

## CITY OF VALLEJO PLANNING COMMISSION

Kent Peterman, Chairperson  
Gail Manning, Vice-Chair  
Bruce P. Gourley  
Suzanne Harrington Cole  
Lori Reese-Brown  
Landis Graden  
Dennis Klimisch

**WEDNESDAY**  
**9 September 2009**  
**7:00 P.M.**

City Council Chambers  
555 Santa Clara Street  
Vallejo, California 94590

---

Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection on the table in front of Council Chambers during normal business hours. Such documents are also available on the City of Vallejo website at <http://www.ci.vallejo.ca.us> subject to staff's ability to post the documents before the meeting.

Those wishing to address the Commission on a scheduled agenda item should fill out a speaker card and give it to the Secretary. Speaker time limits for scheduled agenda items are five minutes for designated spokespersons for a group and three minutes for individuals.

Those wishing to address the Commission on any matter not listed on the agenda but within the jurisdiction of the Planning Commission may approach the podium during the "Community Forum" portion of the agenda. The total time allowed for Community Forum is fifteen minutes with each speaker limited to three minutes.

Government Code Section 84308 (d) sets forth disclosure requirements which apply to persons who actively support or oppose projects in which they have a "financial interest", as that term is defined by the Political Reform Act of 1974. If you fall within that category, and if you (or your agent) have made a contribution of \$250 or more to any commissioner within the last twelve months to be used in a federal, state or local election, you must disclose the fact of that contribution in a statement to the Commission.

The applicant or any party adversely affected by the decision of the Planning Commission may, within ten days after the rendition of the decision of the Planning Commission, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the Planning Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

The Council may affirm, reverse or modify any decision of the Planning Commission which is appealed. The Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.

If any party challenges the Planning Commission's actions on any of the following items, they may be limited to raising only those issues they or someone else raised at the public hearing described in this agenda or in written correspondence delivered to the Secretary of the Planning Commission.

**If you have any questions regarding any of the following agenda items, please call the assigned or project planner at (707) 648-4326.**

- A. ORDER OF BUSINESS CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. APPROVAL OF THE MINUTES: Minutes of the meeting of August 17, 2009.
- E. WRITTEN COMMUNICATIONS: None.
- F. REPORT OF THE SECRETARY:
  - 1. Upcoming items.
- G. CITY ATTORNEY REPORT
- H. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS
  - 1. Report of the Presiding Officer and members of the Planning Commission
  - 2. Council Liaison to Planning Commission
  - 3. Planning Commission Liaison to City Council

I. COMMUNITY FORUM

*Members of the public wishing to address the Commission on items not on the agenda are requested to submit a completed speaker card to the Secretary. The Commission may take information but may not take action on any item not on the agenda.*

J. CONSENT CALENDAR AND APPROVAL OF THE AGENDA

*Consent Calendar items appear below in section K, with the Secretary's or City Attorney's designation as such. Members of the public wishing to address the Commission on Consent Calendar items are asked to address the Secretary and submit a completed speaker card prior to the approval of the agenda. Such requests shall be granted, and items will be addressed in the order in which they appear in the agenda. After making any changes to the agenda, the agenda shall be approved.*

*All matters are approved under one motion unless requested to be removed for discussion by a commissioner or any member of the public.*

K. PUBLIC HEARINGS

- 1. Code Text Amendment #09-0002: Proposed text amendment to the City of Vallejo's zoning ordinance by restricting where tobacco retailers can be located and require a Major Use Permit for establishment of new tobacco retailers within permitted districts. In addition, existing tobacco retailers located in Districts which no longer permit such use, are subject to a 5-year amortization period and existing tobacco retailers are required to comply with new standards. Project Manager: Michelle Hightower, 648-4506.

Proposed CEQA Action: Exempt pursuant to Section 15061(b)(3) (Review for Exemption)

Staff Recommendation: Staff recommends that the Planning Commission adopt Ordinance PC 09-012 and recommend to the City Council adoption of Code Text Amendment #09-0002, based on the findings.

L. OTHER ITEMS

1. Code Text Amendment #09-0001: Review and recommendation on a revised Code Text Amendment regarding off-site signs. Revisions are based on City Council concerns expressed during the Council public hearing in March 2009. The Municipal Code requires staff to submit proposed modifications to the Planning Commission for review prior to forwarding to the City Council for adoption. Project Manager: Marcus Adams, 648-5392

Proposed CEQA Action: Negative Declaration per CEQA (Section 15074)

Staff Recommendation: Staff recommends that the Planning Commission adopt the Negative Declaration and recommend to the City Council adoption of Code Text Amendment #09-0001, based on the findings.

M. ADJOURNMENT