

REGULAR MEETING OF THE
CITY OF CONCORD PLANNING COMMISSION
COUNCIL CHAMBER, 1950 PARKSIDE DRIVE
CONCORD, CALIFORNIA

Wednesday, July 19, 2017

A regular meeting of the Planning Commission, City of Concord, was called to order by Commissioner Aliano at 6:30 P.M., July 19, 2017, in the City Council Chamber.

I. ROLL CALL

COMMISSIONERS PRESENT: Commissioner Dominic Aliano
Commissioner John Mercurio
Commissioner Mark Weinmann

COMMISSIONERS ABSENT: Chair Jason Laub
Vice Chair Ray Barbour

STAFF PRESENT: Laura Simpson, Planning Manager
Margaret Kotzebue, Senior Assistant City Attorney
Afshan Hamid, Senior Planner
Robert Ovadia, City Engineer

II. PLEDGE TO THE FLAG

Commissioner Weinmann led the pledge.

III. PUBLIC COMMENT PERIOD

None was heard.

IV. ADDITIONS / CONTINUANCES / WITHDRAWALS

There were none.

V. CONSENT CALENDAR

No public comment was heard.

APPROVAL OF MINUTES

The June 21st meeting minutes were continued to the next Planning Commission due to a lack of quorum for approval.

VI. PUBLIC HEARINGS

Wireless Ordinance Update (PL17236 – DC) – The City of Concord Planning Commission will consider the adoption of Resolution No. 17-15 PC, recommending the City Council approve an Ordinance to amend the Development Code by repealing and replacing Chapter 18.205 “Wireless Communications Facilities for New & Substantially

Changed Facilities;” adding Chapter 18.207 “Wireless Communications Facilities for Eligible Facilities Requests;” and amending other sections to the Development Code and Municipal Code to bring the regulations for Wireless Communications Facilities into compliance with Federal and State law. Pursuant to CEQA Guidelines Section 15378 and Public Resources Code Section 21065, the adoption of a development review process for wireless communications facilities is not a “project” under CEQA. **Project Planner: Afshan Hamid @ (925) 671-3281** *Continued from 6/21/17 meeting.*

Afshan Hamid, Senior Planner, gave an introduction about the Wireless Ordinance and Master License Agreement.

Tripp May, of Telecom Law Firm, presented the report and explained the background and laws pertaining to wireless design.

Public Comment

Paul Albritton, outside counsel for Verizon Wireless, commented on the differences between the right-of-way and zoned properties, and encouraged the Commission to not rush into making a decision on the project. He also stated that having a preference for City-owned property violated State law in his eyes and would get the City in conflict with telecom companies in the future.

Tripp May answered a question from the Planning Commission regarding the 10-year life of a telecommunications permit.

Afshan Hamid and Planning Manager Laura Simpson explained the telecommunication application submittal process.

Robert Ovadia, City Engineer, explained the encroachment permit and how it relates to the telecommunication sites.

Tripp May explained the submittal process and how staff has the flexibility to adjust the submittal requirements as telecommunication laws change.

Motion was made by Commissioner Weinmann and seconded by Commissioner Mercurio to adopt Resolution 17-15PC, recommending the City Council adopt an Ordinance to approve the Development Code Amendment (PL17-236-DC) to amend the Development Code by: (1) repealing and replacing Chapter 18.205 Wireless Communication Facilities for New & Substantially Changed Facilities (Attachment 1B, Exhibits 1 and 1b); (2) adding Chapter 18.207 Wireless Communications Facilities for Eligible Facilities Requests (Attachment 1B, Exhibit 2); and, (3) amending other sections of the Development Code and Municipal Code to bring the regulations into compliance with the Federal and State legislation (Attachment 1B, Exhibits 3 - 16) and allowing staff to remove the 10 year limitation requirement on the SB 6409 non-discretionary approvals with the approval of the City Attorney and including the benched resolution. The motion passed by the following vote:

AYES: Weinmann, Mercurio, Aliano
 NOES: None
 ABSTAIN: None

ABSENT: Barbour, Laub

VII. COMMISSION CONSIDERATIONS

None were announced.

VIII. STAFF REPORTS / ANNOUNCEMENTS

Planning Manager Laura Simpson announced the upcoming speaker series starting on September 6th will include a presentation on parking and issued related to transit and on September 20th the speaker will be giving a presentation on affordable housing and in October there will be another speaker with a topic to be determined. She also announced the upcoming retirement of Victoria Walker, Community and Economic Development Director.

IX. COMMISSION REPORTS/ANNOUNCEMENTS

None were announced.

X. FUTURE PUBLIC HEARING ITEMS

Planning Manager Laura Simpson announced the cancellation of the August 2nd meeting with the next meeting on August 16th being held in the Permit Center Conference Room due to Council Chamber renovations.

XI. ADJOURNMENT

Commissioner Aliano moved to adjourn at 7:40 P.M.

APPROVED:



Laura Simpson
Planning Manager



Transcribed by Grant Spilman,
Administrative Coordinator