

**PLACENTIA PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING**

March 8, 2016

The regular meeting of the Placentia Planning Commission on March 8, 2016 was called to order at 6:31 p.m. in the Placentia Council Chambers, 401 East Chapman Avenue, Placentia, CA by Chair Schaefer.

**ROLL CALL:**

PRESENT: Commissioner Francine, Lee, Schenck, Solomonson, Perez, Schaefer  
ABSENT: Tomazic

OTHERS PRESENT: Yolanda Summerhill, Assistant City Attorney  
Charles Rangel, Senior Planner  
Elsa Villagrana, Secretary

**PLEDGE OF ALLEGIANCE:** Commissioner Schenck

**ORAL COMMUNICATIONS:** None

**CONSENT CALENDAR:** None

**PUBLIC HEARINGS:**

1. **Applicant: Remy Mendonca, DBA Step N Go**  
**Project Location: 110 N. Bradford Avenue, Placentia, CA 92870**  
**(Continued from meeting of February 9, 2016)**

**Use Permit (UP) 2015-09 Modification:**

Request to allow existing Step N Go convenience store with a Type 20 ABC License for Off-Sale Beer and Wine to permitting the sale of alcoholic beverages Type 21 ABC (Off-Sale General) license for sale and Off-site general consumption located at 110 N. Bradford Avenue. The proposed use is not expected to create a negative impact on the physical environment and is therefore categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines § 15061(b)(3) and City Environmental Guidelines.

Chair Schaefer opened the Public Hearing at 6:34 p.m. and called for the staff report.

Senior Planner Rangel stated this item is a continuation from the Planning Commission meeting of February 9, 2016. He noted that the Commission directed staff to consult with the ABC, school district and Placentia Police Department.

Senior Planner Rangel summarized staff's findings. He stated that staff had amended the conditions of approval with the review of the Police Department. Staff contacted the school and school officials emailed staff stating that they did not approve of this Use Permit. Rangel stated he recommended the District send an official representative to the public hearing to state their concerns with the item.

Senior Planner Rangel informed the Commission that the applicant has redrawn the site plan to indicate that all distilled liquor will be displayed behind the cashier's counter.

Senior Planner Rangel discussed with the Commission the process of a use permit including the revocation process as it relates to the conditions of approval for this item.

Senior Planner Rangel noted that since the item was continued, if the item is adopted and approved, the resolution needs to be revised to reflect today's date.

Commissioner Schenck inquired if 75% of the items displayed are beer, liquor and wine, how the convenience store is not considered a liquor store.

Senior Planner Rangel commented that the staff added a condition that the applicant is required to have 25% of its products as healthy snacks and beverages. He stated that staff will work with the applicant to determine which items are considered healthy items. He noted that it is not uncommon for this type of convenience store to have a high amount of alcoholic beverage but offer a variety of other items including household. He commented that at the moment the City cannot impose restrictions on the amount of alcoholic beverages since there is no evidence that it has caused an undue burden to the public.

Commissioner Schenck inquired if planning staff feels it is appropriate to have such a convenience store versus a 7 eleven store or a similar type of store.

Senior Planner Rangel noted he visited the convenience store to see how the products are on display.

Commissioner Lee inquired if adding a condition that requires healthy snacks and beverage is a common practice for this type of use and how it can be enforced.

Senior Planner Rangel noted that at the time the business was granted the Type 20 License did not include conditions regarding healthy snacks and beverages. He further discussed how similar conditions are not uncommon when a gas station with a convenience store has applied for a license. He commented that such applicants have been receptive to the condition of healthy snacks and beverages and has not received complaints from past applicants if it is affecting their business.

Commissioner Lee expressed concerns that the condition requiring a certain percentage of healthy snacks is not objective.

Senior Planner Rangel stated that staff researched conditions of approval in other cities for similar uses and found that other cities have been including similar conditions stipulating a minimum percentage of healthy snacks.

Chair Schaefer inquired how staff will be measuring the type of products the applicant has in the convenience store.

Senior Planner Rangel commented that staff will be requesting an inventory list from the applicant.

Chair Schaefer asked for the applicant to provide testimony.

Mr. Mendonca thanked the Planning Commission for the opportunity to speak and answer any questions the commissions had.

Chair Schaefer inquired if he had personally contacted the high school near his store regarding their opinion on obtaining a Type 21 license.

Mr. Mendonca commented that yes he spoke with Principal Hector Vasquez. Mr. Vasquez stated that he had no concerns with his convenience store and had coexisted with the store for the past 20 years.

Chair Schaefer inquired if the principal provided any comments regarding the situation with the previous owner.

Mr. Mendonca stated that the principal did not comment on the previous owners of the convenience store.

Chair Schaefer asked the applicant if he understood the revised conditions of approval.

Mr. Mendonca stated that he understands them and will be able to comply with the conditions. He noted he already installed a camera surveillance system and will be contacting the Police Department to review his system. He expressed concerns regarding being held responsible for any activity that may occur away from the store.

Commissioner Schenck commented he personally visited the business and observed an employee carefully checking ID's.

Chair Schaefer closed the Public Hearing at 6:45 p.m.

**Motion by Schenck, seconded by Francine carried on a (6-0) vote to approve the recommended actions.**

Ayes: Francine, Lee, Solomonson, Schenck, Perez, Schaefer

Noes

Abstain:

Absent: Tomazic

2. **Applicant: City of Placentia**  
**Project Location: City-wide**

**Zone Code Amendment (ZCA) 2016-01:**

A Zone Code Amendment pertaining to amending the City Municipal Code to conform to the State of California Model Water Efficient Landscaping Ordinance. The proposed use is not expected to create a negative impact on the physical environment and is therefore categorically exempt pursuant to the California Environmental Quality Act (CEQA) the proposed project is considered to be categorically exempt (Class 7, Protection of Natural Resources) in that it consists of code revisions to conserve water resources.

**Recommended Actions:** It is recommended that the Planning Commission:

- a) Open the Public Hearing, concerning Zoning Code Amendment 2016-01, Receive the staff report and consider all Public Testimony, and Close the Public Hearing; and
- b) Adopt Resolution PC-2016-03, A Resolution of the Planning Commission of the City of Placentia, recommending to the City Council of the City of Placentia approval of Zoning Code Amendment No. 2016-01 Whereby Section 23.77 Of Title 23 Shall Be Repealed And Replaced With A Reference To The State Of California Model Water Efficient Landscaping Ordinance; and
- c) Find that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 7, Protection of Natural Resources) in that it consists of code revisions to conserve water resources.

Chair Schaefer opened the Public Hearing at 7:05 p.m.

Senior Planner Rangel introduced Jennifer Davis as Interim Director of Development Services and presenter of the staff report.

Interim Director of Development Services, Jennifer Davis provided the Commission a summary of the revised State of California Model Water Efficient Landscape Ordinance (MWELo) and Zoning Code Amendment 2016-01. She noted that the revised state ordinance was approved by the California Water Commission on July 15, 2015 and required cities to either adopt local revised water efficient landscape ordinances by December 1, 2015 that are at least as restrictive as the MWELo, or become subject to MWELo. She stated that the City did not adopt a revised water efficient landscape ordinance and accompanying guidelines before December 1, 2015. Therefore, the City's current ordinance is superseded by the state MWELo and the City must enforce the new requirements found in MWELo. Davis stated that staff is recommending an ordinance to comply with the state mandate, amend the municipal code to removed the old ordinance and to adopt in reference the state's MWELo. Davis summarized the changes in the ordinance as compared to the previous ordinance. She noted that staff is developing a proposed application package to assist applicants on how to meet the requirements of ordinance.

Commissioner Schenck asked if they are any cities have not adopted this ordinance.

Interim Director of Development Services Davis responded that other cities have adopted their own ordinance or the State ordinance.

Commissioner Schenck asked if our current ordinance was adopted before December 1, 2015.

Interim Director of Development Services Davis noted that the City did not adopt the ordinance before December 1, 2015 and other cities were subjected to same regulations.

Commissioner Schenck inquired about the cost associated with implementing this ordinance.

Interim Director of Development Services Davis noted that this is an unfunded State mandated and that staff is currently evaluating the cost of the audits and review of landscape plans required as part of the ordinance.

Commissioner Schenck inquired if the city has funding to comply if they cannot receive assistance from the State.

Assistant City Attorney Summerhill noted that the cost will be placed on the applicant and will be their responsibility to provide a landscape documentation package.

Commissioner Schenck inquired if the ordinance would negatively impact the golf course in the city.

Interim Director of Development Services Davis stated that the golf course would be considered a special landscape area since it is a recreational use and will not be affected by the ordinance.

Commissioner Schenck inquired as to what type of businesses/industries in the City of Placentia will be affected by the ordinance.

Interim Director of Development Services Davis stated it will affect every business which applies for a building permit or design review that has a landscape area of 500 square feet or more. This will include homeowners, business owners and industrial facilities.

Chair Schaefer inquired if the ordinance would affect the current water restrictions that limit watering to two days a week.

Interim Director of Development Services Davis noted that this ordinance will not affect such restrictions.

Chair Schaefer inquired if there had been a strategy by the City to not have implemented the ordinance before December 1, 2015.

Interim Director of Development Services Davis noted that there was no strategy and she had received a notice that the City had not adopted the ordinance. As a result, she proceeded with implementing the proposed ordinance.

Chair Schaefer inquired about how staff and management feel about this ordinance.

Interim Director Davis stated there is a trend in the state of California to reduce water and this ordinance is another action related to the trend.

Commissioner Schenck expressed his concerns with imposing this ordinance on the end user and the efforts on the city to contact State officials.

Interim Director of Development Services Davis informed the Commission that this is not a new ordinance and it is an update to an existing ordinance. She noted that the City has not been implementing the ordinance.

Commissioner Lee inquired about the role of the irrigation auditor.

Interim Director of Development Services Davis stated the irrigation auditor will evaluate the efficiency of the irrigation system after the installation.

Chair Schaefer inquired who can be trained to be an auditor.

Interim Director of Development Services Davis stated that there is a certification process.

Chair Schaefer asked the City Attorney to explain the process of unfunded mandates at the state level.

Assistant City Attorney Summerhill commented that some laws are put in place by the legislature that are funded by the State but more often State mandates are unfunded and costs are imposed on the jurisdiction to enforce the laws.

Chair Schaefer inquired if there are general guidelines as to when the State will be funding unfunded State mandates.

Assistant City Attorney Summerhill stated that the legislature will explicitly state when legislation has been enacted and if funding will be available.

Schaefer closed the Public Hearing at 7:20 p.m.

**Motion by Schaefer, second by Perez carried on a (5-1-0) vote to approve the recommended actions.**

Ayes: Francine, Lee, Solomonson, Perez, Schaefer

Noes:

Abstain: Schenck

Absent: Tomazic

**OLD BUSINESS:**

None

**NEW BUSINESS:** None

**DEVELOPMENT REPORT:** None

**DIRECTOR'S REPORT:**

Senior Planner Rangel noted that staff is working with a consultant to re-tool the Old Town Sante Fe District. The City will soon be hosting a community meeting to seek feedback from the local community on how to revitalize the area. He also stated that Interim Director Jennifer Davis has been working with staff on developing a Transit Oriented Development zone to be located near the proposed Metrolink Station.

**PLANNING COMMISSION REQUESTS:**

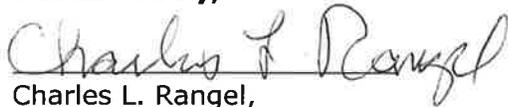
Commissioner Solomonson stated for the record that Verizon has not complied with the Conditions of Approval for the cell tower at the Wagner Park.

Senior Planner Rangel stated staff will bring this item back to the Commission.

**ADJOURNMENT**

Chair Schaefer adjourned the Planning Commission meeting at 7:29 p.m. to a regular meeting on Tuesday, April 12, 2016 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia CA.

**Submitted by,**



Charles L. Rangel,  
Senior Planner