

**City of Gilroy
Planning Commission
Regular Meeting Minutes
Thursday, November 2, 2023 | 6:00 PM**

1. OPENING

Tonight's meeting was called to order by Chair Bhandal at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Bhandal led the pledge of allegiance.

3. REPORT ON POSTING THE AGENDA AND ROLL CALL

The agenda was posted on Thursday, October 26, 2023 at 6:25 p.m.

Attendance	Attendee Name
Present	Terence Fugazzi, Commissioner Adriana Leongardt, Commissioner Joan Lewis, Commissioner Kelly Ramirez, Commissioner Annedore Kushner, Vice Chair Manny Bhandal, Chair
Absent	Stefanie Elle, Commissioner

4. PUBLIC COMMENTS

Chair Bhandal opened public comment for items not on the agenda.

Gary Walton provided a public comment regarding the Miller Red Barn.

There being no further speakers, Chair Bhandal closed public comment for items not on the agenda.

5. CONSENT AGENDA

5.1. October 5, 2023 Planning Commission Meeting Minutes

Motion made by Chair Bhandal; seconded by Commissioner Ramirez to approve the consent agenda.

RESULT: Pass [6 – 0]

MOVER: Chair Bhandal

SECONDER: Commissioner Ramirez

AYES: Commissioner Fugazzi, Leongardt, Lewis, Ramirez, Vice Chair Kushner, and Chair Bhandal

ABSENT: Commissioner Elle

6. PUBLIC HEARINGS

6.1. Zoning Ordinance Amendment to Modify Chapter 30, Article LIV of the Gilroy City Code Relating to Accessory Dwelling Units (Z 23-05)

1. Staff Report: Erin Freitas, Planner II
2. Public Hearing
Chair Bhandal opened the item to public hearing.
3. Close Public Hearing
There being no speakers, Chair Bhandal closed the public hearing.
4. Disclosure of Ex-Parte Communication
None.
5. Possible Action:
Staff has analyzed the proposed project, and recommends that the Planning Commission:
 - a. Recommend that the City Council, based on its independent analysis, find that approval of the Gilroy City Code (Zoning) amendment is statutorily exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15282(h) for the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Section 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code; and
 - b. Recommend that the City Council adopt an Ordinance (Z 23-05), approving amendments to the Gilroy City Code, Chapter 30 (Zoning), Article LIV regarding Accessory Dwelling Units.

Staff responded to Commission questions on the modifications to the ordinance, including deed restriction, front setback encroachment, and ADU size.

Motion made by Commissioner Ramirez; seconded by Commissioner Lewis to:

- a. Recommend that the City Council, based on its independent analysis, find that approval of the Gilroy City Code (Zoning) amendment is statutorily exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15282(h) for the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Section 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code; and
- b. Recommend that the City Council adopt an Ordinance (Z 23-05), approving amendments to the Gilroy City Code, Chapter 30 (Zoning), Article LIV regarding Accessory Dwelling Units.

RESULT: Pass [5 – 1]

MOVER: Commissioner Ramirez

SECONDER: Commissioner Lewis

AYES: Commissioner Fugazzi, Lewis, Ramirez, Vice Chair Kushner, and Chair Bhandal

NAYS: Commissioner Leongardt

ABSENT: Commissioner Elle

7. NEW BUSINESS

7.1. Planning Commission Annual Presentation to Council (draft presentation will be provided at the meeting)

Community Development Director, Sharon Goei, and Customer Service Manager, Cindy McCormick, presented the Commission with an updated draft of the Planning Commission annual presentation reflecting the recommendations provided by the Planning Commission at the October 5th regular meeting.

8. INFORMATIONAL ITEMS

8.1. Planning Division Staff Approvals

There was one Planning project approval, Application No. AS 23-07 for a new hillside single family residence in the Residential Hillside(RH) zoning district.

9. PLANNING DIVISION REPORT

Community Development Director, Sharon Goei, provided the Commission with an update on the Yamane project that was approved at the October 5th regular Planning Commission meeting. Goei informed the Commission that landscaping and parking for this project was able to be moved to the west side of the property adjacent to the railroad tracks. Updated plans will be submitted to City staff reflecting these changes which are consistent with Planning Commission direction.

Community Development Director, Sharon Goei, responded to the Commission inquiry regarding two preliminary applications filed earlier this year that cited the use of Builder's Remedy.

Customer Service Manager, Cindy McCormick, informed the Commission that they should have received an email regarding the Notice of Intent to adopt a Mitigated Negative Declaration for a storage facility project that will be presented to the Planning Commission at the December 7th regular meeting.

10. ASSISTANT CITY ATTORNEY REPORT

Assistant City Attorney, Jolie Houston, informed the Commission that the City of Gilroy prevailed in a Public Records Act (PRA) lawsuit that was initiated prior to the COVID-19 pandemic.

11. ADJOURNMENT To the Next Meeting of Thursday, December 7, 2023 at 6:00 PM

Chair Bhandal adjourned the meeting at 6:52 p.m.

Ariana Fabian

Ariana Fabian, Planning Technician