project staff report to the commission shall include either a recommendation that a project be found to be exempt from CEQA or include an environmental initial study recommending that with either a negative impact declaration, mitigated negative declaration; be approved or an environmental impact report (EIR) be prepared. Every planning commission action and resolution concerning a project shall include necessary findings pursuant to CEQA.

~~I.~~K. Interpretations of Zoning Title or General Plan. From time to time it shall be the planning commission's duty to interpret sections of the city's zoning title or general plan. The commission shall deliberate such matters and render its decision and/or recommendation to the city council by resolution with findings as though it were any other action. It shall be the ~~planning staff's~~ City Planner's duty to review and report to the commission regarding previous resolutions and the precedents that may have been set regarding the needed interpretation of the code or general plan before the matter is deliberated by the commission. It shall also be the ~~planning staff's~~City Planner's duty to prepare and submit amendments to the ordinance and/or general plan which will remove the area of confusion or inconsistency. (Ord. 437 §7, 2009; Ord. 323 §57, 1992; Ord. 302 (part), 1989)

17.85.105 Historical District Sign Review Committee

A. Historical District Sign Review Committee. A Historical District Sign Review Committee is hereby established to review and take action on applications for sign permits within the Historical Commercial zoning district (HC). The purpose of the committee is to reduce the review and approval time for new signs or alterations of existing signs in the Historical District when scheduling sign review at the next regularly scheduled Planning Commission could hamper business operations.

The committee shall be comprised of two representatives of the Planning Commission, and one alternate, as appointed by the Planning Commission.

B. Procedures for the Historic District Sign Review Committee. Meetings of the Historical District Sign Review Committee shall be held on an as needed basis. The City Planner shall schedule meetings upon receipt of a completed sign application. Scheduling shall comply with California's open meeting laws. The Historical District Sign Review Committee shall meet and take action to approve, conditionally approve, or deny the proposed sign(s). A quorum of the committee shall consist of no fewer than two committee members.

C. Appeals of decisions of the Historic District Sign Review Committee. Historical District Sign Review Committee decisions may be appealed as set forth in Chapter 17.81 except that appeals shall be directly to the City Council. Appeals must be submitted in writing to the Community Development Department within 10 day of the Historical District Sign Review Committee decision. No fee shall be charged for such an appeal.

17.85.110 General conduct.

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Appearance of conflict or wrongdoing by commissioners shall be avoided. In general, the following rules shall be followed:

A. On any action, commissioners have three choices, aye, nay or non-vote. An "aye" vote is in favor of the resolution, a "nay" vote is in opposition to the resolution. For a non-vote, the commissioner may abstain from voting or he/she may disqualify him/herself. An abstention is a "no position." Disqualification should be used if the commissioner has a financial interest. If a commissioner disqualifies him/herself, he/she must refrain from participating in any discussion.

B. A commissioner should exercise care when discussing projects with project applicants outside of the public hearing or meeting. While this is not forbidden by law, it may give an appearance of wrongdoing and it often leads to difficulty in later deliberations. Commissioners should make known any information obtained or discussions held with an applicant, during the meeting and prior to any public ~~or~~ hearing on the applicant's project. (Ord. 302 (part), 1989)

17.85.120 Policy.

All matters of policy not covered by law shall be adopted by resolution with findings and when so adopted, shall be considered the official policy of the planning commission. It shall be the duty of the planning staff to draft and submit such policies in the form of code and/or general plan amendments. (Ord. 302 (part), 1989)

17.85.130 Information for commissioners.

The following information shall be supplied to each commissioner for his/her use in processing applications and handling regular business; also found on the city's website:

A. A copy of the general plan and an up-to-date map of city zoning;

B. A complete and up-to-date copy of all city codes and, if different, ordinances and resolutions related to planning;

C. Copies of all current policies, procedures and special reports;

D. A schedule of terms of office of commissioners. (Ord. 437 §8, 2009: Ord. 302 (part), 1989)

17.85.140 Information for public.

A. The ~~city clerk~~Planning Commission Secretary shall make available to the public, subject to the fee schedule adopted by the city council, various documents containing such information as the planning commission schedule, information and dates required for filing various types of applications, all ordinances and policies used by the department and these procedures.

B. The secretary shall maintain a file for every planning commission action item that shall be available for public review at City Hall during normal or posted working hours. The file shall contain copies of all available information pertaining to the action item. All such information should be fixed in place in the file and in chronological order as items are received. Such files may be electronic. The public may be allowed to obtain copies of information contained in the file but in no instance shall the file or any of its contents be removed from City Hall.

C. There shall be available at every planning commission meeting, a copy of these procedures as well as a copy available in the ~~city clerk's office~~Community Development Department. (Ord. 302 (part), 1989)

17.85.150 Applications and scheduling.

A. Applications, except for those of a special or infrequent nature, shall be made on forms provided by the ~~city clerk and/or planning commission secretary~~City Planner and shall show all necessary information to show compliance with all applicable city ordinances and shall be accompanied by all necessary fees and information.

B. The scheduling of public hearings and meetings shall be the responsibility of the ~~secretary of the~~ planning commission Secretary unless otherwise directed by the City Planner, planning commission or city council.

C. When an applicant requests a delay or continuance of an action pertaining to his/her application before, during or after a public meeting or hearing, the matter will be rescheduled not more than sixty days from the date first set for a public hearing. (Ord. 302 (part), 1989)

17.85.160 Legal notices.

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A. The Planning Commission secretary ~~of the planning commission~~ shall be responsible for the ~~preparation~~ preparing, publishing, ~~and publication,~~ posting and/or mailing ~~of~~ public hearing and meeting notices ~~of public hearings or meetings~~.

B. As used in this title, "~~notice of a~~ public hearing notice" or "~~notice of a~~ public meeting notice" means a notice that includes the date, time and place of a public hearing or meeting, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing or meeting.

C. When a public meeting notice ~~of a public meeting~~ is required, such notice shall be ~~published in at least one newspaper of general circulation within the jurisdiction of the city at least ten days prior to the meeting, or if there is no such newspaper of general circulation, the notice shall be~~ posted at least ~~ten~~ three days prior to the meeting in at least ~~three~~ two public places within the city limits.

In addition to the notice required by this section, the city may give notice of the meeting in any other manner it deems necessary or desirable.

D. Whenever a public hearing notice ~~of a public hearing~~ is required by this code or state law, notice shall be given in all the following ways:

1. Notice of the hearing shall be mailed, e-mailed, or delivered at least ten days prior to the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant;

2. Notice of the hearing shall be mailed, e-mailed, or delivered at least ten days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected, unless those agencies were notified in conjunction with project review and did not request additional public hearing notification;

3. Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to all owners of real property as shown on the last equalized assessment roll within three hundred feet of the real property that is the subject of the hearing. In lieu of ~~utilizing~~ using the assessment roll, records of the county assessor or tax collector which contain more recent information than the assessment roll may be used. If the number of owners to whom notice would be mailed or delivered, or is greater than one thousand, in lieu of mailed or delivered notice, notice may be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation with the local agency in which the proceeding is conducted at least ten days prior to the hearing. This provision does not apply if owners of real property within 300 feet were notified in conjunction with project review and did not requested additional public hearing notification.

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4. ~~If the notice is mailed or delivered pursuant to subsection C of this section, the notice shall also either be:~~

~~a. Published in at least one newspaper of general circulation within the city at least ten days prior to the hearing,~~

~~b. Posted at least ten days prior to the hearing in at least three public places within the boundaries of the local agency, including one public place in the area directly affected by the proceeding.~~Public hearing notices shall be published in at least one newspaper of general circulation within the jurisdiction of the city at least ten days prior to the meeting, or if there is no such newspaper of general circulation, the notice shall be posted at least ten day prior to the meeting in at least three public places within the City limits including one public place in the area directly affected by the proceeding.

5. In addition to the notice required pursuant to this section, the City may give notice of the public hearing in any other manner it deems necessary or desirable.

E. In order to hold a special meeting, the ~~planning commission~~Community Development Department must provide advance notice of such meeting to each member of the commission. The notice shall state the time and place of the special meeting. It shall also state the business to be transacted, and no other business shall be considered at the special meeting.

Notice is required even if no action is taken by the planning commission at the special meeting. It is also required if the special meeting is to be held in closed session. If a planning commission holds an informal meeting falling within the scope of the Brown Act, such as a luncheon meeting, notice must also be given.

F. In an emergency situation, the legislative body is not required to deliver written notice to the news media twenty-four hours in advance of its special meeting. An "emergency situation" is defined to include a work stoppage or other activity and a crippling disaster, which severely impairs public health, safety, or both, as determined by a majority of the members of the planning commission or city council. In such cases, telephonic notice shall be provided to news media one hour prior to the meeting unless telephonic services are not functioning.

G. Adjourned or continued meetings should be noticed twenty-four hours in advance with notice posted on or near the door of the meeting place provided no new agenda items are acted upon and clear public announcement of the continued or adjourned meeting is made at the preceding regularly scheduled meeting. (Ord. 437 §§9, 10, 2009; Ord. 302 (part), 1989)

17.85.170 Records.

SHARE

A. Each applicant shall be furnished a copy of the resolution stating the action on his application.

B. A tape recording of each meeting shall be made and filed in the office of the secretary of the planning commission, permanently. Tapes are to be made available to the public.

C. A tape recording of each public hearing shall be made and permanently filed in the secretary's office. Tapes are to be made available to the public, however, original recordings may not be taken from City Hall.

D. All minutes, resolutions, and other pertinent information shall be permanently filed in the office of the Planning Commission secretary ~~of the planning commission~~. Filing may be by electronic means. Minutes are to be made available to the public. (Ord. 302 (part), 1989)

17.85.180 Reports to city council.

SHARE

The secretary shall submit all resolutions and minutes to the city council. If requested or directed by the commission or council, the ~~secretary~~ City Planner shall also provide a brief report to the city council on any particular action(s) taken by the planning commission. (Ord. 302 (part), 1989)

17.85.190 Amendments.

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These procedures may be amended at any regular meeting of the planning commission by a vote of a majority of the full membership. (Ord. 302 (part), 1989)

The Angels Camp Municipal Code is current through Ordinance 503, passed November 17, 2020.

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