

CITY OF RANCHO CORDOVA
Regular Meeting of the City Council
Tuesday, July 6, 2004

MINUTES

REGULAR MEETING CALLED TO ORDER

The meeting was called to order at 6:40 p.m. by Mayor Budge.

Mayor Budge advised that the meeting would not be videotaped and telecast due to the previous day's holiday (Fourth of July).

ROLL CALL

Present: Council Members: Cooley, McGarvey, Sander, Skoglund, and
Mayor Budge

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Clerk Lillian Hare.

INVOCATION

1. Pastor Steve Malone, Rock Tabernacle, offered the Invocation.

PRESENTATIONS:

None

CONSENT CALENDAR

ACTION: On a motion by Cooley, seconded by McGarvey, the Consent Calendar below, with exception of item 13, was approved by unanimous roll call vote.

2. **Subject**: April Treasurer's Report
Recommendation: Receive and file report.
3. **Subject**: Second Reading and Adoption of Ordinance No. 27-2004 Establishing a Special Tax for Police Protection Services for the Stone Creek Subdivision; RC 04-067
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 27-2004 establishing a special tax for police protection services for the Stone Creek Subdivision. **(Roll Call Vote)**

4. **Subject:** Second Reading and Adoption of Ordinance No. 31-2004 Establishing a Special Tax for Police Protection Services for Zinfandel Village No. 8; RC 03-033
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 31-2004 establishing a special tax for police protection services for Zinfandel Village No. 8; RC 03-033. **(Roll Call Vote)**
5. **Subject:** Second Reading and Adoption of Ordinance No. 34-2004 Establishing a Special Tax for Police Protection Services for Anatolia I (Village 7) and Anatolia II (Villages 9 & 12); RC 04-098
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 34-2004 establishing a special tax for police protection services for Anatolia I (Village 7) and Anatolia II (Villages 9 & 12); RC 04-098. **(Roll Call Vote)**
6. **Subject:** Second Reading and Adoption of Ordinance No. 35-2004 Establishing a Special Tax for Police Protection Services for Anatolia I (Villages 1, 3, 4 and 8) and Anatolia II (Village 15); RC 04-099
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 35-2004 establishing a special tax for police protection services for Anatolia I (Villages 1, 3, 4 and 8) and Anatolia II (Village 15); RC 04-099. **(Roll Call Vote)**
7. **Subject:** Second Reading and Adoption of Ordinance No. 32-2004 Establishing a Special Tax for Police Protection Services for Sunridge Park Subdivision, Villages 1A, 4A, 6, 7, 8A, 11A and a portion of Unit A, owned by Pleasant Valley Investments; RC 03-001
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 32-2004 establishing a special tax for police protection services for Sunridge Park Subdivision, Villages 1A, 4A, 6, 7, 8A, 11A and a portion of Unit A, owned by Pleasant Valley Investments; RC 03-001. **(Roll Call Vote)**
8. **Subject:** Second Reading and Adoption of Ordinance No. 33-2004 Establishing a Special Tax for Police Protection Services for Sunridge Park Subdivision, Village 3, owned by Rancho 80, LLC; RC 03-001
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 33-2004 establishing a special tax for police protection services for Sunridge Park Subdivision, Village 3, owned by Rancho 80, LLC; RC 03-001. **(Roll Call Vote)**
9. **Subject:** Second Reading and Adoption of Ordinance No. 28-2004 Establishing a Special Tax for Police Protection Services for Sunridge Park Subdivision, Villages 2A & 5A and a portion of Unit A, owned by Sunridge Park LP; RC 03-001
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 28-2004 establishing a special tax for police protection services for Sunridge Park Subdivision, Villages 2A & 5A and a portion of Unit A, owned by Sunridge Park LP; RC 03-001. **(Roll Call Vote)**

10. **Subject:** Second Reading and Adoption of Ordinance No. 30-2004 Establishing a Special Tax for Police Protection Services for Sunridge Park Villages 9A & 10A, and a portion of Unit A, owned by Beazer Homes Holding Corporation; RC 03-001
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 30-2004 establishing a special tax for police protection services for Sunridge Park Villages 9A & 10A and a portion of Unit A, owned by Beazer Homes Holding Corporation; RC 03-001. **(Roll Call Vote)**
11. **Subject:** Second Reading and Adoption of Ordinance No. 29-2004 Establishing a Special Tax for Police Protection Services for Sunridge Park Subdivision Unit A, owned by Sunridge Investors LLC; RC 03-001
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 29-2004 establishing a special tax for police protection services for Sunridge Park Subdivision Unit A, owned by Sunridge Investors LLC; RC 03-001. **(Roll Call Vote)**
12. **Subject:** Second Reading and Adoption of Ordinance No. 26-2004 Amending the General Plan Designation and the Zoning of the Sunridge Specific Plan on Assessor Parcel Numbers 072-0300-003, 072-0300-004 (Portion) and 072-0370-016, for a Project Known as North Douglas No. RC 03-002
Recommendation: Waive reading of body of the ordinance and adopt Ordinance No. 26-2004 amending the General Plan Designation and the Zoning of the Sunridge Specific Plan on above-referenced parcel numbers known as North Douglas Project RC 03-002. **(Roll Call Vote)**

The following item was pulled from the Consent Calendar for individual consideration:

13. **Subject:** Resolution Approving the Issuance and Recordation of Certificate Of Compliance For Lawful Parcels of Assessor's Parcel Numbers 072-0640-041 and 042
Recommendation: Adopt Resolution No. 106-2004 approving this subdivision.

ACTION: On a motion by Budge, seconded by Cooley, the item was continued to July 19, 2004 by unanimous vote.

ORAL COMMUNICATIONS

14. Public Comment

Maxine Clark requested that the community communicate to the County Board of Supervisors that the American Parkway viewshed should be preserved by continuing to require a 70 ft. setback from the American River Parkway and not approve houses that would "lean over" the parkway.

Tom Wentz thanked the community for the tremendous support in putting on the July 3rd Parade.

Dennis Dunn said the July 3 and 4 festivities were wonderful! He also encouraged the candidates for appointment to the Planning Commission to continue to be involved in the City.

PUBLIC HEARINGS

15. **Subject** An Ordinance of the City Council Relating to the Regulation of Medical Cannabis Dispensaries and Amending Rancho Cordova Municipal Code Section 4.10.005, "License Required," Adding Chapter 4.70, "Medical Cannabis Regulations," to the Rancho Cordova Municipal Code, Amending Rancho Cordova Zoning Code Sections 230-11, "Table IV," and 230-13, "Special Conditions," and adding Title III, Chapter 25, Article 6, "Medical Cannabis Dispensary Regulations," to the Rancho Cordova Zoning Code

Recommendation: Introduce the Ordinance, waive the first reading, and continue the Ordinance to the July 19, 2004 Regular City Council Meeting. **(Roll Call Vote)**

Conrade Mayer spoke against allowing medical Cannabis in Rancho Cordova.

Mason Swarhout spoke in support of allowing medical Cannabis in the City.

Art Smith, of the Planning Commission spoke as a resident, asking the Council to consider other methods for the regulation and dispensing of medical Cannabis.

Walt Myers spoke in opposition to the ordinance but said if the Council is mandated to pass an ordinance should be as strong as possible.

Matt Cummings, said the city should take an aggressive stance in regulating these dispensers.

Troy Konarski, spoke in opposition to medical cannabis dispensers.

Craig Osborn, said the community identity would be damaged if medical cannabis dispensers were allowed.

ACTION: On a motion by McGarvey, seconded by Cooley, the Council approved continuing this item to August 2, 2004 for the staff to provide a revised ordinance addressing the Council's concerns regarding residency and identification, location, qualifications of the dispenser, record keeping, adequate security in front and back, performance bond to ensure security compliance, approved by a vote of 3-2, Council Members Sander and Skoglund dissenting.

At this point in the meeting, the Mayor re-ordered Item 25 and 26 to be heard:

25. Subject: Appointment to the Planning Commission – Nomination by Council Member Sander and Confirmation by the Full City Council

Recommendation: (a) That Council Member Sander nominates his selection for appointment to the Planning Commission, and (b) That the City Council moves to confirm the appointment of the applicant nominated by Council Member Sander.

NOMINATION: Council Member Sander nominated Therese Burke to the Planning Commission.

ACTION: On a motion by Sander, seconded by McGarvey, the Council approved the appointment of Therese Burke to the Planning Commission by unanimous vote.

26. Subject: General Plan Advisory Committee: The GPAC will serve as the ad hoc citizen group to assist the City in the preparation of its General Plan. GPAC members will receive background information, hold public forums, and provide early policy direction in the creation of the goals, policies, and implementation techniques for the elements of the General Plan

Recommendation: Appoint the General Plan Advisory Committee consisting of the current Planning Commission and the four candidates interviewed and recommended by staff.

ACTION: On a motion by McGarvey, seconded by Skoglund, the Council approved the General Plan Advisory Committee consisting of the six people indicated below, by unanimous vote:

Nancy Carr
Dolores Slaton
Chuck Myer
Ward Andrus
Matthew Cummings
Pamela Crane

16. Subject: An Urgency Ordinance of the City of Rancho Cordova Extending a Moratorium on the Establishment of New Sexually Oriented Businesses and the Expansion of Existing Sexually Oriented Businesses Pending the Review and Amendment of Zoning Regulations Applicable to Sexually Oriented Businesses to become effective immediately

Recommendation: Conduct public hearing and adopt Urgency Ordinance No. 36-2004. **(Roll Call Vote)**

Conrade Mayer, spoke in opposition to adult businesses being allowed in the City because of the deleterious effect upon youth.

ACTION: On a motion by Skoglund, seconded by Cooley, the Council approved the adoption of Urgency Ordinance 36-2004 by unanimous vote:

17. **Subject:** Horn Road Self Storage RC-03-062 - Conditional Use Permit, Variance and Development Plan Review. The applicant is requesting a Conditional Use Permit to allow an on-site Managers/Caretaker Apartment on the self-storage site, a Variance to allow a reduction in the required setback from 75 feet to 25 feet and Development Plan Review. The proposed project will be located at 9973 Horn Road in the M-1(NPA) zoning (Continued from May 3rd Regular Meeting).

Recommendation: (a) Find the project Categorically Exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act, and (b) Approve the Variance, Conditional Use Permit and Design Review as amended for Project No. RC-03-062, Horn Road Self Storage subject to the findings and attached Conditions of Approval.

ACTION: On a motion by Skoglund, seconded by Cooley, the Council found the project Categorically Exempt under Section 15332, In-Fill Development Projects, of the California Environmental Quality Act, and approved the Variance, Conditional Use Permit and Design Review as amended for Project No. RC-03-062, Horn Road Self Storage subject to the findings and attached Conditions of Approval with the additional amendment that the roof color be an earth-tone, by unanimous vote:

18. **Subject:** Ross Plaza Waffle Shop - RC-04-095 A request for Design Review for the reconstruction/renovation of the existing, vacant waffle shop building at the corner of Zinfandel Drive and Folsom Blvd

Recommendation: The Planning Commission recommends approval of Resolution 103-2004 for the Design Review of the Ross Plaza Waffle Shop, as provided in the design package (Exhibit A) and the Conditions of Approval (Exhibit B).

ACTION: On a motion by Cooley, seconded by McGarvey, the Council approved Resolution 103-2004 for the Design Review of the Ross Plaza Waffle Shop, as provided in the design package and the Conditions of Approval, as amended concerning signage, by a 4-1 vote, Mayor Budge dissenting.

19. **Subject:** Sunworld RC-04-095 - A request for Design Review for a concrete block warehouse building at 3501 Luyung Drive

Recommendation: The Planning Commission recommends approval of Resolution 104-2004 for the Design Review of the Sunworld concrete block warehouse building, located at 3501 Luyung Drive, as provided in the design package (Exhibit A) and the Conditions of Approval (Exhibit B).

ACTION: On a motion by Sander, seconded by McGarvey, the Council approved finding the project Categorically Exempt from review under the California Environmental Quality Act subject to CEQA Guidelines Section 15332, In-Fill Development Projects, and approved Resolution 104-2004 for the Design

Review of the Sunworld concrete block warehouse building, located at 3501 Luyung Drive as provided in the design package and the conditions of approval, by unanimous vote.

20. **Subject:** Ellenwood Apartments- RC-04-049 A 28 unit, two story apartment project located on the south side of Ellenwood Ave. east of Routier Road. The project is 6 buildings of 4 to 6 units each, with ground floor entries and at grade parking
Recommendation: The Planning Commission recommends approval of Resolution 105-2004 for the Design Review of the Ellenwood Apartments, as provided in the design package (Exhibit A) and the Conditions of Approval (Exhibit B).

CONSENSUS: By consensus the Council continued this item to the July 19, 2004.

21. **Subject:** A Resolution of the City Council Submitting to the Qualified Voters at the Municipal Election on November 2, 2004, a Resolution Related to the Establishment of the City's Appropriations Limit for the 2004-05 Fiscal Year, As Required by California Constitution Article XIIB and Government Code Sections 7900 Et Seq.
Recommendation: Adopt Resolution No. 107-2004 which will place the question of the approval of the proposed appropriations limit on the November 2, 2004 ballot.

ACTION: On a motion by Cooley, seconded by McGarvey, the Council approved adopting Resolution 107-2004 submitting to the voters at the municipal election on November 2, 2004, a resolution related to the establishment of the City's appropriations limit for the 2004-2005 fiscal year, by unanimous vote.

REGULAR CALENDAR ITEMS

22. **Subject** Adoption of a Resolution to Approve the Expenditure Plan and the Initial Study for Sacramento County Transportation Sales Tax Program, 2003-2039 (Measure A Renewal)
Recommendation: Adopt Resolution No. 108-2004.

Brian Williams, of STA, addressed the Council regarding the process.

ACTION: On a motion by Cooley, seconded by Sander, the Council approved adopting Resolution 108-2004 approving the expenditure plan and the initial study for Sacramento County Transportation Sales Tax Program, approved by unanimous vote.

23. **Subject** An Ordinance of the City Council Regulating Shopping Carts by Adding Chapter 16.18, Article XV, "Shopping Carts," to the Rancho Cordova Municipal Code
Recommendation: Introduce Ordinance No. 37-2004 Adding Chapter Adding Chapter 16.18, Article XV, "Shopping Carts," to the Rancho Cordova Municipal Code, waive the first reading, and continue the Ordinance to the July 19, 2004 Regular City Council Meeting. **(Roll Call Vote)**

Matt Cummings said he, supports letting the businesses help pay for this.

ACTION: On a motion by Sander, seconded by McGarvey the Council approved the introduction of Ordinance 37-2004 and waived the reading of the whole ordinance, by unanimous vote.

24. **Subject:** Discussion and Direction on the City's Business License Program
Recommendation: Receive report and direct staff as deemed appropriate.

CONSENSUS: By consensus the Council continued this item to the July 19, 2004.

27. **Subject:** Quarterly Update of Goals & Objectives Since April 2004 and Accomplishments For First Year of Cityhood
Recommendation: Receive report and direct staff as deemed appropriate.

CONSENSUS: By consensus the Council received and filed the report.

COUNCIL REPORTS

Sander reported on the 99 Cent Store case for an ABC License.

All Council Members talked about the City Birthday Party and the July 4th Celebration.

Cooley said the City should consider an ordinance to deal with trash in the front of some houses in the City and non-operational cars in the backyards.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member Skoglund requested consideration of a panhandling ordinance.

Council Member Sander requested a resolution supporting the governor's plan protection of local revenues.

Council Member McGarvey expressed a concern with the clean up of towed cars by the towing company.

CITY MANAGER'S REPORT

7/15 - SACOG Blueprint results next Thursday.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 12:05 a.m.

Respectfully submitted,



Lillian E. Hare, City Clerk