

Attachment 10

DRAFT

PLANNING COMMISSION RESOLUTION NUMBER 10-22

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UNION CITY
RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ZONING TEXT
AMENDMENT, AT-22-002, TO UPDATE CHAPTER 18.50, CIVIC FACILITIES (CF), TO
ADD SEASONAL SALES LOTS AS A CONDITIONAL USE SUBJECT TO ISSUANCE
OF AN ADMINISTRATIVE USE PERMIT AND UPDATE CHAPTER 18.54,
ADMINISTRATIVE USE PERMIT, FOR CONSISTENCY AND UPDATE THE POLICY
STATEMENT FOR REGULATION OF SEASONAL SALES LOTS FOR CONSISTENCY**

WHEREAS, the California Constitution, Article XI, Section 7, provides cities and counties with the authority to enact ordinances to protect the health, safety, welfare, and morals of their citizens; and

WHEREAS, the City of Union City is proposing Zoning Text Amendment, AT-22-002, to amend Title 18: Zoning, Chapter 18.50 Civic Facilities (CF), of the Union City Municipal Code to add Seasonal Sales Lots as a conditionally permitted use in the CF Zoning District requiring approval of an Administrative Use Permit prior to establishment of the use; and

WHEREAS, a related amendment is proposed to Chapter 18.54, Administrative Use Permit (AUP), to clarify that the Administrative Use Permit (AUP) process would apply to any use identified as requiring an AUP within the zoning district regulations and exempting Seasonal Sales lots from the expiration of the AUP if the use is discontinued for more than six months; and

WHEREAS, on September 1, 2022, the Planning Commission held a duly noticed public hearing to consider the proposed zoning text amendments, receive the staff report and staff presentation, and discussed the matter; and

WHEREAS, the amendment to Title 18 is shown in Exhibit A and Exhibit B (Redlined), and the amendment to the Policy Statement for the Regulation of Seasonal Sales Lots are shown in Exhibits C and D (Redlined), which are attached and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Union City hereby recommends approval of Zoning Text Amendment, AT-22-002, as shown in Exhibit A and Exhibit B (Redlined), to the City Council, and does hereby find as follows:

1. That the proposed Zoning Text Amendments are categorically exempt per Section 15061(b)(3), the general exemption for projects with no potential for significant

effect on the environment, of the California Environmental Quality Act (CEQA) Guidelines; and

2. That the proposed Zoning Text Amendments are consistent with the General Plan, including Policy LU-8.1 Vibrant Public Spaces, a policy that supports creation vibrant public spaces at public buildings. The added use to the CF Zoning District will provide a service to residents in a safe environment while creating an active and inviting space during holiday seasons; and
3. That the proposed Zoning Text Amendment are necessary and desirable to achieve the purposes of Title 18. Seasonal sales lots will be temporary, will provide a convenient service to residents, and will only be permitted on conditions of permit approval that are designed protect the public health, safety, convenience and general welfare. The seasonal sales lots will also be permitted on conditions that protect the character and maintain the stability of residential, business and industrial areas within the City.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Union City hereby recommends approval of amendments to the Policy Statement for the Regulation of Seasonal Sales Lots, as shown in Exhibits C and D (Redlined), to the City Council, for consistency with the proposed zoning text amendments.

I HEREBY CERTIFY that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission of the City of Union City held on September 1, 2022, by the following vote:

AYES	0
NOES	0
ABSTAIN	0
ABSENT	0
MOVED:	Commissioner
SECONDED:	Commissioner

APPROVED

HARPAL MANN, CHAIRPERSON

ATTEST:

CARMELA CAMPBELL, SECRETARY