



## **REGULAR MEETING OF THE FOSTER CITY PLANNING COMMISSION**

**Council Chambers  
620 FOSTER CITY BOULEVARD, FOSTER CITY, CA 94404  
7:00 PM**

**Thursday, August 15, 2013**

### **WELCOME**

For those members of the general public who are attending their first Foster City Planning Commission meeting, the following general information is offered.

At the beginning of each agenda item, the Chairman will read from the printed agenda and announce the type of application, location and applicant in the order in which they appear on the printed agenda. Presentations will then be made by City staff and the applicant, at the end of which the Chairman will allow the general public to offer their comments or ask questions regarding the application. At the end of presentations and questions or comments from the general public, the Planning Commission will discuss the matter and render a decision. Pursuant to Section 65009 of the California Government Code, if you challenge a Public Hearing item in court you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this Notice or in written correspondence delivered to the City at or prior to the Public Hearing.

Under Oral Communications From the Public, persons wishing to speak on any subject not on the agenda will have an opportunity to do so (please see Item #3, "Oral Communications From the Public").

The Planning Commission will conduct the meeting and all business that comes before it under the Rules For The Conduct of Business adopted by the Commission.

**If you wish to speak, please fill out a Request to Speak form (available at the side of the room, near the door) and give it to any member of the Planning staff.** Your request will be given to the Chairman who will call your name at the appropriate time.

### **AGENDA**

- 1 CALL TO ORDER**
- 2 ROLL CALL**

Dan Dyckman, Chairman  
Noemi Avram, Commissioner  
Robert Werden, Commissioner

Oliver "Ollie" Pattum, Commissioner  
Paul C. Williams, Commissioner

### **3 ORAL COMMUNICATIONS FROM THE PUBLIC**

Under this agenda item, members of the public may bring up any requests, concerns or issues they may have which are appropriate for Planning Commission discussion and which are not already scheduled for review under another portion of this agenda. However, the Planning Commission will not take any formal action on any item that is not on the printed agenda. The Planning Commission may refer the item to staff to be agendaized for a future Commission meeting or may ask staff to research an item, but normal Planning Commission action may not take place.

### **4 WRITTEN COMMUNICATIONS FROM THE PUBLIC**

Under this agenda item, members of the public may submit any requests, concerns or issues they may have which are appropriate for Planning Commission discussion and which are not already scheduled for review under another portion of this agenda. However, the Planning Commission will not take any formal action on any item that is not on the printed agenda. The Planning Commission may refer the item to staff to be agendaized for a future Commission meeting or may ask staff to research an item, but normal Planning Commission action may not take place.

### **5 CONSENT CALENDAR**

All matters listed under this item are considered to be routine by the Planning Commission and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless a citizen or a member of the Planning Commission so requests. If discussion is required, that item will be removed from the Consent Calendar and will be considered separately at the conclusion of the Consent Calendar. Vote may be by roll call.

#### **5.1 MINUTES OF AUGUST 6, 2013 SPECIAL MEETING**

### **6 CONTINUED PUBLIC HEARING**

### **7 NEW PUBLIC HEARING**

**7.1 TO ADD A NEW CHAPTER 17.82 TO ESTABLISH STANDARDS FOR EMERGENCY SHELTERS FOR THE HOMELESS; 2) AMEND CHAPTER 17.04 TO ADD VARIOUS DEFINITIONS; 3) AMEND CHAPTERS 17.24 C-1 COMMERCIAL BUSINESS, AND 17.32 PF PUBLIC FACILITIES DISTRICTS TO ALLOW EMERGENCY SHELTERS; AND 4) AMEND CHAPTERS 17.12 R-1 SINGLE-FAMILY RESIDENCE, 17.16 R-T TOWNHOUSE RESIDENCE, AND 17.18 R-3 MEDIUM DENSITY RESIDENCE DISTRICTS TO ALLOW TRANSITIONAL AND SUPPORTIVE HOUSING– RZ-13-003**

- i) Open Public Hearing
- ii) Staff Report
- iii) Public Testimony
- iv) Close Public Hearing
- v) Adopt Resolution No. P- -13 approving RZ-13-003

Project Planner: Leslie Carmichael, Consultant Planner 650-286-3236, or [lcarmichael@fostercity.org](mailto:lcarmichael@fostercity.org)

**7.2 TO ADD A NEW CHAPTER 17.84, REASONABLE ACCOMMODATION, PROVIDING A PROCEDURE FOR AN APPLICANT TO REQUEST RELIEF FROM ZONING REGULATIONS WHEN NECESSARY TO AFFORD DISABLED PERSONS WITH AN EQUAL OPPORTUNITY TO USE AND ENJOY A DWELLING – RZ-13-004**

- i) Open Public Hearing
- ii) Staff Report
- iii) Public Testimony
- iv) Close Public Hearing
- v) Adopt Resolution No. P- -13 approving RZ-13-004

Project Planner: Leslie Carmichael, Consultant Planner 650-286-3236, or [lcarmichael@fostercity.org](mailto:lcarmichael@fostercity.org)

**7.3 TO ADD A NEW CHAPTER 17.86, DENSITY BONUSES, TO IMPLEMENT THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE 65915 REGARDING DENSITY BONUSES FOR DEVELOPMENTS CONTAINING AFFORDABLE AND/OR SENIOR HOUSING – RZ-13-005**

- i) Open Public Hearing
- ii) Staff Report
- iii) Public Testimony
- iv) Close Public Hearing
- v) Adopt Resolution No. P- -13 approving RZ-13-005

Project Planner: Leslie Carmichael, Consultant Planner 650-286-3236, or [lcarmichael@fostercity.org](mailto:lcarmichael@fostercity.org)

**7.4 TO ADD A NEW CHAPTER 5.72, TENANT ANTI-DISCRIMINATION, THAT PROHIBITS LANDLORDS FROM DISCRIMINATING AGAINST EXISTING TENANTS USING SECTION 8 HOUSING VOUCHERS FOR RENTAL HOUSING – MC-13-001**

- i) Open Public Hearing
- ii) Staff Report
- iii) Public Testimony
- iv) Close Public Hearing
- v) Adopt Resolution No. P- -13 approving MC-13-001

Project Planner: Leslie Carmichael, Consultant Planner 650-286-3236, or  
lcarmichael@fostercity.org

**7.5 SIGN USE PERMIT – THE PROPERTY OWNER HAS REQUESTED CITY APPROVAL OF SIX ILLUMINATED MAJOR TENANT WALL IDENTIFICATION SIGNS FOR VISA - VISA USA INC. - 800, 801, 900 AND 901 METRO CENTER BOULEVARD - APN: 094-522-380; 094-522-390; 094-525-030; 094-526-080 IN NEIGHBORHOOD TC - SR-13-031**

- i) Open Public Hearing
- ii) Staff Report
- iii) Public Testimony
- iv) Close Public Hearing
- v) Adopt Resolution No. P- -13 approving SR-13-031  
or  
Adopt Resolution No. P- -13 denying SR-13-031

Project Planner: Ann Welsh, Consultant Planner 650-286-3235, or  
awelsh@fostercity.org

**8 OLD BUSINESS**

**9 NEW BUSINESS**

**10 ADMINISTRATIVE BUSINESS/REPORTS AND REFERRALS**

All supporting materials relating to matters brought up under this agenda item must be made available to members of the Planning Commission and staff prior to the Meeting. Supporting materials should be available prior to commencement of the Meeting and may be reviewed at that time by members of the Commission and staff. At its discretion, the Planning Commission may recess the Meeting in order to review materials submitted by the public or staff or it may defer the item to a later date.

- Oral Update from Staff
- Status of Significant Land Development Projects
- City Council Decisions, Actions, and/or Requests of Concern to the Planning Commission
- Other Matters
- Reports and Referrals

**11 STATEMENTS AND REQUESTS FROM THE COMMISSIONERS**

**12 ADJOURNMENT**

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**NOTICES**

Legal notices were posted in accordance with State law at City Hall, 610 Foster City Blvd.; Foster City Public Library, 1000 E. Hillsdale Blvd.; Foster City Recreation Center, 650 Shell Blvd. (near the south building

entrance); Metro Center Sign Kiosks (between 921 and 987 E. Hillsdale Blvd.); Sea Cloud Park, Pitcairn Drive (on the snack shack/restroom building); and on those properties about which a public hearing was held; and published in a newspaper of general circulation. Additionally, owners of property within 300 feet were mailed Notice of Public Hearing a minimum of ten (10) days in advance. Agendas for Planning Commission Meetings are posted on cable television channel 27 and the City's web site ([www.fostercity.org](http://www.fostercity.org)) several days in advance of the meetings.

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## EVIDENCE

### Quasi-judicial Matters

California law requires that quasi-judicial matters be based on evidence. Applications before the Planning Commission involve matters that are quasi-judicial and therefore decisions must be supported by evidence.

### In General

All oral, written or pictorial evidence to be considered by the Planning Commission must be received prior to a decision being rendered by the Commission. Written, documentary, or pictorial evidence shall be collected and kept by the City for record purposes, and must be made available to an applicant, appellant or the public prior to a decision being rendered by the Commission. Evidence received or submitted during a public hearing or public meeting while an item is being discussed and evaluated by the Planning Commission shall be deemed to have met this requirement.

Evidence submitted for the record and for Planning Commission consideration may take the form of oral testimony, written information, documents, pictures, video tapes, audio tapes, and similar information. All evidence submitted must be of a length that is practicable for use by Commission members, and depending on its length and how it must be accessed or the need for special equipment in order to access it, must be received in a timely manner so as to afford the Commission and the public a reasonable opportunity to evaluate it and to allow an applicant, appellant and/or the public an opportunity to discuss, question and rebut it.

Any written material, correspondence or documents provided to a majority of the Planning Commission regarding any item on this agenda after the agenda packet was distributed will be made available for public inspection in the Community Development Department at City Hall located at 610 Foster City Blvd., Foster City, 94404, during normal business hours and at the meeting.

Information not admitted into the formal record shall not be used in rendering a decision.

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## APPEALS

All actions of the Planning Commission are appealable to the City Council *within ten (10) calendar days of the date the action was taken*. All appeals must be submitted in accordance with Section 17.06.150, Appeal Procedure, of Title 17 of the Foster City Municipal Code (copies available at City Hall). The required appeal fee as adopted by the City Council must accompany an appeal to the Planning Commission of a decision of the Community Development Director (Planning Director) or an appeal to the City Council of a decision of the Planning Commission or it will be considered incomplete.

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## MEETINGS

Unless otherwise scheduled, the Planning Commission meets in Study Session on the first and third Tuesdays of each month and conducts regular business and Public Hearings on the first and third Thursdays of each month.

Meetings begin at 7:00 p.m. and are held in the Council Chambers, 620 Foster City Boulevard.

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*Any attendee wishing special accommodations at the meeting should contact Becki Hanan, Management Assistant, Community Development Department, at (650) 286-3232, or send an electronic mail request to [bhanan@fostercity.org](mailto:bhanan@fostercity.org) at least 48 hours in advance of the meeting or contact the staff at [planning@fostercity.org](mailto:planning@fostercity.org) per the Americans with Disabilities Act.*

**PLANNING COMMISSION AGENDAS AND MINUTES ARE POSTED ON LINE AT: [WWW.FOSTERCITY.ORG](http://WWW.FOSTERCITY.ORG)**

*Regular meetings replay on FCTV Channel 27 at 1:00 p.m. on Friday and 5:00 p.m. on Sunday, following the meeting.*