

December 2, 2024



# CITY OF HERCULES

## Meeting Minutes

### Planning Commission

*Chair Robert Schaufenbil*  
*Vice Chair Hector Rubio*  
*Commissioner Dilli Bhattarai*  
*Commissioner Ken Morrison*  
*Commissioner Carol Most-Walker*

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Monday December 2, 2024

7:00 PM

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Zoom Meeting ID: 853 4085 7309

Zoom Passcode: 363229

Zoom Phone Number: 1-669-900-6833

The full video is available and can be viewed by clicking [here](#).

#### I. CALL TO ORDER – ROLL CALL

Chair Robert Schaufenbil called the meeting to order at 7:00 p.m.

**Present**     5 - Chair Robert Schaufenbil, Vice Chair Hector Rubio, Commissioner Carol Most-Walker, Commissioner Dilli Bhattarai, Commissioner Ken Morrison

**Absent**       0

#### II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was conducted by Commissioner Morrison.

#### III. PUBLIC COMMUNICATION

None

#### IV. CONSENT CALENDAR

None

#### V. PUBLIC HEARINGS

1. [22-1033](#) Conditional Use Permit (CUP 24-02) for City of Ember to add the sale of beer, wine and liquor to the existing legal non-conforming smoke shop business within the Community Commercial Zoning District.

##### RECOMMENDATION:

That the Planning Commission:

1. Request planning staff present the staff report;
2. Open the public hearing;

3. Invite the applicant to make a presentation or statement;
4. Receive comments from the public;
5. Offer the applicant or their consultant team the opportunity to answer questions;
6. Close the public hearing;
7. Request clarification from staff or the applicant on any issues related to the project; and
8. Adopt a resolution approving Conditional Use Permit # 24-02.

Chair Schaufenbil introduced the item and called for staff's report.

Contract Associate Planner Larissa Alchin presented the Conditional Use Permit (CUP 24-02) staff report, a request by the City of Ember to add the sale of beer, wine and liquor to the existing legal non-conforming smoke shop business within the Community Commercial Zoning District and responded to Commissioner questions.

The applicant's representative provided a presentation to the Planning Commission and answered questions from the Commissioners.

Chair Schaufenbil called for Public Comments.

There were no public comment cards submitted on this item.

Chair Schaufenbil closed public comments and returned the item for Commission questions for staff, and Commission discussion.

**MOTION: A motion was made by Commissioner Morrison, seconded by Commissioner Bhattarai to approve Conditional Use Permit #24-02, subject to the Conditions of Approval:**

**Aye:** 5 - Commissioner Morrison, Commissioner Bhattarai, Chair Schaufenbil, Commissioner Rubio, Commissioner Most-Walker

**Nay:** 0

**Absent:** 0

Approved: 5-0-0

2. [22-1034](#) **Zoning Amendments to Implement the Housing Element, New State Laws and Other Needed Updates**

**RECOMMENDATION**

Adopt Resolution #24-08 (Attachment 1), a recommendation to the City Council to adopt amendments to Hercules Municipal Code Land Use Regulation Tables 13-6.1, 13-12.1, 13-15.1, 13-18.1, and 13-32.1; and amending Section 13-35.320 Accessory Dwelling Units, Chapter 13-36 Two-Unit Development, Chapter 13-42 Design Review, Chapter 13-53 Reasonable Accommodations For Persons with Disabilities, and Chapter 13-60 Definitions, to implement the 6th Cycle Housing Element; comply with Senate Bills No. 450, 477, 745 and 1211, Assembly Bill No. 2162, and the Religious Land Use and Institutionalized Persons Act (RLUIPA); correct identified inconsistencies and finding the action exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

Senior Planner Seana Field presented the Hercules Municipal Code text

amendments staff report and responded to Commissioner questions.

Chair Schaufenbil called for Public Comments.

There were no public comment cards submitted on this item.

Chair Schaufenbil closed public comments and returned the item for Commission questions for staff, and Commission discussion.

**MOTION: A motion was made by Commissioner Rubio, seconded by Commissioner Most-Walker to approve a recommendation to City Council to adopt the zoning amendments:**

**Aye:** 5 - Commissioner Rubio, Commissioner Most-Walker, Chair Schaufenbil, Commissioner Morrison, Commissioner Bhattarai

**Nay:** 0

**Absent:** 0

Approved: 5-0-0

## **VI. DISCUSSION / ACTION ITEMS**

Director Rood announced the next two (2) Planning Commission meetings will be canceled.

## **VII. PLANNING DIRECTOR REPORTS AND ANNOUNCEMENTS**

## **VIII. COMMISSIONER REPORTS AND ANNOUNCEMENTS**

Commissioner Bhattarai expressed his gratitude to his fellow commissioners, and stated his time with the Planning Commission has been very special to him.

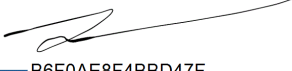
Chair Schaufenbil thanked Commissioner Bhattarai for his commitment and contributions to the Planning Commission and wished him the best as he transitions to the City Council.

## **IX. ADJOURNMENT**

The next Regular Meeting of the Planning Commission is Monday, December 16, 2024, at 7:00 p.m. at Hercules City Hall, 111 Civic Drive, Hercules, CA.

Chair Schaufenbil adjourned the meeting at 7:55 p.m.

DocuSigned by:



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Robert Schaufenbil, Chair

Attest:

Signed by:



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Timothy Rood, Community Development Director