
CITY OF NEWARK

PLANNING COMMISSION

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4330 • FAX 510-578-4265

City Administration Building
7:30 p.m.
City Council Chambers

MINUTES Tuesday, December 13, 2016

A. ROLL CALL

At 7:32 p.m., Chairperson Aguilar called the meeting to order. All Planning Commissioners were present.

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, November 8, 2016.

Commissioner Fitts moved, Commissioner Otterstetter seconded, to approve the Minutes of November 8, 2016. The motion passed 5 AYES.

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

E.1 Hearing to consider recommending approval of an ordinance amending the Zoning Code to replace Newark Municipal Code Section 17.08.415 (Secondary dwelling units) with new Chapter 17.08.415 (Accessory Dwelling Units) and to amend various other sections of the Newark Municipal Code to Achieve consistency with California Senate Bill 1069 and Assembly Bill 2299 pertaining to the construction of accessory dwelling units.

Assistant City Manager Grindall gave the staff report.

Answering Commissioner Fitts, ACM Grindall gave an example of an Applicant initiating a conditional use permit (CUP) under the proposed Addendum.

Answering Commissioner Fitts, ACM Grindall stated with the current limitations in size and the housing impact fees, the City receives very few applications for a secondary dwelling unit.

Answering Commissioner Otterstetter, ACM Grindall stated with a CUP, notices would be mailed to property owners within 300' of the subject site and a "windshield survey" would be conducted by staff to access the neighborhood's parking situation.

Answering Commissioner Otterstetter, ACM Grindall clarified that an Applicant must convert an existing bedroom but could also convert additional living space with the existing bedroom to make a JADU.

Answering Vice-Chairperson Nillo, ACM Grindall stated the Building Code is flexible in accommodating for handicapped parking accessibility.

Chairperson Aguilar thanked staff for their work on updating the zoning ordinance.

Chairperson Aguilar gave an example of when a CUP would be allowed and described locations where additional parking spaces would be acceptable.

Answering Chairperson Aguilar, ACM Grindall stated the current State legislature only pertains to Cities and not Special Districts; and he would have to confer with the City Attorney on imposing time limits to a CUP.

Answering Commissioner Fitts, ACM Grindall stated it is up to the Union Sanitary District and the Alameda County Water District to determine if additional plumbing hook ups and fees are warranted for a JADU.

Chairperson Aguilar opened the Public Hearing. Since no one from the public wanted to speak on this item Chairperson Aguilar closed the Public Hearing.

Motion by Vice-Chairperson Nillo, seconded by Commissioner Fitts, to recommend the City Council: (1) Find that the proposed Newark Municipal Code Amendments are exempt from the requirements of CEQA under Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h); (2) Find that the proposed Zoning Text Amendment is consistent with the General Plan, including the policies described and analyzed in this report; (3) Find that the proposed Zoning Text Amendment furthers the public interest, convenience, and general welfare of the City. The proposed amendments would ensure consistency of the Newark Municipal Code with the State Government Code, and provide zoning standards that are relevant to current development trends, demographic changes, and local and regional housing needs; (4) Introduce an Ordinance approving amendments to Title 17 (Zoning) as shown on Exhibit "A"; and (5) Direct staff to prepare and the City Clerk to publish a summary of the Ordinance. Motion passed 5 AYES.

F. STAFF REPORTS

None.

G. COMMISSION MATTERS

G.1 Election of Officers.

Chairperson Aguilar nominated Vice-Chairperson Nillo for Planning Commission Chairperson for 2017. Seconded by Commissioner Bridges, motion passed 5 AYES.

Vice-Chairperson Nillo nominated Commissioner Bridges for Planning Commission Vice-Chairperson for 2017. Seconded by Commissioner Otterstetter, motion passed 5 AYES.

G.2 Cancellation of the regularly scheduled Planning Commission Meeting of Tuesday, December 27, 2016.

Motion by Vice-Chairperson Nillo, seconded by Commissioner Otterstetter, to cancel the regularly scheduled Planning Commission Meeting of Tuesday, December 27, 2016. Motion passed 5 AYES.

G.3 Report on City Council actions.

None.

Commissioners' Comments

Commissioner Fitts wished everyone a Merry Christmas and a Happy New Year.

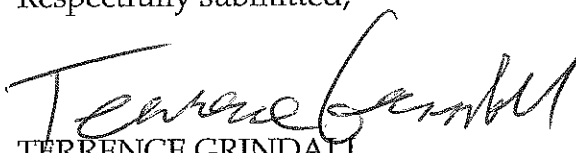
Vice-Chairperson Nillo and Commissioner Bridges congratulated Chairperson Aguilar for a job well done.

Chairperson Aguilar thanked everyone for their assistance and kind words and congratulated Chairperson Elect Bernie Nillo and Vice-Chairperson Elect Karen Bridges.

H. ADJOURNMENT

At 8:02 p.m., Chairperson Aguilar adjourned the regular Planning Commission meeting of Tuesday, December 13, 2016.

Respectfully submitted,


 TERRENCE GRINDALL
 Secretary