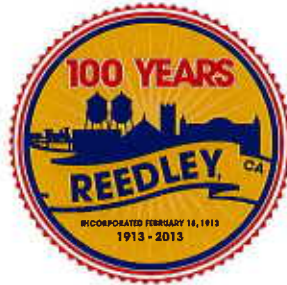


ALL CELL PHONES AND ELECTRONIC DEVICES MUST BE TURNED OFF  
IN THE COUNCIL CHAMBERS



## AGENDA

### REEDLEY PLANNING COMMISSION REGULAR MEETING

5:00 P.M. – THURSDAY, MARCH 7, 2013

Meeting will be held at:

**City of Reedley Council Chambers**

**845 "G" Street**

**Reedley, California 93654**

City of Reedley's Internet Address: [www.reedley.ca.gov](http://www.reedley.ca.gov)

#### Commissioners

Ron Hudson, Chairman

Ted Tartaglia, Vice-Chairman

John Clements

Alberto Custodio

Carlos Gonzalez

#### Staff

Kevin Fabino, Community Development Director

Frances Wiles, Administrative Assistant

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

**PUBLIC COMMENT** – *Provides an opportunity for members of the public to address the Planning Commission on items of interest to the public within the Commission's jurisdiction and which are not already on the agenda this evening. It is the policy of the Commission not to answer questions impromptu. Concerns or complaints will be referred to the Community Development Director's office. Speakers should limit their comments to not more than three (3) minutes. No more than ten (10) minutes per issue will be allowed. For items which are on the agenda this evening, members of the public will be provided an opportunity to address the Commission as each item is brought up for discussion.*

#### NOTICE TO PUBLIC

*Under a **CONSENT AGENDA** category, a recommended course of action for each item is made. Any Commissioner may remove any item from the **CONSENT AGENDA** in order to discuss and/or change the recommended course of action, and the Commission can approve the remainder of the **CONSENT AGENDA**.*

**CONSENT AGENDA**

1. MINUTES OF REGULAR MEETING, FEBRUARY 7, 2013 – Recommend Commission approve.

**WORKSHOP**

2. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

**COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

**FUTURE AGENDA ITEMS**

3. APRIL, 2013 – DRAFT ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN UPDATE 2030  
(Tentative)

**ADJOURNMENT**

REEDLEY PLANNING COMMISSION REGULAR MEETING – February 7, 2013 (Unofficial Minutes)

**A complete audio record of the minutes is available at [www.reedley.ca.gov](http://www.reedley.ca.gov)**

The regular meeting of the Reedley Planning Commission was held Thursday, February 7, 2013, in the City of Reedley Council Chambers, 845 "G" Street, Reedley. Chairman Nord called the meeting to order at 5:00 p.m.

PLEDE OF ALLEGIANCE - led by Chairman Nord.

ROLL CALL

Commissioners Present: Howard Barker, John Clements, Ron Hudson, Ted Tartaglia, and George Nord.

City Staff Present: Kevin Fabino, Community Development Director; and Frances Wiles, Administrative Assistant.

PUBLIC COMMENT: None

CONSENT AGENDA

1. MINUTES OF SPECIAL MEETING, DECEMBER 6, 2012

C. Tartaglia moved, C. Hudson seconded, to approve the MINUTES OF THE SPECIAL MEETING OF DECEMBER 6, 2012. Motion carried by the following vote:

- AYES: Tartaglia, Hudson, Clements, and Nord.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Barker.

C. Barker arrived at 5:03 p.m.

ADMINISTRATION OF OATH OF OFFICE TO NEWLY APPOINTED PLANNING COMMISSIONERS

- 2. Oath of Office was administered by City Clerk Sylvia Plata to Mr. Alberto Custodio and Mr. Carlos Gonzalez.
- 3. Newly appointed Commissioners Custodio and Gonzalez were seated.
- 4. Presentations: Community Development Director Fabino presented plaques to Commissioners Howard Barker and George Nord for their service to the community.

ELECTION OF OFFICERS

5. Election of Chairman

C. Clements moved, C. Tartaglia seconded, to elect Commissioner Ron Hudson as Chairman. Motion carried unanimously.

- AYES: Clements, Tartaglia, Custodio and Gonzalez.
- NOES: None.
- ABSTAIN: Hudson.
- ABSENT: None.

6. Election of Vice-chairman

C. Clements moved, C. Gonzalez seconded, to elect Commissioner Ted Tartaglia as Vice-chairman. Motion carried unanimously.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

- 7. Planning Overview: Community Development Director Fabino presented a planning overview of the processes and regulations by which applications are reviewed.

8. Planning Commission Training Opportunities: Community Development Director Fabino invited the Commission to attend the next City Council meeting where a workshop on the Brown Act will be presented.

ADJOURNMENT

Chairman Hudson adjourned the meeting at 6:13 p.m.

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Ron Hudson, Chairman  
Reedley Planning Commission

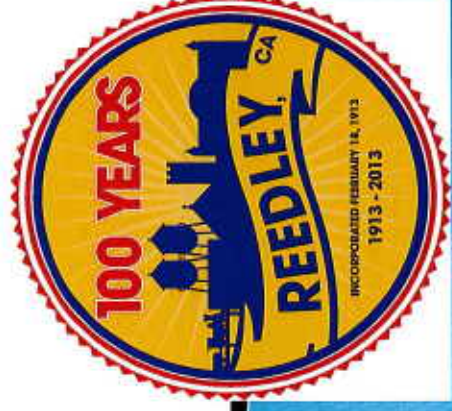
ATTEST:

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Kevin E. Fabino, Secretary

# CEQA OVERVIEW

Prepared for  
Planning Commission  
March 7, 2013



# Introduction

- ▶ CEQA–Historical Perspective
- ▶ Key Concepts (Ministerial/Discretionary, Fair–Argument/Substantial Evidence)
- ▶ Levels of Environmental Analysis
- ▶ Levels of Significance



# CEQA

- ▶ CEQA was legislative action taken in 1978.
- ▶ CEQA Intent (§2100 & 21001)
- ▶ maintain a quality environment that at all times is helpful and pleasing
- ▶ balance between high-quality ecological systems and general welfare
- ▶ regulate activities to prevent environmental damages
- ▶ take all actions necessary to protect, rehabilitate, and enhance the environmental quality of the state.
- ▶ ensure long-term protection of the environmental, consistent with the provisions of a decent home and suitable living environment.
- ▶ Consider qualitative factors , as well as economic and technical factors and long-term benefits and costs.



# CEQA- KEY INGREDIENT

...an informational document which will inform public agency decision makers and the general public of the significant environmental effects of the project, and constitute substantial evidence in the record to support the City's action on the project.

- ▶ CEQA Guidelines, §15121





# Key Concepts

- ▶ Is it a Project?
- ▶ Ministerial Action
- ▶ Discretionary Action
- ▶ Legal Standards
  - Fair-Argument Standard
  - Substantial Evidence Standard



# Types of Environmental Analysis

## ▶ IS IT A PROJECT?

- ▶ Categorical Exemption
- ▶ Negative Declaration (Mitigated)
- ▶ Environmental Impact Report  
Program/Project



# Level of Significance

- ▶ No impact
- ▶ Will not be significant (less-than-significant); or
- ▶ Will be mitigated to a less-than-significant level by the mitigation measure; or
- ▶ Will remain significant after mitigation

CEQA Guidelines Section 15091, 15092 and 15093



# Legal Standards

- ▶ First Litmus Test – Did you follow the statutory requirements?
- ▶ Fair–Argument Standard
- ▶ Substantial Evidence Standard  
(Deference to the local agency)



# CEQA Myths

- ▶ Every project needs and environmental analysis?
- ▶ There is no such thing as greenhouse gases!
- ▶ What is a reasonable range of project alternatives?
- ▶ A significant and unavoidable environmental impact must be denied!
  - Balance between mitigation and project goals.
- ▶ Will the Courts really de-certify a ND/MND/EIR?

