

**PLANNING COMMISSION MEETING**

**No New Business will be Considered by the Planning Commission after the Hour of 11:00 p.m. unless a Majority of the Planning Commission Determines to Continue beyond that Hour.**

**Memorandums:** Memorandums relating to agenda items are on file in the Planning Department. If you have questions regarding the agenda, you may call the Planning Dept. (805) 524-1500 ext. 113 or visit the Planning Dept. in City Hall for information. Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Planning Dept. in City Hall during normal business hours.

**AGENDA**

| <b>ITEM</b>  | <b>REFERENCE</b> |
|--|------------------|
| <b>1. CALL TO ORDER</b>  |                  |
| <b>2. PLEDGE OF ALLEGIANCE</b>   |                  |
| <b>3. ORAL COMMUNICATIONS</b><br>This is the opportunity for citizen presentations or comments not related to agenda items, but within responsibility of the Planning Commission (Please do not exceed 5 minutes per topic). |                  |
| <b>4. CONSENT CALENDAR</b>   |                  |
| <b>4a.</b> Minutes of the February 17, 2010 Planning Commission Meeting.   | <b>Copy</b>      |
| <b>5. UPDATE</b>   |                  |
| <b>5a.</b> Review the Housing Element  | <b>Oral</b>      |
| <b>Purpose:</b> Information only. Staff will review the content of the document and respond to questions.  |                  |
| <b>Recommendation:</b> No discussion; no action; no direction required.  |                  |
| <b>5b.</b> Heritage Valley Parks Specific Plan Document.   | <b>Oral</b>      |
| <b>Purpose:</b> Information only. Staff will review the content of the document and respond to questions.  |                  |
| <b>Recommendation:</b> No discussion; no action; no direction required.  |                  |

**6. REPORTS and COMMUNICATIONS**

**6a.** Community Development Director

**Oral**

**6b.** Planning Commission

**Oral**

**7. ADJOURNMENT**

**7a.** The Planning Commission adjourns to the next regular scheduled Planning Commission meeting on May 19, 2010, 6:30 p.m., in the City Council Chambers, City of Fillmore, 250 Central Avenue, Fillmore, CA 93015.

Next Regular City Council Meeting  
April 28, 2010

PLEASE NOTE: If you challenge the actions of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing (Calif. Gov't Code § 65009).

Any legal action by an applicant seeking to obtain judicial review of the Planning Commission's decision on a hearing listed on this agenda may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure Section 1094.6

**In compliance with Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the Planning Secretary at (805) 524-1500-113, 48 hours prior to the meeting in order for the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

**PLANNING COMMISSION  
CITY OF FILLMORE  
250 CENTRAL AVENUE  
FILLMORE, CA 93015**

**FEBRUARY 17, 2010  
REGULAR MEETING  
6:30 PM**

## **MINUTES**

6:34 p.m., Commissioner Vance Johnson asked the assembly to stand and recite the Pledge of Allegiance.

### **OATH OF ALLEGIANCE**

6:35 p.m., City Clerk Clay Westling administered the Oath of Allegiance to Douglas Tucker, who was reappointed to the Planning Commission by Mayor Patti Walker (February 9, 2010 City Council Meeting).

### **CALL TO ORDER**

6.35 p.m., Douglas Tucker called the Planning Commission meeting to order. Planning Commissioners present were: Chair Douglas Tucker, Vance Johnson and Diane McCall. Staff present were: Community Development Director Kevin McSweeney, City Attorney Theodore Schneider, City Engineer Tom Scott, Assistant Planner Manuel Minjares and Planning Secretary Denise Beauduy. Commissioners absent: Vice Chair Tom Fennell and Mark Austin (both excused).

### **ELECTIONS**

#### **Planning Commission Chair**

It was moved by Commissioner Johnson and seconded by Commissioner McCall to nominate: Doug Tucker for Planning Commission Chair. Ayes: Johnson; McCall and Tucker. Noes: None. Abstain: None. Absent: Austin and Fennell. Motion Carried 3:0.

#### **Planning Commission Vice Chair**

It was moved by Commissioner Johnson and seconded by Commissioner Tucker to nominate Tom Fennell for Planning Commission Vice Chair. Ayes: Johnson, McCall and Tucker. Noes: None. Abstain: None Absent: Austin and Fennell. Motion Carried 3:0.

### **ORAL COMMUNICATIONS**

There were no comments.

### **CONSENT CALENDAR – Approved.**

The Consent Calendar consisted minutes of the January 20, 2010 regular scheduled Planning Commission meeting. It was moved and seconded to approve the Consent Calendar as submitted.. Motion: Second: . Ayes: Johnson, McCall and Tucker. Noes: None. Abstain: None. Absent: Austin; Fennell. Motion Carried 3:0.

**PUBLIC HEARING**

*Santa Paula/Fillmore Greenbelt Agreement to be Adopted as a Greenbelt Ordinance (continued from December 9, 2009).*

6:38 p.m., Chair Tucker announced the public hearing was open and continued from December 9, 2009. The report was presented by Community Development Director Kevin McSweeney. Mr. McSweeney provided background information about the greenbelt. Mr. McSweeney stated Ventura County has a planning philosophy for land conservation by keeping agriculture or greenbelts between cities so the cities do not merge together and resemble Orange County or the San Fernando Valley. Mr. McSweeney said the Williamson Act, SOAR, CURB, the Guidelines to Orderly Development, Sphere of Influence and City Limit boundaries have been established to preserve agriculture. Another method of preserving agriculture, said Mr. McSweeney, is to create a greenbelt. The City of Fillmore entered into an agreement with City of Santa Paula in 1980 to form a greenbelt boundary from the west of Fillmore to Santa Paula and the agreement has been renewed several times. Mr. McSweeney said the City of Fillmore also has a Greenbelt Agreement with Piru which was adopted by ordinance. The Fillmore/Piru Greenbelt is from the east end of Fillmore to the Los Angeles County Line. Mr. McSweeney spoke about uses, such as mining and airports; etc, that could be proposed for greenbelt areas and are not consistent with agriculture. Mr. McSweeney said those types of uses would go through an enhanced review, conditions would be added and a monitoring program would be imposed. Mr. McSweeney stated Fillmore is surrounded by greenbelt: 72,000 acres to the east and 32,000 acres to the west and through the existing agreement with Santa Paula, it is permitted to encroach into greenbelt as long as each city agrees. Mr. McSweeney said the City of Santa Paula would like to extend (by 500 acres) into the greenbelt to accommodate a proposed residential development, and the community of Santa Paula supports the encroachment, by vote of the citizens. LAFCo would not accept the application from the City of Santa Paula unless the City of Fillmore was in agreement with the application. Mr. McSweeney said the City Council provided direction for a subcommittee to be formed and review the request to encroach into the greenbelt. Mr. McSweeney gave the Greenbelt Subcommittee's recommendation for the City of Fillmore to adopt an ordinance with the City of Santa Paula and with the County of Ventura. Mr. McSweeney said 216 acres will be added to the greenbelt in the Santa Paula area located south of the Santa Clara River. The public hearings for the greenbelt have been continued several times because of concerns about future amendments to the greenbelt and what the process would be to approve an amendment. Mr. McSweeney said the Fillmore members of the Greenbelt subcommittee are strongly in favor of preserving the greenbelt and would like to make it difficult annex property by requiring a four-fifths (4/5) vote from the cities of Fillmore and Santa Paula and the Board of Supervisors. The Greenbelt subcommittee (Fillmore and Santa Paula members) is also asking for an enhanced review for eight land use categories that are permitted but may be inconsistent with the greenbelt. The County was not in favor of an enhanced review. Mr. McSweeney stated the City of Santa Paula has adopted a Greenbelt Ordinance and the Planning Commission will adopt a resolution recommending the City Council adopt a Greenbelt Ordinance tonight. Mr. McSweeney stated that all three ordinances do not contain the same language and the Planning Commission may also recommend the City Council address the issues of the Greenbelt Ordinance and provide direction with regard to the different agreements and 4/5 vote versus the technical advisory committee. The City Council will make the decision.

### Questions and Comments

Commissioner McCall asked if additional acreage to the greenbelt was coming from Fillmore, and does the Greenbelt Ordinance have an expiration date. Referring to Exhibit A, Map No. 2, Mr. McSweeney responded some of the additional acreage will come from the Sespe Creek River bottom; it is not stated in the Greenbelt Resolution. The County is indicating it is their desire to add the river bottom to the greenbelt; it is not productive agriculture and no construction can occur. Mr. McSweeney stated the City Engineer does not want to lose the ability to do an emergency clean out of the river. The consensus of the Greenbelt Committee was emergency clean out is not an issue. Mr. McSweeney said the ordinance will not expire; it allows for future amendments by the technical advisory committee.

Commissioner Johnson asked who will do the annual review. Mr. McSweeney responded City staff will do the annual review and present it City Council as an action item.

Commissioner Tucker recommended inserting language into the ordinance: 1) that Fillmore retains the right to dredge the river during an emergency. 2) Keep the 4/5 vote. 3) Keep the technical advisory committee. Commissioner Tucker commented that while the ordinance is a City of Fillmore ordinance, it refers to three different jurisdictions, and the language referring to tiles, i.e.; City Clerk or Council, is not clear or specific as to which city the clerk or council the ordinance is referring to.

Mr. Schneider said City staff could clarify the language. The ordinance before the Commission tonight is the same ordinance that was created and adopted by the City of Santa Paula. This ordinance is different from the ordinance the County is considering adopting.

Mr. McSweeney said there were no comments about the enhanced review, it is written in the text. Mr. McSweeney said he would like the Council to address it; all three ordinances should read the same.

City Attorney Schneider informed the Commission that they do not have to recommend adoption of an ordinance, if they feel that the Greenbelt Agreement and resolution we have in place now is the best way to protect the greenbelt.

Commissioner Johnson stated the ordinance is consistent with City Council goals. The 72,000 acres to the east is the only Greenbelt Ordinance in the county. It has been a long-term goal to establish a greenbelt ordinance to the west of Fillmore.

The consensus of the Commission was strongly in favor of adopting a Greenbelt Ordinance.

Mr. Schneider said that since the City of Fillmore has to agree to the annexation, there is room to negotiate and compromise on other issues in order to have a greenbelt ordinance.

Commissioner Johnson said he was in favor of the 4/5 vote, and the technical advisory committee. Commissioner Johnson reiterated that a Greenbelt Ordinance to the west would be consistent with the Council's long term goals, and he is willing to give on other issues to have a Greenbelt Ordinance adopted.

7:03 p.m., Chair Tucker and invited public comment. There were no speakers. Chair Tucker closed the public hearing.

**ACTION**

Planning Commission Resolution No. 10-844 was adopted, recommending City Council adopt a Greenbelt Ordinance.

It was moved by Commissioner Tucker and Seconded by Commissioner McCall to adopt Planning Commission Resolution 10-844, and wordsmith language to recommend adoption of technical advisory committee, enhanced review and 4/5ths majority. Ayes: Johnson, McCall and Tucker. Noes: None. Abstain: None. Absent: Austin and Fennell. Motion Carried 3:0.

**REPORTS AND COMMUNICATIONS**

7:05 p.m., Mr. McSweeney gave a brief report.

Mr. McSweeney said the annual City Council goals session was held last night. The top goals were: boost the economy, public safety, engage the community and define Fillmore. The City Council acknowledged the City Manager’s weekly report and said it was very informative.

Mr. McSweeney Planning staff has been working on the Housing Element the latest draft will go before the City Council next Tuesday.

Regarding the City Council goals, Commissioner Johnson commented the goal to define Fillmore sounds like it relates to Vision 2020 and a simple definition is in the General Plan.. Mr. McSweeney said the last best small town in Southern California says it all.

**ADJOURNMENT – 7:12 PM**

There being no further business to come before the Planning Commission, the meeting was adjourned to the next regular Planning Commission Meeting scheduled for March 17, 2010, 6:30 p.m. in the City Council Chambers, 250 Central Avenue, Fillmore, CA 93015.

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Denise Beauduy  
Planning Secretary