

AGENDA

City of Plymouth

PLANNING COMMISSION

REGULAR MEETING
THURSDAY, AUGUST 17, 2023
6:30 P.M.



9426 Main Street, Plymouth, California

William Klapproth, Chair

Michael Sullivan, Vice-Chair

Melvin Cossairt, Commissioner

Thomas Mikkelsen, Commissioner

Stephanie Moreno, Commissioner

PLEASE NOTE: The Planning 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 Chairman to provide public comment.



**CITY OF PLYMOUTH
PLANNING COMMISSION
REGULAR MEETING AGENDA
THURSDAY, AUGUST 17, 2023 at 6:30 PM**

Plymouth City Hall - 9426 Main Street Plymouth, California

In-person participation by the public is permitted and remote/electronic public participation is also available in one of the following ways:

City of Plymouth's Planning Commission Zoom Meeting
Join Zoom Meeting

<https://us02web.zoom.us/j/81660979009?pwd=SExiWmV0ZU4vR3lrOERpRkkzVC96Zz09>

Dial in by phone: 1 669 900 9128 US

Meeting ID: 816 6097 9009 Passcode: 185324

One Tap Mobile: +16699009128,, 81660979009#,,,,*185324#

Members of the public participating electronically via this link and wishing to speak may do so during public comment, by using the "Raise Hand" feature in the Zoom webinar. When dialing in by phone use *9 to raise and lower your hand and *6 to mute and unmute your phone. Thank you.

You can submit a written public comment prior to the meeting by emailing your comment to the Planning Commission Secretary at dknight@CityofPlymouth.org before 3:30 PM on the day of the meeting. Emailed public comments will be distributed to the Commission and made part of the official record.

William (Bill) Klaproth, Chair

Melvin Cossairt, Commissioner

Thomas Mikkelsen, Commissioner

Stephanie Moreno, Commissioner

Michael Sullivan, Vice-Chair

This meeting will be recorded. Council Chambers are wheelchair accessible. Special accommodations may be requested by contacting the Commission Secretary 72 hours in advance of the meeting.

Please silence all cell phones or similar devices.

1. CALL TO ORDER / ROLL CALL:

- Roll Call
- Flag Salute

2. APPROVAL OF PLANNING COMMISSION REGULAR MEETING AGENDA FOR AUGUST 17, 2023

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 Planning Commission'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 PLANNING COMMISSION REGULAR MEETING AGENDA
MINUTES OF JUNE 15, 2023**

6. PUBLIC HEARINGS: NONE

7. UNFINISHED BUSINESS:

**7.1 DISCUSSION REGARDING REVISIONS TO PLYMOUTH MUNICIPAL CODE
CHAPTER 19.92, SUBSECTION 19.92.50(B)(2) REGARDING WINDOW SIGNS**

RECOMMENDATION: Hold a discussion, take public comment, and determine policy change for the subject Municipal Code should be recommended to the City Council.

**7.2 DISCUSSION REGARDING CITY COUNCIL ASSIGNMENT OF PLANNING
COMMISSION FOR PUBLIC CONVENIENCE OR NECESSITY (PCN)
APPLICATIONS AND AMENDMENT OF THE PLYMOUTH MUNICIPAL
CODE SECTION 19.04.140, TABLE 1**

RECOMMENDATION: Hold a discussion, take public comment, and consider recommendations to the City Council regarding an amendment to the Municipal Code Section 19.04.140, Table 1.

8. NEW BUSINESS: NONE

9. REPORTS:

- Commission
- Chairperson
- Planning Director
- City Staff

10. ADJOURNMENT

The next regularly scheduled Planning Commission Meeting date is September 7, 2023. The meeting will begin at 6:30 PM.

ADDITIONAL INFORMATION

Public documents related to items on the open session portion of this agenda, which are distributed to the Planning Commission less than 72 hours prior to the meeting, shall be available for public inspection at the Planning Commission Secretary's office located at Plymouth City Hall and at the time of the meeting.

NOTICE:

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Planning Commission Secretary at (209) 245-6941 Ext. 254 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Dana Knight, Planning Commission Secretary for the City of Plymouth, declare that the foregoing agenda for the August 17, 2023 Regular Meeting of the Plymouth Planning Commission was posted and available for review on August 14, 2023 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 August 14, 2023 at Plymouth, California

//s//

Dana Knight
Planning Commission Secretary

5.1



CITY OF PLYMOUTH
PLANNING COMMISSION
REGULAR MEETING DRAFT MINUTES
THURSDAY, JUNE 15, 2023

at 6:30 PM

Plymouth City Hall - 9426 Main Street Plymouth, California

PLANNING COMMISSION MEETING IN-PERSON OR VIA ZOOM

William (Bill) Klaproth, Chair

Melvin Cossairt, Commissioner

Thomas Mikkelsen, Commissioner

Stephanie Moreno, Commissioner

Michael Sullivan, Vice-Chair

1. ROLL CALL:

Planning Commissioners Present: Mel Cossairt, Thomas Mikkelsen, Bill Klaproth

Planning Commissioners

Via Teleconference: Stephanie Moreno

Planning Commissioners Absent: Michael Sullivan

Staff/Advisory Via Teleconference: Planning Director, Farhad Mortazavi

Staff/Advisory Present: City Manager, Margaret S. Roberts, Planning
Commission Secretary, Dana Knight

**2. APPROVAL OF PLANNING COMMISSION REGULAR MEETING AGENDA FOR
JUNE 15, 2023**

Motion to approve the Regular Meeting Agenda for June 15, 2023 by Commissioner Cossairt, second by Commissioner Moreno. Motion passed by roll call vote with 4 Yes votes by Cossairt, Mikkelsen, Moreno and Klaproth; with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent, Sullivan.

3. PUBLIC COMMENT: NONE

New Planning Director, Farhad Mortazavi, introduced himself to the commission.

4. PRESENTATIONS:

4.1 SELECTION OF A NEW PLANNING COMMISSION CHAIR

RECOMMENDATION: Discuss and appoint a new Chair

Commissioner Moreno nominated Vice Chair Sullivan for Chair. City Manager Roberts informed the commission that Vice Chair Sullivan sent an email stating that he would remain vice chair if that was the wishes of the commission, but that he would not entertain taking the chair position at this time.

Commissioner Mikkelsen nominated William (Bill) Klaproth for chair, second by Chair Klaproth. There were no other nominations.

Public Comment:

Don Nunn, a Plymouth resident stated that the change in Chair and Vice Chair should be done annually. Commissioner Moreno agreed and stated that she would like to have the reorganization of the commission automatically put on an agenda annually without a commissioner having to ask.

Public comment closed.

Roll call vote for Chair Klaproth to remain Planning Commission Chair. Motion passed by roll call vote with 4 Yes votes by Cossairt, Mikkelsen, Moreno and Klaproth; with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent, Sullivan

4.2 SELECTION OF A NEW PLANNING COMMISSION VICE CHAIR

RECOMMENDATION: Discuss and appoint a new Vice Chair

Commissioner Moreno nominated Vice Chair Sullivan for Planning Commission Vice Chair. There were no other nominations.

No Public comment.

Roll call vote for Vice Chair Sullivan to remain Planning Commission Chair. Motion passed by roll call vote with 4 Yes votes by Cossairt, Mikkelsen, Moreno and Klaproth; with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent, Sullivan.

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 PLANNING COMMISSION REGULAR MEETING AGENDA MINUTES OF NOVEMBER 3, 2022

Motion to approve the Regular Meeting Agenda Minutes of November 3, 2022 by Commissioner Mikkelsen, Seconded by Commissioner Cossairt. Motion passed by roll call vote with 3 Yes votes by Cossairt, Mikkelsen, and Klaproth; with 0 No votes and 1 Abstain vote by Commissioner Moreno. With 1 Commissioner Absent, Sullivan.

6. PUBLIC HEARINGS: NONE

7. UNFINISHED BUSINESS: NONE

8. NEW BUSINESS:

8.1 DISCUSSION REGARDING WHETHER TO AMEND MUNICIPAL CODE SECTION 19.92.050(B)(2) TO ALLOW FOR ILLUMINATED PERMANENT WINDOW SIGNS

RECOMMENDATION: Hold a discussion, take public comment, and consider whether to bring back an ordinance at the next Planning Commission for consideration.

Public Comment:

Don Nunn asked if this item is for the whole city or just Main Street. City Manager Roberts explained that it was just for the Downtown Historic Overlay District. Mr. Nunn stated that the city should be making things easier for business owners, not putting more restrictions on them, especially since we have for rent signs on buildings. We need to show potential businesses that we are a friendly place to come to and to help current businesses.

After Planning Commission discussion, a Motion was made by Commissioner Moreno, seconded by Commissioner Mikkelsen to have the Planning Director bring back some proposed amendments to the Municipal Code that would allow greater flexibility for businesses in placing illuminated signs within their properties.

Motion passed by roll call vote with 4 Yes votes by Cossairt, Mikkelsen, Moreno and Klapproth; with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent, Sullivan.

8.2 DISCUSSION REGARDING WHETHER TO AMEND THE MUNICIPAL CODE TO ALLOW THE PLANNING COMMISSION TO MAKE PUBLIC CONVENIENCE OR NECESSITY (PCN) DETERMINATIONS REGARDING CERTAIN ALCOHOL BEVERAGE CONTROL (ABC) APPLICATIONS

RECOMMENDATION: Hold a discussion, take public comment, and consider whether to bring back an ordinance at the next Planning Commission for consideration.

Public Comment:

Don Nunn asked if this is to loosen restrictions. City Manager Roberts explained that on occasion ABC will send a letter letting us know that someone has applied for a license to sell alcohol. They will send us a Letter of Necessity for the area to see if the city is okay with another license being issued for that area. The city will make a determination if they want that license or not. The Council has determined that the Planning Commission is the body that will make that determination. Now, the Planning Commission needs to make a decision if it will be a Municipal Code change or not. Mr. Nunn's thought is to make it easier for businesses to be able to sell beer and wine to help bring more businesses to town, so more people will want to visit and that helps to create revenue for the city.

After Planning Commission discussion, a Motion was made by Commissioner Moreno, seconded by Commissioner Cossairt to have the Planning Commission send a recommendation to the City Council to concur with their determination that the decision making should be with the Planning Commission to consider one of two options to memorialize that authority. One being make an addition to Table 19.04.140-1, second being and adoption of a policy by the City Council incorporating the different entitlements for future reference.

Motion passed by roll call vote with 4 Yes votes by Cossairt, Mikkelsen, Moreno and Klapproth; with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent, Sullivan.

8.3 ZINFANDEL AND SHENANDOAH RIDGE DEVELOPMENT AGREEMENT ANNUAL STATUS REPORT

RECOMMENDATION: Hold a discussion, take public comment, make recommendation to City Council to approve or deny the report, or ask the developer to return with additional information.

Public Comment:

Judy Turner, Zinfandel Ridge homeowner, expressed concerns regarding drainage on Harvest Court. Ms. Turner previously brought drainage concerns to the city council and does not feel that her water runoff concerns are being addressed. Chair Klapproth stated that drainage is not part of this item, so they could not discuss her concerns at this time.

Commissioner Moreno commented that drainage has been omitted from this report, so she would like Ms. Turners comment on the record. Later in this item's discussion, City Manager Roberts and other commissioners agreed that the report was not complete.

Don Nunn questioned if the large, proposed park is ever going to be addressed. Per City Manager Roberts the 13-acre park is due to be built in the next phase of development. Currently, the developer is looking for someone to develop Phase 4. Tim Lewis purchased Phase 3 and had the option to do Phase 4, but are not taking that option, so Bob Reeder is looking for a developer for Phase 4 at this time.

After Planning Commission discussion, a Motion was made by Commissioner Moreno, second by Commissioner Cossairt to refer the annual update back to staff for a comprehensive review and comparison to the Development Agreement in consultation with the City Attorney and the Developer and to bring back a more comprehensive report and to also ask the City Attorney to be present to answer questions about ongoing drainage issues and the status of the park at the second meeting in July.

Motion passed by roll call vote with 4 Yes votes by Cossairt, Mikkelsen, Moreno and Klapproth; with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent, Sullivan.

9. REPORTS:

- Commission

Commissioner Moreno asked for an open discussion item of how things are going to get scheduled for the Planning Commission agendas. The chair and staff are the ones that develop the agenda, but she would like a process for other planning commissioners to be able to provide input into or request items be put on the agenda.

- Chairperson

Chair Klapproth attended the last City Council meeting and applauded that Adult Transition students were invited to lead the Pledge of Allegiance. It is a great way to get community involvement. Online or in person involvement are ways to get opinions about what is happening and ideas from the community to be able to align the ideas to the city goals.

- Planning Director

Director Mortazavi expressed that he is happy to be involved in this process and is looking forward to cooperating with City Manager Roberts in regard to items that are enlisted and are now being continued.

- City Staff - None

10. ADJOURNMENT: 7:53 PM

The next regularly scheduled Planning Commission Meeting date is July 6, 2023. The meeting will begin at 6:30 PM.

Respectfully submitted,

//s//

Dana Knight
Planning Commission Secretary

7.1



City of Plymouth

Planning Commission Meeting Staff Report

Item 7.1

Date:

August 17, 2023

Report by:

Farhad Mortazavi, Planning Director

Policy, Program, Project or Issue Title:

Revision to Plymouth Municipal Code Chapter 19.92, Subsection 19.92.050(B)(2)

Issue Statement & Discussion:**BACKGROUND**

On June 15, 2023, the planning commission reviewed Plymouth Municipal Code (PMC) Chapter 19.92, Subsection 19.92.050(B)(2) – permanent window signs; with a consideration to make a recommendation to the City Council to change the policy by revising the Subsection, per discussion at that public meeting, to better serve the community.

DISCUSSION

The Planning Commission determined at the June meeting that the existing language provided in the subject code – specifically its non-illumination language - does not serve city’s business community and considered that the business owner should be able to utilize an aesthetically pleasing sign for their business while being less regulated. The commissioners asked staff to include a list of options for discussion at the future meeting for recommendation for adaptation by the Council.

Current Plymouth Municipal Code Subsection 19.92.050(B)(2) dictates: *Permanent window signs (e.g., hanging on the interior of the window or stenciled on the inside or outside of the window) not exceeding four square feet per street frontage shall be permitted. Such signs should be encouraged to promote business identification, hours of operation, and address information. Such signs may not be illuminated.*

Staff's list of recommendations for discussion by the Planning Commission is provided below:

- a) First option – maintain the subsection but eliminate the last sentence; *Such signs may not be illuminated*. To be amended as follows: Permanent window signs (e.g., hanging on the interior of the window or stenciled on the inside or outside of the window) not exceeding four square feet per street frontage shall be permitted. Such signs should be encouraged to promote business identification, hours of operation, and address information.
- b) Second option - to have the first option minus the hanging on the outside of the window. To be amended as follows: Permanent window signs (e.g., hanging or stenciled on the interior of the window) not exceeding four square feet per street frontage shall be permitted. Such signs should be encouraged to promote business identification, hours of operation, and address information.
- c) Third option - adopt the first and/or second option but amend the limitation of four-square feet by enlarging or reducing the four-square feet limitation.
- d) Fourth option – the discretion to allow the business owner to utilize an attractive design for the interior of the window that would fit their business model with a certain size limitation and whether it can be illuminated or not (to be discussed and determined by the commissioners in details if this option is chosen).

NEXT STEPS

The Planning Commission to determine on a new revised policy to be forwarded to the City Council to amend the PMC Subsection 19.92.050(B)(2).

ENVIORNMENTAL REVIEW

The discussion of the Planning Commission and recommendation to the City Council is Categorical Exempt under CEQA Section 15601(b)(3), where it can be seen with certainty that there is no possibility that the Planning Commission recommendation may have a significant effect on the environment, therefore the recommendation is not subject to CEQA.

Fiscal Impact:

There is no fiscal impact for the City of Plymouth of the Planning Commission discussion and recommendation to the City Council.

Staff Recommendation:

Staff recommend that the Planning Commission determine what should be recommended to the City Council on the subject Plymouth Municipal Code Subsection 9.92.050(B)(2).

Attachment A:
Plymouth Municipal Code Section 19.92.050

Plymouth Municipal Code Section 19.92.050 Exempt Signs

The following sign types are expressly exempted from the permit requirements of this chapter and title but still must satisfy any and all other applicable City of Plymouth permit requirements when necessary (e.g., building, electrical, plumbing, grading, encroachment, etc.). Any exception to the limitations for exempt signs listed herein shall require a Creative Sign Permit pursuant to Section 19.16.050 (Creative Sign Permit).

A. Exempt Signs without Limitations. The following signs are exempt from Sign Permit and City review requirements:

1. All devices which are excluded from the definition of a “sign” as set forth in this Code.
2. Official traffic signs or other municipal governmental signs, legal notices, advertisements prescribed by law and placed by governmental entities, and signs indicating the location of buried utility lines or any notice posted by a governmental officer in the scope of his duties. The City has a compelling interest in allowing such signs in order to comply with State and local laws and to promote public safety.
3. Direction, warning, or information signs or structures required or authorized by law, or by Federal, State, County, or City authority, including, but not limited to, traffic control signs (e.g., stop, yield), highway route number signs, and construction zone signs. The City has a compelling interest in allowing such signs in order to comply with State and local laws and to promote public safety.
4. Utility company signs identifying cables, conduits, danger, and so forth. The City has a compelling interest in permitting such signs in order to comply with state and local laws and to promote public safety.
5. Street address signs consistent with the City-adopted Building Code or relevant provisions of the City Municipal Code. Notwithstanding anything in this section, street address signs may be illuminated and may contain reflective paint or material. The City has a compelling interest in permitting such signs to promote the identification of property to guide emergency response personnel.
6. Historical and/or memorial tablets and identification plaques installed by or on behalf of a recognized governmental historical agency. The City has a compelling interest in permitting such signs to promote interest in historical structures and events and to promote public safety and identification.

7. Time and temperature signs containing no advertising copy. The City has a compelling interest in permitting such signs to promote awareness of local conditions for individuals with medical problems and to promote public safety.
8. Signs and advertising for the California State Lottery as authorized by California Government Code Section 8880 et seq. The City has a compelling interest in permitting such signs in order to comply with State law.
9. Gas pricing signs, as required by State law, which identify the brand, types, octane rating, etc., of gasoline for sale within the City. The City has a compelling interest in permitting such signs in order to comply with State law.
10. Change of copy that does not alter the size, location, or illumination of a sign. The City has a compelling interest to permit such minor changes to make sign maintenance a less onerous burden on property owners and to promote public safety.
11. Signs prohibiting trespassing or hunting. The City has a compelling interest to allow property owners to post these signs for the protection of life and private property and to promote public safety.

B. Exempt Signs with Limitations. The following signs are exempt from Sign Permits and as such do not require City review. However, they shall be consistent with the size, height, duration, and/or maximum number limitations listed:

1. Flags that are not included in the definition of a temporary promotional sign that display a non-commercial message, attached to poles, including, but not limited to, flags of the United States, the State of California and other countries and states, counties and municipalities, not to exceed three flags/poles on properties containing less than one acre of land, and not to exceed six flags/poles on properties containing more than one acre of land. Poles shall not exceed thirty (30) feet in height and flags shall not exceed forty-two (42) square feet in surface area. Such flags shall be maintained in good condition and free of tattering or tearing.
2. Permanent window signs (e.g., hanging on the interior of the window or stenciled on the inside or outside of the window) not exceeding four square feet per street frontage shall be permitted. Such signs should be encouraged to promote business identification, hours of operation, and address information. Such signs may not be illuminated.
3. Community interest group signs (e.g., fraternal, benevolent, social services, religious organizations) displaying a non-commercial message, such as time and place/location of meetings, provided said signs are combined onto a common sign structure, the overall area of which does not exceed one hundred (100) square feet, and the area devoted to any one organization does not exceed twenty (20) square feet. Such signs may be located off-site from where the activity takes place;

however, no more than four locations for such signs will be allowed within the City. Such signs must be set back a minimum of twenty-five (25) feet from the public right-of-way in residential districts and set back a minimum of ten (10) feet from the public right-of-way in nonresidential districts, and must be located a minimum of seventy-five (75) feet from any other freestanding sign.

4. Construction signs not to exceed one sign per street frontage and a maximum of twenty (20) square feet in area or a maximum of thirty-six (36) square feet if combined with a future tenant sign. Construction signs may not be illuminated. Such signs shall be removed at the earliest of the following events: final building inspection approval, issuance of a valid certificate of occupancy, or opening for business to the public.

5. Future Tenant Signs. One future tenant identification sign (e.g., banner) per property/establishment shall be permitted and shall not exceed ten (10) square feet in area or a maximum of thirty-six (36) square feet if combined with a construction sign. A future tenant identification sign listing the name of future tenants, responsible agent or realtor, and identification of the specific complex are encouraged. When a future tenant sign is independent of a construction sign, the future tenant sign is permitted until such time as a certificate of occupancy is issued for the building(s). The maximum height of future tenant signs shall be five feet and the sign may not be illuminated. Additionally, windows of future tenant spaces may be papered over to screen construction. Such window papering signage on said property is permitted and shall not count toward the sign area limitation.

6. Garage, yard, estate, and other home-based sale signs advertising the sale of items from a garage, yard, estate, or other home-based sale and only permitted during the duration of the sale. The City has a compelling interest to allow these signs for the benefit of residents and local groups. A maximum of four signs, each a maximum of six square feet, may be allowed. Such signs shall not be affixed to any utility pole or street sign pole. Such signs shall only be placed on private property with the owner's permission.

7. Real estate signs are allowed on private property and out of any required clear vision triangle, with the following limitations:

a. For residential property, one sign with a maximum sign area of six square feet (each side). Additionally, a maximum of three attached rider signs are permitted on each real estate sign. On weekends and holidays, signs needed to direct traffic from major collector and arterial streets to the subject property are allowed as follows: one sign may be placed for each change in direction to a maximum of five signs, each with a maximum sign area of six square feet.

b. For commercial property, one on-site sign per street frontage with a maximum sign area of thirty-two (32) square feet for parcels with less than one

acre and forty-eight (48) square feet for parcels larger than one acre with an eight-foot height limit.

c. Removal. All real estate signs must be removed not later than five days after the close of the transaction proposed by the sign.

8. On-Site Directional Signs. Exit, entrance, or other on-site traffic directional signs are permitted. When located within a required front yard or street side yard area, the maximum height of any directional sign shall be thirty (30) inches and the maximum size shall be four square feet. No advertising or message other than for traffic direction shall be displayed. The City has a compelling interest in permitting such signs in order to comply with State and Federal law.

9. Nameplate signs for residential uses, provided that there is no more than one unlit sign per property, up to a maximum of one-half square foot in area, which is attached to and parallel with the front wall of the building and only contains the name and title or occupation of the occupant.

10. Nameplate signs for commercial uses, identifying (and copy limited to) the address of the building, property, or tenant to a maximum of one square foot per sign. Nameplates for commercial uses may only be lit by either an indirect light source (e.g., porch light), low-wattage spotlight without glare to the adjoining property, or internal light source with opaque (non-transparent) background.

11. Signs on residential property, not exceeding ten (10) square feet in area, other than nameplates and street addresses, and of a noncommercial nature, are allowed provided that they are set back at least five feet from the public right-of-way and do not project over the roofline of any structure.

12. Murals, on walls other than the main entrance to a building, installed and maintained to an area not exceeding a maximum of one hundred (100) percent of the exterior wall area of the first two stories upon the wall or façade where the mural sign is located.

13. Menu/Order Board Signs. A maximum of one menu/order board sign shall be permitted for each drive-in or drive-through establishment, provided that the sign does not exceed a maximum of forty (40) square feet in sign area and that the sign be limited in height to eight feet. The menu/order board sign does not count toward the total allowed signage for the establishment as described in Table 19.92.090-1 (Allowed Permanent On-Site Sign Standards). Additional signs, area, and/or height may be permitted through issuance of a Creative Sign Permit, provided that the location of the sign(s) does not interfere with on-site vehicle circulation or traffic in the public right-of-way (e.g., line of sight).

14. Political signs, provided the signs are displayed for a maximum of one hundred eighty (180) days. (Ord. 2014-01 § 1)

7.2



City of Plymouth

Planning Commission Meeting Staff Report

Item 7.2

Date:

August 17, 2023

Report by:

Farhad Mortazavi, Planning Director

Policy, Program, Project or Issue Title:

City Council assignment of Planning Commission for Public Convenience or Necessity (PCN) applications and amendment of the Plymouth Municipal Code.

Issue Statement & Discussion:**BACKGROUND**

On January 31, 2023, the City of Plymouth received a letter from the State Department of Alcoholic Beverage Control (ABC) requesting that the city dedicate a decision-making body for issuance of the alcoholic license as a public convenience or necessity.

At the City Council meeting on March 29, 2023, The Council assigned the Planning Commission as the decision-making body for the subject applications and required the commissioners to look into modification of the Plymouth Municipal Code. On June 15, 2023, the Planning Commission accepted the designation by the Council to make decisions on the PCN applications and required policy amendment to the municipal code.

DISCUSSION

Per Council's direction on March 29, 2023, the Planning Commission is assigned to make determination on future PCN applications in addition to review of the Plymouth Municipal Code (PMC) and make a determination whether any amendments to the PMC would be necessary.

On June 15, 2023, the Planning Commission after the staff presentation, public participation, and discussion of the subject matter amongst themselves, determined that the policy pertaining to land use permit processing should be amended to include the

PCN application as part of Section 19.04.140 – Land Use Determination – with its Table 140-1, as provided below:

TABLE 19.04.140-1 APPROVING AUTHORITY FOR LAND USE ENTITLEMENTS

Type of Permit or Decision	Designated Approving Authority			Permit Processing
	Planning Director	Planning Commission	City Council	
Plan Check/Zoning Clearance	F			19.10.030
Home Occupation Permit	F			19.10.040
Official Code Interpretation	F			19.10.020
Similar Use Determination	F			19.10.050
Reasonable Accommodation	F			19.10.060
Temporary Sign Permit ¹	F			19.16.020
Sign Permit	F			19.16.030
Master Sign Program	R	F		19.16.040
Creative Sign Permit	R	F		19.16.050
Temporary Use Permit	F			19.14.020
Administrative Use Permit	R			19.14.030
Conditional Use Permit	F	F		19.14.040
Minor Design Review	R			19.18.040
Major Design Review	F	F		19.18.050
Adjustments	R			19.22.030
Variances	R	F		19.22.040
Planned Development	R	R	F	19.28

Prezonings	R	R	F	19.26.060
Zoning Amendment	R	R	F	19.26
Development Agreements	R	R	F	19.36
General Plan Amendments	R	R	F	19.32
* Public Convenience or Necessity	R	F		19.60.030

The asterisk signifies the amendment to Table 140-1 of Plymouth Municipal Code by adding the new row.

NEXT STEPS

The planning commission should make a recommendation regarding the amendment to the Plymouth Municipal Code to the City Council.

ENVIORNMENTAL REVIEW

Pursuant to CEQA Guidelines Section 15061(b)(3) - exempt activities that can be seen with certainty to have no possibility of causing a significant effect on the environment.

CONDITIONS OF APPROVAL

None.

Fiscal Impact:

There is no fiscal impact for the City of Plymouth of the Planning Commission’s review of this project, and recommendation on amendment to the municipal code.

Staff Recommendation:

Staff recommends that the Planning Commission review the staff report, discuss the matter, and make recommendations to the City Council for an amendment to the Municipal Code.

Plymouth Municipal Code Section 19.04.140 – Land Use Determinations

A. Designated Approving Authority. The approving authority as designated in Table 19.04.140-1 (Approving Authority for Land Use Entitlements) shall approve, conditionally approve, or deny the proposed land use or development permit or entitlement in accordance with the requirements of this title. Table 19.04.140-1 (Approving Authority for Land Use Entitlements) identifies recommending (R) and final (F) authorities for each permit or entitlement. In acting on a permit, the approving authority shall make all required findings. An action of the approving authority may be appealed pursuant to procedures set forth in Section [19.04.160](#) (Appeals).

B. Referral to the Planning Commission. At any point in the application review process, the Planning Director may transfer decision-making authority to the Planning Commission at his or her discretion because of policy implications, unique or unusual circumstances, or the magnitude of the project. Decisions referred to the Planning Commission shall be considered as a noticed public hearing. A referral to another decision-maker is not an appeal and requires no appeal application or fee.

TABLE 19.04.140-1 APPROVING AUTHORITY FOR LAND USE ENTITLEMENTS

Type of Permit or Decision	Designated Approving Authority			Permit Processing
	“R” = “Recommending Body”			
	“F” = “Final Decision-Making Body”			
	Planning Director	Planning Commission	City Council	
Plan Check/Zoning Clearance	F			19.10.030
Home Occupation Permit	F			19.10.040
Official Code Interpretation	F			19.10.020
Similar Use Determination	F			19.10.050
Reasonable Accommodation	F			19.10.060
Temporary Sign Permit ¹	F			19.16.020
Sign Permit	F			19.16.030
Master Sign Program	R	F		19.16.040
Creative Sign Permit	R	F		19.16.050

Temporary Use Permit	F			19.14.020
Administrative Use Permit	F			19.14.030
Conditional Use Permit	R	F		19.14.040
Minor Design Review	F			19.18.040
Major Design Review	R	F		19.18.050
Adjustments	F			19.22.030
Variances	R	F		19.22.040
Planned Development	R	R	F	19.28
Prezonings	R	R	F	19.26.060
Zoning Amendment	R	R	F	19.26
Development Agreements	R	R	F	19.36
General Plan Amendments	R	R	F	19.32

Note:

1. The Planning Commission will be the final decision-making body for long-term Subdivision Directional Signs, Section 19.92.110.C.

(Ord. 2014-01 § 1)

