

CITY OF RANCHO CORDOVA



PLANNING COMMISSION MEETING

Wednesday, October 26, 2022

5:30 PM – Regular Meeting

David B. Roberts Council Chambers

City Hall

2729 Prospect Park Drive, Rancho Cordova

Pursuant to California Assembly Bill 361 amending the Ralph M. Brown Act (Govt. Code 54950-54963), the City has declared a state of emergency relating to COVID-19 and imposed measures to promote social distancing.

Join the Meeting Via Zoom Link:

<https://cityofranhocordova.zoom.us/j/87418386244?pwd=S0lyUIVQNExFb0xIY2xRNEtCRIBRUT09>

Join the Meeting via the Zoom Phone Number

Zoom Phone Number: +1 669 900 6833 +1 253 215 8782

Webinar ID: 874 1838 6244

Password: 148484

Instructions to Make Public Comment

Submitting Public Comment via Email

Members of the public who wish to provide public comment via email will need to submit comments to PlanningClerk@cityofranhocordova.org no later than 3:00 p.m. on Wednesday October 26, 2022. All comments submitted later than 3:00 p.m. will be sent to the Planning Commission for their review and may not be read during the meeting.

Listening to a Zoom Meeting by Zoom Video Conference

To make a public comment using the Zoom platform, please use the “raise hand” feature at the bottom center of the screen. Please make sure to enable audio controls once access has been

given by the Planning Commission Clerk to speak. Please wait to be called upon by the Planning Commission Clerk.

Listening to a Zoom Meeting by Phone Only

You can join a Zoom meeting via teleconferencing/audio conferencing using a cell phone or traditional landline phone. To request to make a public comment by phone press *9 to raise your hand. Please wait to be called upon by the Planning Commission Clerk.

All public comments will be limited to three-minutes.

If you have questions related to the Planning Commission Meeting or the use of Zoom, please contact the Planning Division at (916) 851-8750 Wednesday, October 26, 2022, before 3:00 p.m.

AGENDA

1. **PLANNING COMMISSION REGULAR MEETING - CALL TO ORDER ROLL CALL**

Planning Commission Members - Surrender Devarapalli, Sergio Diaz, Lee Frechette, Robert McGarvey, Cynthia Stauss, Leroy Tripette, Chair Anil Reddy Kondakrindi

2. **PLEDGE OF ALLEGIANCE**

The Chair will call on someone in attendance to lead the Pledge.

3. **PUBLIC COMMENT**

Citizens wishing to address the Planning Commission for any matter not on the agenda may do so at this time via teleconference or by completing and submitting a Speaker Card to the Planning Commission Clerk.

If you want to make a public comment via teleconference, please use the "raise hand" feature at the bottom center of the screen. If you are participating by telephone and you want to make a public comment, please press *9 to raise your hand. For those participating by Zoom or telephone, please wait to be called upon by the Planning Commission Clerk.

For items on the agenda, speakers will be called by the Chair at the point on the agenda when the item will be heard. Speakers are encouraged to keep comments to three minutes or less and to state name and community of residence.

Under the provisions of the California Government Code, the Planning Commission is prohibited from discussing or taking immediate action on any item not on the agenda unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

4. **CONSENT CALENDAR ITEMS - ROLL CALL VOTE**

4.1. **Subject:** Meeting Minutes from the Regular Planning Commission Meeting of September 28, 2022.

Recommendation: Adopt the Minutes.

5. REGULAR CALENDAR ITEMS

- 5.1. **Subject:** California Environmental Quality Act (CEQA) Training Presentation by the City Attorney's Office.

Recommendation: No formal action will be taken. Staff will present information related to various training topics and address any questions that may arise.

6. COMMISSION COMMENTS/IDEAS/QUESTIONS

7. DIRECTOR'S REPORT

8. ADJOURNMENT

ADDITIONAL INFORMATION

SPECIAL MEETINGS LISTED BELOW ARE SUBJECT TO CHANGE/CANCELLATION WITHOUT FURTHER NOTICE.

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 time the documents are distributed to the Planning Commission. Documents are available for inspection at the Planning Office located in Rancho Cordova City Hall.

The agenda items are accessible on the City's website at www.cityofranchocordova.org on Fridays prior to the Regular Planning Commission Meeting.

UPCOMING MEETINGS

November 9, 2022	5:30 PM Regular Meeting
December 14, 2022	5:30 PM Regular Meeting

If you have any technical questions related to the agenda items, please contact City Hall at (916) 851-8700.

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 Office at (916) 851-8750 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Kelly Whitman, Planning Commission Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the October 26, 2022 Regular Meeting of the Rancho Cordova Planning Commission was posted and available for review on October 21, 2022 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at www.cityofranchocordova.org.

Signed October 21, 2022 at Rancho Cordova, California.



Kelly Whitman
Planning Commission Clerk

MEMORANDUM



ITEM 4.1.

DATE: October 26, 2022
TO: Planning Commission Members
FROM: Kelly Whitman, Planning Commission Clerk
SUBJECT: **MEETING MINUTES FROM THE REGULAR PLANNING COMMISSION
MEETING OF SEPTEMBER 28, 2022**

RECOMMENDATION

Adopt the Minutes.

ATTACHMENT(S)

1. September 28, 2022 Draft Minutes

CITY OF RANCHO CORDOVA



PLANNING COMMISSION MEETING
Wednesday, September 28, 2022

5:30 PM – Regular Meeting
David B. Roberts Council Chambers

City Hall
2729 Prospect Park Drive, Rancho Cordova

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Password: 970064

DRAFT MINUTES

1. PLANNING COMMISSION REGULAR MEETING - CALL TO ORDER ROLL CALL

Chair Kondakrindi called the Regular meeting to order in the David B. Roberts Council Chambers at 5:48 p.m.

Planning Commission Members Present: Surender Devarapalli, Sergio Diaz, Lee Frechette, Cynthia Stauss, Leroy Triplette, Chair Kondakrindi

Planning Commission Members Absent: Robert McGarvey

Staff Members Present: Arlene Granadosin-Jones, Darcy Goulart, Adam Lindgren and Kelly Whitman

ITEM 4.1.

Rancho Cordova Planning Commission - DRAFT MINUTES
Meeting of Wednesday, September 28, 2022

ATTACHMENT 1

2. PLEDGE OF ALLEGIANCE

Commissioner Sergio Diaz led the pledge.

3. PUBLIC COMMENT

Chair Kondakrindi opened the public comment period. Seeing no speakers. Chair Kondakrindi closed the public comment period.

4. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

Chair Kondakrindi opened the public comment period. Seeing no speakers. Chair Kondakrindi closed the public comment period.

ACTION: Motion to approve item 4.1 by Frechette second by Stauss;

Motion passed with a 6:0 vote

AYES: Devarapalli, Diaz, Frechette, Stauss, Tripette, and Chair Kondakrindi

NOES: None

ABSENT: McGarvey

ABSTAIN: None

5. REGULAR CALENDAR ITEMS

5.1. **Subject:** Project Phasing Plan

Chair Kondakrindi opened the public comment period. Seeing no speakers. Chair Kondakrindi closed the public comment period.

ACTION: Input was received regarding Project Phasing Plan.

5.2. **Subject:** Design Review Training

Chair Kondakrindi opened the public comment period. The following individuals addressed the Planning Commission:

1. James Gracia
2. Fayzah Mugal

Chair Kondakrindi closed the public comment period.

ACTION: Input was received regarding Design Review Training.

6. COMMISSION COMMENTS/IDEAS/QUESTIONS

Planning Commission provided comments, ideas and questions since the last meeting.

7. DIRECTOR'S REPORT

Planning Manager Darcy Goulart gave her report.

8. ADJOURNMENT

Chair Kondakrindi adjourned the meeting at 6:35 p.m..

ITEM 4.1.

Rancho Cordova Planning Commission - DRAFT MINUTES
Meeting of Wednesday, September 28, 2022

ATTACHMENT 1

Kelly Whitman
Planning Commission Clerk

MEMORANDUM



ITEM 5.1.

DATE: October 26, 2022
TO: Planning Commission Members
FROM: Adam Lindgren, City Attorney
SUBJECT: **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TRAINING PRESENTATION BY THE CITY ATTORNEY'S OFFICE**

RECOMMENDATION

No formal action will be taken. Staff will present information related to various training topics and address any questions that may arise.

RESULT OF RECOMMENDED ACTION

No formal action will be taken. Staff will present information related to various training topics and address any questions that may arise.

BACKGROUND

In order to prepare the Planning Commission for the various roles and responsibilities they have been tasked with, staff has taken the last few months to present various topics and materials during the regular meetings. This training session will provide an introduction to the California Environmental Quality Act (CEQA).

ATTACHMENT(S)

1. Presentation

ITEM 5.1.

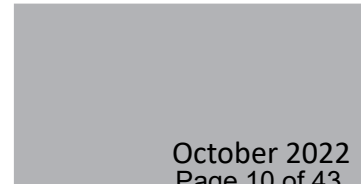


California Environmental Quality Act

Principles and Process

Rancho Cordova Planning Commission

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- Provide an overview of the principles and processes of CEQA
- Role of CEQA in the decision making process
- Role of the Planning Commission in CEQA

Purpose of CEQA Review

- Inform decision makers and public of environmental effects of proposed activities
- Identify ways to avoid / reduce environmental damage
- Prevent environmental damage through mitigation
- Disclose reasons a project with significant effects is approved



Implementation of CEQA Purposes

- Governmental action on proposed projects
 - Private projects that require discretionary action
 - Public projects
- Planning Commission is part of CEQA process as decision-maker



CEQA Applies to Approval of “Projects”

- **Project:** an activity undertaken by a public agency or person
- **Informed Decision Making:** consideration of environmental consequences associated with the Project
- **Lead Agency:** public agency which approves, controls and certifies compliance of a Project

- CEQA compliance complete upon finding of exemption
 - Laundry list of types:
 - Statutory
 - Categorical
- 
- Examples
- Limited new construction
 - Small additions
 - Minor alterations
- Can use multiple exemptions for single project
 - File NOE

When a CatEx Does Not Apply

- There are general exceptions to exemptions
- Applies to categorical, not statutory, exemptions
- Unusual circumstances, cumulative impacts, zero hazardous waste, historic

Residential Specific Plan Exemption

- Residential Projects consistent with Specific Plan EIR
 - UNLESS subsequent environmental review required under CEQA
- Not new, but being used more often



Photo Credit: City of Dublin

- Similar to Residential Specific Plan exemption, but expanded to other types of projects
 - Residential / Employment / Mixed Use Project
- Project must be in transit priority area
- Project must be consistent with specific plan EIR
 - UNLESS subsequent environmental review required under CEQA



Transit Priority Exemption

- Must meet detailed list of land use and environmental criteria
- Available utilities
- NO habitat, historic and public health impacts
- Provide open space or affordable housing benefit



Streamlining for TOD and Housing



New developments
for Transit Oriented
Development exemptions



Housing streamlining efforts

Activity is a “Project” and is Not Exempt — What Next?

Initial Study Checklist Questionnaire

- ☐ Does the project have the potential for significant effects on the environment?
- ☐ Will the project cause a change in the environment?
- ☐ If yes, is the change significant?
- ☐ Evaluate significance by comparing project changes to thresholds of significance.

Initial Study Questionnaire Organized by 18 Resource Topic Areas

Aesthetics	Greenhouse Gas Emissions	Population / Housing Services
Agriculture / Forestry	Hazards / Hazardous Materials	Public Services
Air Quality	Hydrology / Water Quality	Recreation
Biological Resources	Land Use / Planning	Transportation / Traffic
Cultural Resources	Mineral Resources	Tribal Cultural Resources
Geology / Soils	Noise	Utilities / Service Systems

- Thresholds depend on nature of project
- Some thresholds contained in Initial Study questionnaire
 - Example: Will the project substantially alter existing drainage patterns?



- Regulatory standards may be used if appropriate
 - Example: Will the project violate water quality standards?
- City practice is to develop thresholds for each project review
- Standards may be qualitative or quantitative



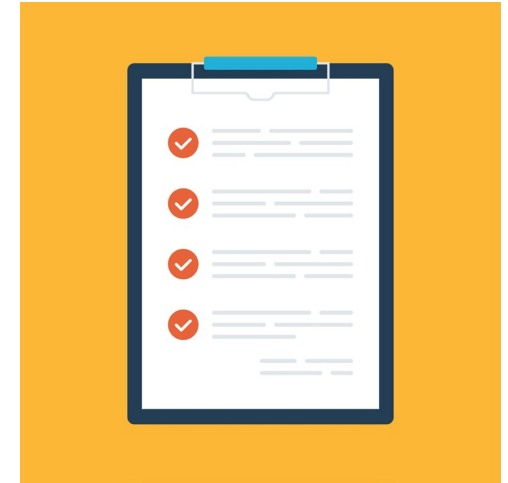
Initial Study Process May or May Not Require Technical Reports to Evaluate Potential Impacts

Commonly prepared technical reports for projects:

- Traffic
- Aesthetics
- Biology
- Geology, Hydrology
- Noise



- Prepare a **Negative Declaration** (ND)
- Prepare a **Mitigated Negative Declaration** (MND)
- Prepare an **Environmental Impact Report** (EIR)

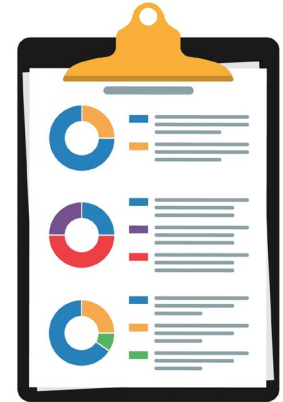




- Prepared when a project will not have significant effect on the environment
- ND is a written statement of no potential significant effect
- ND standard of review is no substantial evidence test

Mitigated Negative Declaration

- Prepared when a project may have a significant effect on the environment but measures are incorporated to mitigate the impact
- Mitigated ND is also a written statement of no potential significant effect of the project
- Same standard of review as ND





- Prepared when a project may have a significant effect on the environment
- Fair argument standard applies to EIR determination
- EIR process begins with Notice of Preparation



- Draft EIR contains impact and mitigation analysis for the resource topics
- Draft EIR must identify a reasonable range of project alternatives, including No Project alternative

Public Review and Comment Period

- CEQA requires a public review and comment period
- CEQA “notice” commences review and comment period
 - Time for public review period
 - 20-30 days for an ND
 - 30-60 days for an EIR
 - Note: Caselaw provides that comments can be submitted up until the close of the public hearing => expect late comments



Responses to Comments Received During the Public Review Period

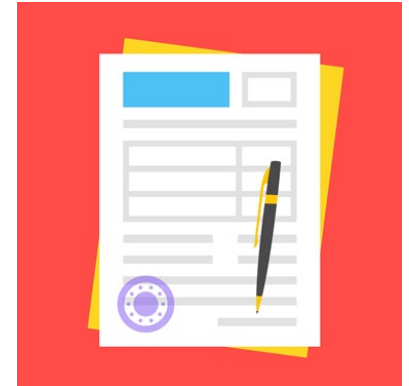
- ND or Mitigated ND: Responses to comments not required
- Draft EIR: Written responses to comments are required and are compiled in a Final EIR
- Responses should provide good faith, reasoned analysis of issue supported by factual evidence
- No public review required for responses to comments

Adopting the CEQA Document and Approving the Project

- Decisions / recommendations should consider the environmental consequences of the project
- CEQA action should be the first action
- CEQA findings may be required for project approval

CEQA Streamlining Techniques

- CEQA encourages reuse of certified EIRs or adopted NDs, MNDs
- Valuable tool for multi-layered land use permit process
 - Subsequent or supplemental ND or EIR allows consideration of changes to original project
 - Tiering allows consideration of more detailed site or project information and design in later steps of permitting process
 - Addendum allows consideration of minor changes that do not result in new or more severe impacts than original ND or EIR



- SB 35 Multifamily Housing Streamlining
- Infill EIRS and Urban Infill exemption
 - Strict criteria to meet for use



- No EIR if Project would not have significant effects on environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate.
- But if impacts, then special Infill EIR
 - Still significant document with public review required
 - Can be more defensible than ND
 - substantial evidence not fair argument test
- More CEQA analysis than exemption but less than EIR

Class 32 Urban Infill Exemption

- Urban Infill
- Consistent with GP and zoning
 - Within City, not County
- ≤ 5 acres surrounded by urban uses
- Served by utilities and public services
- NO habitat
- No significant traffic, noise, AQ or WQ impacts
- Can be subject to exceptions as a categorical exemption



Role of Planning Commission in CEQA

- **Project is Exempt:** Exemption determination included in resolution approving project
- **ND:** Planning Commission reviews and adopts ND before approving project making a finding that:
 - There is no substantial evidence that the project may have a significant effect on the environment, and
 - The ND reflects the City's independent judgment and analysis



Role of Planning Commission in CEQA

- **Mitigated ND:** Planning Commission reviews MND and any comments received and adopts MND before approving project finding that:
 - There are significant or potentially significant effects identified for the project but revisions in the project plans made by or agreed to by the applicant before the proposed MND and initial study were released for public review would avoid or mitigate to a point where clearly no significant effects would occur, and,



Role of Planning Commission in CEQA

- **Mitigated ND findings continued:**
 - There is no substantial evidence, in light of the whole record, that the project as revised may have a significant effect on the environment, and
 - The Mitigated ND reflects the City's independent judgment and analysis
- MND also requires adoption of a **Mitigation Monitoring and Reporting Program**



Role of Planning Commission in CEQA

- When Planning Commission is the recommending body on a project, the Commission considers the draft document and recommends adoption of the ND, MND or certification of the EIR to the Council
- CEQA documents can be prepared but are not required for a project denial
- Full CEQA findings for an EIR will be presented to the City Council for consideration



Questions



ITEM 5.1.



California Environmental Quality Act

Principles and Process

Rancho Cordova Planning Commission

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