

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, JUNE 15, 2023 AT 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587
AND VIA TELECONFERENCE**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

PRESENT: Chairperson Lee Guio, Vice Chairperson Ed Mack Agbuya, Commissioners Jo Ann Lew, Seyi Mclelland and Amandeep Sandhu

ABSENT: None

STAFF: Carmela Campbell (Economic & Community Development Director); Erica Gonzalez (City Attorney, Meyers Nave); Derek Farmer (Planning Manager); Coleman Frick (Senior Planner); Brandon H. DeLucas (Associate Planner) and Denisse Anzoategui (Administrative Assistant III)

Chairperson Guio reported that he and Commissioner Sandhu would have a potential conflict of interest with Item 5.B.2. He requested the agenda be modified to allow the item to be heard last on the meeting agenda.

2. APPROVAL OF MINUTES

A. The regular Planning Commission minutes for May 18, 2023

Commissioner Lew requested the following corrections to the May 18, 2023 Planning Commission meeting minutes:

Page 1, revise the statement under Item 2. Approval of Minutes, to read:

Vice Chairperson Agbuya stated the meeting minutes for the Planning Commission meetings of April 6 and April 20, 2023 were accepted with no modifications.

Commissioner Lew also referenced Page 2, the first sentence of the second full paragraph under Item B.1, and clarified she had not submitted a Desk Item to staff. The Desk Item had been prepared by staff in response to some questions she had submitted. She asked that the first sentence of the second full paragraph of Page 2 be so corrected.

Erica Gonzalez, City Attorney, Meyers Nave clarified, when asked by the Chair, that a formal motion was not required to approve the meeting minutes.

Carmela Campbell (Economic & Community Development Director) recommended the meeting agenda be further modified with the agenda items to be heard in the following order: Item 6.B.1, 5.A.1, 5.B.1, 6, 7, 8, 9, 5.B.2 and Item 10.

3. ORAL COMMUNICATIONS: None

4. WRITTEN COMMUNICATIONS: None

B. NEW REPORTS

1. STUDY SESSION: REVIEW OF DRAFT ZONING TEXT AMENDMENTS (AT-23-004) RELATED TO OBJECTIVE DEVELOPMENT STANDARDS

Coleman Frick, Senior Planner introduced Martha Miller, Miller Planning & Associates, Lead Consultant for the Objective Development Standards project, who provided a PowerPoint presentation for the Study Session Review of Draft Zoning Text Amendments (AT-23-004) related to objective development standards.

Mr. Frick reported that additional amendments were in process, for consistency with the project, to other chapters of the Union City Municipal Code (UCMC). This included amendments within the District Specific Standards to ensure consistency with the objective standards located in the Bulk Regulations Chapter. As part of next steps, the Revised Draft Standards would be presented to the Planning Commission in July. In parallel with that process, staff was working on a more standardized process for standard conditions of approval, the timing of which had not clearly been defined but may return to the Planning Commission later in the year.

Mr. Frick added that along with the draft standards, the attachment to the June 15, 2023 staff report included code language, some of which was dense in terms of the way it had been described since it painted a picture on how best to pursue design or development. Another parallel aspect of the project was to develop visuals to be incorporated into the UCMC, and to create a handbook and checklist as part of the project which would assist both applicants and staff to review any project against the draft standards.

Mr. Frick reported the Final Draft Objective Development Standards were intended to be presented to the Planning Commission on July 20, 2023 and would include incorporation of any changes based on feedback at the Planning Commission meeting. Adoption of the Final Objective Development Standards would be considered by the City Council at its meeting in September 2023.

Mr. Frick recommended the Planning Commission review the draft amendments and provide any feedback on the Draft Objective Standards.

Commissioner Lew referenced Attachment 3, Draft Zoning Text Amendments Page 1 Chapter 18.24 Bulk Regulations Section 18.24.060 Objective design standards, A. Applicability, 1. Exceptions c. SB 9 Housing Developments, and suggested it would be helpful for Senate Bill (SB) 9 to be clearly defined.

Mr. Frick explained that the exceptions in this section were for development in other zoning districts, and the objective standards applied to Multifamily Residential or Mixed Use Development. SB 9 included objective development standards in single-family zoning districts which the Planning Commission had considered in the summer of 2022.

Commissioner Lew suggested SB 9 be defined in the list of definitions for Title 18.

Associate Planner Brandon H. DeLucas explained the definition for SB 9 units had been included in the SB 9 Chapter under Title 18, which the Planning Commission had previously reviewed in 2022. Because SB 9 was a newer law similar to accessory dwelling units (ADUs) and was regularly updated, the definitions had been contained in that chapter in case the state updated the law again and since it made it easier for staff to provide updates.

Mr. Frick confirmed information for SB 9 had been included in Chapter 18.31 of the UCMC.

Ms. Campbell suggested a citation could be added where SB 9 had been defined in this section.

Commissioner Lew also commented that it was a general rule for acronyms to be spelled out when they first appeared in a document and suggested acronyms be spelled out in this chapter to make it easier for the reader, and Ms. Campbell confirmed the change would be made.

Commissioner Lew referenced Page 2 B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (2), which read: *Primary building entranceways located in the interior of a site shall be connected to a publicly accessible sidewalk by a walkway with a minimum width of four (4) feet.* She clarified with Ms. Miller that statement meant it was not inside the building but inside the perimeter of the property. Ms. Miller expressed the willingness to further wordsmith the section to make it clearer.

Commissioner Lew referenced the same page under B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (3), which read: *The primary entranceway shall lead to a common area a minimum of ten (10) feet in each dimension referred.* She clarified with Ms. Miller that statement referred to length and width and not the height of the entranceway. Staff expressed willingness to rewrite the standard to read "...ten (10) feet by ten (10) feet, consistent with other standards.

Commissioner Lew again referencing the same page under B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (4), which read: *The primary entranceway shall incorporate one (1) or more architectural features such as windows, sidelights, lighting, or signage into the entranceway.* She clarified with Ms. Miller that at minimum a development must have one of those options.

Mr. Frick noted the objective development standards were all minimum requirements and anyone could pursue additional features as desired. The intent was to ensure the high-quality design that the City valued. He stated once the objective development standards had been adopted, a handbook would be prepared to assist applicants with preparing plans using the objective development standards, which process was underway, to be finalized after the Final Objective Development Standards had been adopted. It would also include a checklist for both staff and the applicants to use to review projects.

Commissioner Lew referenced Page 3 B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (5)(c) which read: *A covered, uncovered, or partially covered landing, deck, or stoop with a minimum six (6) foot by eight (8) foot area.* She questioned why anyone would want an uncovered landing.

Ms. Miller stated that could be something where the landing could be required to be partially covered to a certain amount, but as written the standard allowed flexibility.

Mr. Frick suggested the reference to an "uncovered landing" could be removed from that section.

Commissioner Lew suggested a partially uncovered landing should be the minimum. She suggested the reference to "uncovered landing" be removed from that section.

Commissioner Lew referenced Page 3 B. Building Design Requirements, 2. Entrances, b. Residential Uses, ii. Individual Entrances (4), which should also be revised since it too referenced "uncovered landing, porch, deck or stoop" and appeared to conflict with b. Residential Uses, ii. Individual Entrances (5)(a), as written.

Ms. Miller clarified the distinction in the language for the sections referenced and how they applied but stated the reference to "uncovered" could be removed from those sections. The two sets of standards applied depending on whether one provided the primary entrance as a Shared Entrance or Individual Entrance.

Commissioner Lew suggested any entrance whether shared or individual if outside in the elements should be covered. She also referenced Pages 13 and 14, Section B. Building Design Requirements, 6. Vehicle Parking, a. Access v. and identified a typographical error in the third line. To Page 15, 6a. Access, c. Residential Districts, ii. Above Ground Parking – Maximum Parking Frontage (1)(a), she asked for clarification of the use of the term “infeasible” and whether it would include something that was too costly.

Mr. Frick explained that the section addressed a reduction in the exceptions to the objective development standards. Two findings were required as shown in the section which he read into the record. He suggested it could potentially be financially “infeasible” if demonstrated by the applicant.

Commissioner Lew commented that the Station East developer had decided not to do underground parking since it was infeasible and she understood it was due to cost.

Mr. DeLucas commented that was due to the applicant having modified the overall design of the project to remove the underground parking, which was an example of “infeasible.”

Mr. Frick clarified the exception referenced related to above ground parking and the example provided was for underground parking.

Commissioner Lew noted the cost factor was the exception where that type of above ground parking was too costly, and Mr. Frick suggested that example did not fit exactly with the language in the section under discussion for above ground parking. The standard was the maximum parking frontage percentage that the exception would be requested from. He again clarified the intent of the two sections under discussion.

Ms. Campbell further clarified the City did not have a requirement that multifamily development provide underground or submerged parking.

Mr. Frick explained the standard was intended to maintain the pedestrian feel of Transit Oriented Development (TOD). He used the Station District as an example with the standard referenced intended to minimize the percentage of the frontage devoted to parking. The exception would allow a larger area for parking than the 40 percent threshold shown in that section. Anywhere where there was a reduction or exception listed, it was either directly related to the standard shown in Attachment 3, or depending on how it had been organized in the code one of the standards as shown in Attachment 3.

Commissioner Lew commented on the use of the phrase “is infeasible” whereas other areas of Attachment 3 used the phrase “not feasible” and asked if there was one preference over another.

Mr. Frick advised that staff would review the use of the terms to ensure consistency in the document.

Commissioner Lew referenced Page 16 Section B. Building Design Requirements, 7. Off-Street Loading Areas b. and clarified with Mr. Frick the loading docks referenced in this section would apply to the loading of goods in any of the districts referenced. The intent was that the loading dock shall be located inside a building and equipped with closable doors given the visibility of loading activities, with the intent that the loading dock be away from other uses of a development to reduce vehicular and pedestrian conflicts.

Ms. Campbell explained that staff had been doing research in this area for Planning Area 1 in the Station District and staff had looked at examples from other mixed use districts. It was fairly common to have a loading dock in a garage that was tucked in. Ms. Campbell stated of the examples she had seen, semi-trucks backed into an elevated loading dock that connected to a store in the back allowing the semi-truck to unload. Acknowledging a concern with the not-to-

exceed 20-foot width requirement for the loading dock entrance, as written in this section, she would confirm whether that dimension was consistent with the current UCMC and best practices in terms of width.

Ms. Miller confirmed that it was common to have loading docks that were tucked-in in the mixed use districts, which were typically within the structure.

Commissioner Low referenced Page 19 of Chapter 18.28, Off-Street Parking and Loading, Section 18.28.080: Design criteria for bicycle parking facilities, B. Short-Term Bicycle Parking 2., and clarified with Ms. Miller the intent that a bicycle rack allow the use of a “high-security U-shaped lock,” which was the most constrained bicycle lock but whatever lock one wanted to use to secure their bicycle could be used.

Mr. Frick added the intent was to allow a tire and frame to be locked, which was consistent with what most bicyclists used.

Commissioner Mclelland referenced Attachment 3 Chapter 18.24 Bulk Regulations, Section 18.24.060 Objective design standards, Page 6, 4. Building Articulation c. Street Facing Facades Along Mission Boulevard, viii, and asked whether the street-facing balconies would be required to be covered or uncovered.

Mr. Frick stated this section related to facades along Mission Boulevard with the intent to have standards that were consistent with the Mission style. If balconies were to be provided, they would be required to be consistent with the Mission style design. The goal was to allow some flexibility with different balcony types but ensure they fit in with the Mission style. The way this section had been written, the balconies were not necessarily required to be designed to obscure views but staff could look into ways to amend this standard to ensure any balcony storage was obscured from view and to address concerns with visibility.

Ms. Campbell acknowledged that balcony storage had been a huge issue in Union City, particularly with development in the Station District. Operationally, balcony storage would be addressed through the recordation of maintenance standards with the deed for the property, with tenants required to maintain balconies clear of storage. If any issues occurred, they could be reported to the Property Manager or Homeowner’s Association (HOA).

Commissioner Mclelland referenced outdoor areas and supported green areas for any new development. She asked how to determine between the use of grass or paved areas, expressed a preference for grass, and while maintenance was required asked how that was balanced out in a project.

Ms. Campbell commented that when working with Mixed Use projects, a developer typically had a Landscape Architect or designer propose something and try to create certain environments and space them out through a development. There were some limitations in the amount of paving a project could have and the project design would be reviewed through the design review process. She agreed that more green space was desired to be cultivated in the higher-density areas.

Commissioner Mclelland suggested for the larger buildings the use of grass broke up the monotony, look and feel of a building and made them more harmonious.

Mr. Frick commented that the objective development standards did not speak specifically to the percentages of the types of ground cover but provided examples with other sections of the UCMC that informed the use of landscape standards and landscape requirements related to the use of water. No specific requirements had been proposed related to green space as part of this project.

Commissioner Mclelland also spoke to the objective development standards for rooftop equipment that was to be screened from view from the street. She asked whether solar panels would be permitted or required and how they would be accommodated.

Mr. Frick reported the California Building Code (CBC) included certain solar requirements for developments, although that was not something staff had looked at closely as part of the objective development standards. None of the objective development standards prohibited having solar on any of the buildings and there were certain restrictions on a city's ability to deny solar projects with little discretion a city may exert in prohibiting a development from having solar.

Mr. DeLucas commented that tile roofs were a bit more difficult when including solar, although it was possible. Typically, that section of the tiles was removed and composition shingles used under the solar where that area was backfilled so that it still looked completely like a tile roof from the street. He acknowledged that would add to the cost.

Mr. Frick clarified the issues most common with solar on tile roofs typically occurred with older roofs. New construction for single-family residential was required to be designed to accommodate solar into a project pursuant to the CBC and title-type roofs for these developments included solar.

Commissioner Mclelland understood electric vehicles in the parking garages would be accommodated as well, and Mr. Frick commented that some of those requirements had been included in the CBC. Staff had considered including additional electric vehicle (EV) charging stations in the menu of options for amenities but had decided it would be better to address that amenity through the discretion of the developer and given that the CBC was continually innovating through that space. The objective development standards would not hamper EV charging stations and as part of the latest CBC update in January 2023, the requirements for EV charging stations had been strengthened to encourage and require EV charging stations.

Ms. Campbell added that the EV charging station issue was primarily a building code issue and that previously, developers only had to install the electrical conduit for the charging stations, but the latest CBC update required installation of some EV charging stations.

Commissioner Sandhu agreed with Commissioner Lew's recommendation to remove the term "uncovered landing" from the sections of the objective development standards as discussed. She also suggested rather than grass that turf be considered since it would not use as much water and would last longer.

Mr. Frick clarified that considerations of grass versus turf and other landscaping materials had not been addressed in the objective development standards since there were other areas of the UCMC that included landscape requirements and a Landscape Policy Statement. If those standards were updated in the future, staff could note the comment from Commissioner Sandhu. He reiterated there were restrictions on the use of grass and turf based on water efficient landscape requirements.

Commissioner Sandhu also agreed that more EV charging stations should be included given the state requirements to limit gas fueled vehicles in the future.

Ms. Campbell explained that the City would adopt and update its Building Code consistent with any state requirements for EV charging stations and staff would track the status of any state legislation regarding EV charging stations.

Chairperson Guio referenced Attachment 3 Chapter 18.24 Bulk Regulations, Section 18.24.060 Objective design standards on Page 11, C. Space Requirements 4. Required Residential Amenities a. Activity Areas, iv. Common Open Space. (1) Minimum Dimensions, which read: *Minimum Dimensions. Common open space shall be a minimum of fifteen (15) feet by fifteen (15)*

feet. He clarified with Ms. Miller that those were the minimum dimensions to qualify as common open space and the intent was to ensure that the area was usable space.

Chairperson Guio pointed out that they were not differentiating between indoor or outdoor space and asked whether there was a percentage of indoor versus outdoor space required.

Ms. Miller explained that no indoor common open space was required, although there would have to be a certain amount of activity space. A certain amount could be provided as indoor activity area such as a community room as an example, but that indoor area would not qualify as all of the activity space. At a minimum, some outdoor area was required. Pursuant to the language in this section, the portion being met through common open space must meet the dimension shown and she offered examples.

Chairperson Guio found the explanation made sense but may not make sense when reading the document, and Mr. Frick recognized the challenges in writing the objective development standards in a certain sequence.

Mr. Frick also offered examples of how the section under discussion would apply with the intent to establish minimum thresholds based on the unit count. He asked the Chair whether he found the dimensions shown to be too small or whether it fit in with the other required activity space.

Chairperson Guio found both applied but also found the dimensions to be small, and Mr. Frick advised that staff could look into that detail more and consider whether it should be amended. The options for amenity space could also be made clearer in the handbook yet to be prepared.

Commissioner Lew referenced an item in the staff report, page 7, Definitions and Figures, but clarified that upon further reading, the item did not require correction.

PUBLIC COMMENT OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC COMMENT CLOSED

5. PUBLIC HEARINGS

A. CONTINUED HEARINGS

1. Continued from June 1, 2023: NEW HAVEN UNIFIED SCHOOL DISTRICT/CITY OF UNION CITY, TENTATIVE PARCEL MAP (TPM-23-001), 311100 FREDI STREET (APN: 483-20-17-5); New Haven Unified School District ("District") and the City of Union City ("City") are requesting approval of Tentative Parcel Map (TPM-23-001) to create two parcels measuring 16.38 acres (Parcel 1) and 2.01 acres (Parcel 2) to facilitate a transfer of Parcel 2, which includes the Holly Community Center and Fire Station #32, from the District to the City. Staff recommends that the project be determined categorically exempt from the California Environmental Quality Act (CEQA) per Section 15315, Minor Land Divisions, of the CEQA Guidelines.

Economic & Community Development Director Campbell provided a PowerPoint presentation of the staff report for New Haven Unified School District (NHUSD)/City of Union City, Tentative Parcel Map (TPM-23-001).

Ms. Campbell recommended the Planning Commission approve Tentative Parcel Map 11356 (TPM-23-001) for a two-lot subdivision associated with the Land Exchange Agreement between the City of Union City and the NHUSD, making the specific findings listed in Section VI of the staff report, subject to the Condition of Approval and adopt a resolution confirming this action.

Commissioner Mclelland clarified with Ms. Campbell the Joint Use Agreement was not within the purview of the Planning Commission and what was being brought before the Planning Commission was action to implement the Land Exchange Agreement.

Commissioner Lew asked why the value of the land being transferred had not been included in the staff report.

Ms. Campbell advised that was not something typically included in a Tentative Parcel Map and not required as part of the findings to approve the Tentative Parcel Map. The information had been included in reports to the City Council and the NHUSD. She was unaware whether the value of the land had been part of a professional assessment.

Chairperson Guio again clarified with Ms. Campbell the size of Parcels 1 and 2 with Parcel 2 to include Fire Station #32 and Holly Community Center.

PUBLIC HEARING OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC HEARING CLOSED

Commissioner Lew moved that the Planning Commission approve Tentative Parcel Map 11356 (TPM-23-001) associated with the Land Exchange Agreement between the City of Union City and the New Haven Unified School District, making the specific findings listed in Section VI of the staff report, subject to the Condition of Approval, and adopt a resolution confirming this action.

Commissioner Sandhu seconded.

The motion was carried by the following roll call vote:

AYES:	(GUIO, AGBUYA, LEW, MCLELLAND, SANDHU)
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

The motion passed 5-0.

B. NEW HEARINGS:

1. **CITY OF UNION CITY , ZONING TEXT AMENDMENT (AT-23-003); The City of Union City is requesting approval to amend Title 18 of the Union City Municipal Code, Chapter 18.08, Definitions, Chapter 18.36, Commercial Districts, Chapter 18.40, Industrial Districts, Chapter 18.76, Site Development Review, and add Chapter 18.43, Use of Hazardous Materials. These amendments modify and standardize uses, update development and performance standards, establish objective design standards, and reformat the chapters for ease of use and consistency with other chapters in Title 18. Staff recommends that the project be determined categorically exempt from environmental review in accordance with**

California Environmental Quality Act Guidelines Section 15061(b)(3), the general exemption for projects with no potential for a significant effect on the environment.

Associate Planner DeLucas provided a PowerPoint presentation of the staff report for City of Union City Zoning Text Amendment (AT-23-003).

Mr. DeLucas reported a Desk Item had been included as part of the staff report in response to questions and comments from Commissioner Lew. Staff had clarified the reasoning for the removal of the definitions for *automobile wrecking yards* and *salvage yards* since the uses did not meet the economic development goals of the City and since noxious uses would no longer be permitted within the UCMC; updated the definition numbering; removed dash for specific use regulations/notes column; updated references in Chapter 18.43 and addressed minor grammatical errors.

Mr. DeLucas recommended the Planning Commission recommend approval of Zoning Text Amendment (AT-23-003), as modified by the Desk Item, to the City Council, make the specific findings as listed in the staff report in support of the recommendation of approval, and adopt a resolution confirming this action.

Vice Chair Agbuya asked when the frontage had been reduced from 65 to 25 feet for the front yard setback and whether there would still be ample parking spaces, and Mr. DeLucas explained that the reduction in the setback allowed parking or the building to come closer and if redeveloped they may have to build a parking garage in the back. The parking standards remained the same, but the parking may relocate from either in front or behind the building or in a parking garage.

Commissioner Sandhu asked with the removal of the definitions for automobile wrecking yards and salvage yards whether those uses would have to locate to another city.

Mr. DeLucas confirmed that those uses would have to locate to another city. Union City had no such uses operating in the city as they are not desired uses. Mr. DeLucas further clarified that there are no such existing permitted or legal non-conforming automobile wrecking yards and salvage yards uses operating in Union City.

PUBLIC HEARING OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC HEARING CLOSED

Vice Chairperson Agbuya moved that the Planning Commission recommend approval of Zoning Text Amendment (AT-23-003), as modified by the Desk Item, to the City Council, and making the specific findings as listed in the staff report in support of the recommendation of approval and adopt a resolution confirming this action.

Commissioner Lew seconded.

The motion was carried by the following roll call vote:

AYES:	(GUIO, AGBUYA, LEW, MCLELLAND, SANDHU)
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

The motion passed 5-0.

6. **SUPPLEMENTAL STAFF REPORTS:** None

A. **CONTINUED REPORTS:** None

7. **ECONOMIC DEVELOPMENT REPORTS:** None

8. **COMMISSION MATTERS**

A. **Follow-Up on Planning Commission Referrals to the City Council**

There were no reports.

B. **Upcoming applications for the Regular Planning Commission meeting on July 6, 2023**

Ms. Campbell reported the Planning Commission meeting of July 6, 2023 would be canceled.

9. **GOOD OF THE ORDER**

Vice Chairperson Agbuya reported the Grand Opening for Suju's Coffee & Tea, 1752 Decoto Road had been scheduled for June 16, 2023 at 9:00 a.m.

Chairperson Guio reported upcoming community events included: Larry "O" Bike & Auto Swap Meet on June 17, 2023 at the Larry "O" Teen Workshop, 33623 Mission Boulevard from 8:00 a.m. to 2:00 p.m.; Juneteenth would be celebrated on June 19, 2023; Coffee with Cops at Starbucks, 32340 Alvarado Boulevard on June 29, 2023 from 9:00 a.m. to 11:00 a.m.; and Saint Anne's Festival would be held on July 29 and 30, 2023. He wished everyone a safe and sane fireworks celebration on the Fourth of July.

B. **NEW HEARINGS**

At this time, the Planning Commission returned to Item 5.B.2.

Commissioner Sandhu read into the record the following statement: *Under the Political Reform Act, I have an economic conflict of interest in Item 5.B.2. I have a real property interest, my residence, in proximity to property proposed to be rezoned as Corridor Mixed-Use Employment. I will recuse myself from consideration of this item, and will leave the room.*

Chairperson Guio read into the record the following statement: *Under the Political Reform Act, I have an economic conflict of interest in Item 5.B.2. I have a real property interest, my residence, in proximity to property proposed to be rezoned as Corridor Mixed-Use Employment. I will recuse myself from consideration of this item, and will leave the room.*

Chairperson Guio and Commissioner Sandhu both left the meeting.

Vice Chairperson Agbuya Chaired the meeting at this time.

2. **CITY OF UNION CITY , ZONING TEXT AMENDMENT (AT-23-002); AND ZONING MAP AMENDMENT (A-23-001); The City of Union City is requesting approval to amend Title 18 of the Union City Municipal Code, Chapter 18.41, Station East Employment (SEE) District to add a new zoning district for consistency with the Union City 2040 General Plan designation of Mixed-Use Employment (EMU) referred to as "Corridor Mixed Use Employment (CMUE)" and rename this chapter**

“Employment Mixed Use Districts.” Additionally, the amendment would update the SEE District to modify and standardize uses, update development, performance, and objective design standards for consistency with the CMUE District, and reformat the chapter for ease of use and consistency with other chapters in Title 18. The City is also proposing to rezone properties located along the Union City Boulevard Corridor, with a Union City 2040 General Plan designation of Mixed-Use Employment (EMU), from Special Industrial (MS) to CMUE for consistency with the General Plan. Staff recommends that the project be determined categorically exempt from environmental review in accordance with California Environmental Quality Act Guidelines Section 15061 (b)(3), the general exemption for projects with no potential for a significant effect on the environment.

Mr. DeLucas provided a PowerPoint presentation of the staff report for City of Union City Zoning Text Amendment (AT-23-002) and Zoning Map Amendment (A-23-001). A Desk Item had been provided to the Planning Commission in response to questions and comments from Commissioner Lew regarding the project, which included the removal of dashes for specific use regulations/notes column, updated references and addressed minor grammatical errors.

Mr. DeLucas recommended the Planning Commission recommend approval of Zoning Text Amendment (A-23-002) and Zoning Map Amendment (AT-23-001), as modified by the Desk Item, to the City Council, and make the specific findings as listed in the staff report in support of the recommendation of approval and adopt a resolution confirming this action.

PUBLIC HEARING OPENED

Vice Chairperson Agbuya reported there were no comments from the public.

PUBLIC HEARING CLOSED

Commissioner Lew moved that the Planning Commission recommend approval of Zoning Text Amendment (A-23-002) and Zoning Map Amendment (AT-23-001), as modified by the Desk Item, to the City Council, and making the specific findings as listed in the staff report, in support of the recommendation of approval and adopt a resolution confirming this action.

Commissioner Mclelland seconded.

The motion was carried by the following roll call vote:

AYES: (AGBUYA, LEW, MCLELLAND)
NOES: NONE
ABSTAIN: NONE
ABSENT: (GUIO, SANDHU)

The motion passed 3-0-2.

10. ADJOURNMENT: 9:42 P.M.

APPROVED:

LEE GUIO, CHAIRPERSON

ATTEST:

CARMELA CAMPBELL, SECRETARY