AGENDA

CITY OF PLYMOUTH

PLANNING COMMISSION

PLANNING COMMISSION WORKSHOP

THURSDAY, JULY 1, 2021

6:30 P.M.

9426 Main Street, Plymouth, California

William Klaproth, Chair
Melvin Cossairt, Commissioner
Stephanie Moreno, Commissioner
Jason Ralphs, Commissioner
Michael Sullivan, Vice Chair

PLEASE NOTE: The Commission may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on the agenda. **Members of the public who wish to speak may be subject to a three (3) minute maximum time limit when addressing the Commission, and/or the Commission may require speaker identification sheets be submitted to the Planning Commission Secretary prior to being called upon by the Chairperson to provide public comment.**

CITY OF PLYMOUTH

PLANNING COMMISSION

WORKSHOP AGENDA
THURSDAY JULY 1, 2021
at 6:30 PM
Council Chambers 9426 Main Street Plymouth, California

PLANNING COMMISSION MEETING IN-PERSON OR VIA TELECONFERENCE
1-978-990-5000 / ENTER CODE: 550802

COVID-19

Pursuant to Governor Newsom's Executive Order N-29-20, members of the City of Plymouth Planning Commission and/or staff may participate in this meeting via a teleconference. Members of the public are welcome to participate in-person or telephonically by calling 1-978-990-5000, Enter Code: 550802, or by submitting comments on any item via email to the Planning Commission Secretary at dknight@cityofplymouth.org before 6:00 PM on the meeting date, or on a comment card on or before 6:30 PM on the meeting date. Comment cards are available at City of Plymouth website "Government/Notices".

William Klaproth, Chair

Melvin Cossairt, Commissioner
Jason Ralphs, Commissioner
Stephanie Moreno, Commissioner
Michael Sullivan, Vice Chair

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1. CALL TO ORDER/ROLL CALL:

- **Roll Call**
- **Flag Salute**

2. APPROVAL OF PLANNING COMMISSION WORKSHOP AGENDA FOR JULY 1, 2021

3. PUBLIC COMMENT:

In accordance with California Government Code Section 54954.3, the public may address the Planning Commission on any item concerning subject matter that is within the PlanningCommission's jurisdiction. However, no action may be taken on items not posted on the agenda, other than to briefly respond, refer to staff, or to direct that an item be placed on a future agenda.

4. PRESENTATIONS:

None

5. CONSENT CALENDAR ITEMS:

All matters listed under the Consent Calendar are to be considered routine and will be enacted by one motion. If discussion is required, that particular item will be removed from the consent calendar and will be considered separately.

5.1 APPROVAL OF REGULAR MEETING MINUTES OF JUNE 3, 2021

6. PUBLIC HEARINGS:

None

7. UNFINISHED BUSINESS

None

8. NEW BUINESS

8.1 CEQA 101 WORKSHOP

RECOMMENDATION: Overview of the CEQA process.

9. REPORTS

- Commission
- Chairperson
- Planning Director
- City Staff

10. ADJOURNMENT

The next regularly scheduled Planning Commission meeting date is July 15, 2021. The meeting will begin at 6:30 PM.

CERTIFICATION OF POSTING OF AGENDA

I, Dana Knight, Planning Commission Secretary for the City of Plymouth, declare that the foregoing agenda for the July 1, 2021 Workshop Meeting of the Plymouth Planning Commission was posted and available for review on June 28, 2021 at the City Hall of the City of Plymouth, 9426 Main Street, Plymouth, California, 95669. The agenda is also available on the city website at www.cityofplymouth.org.

Signed at Plymouth, California

//s//

Dana Knight
Planning Commission Secretary

5.1

City of Plymouth

PLANNING COMMISSION

REGULAR MEETING MINUTES

Thursday, June 3, 2021 at 6:30 pm

Plymouth City Hall, 9426 Main Street, Plymouth, CA 95669

PLANNING COMMISSION MEETING VIA TELECONFERENCE

1-978-990-5000 / ENTER CODE: 550802

COVID-19

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Bill Klaproth, Chair

Melvin Cossairt, Commissioner — **Stephanie Moreno, Commissioner**

Jason Ralphs, Commissioner — **Michael Sullivan, Vice Chair**

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1. **ROLL CALL**

Planning Commissioners Present: Bill Klaproth, Jason Ralphs, Michael Sullivan

Planning Commissioners Via Teleconference: None

Planning Commissioners Absent: Melvin Cossairt, Stephanie Moreno

Staff/Advisory Present: Planning Director Erin Ventura, Dana Knight Administrative Assistant acting as Planning Commission Secretary

2. **APPROVAL OF PLANNING COMMISSION REGULAR AGENDA FOR JUNE 3, 2021**

Motion to approve Regular Meeting Agenda for June 3, 2021 by Commissioner Sullivan second by Commissioner Ralphs. Motion passed by consensus vote _3_ Ayes/_0_ Nays. With _2_ Absent Cossairt and Moreno. With _0_ Abstain votes.

3. **PUBLIC COMMENT**

None

4. **PRESENTATIONS**

4.1 SELECTION OF A NEW PLANNING COMMISSION CHAIR

RECOMMENDATION: Discuss and appoint a new Chair

After discussion, Commissioner Ralphs nominated Commissioner Klaproth for Chair.

Commissioner Klaproth accepted the nomination. Motion to accept Commissioner Klaproth as Chair by Commissioner Ralphs second by Commissioner Sullivan. Motion passed by consensus vote _3_Ayes/_0_ Nays. With _2_ Absent Cossairt and Moreno. With _0_ Abstain votes.

4.2 SELECTION OF A NEW PLANNING COMMISSION VICE CHAIR

RECOMMENDATION: Discuss and appoint a new Chair

After discussion, Commissioner Ralphs nominated Commissioner Sullivan for Vice Chair.

Commissioner Sullivan accepted the nomination. Motion to accept Commissioner Sullivan as Vice Chair by Commissioner Ralphs second by Chair Klaproth. Motion passed by consensus vote _3_ Ayes/_0_ Nays. With _2_ Absent Cossairt and Moreno. With _0_ Abstain votes.

Chair Klaproth moved up Consent Calendar and Public Hearing.

Commissioner Ralphs left the meeting and re-joined via teleconference after vote on Consent Calendar and Public Hearing.

5. CONSENT CALENDAR

All matters listed on the consent calendar are considered routine in nature and will be enacted by one motion. If discussion is required, that particular item will be removed from the consent calendar and will be considered separately.

5.1 APPROVAL OF REGULAR MEETING MINUTES OF: MARCH 5, 2020

Motion to approve the Consent Calendar by Vice Chair Sullivan second by Commissioner Ralphs. Motion passed by consensus vote _3_ Ayes/_0_ Nays. With _2_ Absent Cossairt and Moreno. With _0_ Abstain votes.

6. PUBLIC HEARINGS

6.1 Application #2021-03 Request for Variance for Pool Location at 18467 Empire Street - Consider adopting resolution approving variance for in-ground swimming pool in front yard.

Staff provided an overview of the project and answered questions of the Commission. Chair Klaproth opened the Public Hearing. No one in person or on the phone wished to comment. Public Hearing was closed and brought back to Commission for further discussion.

Motion to approve Resolution No. 2021-01 - Resolution of the Planning Commission of the City of Plymouth approving a Variance at 18467 Empire Street allowing a pool to be located in the front of the house by Vice Chair Sullivan second by Commissioner Ralphs. Motion passed with _3_ Yes votes by Ralphs, Sullivan and Klaproth; with _0_ No votes. With _2_ Absent Cossairt and Moreno. With _0_ Abstain votes.

4.3 TRAINING - PLANNING COMMISSION OVERVIEW

RECOMMENDATION: Overview Planning Commission and Planning processes.

Planning Commission Training presented by Planning Director Erin Ventura

- Overview of Planning Commissioner function, flow of meetings, General Plan, Zoning Ordinance, Permit process, CEQA
- Zoning Ordinance contains rules and regulations for development within the community, City Council is only body allowed to make decisions.
- Commissioners provide Recommendations to City Council.

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

None

9. REPORTS

- Commission - None
- Chairperson - None
- Planning Director
  Spoke about Scoping meeting on June 17th, 2021. Notice has been given to Public Agencies and will be available on the City Website.
- City Staff - None

10. ADJOURNMENT: 7:10pm

Respectfully Submitted,

//s//

Dana Knight
Planning Commission Secretary

8.1

City of Plymouth

Planning Commission Meeting
Staff Report

Item 8.1

Date:
July 1, 2021
Report by:
Erin Ventura, City Planner
Policy, Program, Project or Issue Title:
CEQA 101 Workshop: Overview of the CEQA Process
Issue Statement & Discussion:
A training to provide the Planning Commission with an overview of the California Environmental Quality Act. Attachment(s): None
Fiscal Impact:
None
Staff Recommendation:
This presentation is for informational purposes only

Michael Baker
INTERNATIONAL

Introduction to CEQA

July 1, 2021

Overview

- What is CEQA?
- CEQA Statute and Guidelines
- CEQA Process
- CEQA Documents
- Approvals
- NEPA

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What is CEQA?

HISTORY

- 1970: Governor Reagan signs California Environmental Quality Act
- Modeled after the National Environmental Policy Act of 1969 (NEPA)
- Initially intended to apply to publicly-sponsored projects only
- Important amendments in 1972, 1976, 1978, 1984, 1989, 1993, 2010, 2015, 2016…and 2019!

What is CEQA?

WHY WAS CEQA NECESSARY?

- Environmental factors rarely considered
- Little public notification about projects
- Public comments fell on deaf ears
- No interagency coordination
- Decisions made "behind closed doors" with no explanations

What is CEQA?

Disclose environmental impacts

- Initial studies
- Negative Declarations
- Environmental impact reports

Identify and prevent environmental damage

- Mitigation measures
- Alternatives
- Mitigation monitoring

Disclose agency decision making

- Findings
- Statements of overriding consideration

Enhance public participation

- Scoping
- Public notice requirement
- Availability of documents
- Response to comments

Foster intergovernmental coordination

- Early consultation
- Scoping meetings
- Notice of Preparation
- State Clearinghouse review

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What is CEQA?

CEQA Does Not Apply if:

- Activity does not involve exercise of discretionary authority; or
- Activity will not result in direct or reasonably foreseeable indirect physical change in the environment

CEQA Statutes and Guidelines

- CEQA Statutes
  - Public Resources Code §§ 21000-21178
- CEQA Guidelines
  - California Code of Regulations Title 14, §15000 et seq.
- The Courts

CEQA Process

- Lead Agency
  - Agency with primary responsibility for approving or carrying out a project.
- Responsible Agency
  - All state or local agencies other than Lead Agency with discretionary approval power over a project

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CEQA Process

- Trustee Agency
  - State agency with jurisdiction over resources held in trust for people of California
  - Department of Fish and Wildlife (fish and wildlife of the state, rare and endangered plants, game refuges, ecological reserves)
  - State Lands Commission (state-owned sovereign lands, e.g., beds of navigable waters, state school lands)
  - Department of Parks and Recreation (state park lands)
  - University of California (Natural Land and Water Reserve System)

CEQA Process

Is the action a discretionary Project?

↓

Is the project exempt?

↓

Is there a possibility that the project may have a significant impact?

↓

What is the appropriate Document?

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Screening for CEQAApplicability

1. Is it an activity with no possibility of a significant impact? — YES → Activities outside CEQA
   NO
2. Is the activity outside the definition of a *project*? — YES → Activities outside CEQA
   NO
3. Is the project described in a Statutory Exemption? — YES → Notice of Exemption (optional)
   NO
4. Is the project described in Categorical Exemption? — YES → Notice of Exemption (optional)
   NO
5. Is the project covered adequately by previous EIR, Program EIR, or Master EIR? — YES → Finding of no new impact or MND
   NO
6. Does the Initial Study show that project will have no significant impact? — YES → ND or MND
   NO

Project requires an EIR

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CEQA Process

- Exemptions
- Initial Study
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
  - Project EIR
  - Program EIR
  - Master EIR
  - Supplemental EIR
  - Subsequent EIR
  - Addendum

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CEQA Exemptions

- Statutory
  - Activities exempted from all or part of CEQA by the State Legislature regardless of impacts (policy decision)
- Categorical
  - Classes of projects which are exempted from CEQA because they typically do not have significant impacts (there are exceptions)
- "General rule exemption": "where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment"

CEQA Exemptions

EXAMPLES OF STATUTORY EXEMPTIONS

- Feasibility or planning studies for possible future actions not approved, adopted or funded
- Ministerial projects: absence of any discretion (e.g., building permits, business licenses)
- Olympic Games (except construction of new facilities)
- Pipeline repairs and maintenance
- Restriping of roads to alleviate congestion
- Emergency projects

CEQA Exemptions

EXAMPLES OF CATEGORICAL EXEMPTIONS

- Class 1: Existing structures/facilities
- Class 2: Replacement/reconstruction
- Class 4: Minor alterations of land/water/ vegetation
- Class 6: Data collection
- Class 32: Infill development

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CEQA Exemptions

- Notice of Exemption (NOE) may be filed. The filing of an NOE shortens the time that interested parties have to file a legal challenge to the exemption from 180 days to 35 days

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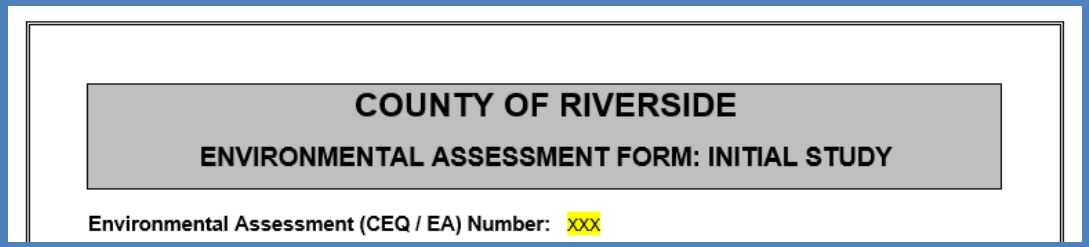
CEQA Process

- Exemptions
- Initial Study
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
  - Project EIR
  - Program EIR
  - Master EIR
  - Supplemental EIR
  - Subsequent EIR
  - Addendum

Initial Study

- Appendix G of the CEQA Guidelines
  - Thresholds of Significance
  - 20 environmental topic areas
  - Agencies can adopt their own CEQA thresholds of significance and may have a unique model checklist



COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (CEQ / EA) Number: XXX

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Environmental Topic Areas

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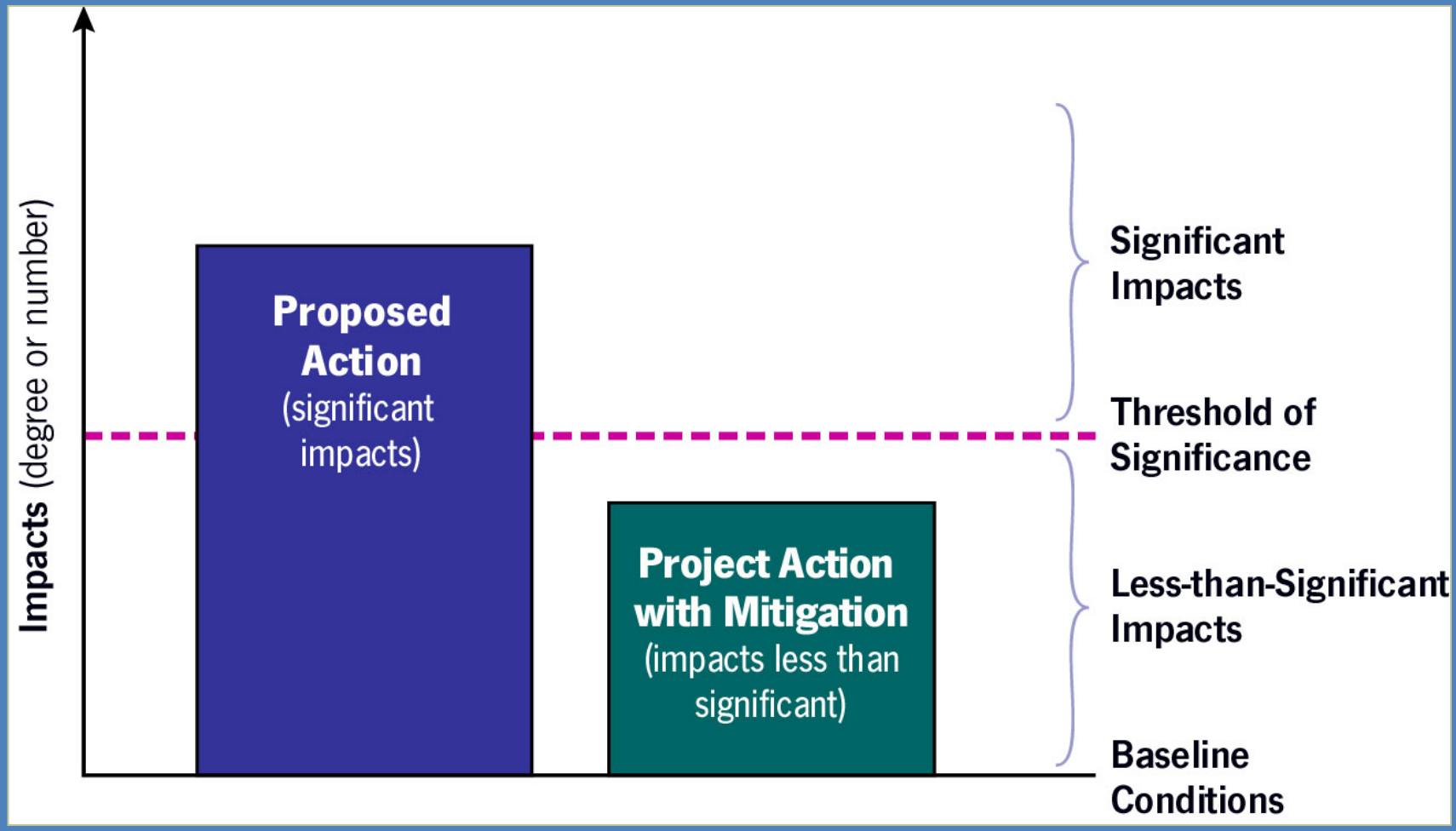
Initial Study

- Project Description
  - Proposed Action
  - Proposed physical improvements on the site
  - Proposed indirect improvements as a result of the project
    - Necessary new or relocated infrastructure
    - Tree removal
    - Off-site transportation system improvements

Identifying Significance of Impacts



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Determination for Each Threshold

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS Would the project:				
1. Scenic Resources a) Have a substantial effect upon a scenic highway corridor within which it is located?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐

Types of EIRs

Activity	Type of EIR
Specific Project	• Project EIR • Joint EIR/EIS (federal agency involvement) • Focused EIR (when tiered off Master EIR)
Plan, Policy, or Program	• Tiered EIR • Program EIR • Master EIR • General Plan EIR
EIR Already Certified	• Supplemental EIR • Subsequent EIR • Addendum to EIR

Post-EIR Documents

Subsequent EIR → Important revisions addressing significant impacts

Supplemental EIR → Minor additions or changes addressing significant impacts

Addendum to EIR → Minor technical changes only, with no significant impacts

Determining EIR Scope

- Initial Study
- Notice of Preparation
- Agency scoping meetings
- Consultation with responsible and trustee agencies
- Public scoping meetings

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Required Contents of a Draft EIR

- Table of Contents
- Summary
- Areas of Known Controversy
- Project Description
- Environmental Setting (Existing Conditions)

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Required Contents of a Draft EIR

- Significance of project effects
- Mitigation Measures
- Alternatives
- Growth-Inducing Impacts
- Significant Irreversible Changes
- Organizations/Persons Consulted

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Final EIR

- Response to Comments
- Errata (if necessary)
- Mitigation Monitoring and Reporting Program

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Noticing

- IS/ND/MND
  - Notice of Availability (NOA) /Notice of Intent (NOI) to Adopt
  - Notice of Determination (NOD)
- EIR
  - Notice of Preparation (NOP)
  - NOA
  - Appropriate Hearing Noticing
  - NOD

Approvals

- ND or MND: Adopted
- EIR: Certified
- Decision-Making Body: Planning Commission or City Council

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Approvals

FINDINGS OF APPROVAL

- Only 3 possible findings:
  - Changes or alterations have been required that avoid or substantially lessen significant effects
  - Such changes or alterations are within the responsibility and jurisdiction of another public agency, and such changes have been adopted or can and should be adopted by that agency
  - Specific economic, legal, social, technological, or other considerations make mitigation/alternatives infeasible

Approvals

STATEMENT OF OVERRIDING CONSIDERATIONS

- Statement needed for approval of project with significant unavoidable impacts
- Includes specific, written statement of reasons supporting approval—economic, legal, social, technological, or other benefits
- Supported by substantial evidence in the record

Final Thoughts

TOP FIVE TAKEAWAYS

1. Initial scoping/risk evaluation is key to the process
2. If you can't understand it neither can the public
3. The key to the impact determination is in the thresholds
4. Account for CEQA in your schedules/budgets
5. CEQA is not your enemy

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