



## **BENICIA PLANNING COMMISSION**

### **CITY COUNCIL CHAMBERS**

### **REGULAR MEETING MINUTES**

**Thursday, July 9, 2009**

**7:00 P.M.**

#### **I. OPENING OF MEETING**

- A. Pledge of Allegiance**
- B. Roll Call of Commissioners**

Present: Commissioners Richard Bortolazzo, Don Dean, Rick Ernst, Rod Sherry, Lee Syracuse, Brad Thomas and Chair Healy

Absent: None

Staff Present: Damon Golubics, Principal Planner  
Kat Wellman, Contract Attorney  
Gina Eleccion, Management Analyst

- C. Reference to Fundamental Rights of Public** - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

#### **II. AGENDA CHANGES AND DISCUSSION**

None.

#### **III. OPPORTUNITY FOR PUBLIC COMMENT**

- A. WRITTEN**  
None.
- B. PUBLIC COMMENT**  
None.

**IV. CONSENT CALENDAR**

On motion of Commissioner Sherry, seconded by Commissioner Thomas, the Consent Calendar was approved by the following vote:

Ayes: Commissioners Bortolazzo, Dean, Ernst, Sherry, Syracuse, Thomas and Chair Healy  
Noes: None  
Absent: None  
Abstain: None

- A. Approval of Agenda**
- B. Approval of Minutes of June 11, 2009**

**V. REGULAR AGENDA ITEMS**

**A. FEE SCHEDULE – Commission Discussion**

Commissioners requested a brief overview and discussion of the fee schedule.

Chair Healy introduced the item. The Commission had requested a discussion on the fees. Damon Golubics gave an overview of the current fee schedule. He noted that staff researched fees of neighboring jurisdictions, and that information was provided to the Commission.

Commissioners discussed the fees. Commissioner Sherry noted he was surprised to see Benicia on the low end of the fees.

The public hearing was opened. No public comment. The public hearing was closed.

Commissioners thanked staff for putting this together. There was discussion of the actual costs and the in-lieu parking fees.

Commissioners discussed the costs related to the property at 182 East I Street. Damon Golubics noted that a portion of the fees were refunded to the property owners. There was a comment by the Commission that we reduce fees when there are multiple applications for the same project.

Commissioners noted that there will be times that an applicant has projects overlapping and fees could be reduced, but other times the applications and fees should remain separate. Damon Golubics noted that the flat fee system can be flawed in certain instances. If fees are charged for time and materials, services could cost more or less.

Commissioners noted that the Director has the discretion to reduce the fees.

There was no direction to make any recommendations on the fees.

**B. OPEN SPACE USES – Commission Discussion**

Commissioners requested a discussion on the allowable uses in the open space, including wind power, organic gardens, and more.

Chair Healy stated that he had requested a discussion on this item. He would like to understand the limitations of the open space. Damon Golubics stated that Measure K was a citizen initiative regarding the open space. In addition, the open space regulations have been adopted by the City Council.

Commissioners questioned if all of the open space land is City property. The residents in Southampton have been promised that the space will remain open space.

There was a discussion of other uses, such as wind generation, community gardens, and uses that would not create structures. Some of these uses might be more acceptable to the community. There was a comment made that uses not restrict access to open space.

Commissioners noted that there are existing gardens in the open space. In addition, there are currently decks constructed in the open space.

The public hearing was opened.

Gene Doherty, 580 Willow Court – He is president of the Native Plant Society. He supports keeping open space open. He noted that with the lack of infill development, transportation will become a big issue in this community. He noted that San Francisco is promoting community gardens and we have an opportunity to pursue this. He encouraged the Commission to continue discussing these issues. He believes there is a need for additional meeting spaces.

The public hearing was closed.

Commissioners discussed solar and wind energy production, which could contribute to City operations.

Damon Golubics noted that there are implementation strategies in the Climate Action Plan that might help facilitate this discussion.

The open space regulations were discussed. The Southampton CC&Rs should be reviewed. The CC&Rs are a private agreement between the property owners and developers. Kat Wellman noted that she is currently reviewing the CC&Rs.

Commissioners thanked staff for the information and discussion. No further direction was given.

**C. STRATEGIC PLAN – Commission Discussion**

Commissioners requested a discussion on the Strategic Plan process, including their involvement and oversight.

Damon Golubics gave a brief overview of this item. He clarified the role of the Planning Commission in relation to the General Plan. The Strategic Plan is the City Council's tool to prioritize projects through the budget process.

Commissioners commented on the Strategic Plan process. There was a suggestion to see more description of the projects when the Commission looks at the General Plan consistency. Damon Golubics stated that more details will be given in the future.

Commissioners discussed the Strategic Planning process. There was discussion about the General Plan oversight of the Commission. There was mention that the General Plan can be updated more regularly. Commissioners would like to review the General Plan on an annual basis.

Commissioners questioned the legal requirements for updating the General Plan. Damon Golubics noted that the jurisdiction has purview over how long before a General Plan update is done. He noted that an annual review of the General Plan can be done. There is no money budgeted for a General Plan update.

There was a suggestion to get the zoning in compliance with the General Plan before we move forward with a General Plan update. There was a suggestion to have a subcommittee look at the chapters of the General Plan. It was noted that the annual review is more to determine compliance. If the Planning Commission thinks an update is needed, they should make a recommendation to the City Council.

Kat Wellman noted that the City Council should be directing an overview and update of the General Plan. She stated that the General Plan is like the Constitution. It contains statutory requirements that must be met. All land use decisions must be made based on the General Plan framework.

There was a suggestion to have Valero and the Port give their vision of Benicia for the next 10 to 20 years. Damon Golubics noted that it's not always possible to get this type of information from the major players in town.

A comment was made regarding the ABAG housing numbers. There is concern with the increase of future allocations.

The public hearing was opened. There was no public comment. The public hearing was closed.

There was no further direction on this item.

## **VI. COMMUNICATIONS FROM STAFF**

Damon Golubics noted that the July 2<sup>nd</sup> meeting will be rebroadcast on Channel 27. Citizens should check the website and Channel 27 for rebroadcast dates and time.

Damon Golubics noted that the Climate Action Plan is scheduled to move forward in September.

**VII. COMMUNICATIONS FROM COMMISSIONERS**

Commissioner Dean questioned what is on next month's agenda. Damon Golubics noted at this time nothing is scheduled, though there are multiple projects in the pipeline.

**VIII. ADJOURNMENT**

Chair Healy adjourned the meeting at 8:04 p.m.