

PLANNING COMMISSION  
Albert Enault, Chair  
Kristina Elder, Vice Chair  
Herbert Dardon, Commissioner  
Vinay Tewari, Commissioner  
Terrence West, Commissioner



PLANNING COMMISSION MEETING

**A G E N D A**  
**REGULAR MEETING OF THE SUISUN CITY**  
**PLANNING COMMISSION**  
**TUESDAY, DECEMBER 10, 2024**  
**6:30 PM**

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**Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California**

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*PLANNING COMMISSION MEETINGS ARE HELD IN-PERSON  
PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM  
ZOOM MEETING INFORMATION:*

*WEBSITE: <https://zoom.us/join>*

**MEETING ID: 897 7055 4848**

*CALL IN PHONE NUMBER: (707) 438-1720*

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE PLANNING COMMISSION MEETING BY EMAILING  
[CLERK@SUISUN.COM](mailto:CLERK@SUISUN.COM) (PRIOR TO 4 PM), VIA WEBSITE OR ZOOM CALL IN PHONE NUMBER: (707) 438-1720.*

*(If attending the meeting via phone press \*9 to raise your hand and \*6 to unmute/mute for public comment.)*

(Next Resolution No. PC 24-12)

**ROLL CALL**

Planning Commissioners  
Pledge of Allegiance  
Invocation

**CONFLICT OF INTEREST NOTIFICATION**

*(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)*

**REPORTS: (Informational items only.)**

1. City Staff.

**PUBLIC COMMENTS**

*(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)*

## **CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

2. Planning Commission Approval of the Minutes of the Regular Meeting of the Suisun City Planning Commission held on September 24, 2024 - (Vasquez: bvasquez@suisun.com).

## **PUBLIC HEARING**

3. PUBLIC HEARING: Resolution No. PC 24-\_\_\_ : A Resolution of the Planning Commission of the City of Suisun City Recommending City Council adopt Ordinance No. \_\_\_; An Ordinance of the City Council of the City of Suisun City, California, Establishing Chapter 18.65 “Preapplication” and Repealing and Replacing Section 18.70.050 “Preliminary Review” of Title 18 (Zoning) of the Suisun City Municipal Code and Establishing a Preapplication Deposit - (Wooden: awooden@suisun.com).
4. PUBLIC HEARING: Resolution No. PC 24-\_\_\_ : A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adopt Ordinance No. \_\_\_; An Ordinance of the City Council of the City of Suisun City, California, Amending Various Sections of Title 18 (Zoning) of the Suisun City Municipal Code (Wooden: awooden@suisun.com).
5. PUBLIC HEARING: Resolution No. PC 24-\_\_\_ : A Resolution of the Planning Commission of the City of Suisun City Approving Site Plan/Architectural Review No. SP/AR 24/25-003 for an Expansion of the Walmart Store Located at 350 Walters Road (Assessor’s Parcel Number 0173-830-020) (Kearns: jkearns@suisun.com).

## **GENERAL BUSINESS NONE**

### **REPORTS: (Informational items only.)**

- a. Commission Members
- b. Commission Chairperson

## **ADJOURNMENT**

### **Public Access To Agenda Documents**

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The city may charge photocopying charges for requested copies of such documents. To the extent feasible, the agenda packet is available for online public viewing on the City’s website: <https://www.suisun.com/Government/City-Council/Agendas>

The City Council/Agency/Authority hopes to conclude its public business by 10:00 p.m. No new items will be taken up after 10:00 p.m., unless so moved by a majority of the City Council, and any items remaining will be agendaized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.

### **Accommodations**

If you require an accommodation to participate in this meeting, please contact the City Clerk at (707) 421-7302 or [clerk@suisun.com](mailto:clerk@suisun.com). The City's reasonable accommodation policy is available for review on the City's website at [www.suisun.com/government/city-council/](http://www.suisun.com/government/city-council/), you may request an electronic copy or have a copy mailed to you. Please note that for accommodations that are not readily available, you must make your request as soon as you can prior to the time of the meeting.

### **Decorum**

All participants are expected to conduct themselves with mutual respect. Conduct that disrupts meetings will be addressed in accordance with Section 54957.95 of the Government Code.

### **Ordinances**

Ordinances are city laws contained in the Suisun City Municipal Code. Enacting a new city law or changing an existing one is a two-step process. Government Code 36934 provides, except when, after reading the title, further reading is waived by regular motion adopted by majority vote all ordinances shall be read in full either at the time of introduction or passage; provided, however, that a reading of the title or ordinance shall not be required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

### **Certification Of Posting**

Agendas for regular and special meetings are posted in accordance with the Brown Act at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:

- Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
- Joe Nelson Center, 611 Village Drive, Suisun City, CA;
- Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Bianca Vasquez, Administrative Assistant for the City of Suisun City, declare under penalty of perjury that the above agenda was posted and available for review, in compliance with the Brown Act.

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PLANNING COMMISSION  
Albert Enault, Chair  
Kristina Elder, Vice Chair  
Herbert Dardon, Commissioner  
Vinay Tewari, Commissioner  
Terrence West, Commissioner



PLANNING COMMISSION MEETING

**MINUTES**  
**REGULAR MEETING OF THE SUISUN CITY**  
**PLANNING COMMISSION**  
**TUESDAY, SEPTEMBER 24, 2024**  
**6:30 PM**

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**Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California**

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*PLANNING COMMISSION MEETINGS ARE HELD IN-PERSON  
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(Next Resolution No. PC 24-11)

**ROLL CALL**

Chairperson Enault called the meeting to order at 6:32 pm with the following Commissioners present:

**PRESENT: Commissioners: West, Tewari, Dardon, Elder, Enault**

**ABSENT: None**

Pledge of Allegiance led by Commissioner Tewari

Invocation led by Principal Planner Kearns

**CONFLICT OF INTEREST NOTIFICATION - NONE**

*(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)*

**REPORTS: (Informational items only.)**

1. City Staff.

Development Services Director Bermudez commented on the upcoming City Council meeting for the Highway 12 Logistics Center.

## **PUBLIC COMMENTS**

*(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)*

**James Berg:** Highlighted the lack of code enforcement and the need for quality leadership.

**Steve Olry:** Supported Berg's points about code enforcement and mentioned a parked vehicle on Canvasback.

**George Guynn:** Emphasized public participation and accountability within the City.

### **Online Public Comments:**

**Michelle Chavez:** Stressed the importance of quality of life in Suisun and concerns about code enforcement.

**Donna LeBlanc:** Asked for clarification on private property enforcement and requested an educational chart or map to distinguish between private and public property enforcement.

## **CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

2. Planning Commission Approval of the Minutes of the Regular Meeting of the Suisun City Planning Commission held on July 9, 2024, and September 10, 2024- (Vasquez: [bvasquez@suisun.com](mailto:bvasquez@suisun.com)).

Public commented by Steve Olry regarding his public comments noted in the minutes for September 10, 2024.

Commissioner Enault motioned and seconded by Commissioner West for approval of the minutes. Motion passed by the following vote:

**AYES:** Commissioners: West, Dardon, Tewari, Enault

**ABSTAIN:** Commissioners: Elder

**ABSENT:** None

Commissioner Enault motioned and seconded by Commissioner West for approval of the minutes for the Regular Meeting of the Suisun City Planning Commission held on September 10, 2024 with amendments to vote and amendment to Steve Olrys comment. Motion passed by the following vote:

**AYES:** Commissioners: West, Tewari, Dardon, Elder, Enault

**ABSTAIN:** None

**ABSENT:** None

## **PUBLIC HEARING**

3. PUBLIC HEARING: Resolution PC24-11; A Resolution of the Planning Commission of the City of Suisun City Approving Conditional Use Permit No. CUP 24/25-001 for a Convenience Market Located at 601 Main Street (Assessor's Parcel Number 0032-122-130).

Principal Planner Kearns presented and answered clarifying questions from Commissioners.

Applicant Mohamed Saeed presented a description of the project and answered clarifying questions from Commissioners.

Chairperson Enault opened Public Hearing and Public Comments made in person by the following:

**Wayne Day:** Raised concerns about Suisun City's general plan, empty Waterfront buildings, cannabis shops, and nicotine sales.

**Barbara Kraig:** Expressed worries about tobacco sales, enforcement issues at the Waterfront, and the need for more variety in the area.

**James Berg:** Emphasized the need for a vibrant downtown and potential negative impacts of some stores on the community.

**Gabriela:** Highlighted safety concerns in downtown Suisun and the importance of attracting customers to local businesses.

**Steve Olry:** Voiced business-related apprehensions but acknowledged the credibility of the store owner; discussed grocery vs. tobacco sales tax revenue and filling vacant spots on Main Street.

**George Guynn:** Spoke about the applicants' reputations based on the credibility of the business owner and the importance of utilizing vacant buildings.

**Muhammad Malik:** Noted declining sales in downtown and concerns about profitability.

**Sahlpreet:** Commented on tobacco sales in downtown and the sales tax comparison between tobacco and grocery products.

#### **Online Public Comments:**

**Donna LeBlanc:** Questioned tobacco sales but suggested focusing on filling vacant areas and improving signage.

**Michelle Chavez:** Agreed with LeBlanc, advocating for store diversity and care for the surrounding area.

Chairperson Enault closed public hearing and Commissioners made clarifying comments and concerns on the project.

Recommendation to approve the project without modifications by Commissioner West and seconded by Chairperson Enault. Motion passed with the following vote:

**AYES: Commissioners: West, Elder, Enault**

**NOES: Commissioners: Dardon, Tewari**

**ABSENT: None**

Chairperson Enault recessed for a short break and called meeting back to order at 8:28 pm.

#### **GENERAL BUSINESS**

4. Official Director's Interpretation: Planning Commission evaluation and review of Director's determination regarding proposed uses within the Waterfront District Specific Plan area - (Bermudez: [jbermudez@suisun.com](mailto:jbermudez@suisun.com)).

Development Services Director Bermudez presented and Chairperson Enault opened up for public comment.

**Johnny Sarup:** Former owner of the Auto Service Facility within the Waterfront District Specific Plan, noted that he sold the facility to his sons, who are seeking a user permit for a used car dealer license.

**T. Lothae/S. Akra:** Family of Johnny Sarup, explained their request for a user permit and confirmed that they would only allow up to two cars at the facility.

**Online Public Comments:**

- **Michelle Chavez:** Supported the business model and highlighted the convenience of the services provided.
- **Donna LeBlanc:** Clarified the purpose of the license and commented on the proposed uses.

Commissioners discussed the two options presented and provided general direction.

Commissioner came to a unanimous approval of option two so that the Director of Development Services would be able to allow the continued operation of existing legal nonconforming uses and businesses and the limited expansion of those businesses provided that they do not increase the degree of nonconformity but all other future business licenses that are looking to go to vacant tenant spaces must comply with the Waterfront District Specific Plan.

**REPORTS: (Informational items only.)**

5. a. Commission Members: Upcoming event: Ohana Fest
- b. Commission Chairperson commended Commissioner Dardon on doing foot traffic to talk with the businesses and the public.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 9:03 pm.



DATE: 12/10/2024  
TO: PLANNING COMMISSION  
FROM: APRIL WOODEN, SPECIAL PROJECTS  
RE: PREAPPLICATION PROCESS - ZONING TEXT AMENDMENT

Files:  
ZTA 24/25-002

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**SUMMARY**

The Planning Commission is asked to consider adoption of a resolution recommending City Council adopt the attached ordinance adopting Municipal Code Chapter 18.65 Preapplication, and repealing and replacing in its entirety Section 18.70.050 – Preliminary Review, and amend the City’s Master Fee Schedule.

**STAFF RECCOMENDATION**

That the Planning Commission hold a public hearing, and:

1. Determine that the proposed zoning text amendment is exempt from environmental review pursuant to CEQA Section 15061(b)(3) of the CEQA Guidelines.
2. Adopt Resolution No. PC-24-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Recommending City Council adopt Ordinance No. \_\_\_; An Ordinance of the City Council of the City of Suisun City, California, Establishing Chapter 18.65 “Preapplication” and Repealing and Replacing Section 18.70.050 “Preliminary Review” of Title 18 (Zoning) of the Suisun City Municipal Code and Establishing a Preapplication Deposit.

**BACKGROUND**

It has been staff’s experience that many folks have ideas for projects within the City but are uninformed as to the complexity of what it takes to make that idea a reality. A great deal of staff time is devoted to meeting with potential project applicants very early in the process. Due to the lean staffing level of the Development Services Department, it has become a financial burden on the City to provide free preapplication services to potential applicants, many of whom are not likely to move forward with an actual project. The proposed preapplication process provides a mechanism to sift projects based on feasibility by potential applicants “self-selecting” whether they are serious enough to make a deposit of funds in order to use staff time to explore their ideas.

It is common for cities to provide for a preapplication or preliminary review process for land use entitlements and projects. Some jurisdictions designate particular project categories which require the process while others offer it as a voluntary opportunity for all potential applicants. A preliminary application review is an informal process that provides an opportunity for potential applicants to present their proposal for review and comments before spending considerable time

and expense on a formal application. The process provides pre-applicants with an understanding of how the City's regulations and policies affect the design of their project and helps inform their decision whether to move forward with a formal application.

## **DISCUSSION/ANALYSIS**

### Goals

Preapplication review is a process that is intended to facilitate the exchange of information prior to submittal of a formal development application. In addition to familiarizing city staff with the potential project or development proposal, the goals of the preapplication conference may include, but are not limited to, providing the pre-applicant with information regarding:

- applicable city ordinances, policies, procedures, and standards;
- potential permitting issues;
- consistency with the general plan and zoning code;
- anticipated concerns from other departments/agencies;
- required or recommended studies;
- significant development opportunities or constraints.

### Deposit

The intent of the proposed preapplication deposit is to recoup the cost of staff time expended assisting potential project applicants, resulting in a positive fiscal impact. Due to the lean staffing level of the Development Services Department, it has become a financial burden on the City to provide free preapplication services to potential applicants, many of whom are not likely to move forward with an actual project. The proposed preapplication process provides a mechanism to sift projects based on feasibility. The Master Fee Schedule will be amended to add a line "Preapplication Deposit" reflecting that a pre-applicant shall deposit of 25% of the project development review fees identified as required for the potential project at the time of preapplication submittal. For instance, the proposed Walmart expansion entitlement application, as detailed in this agenda packet, has a total entitlement processing fee of \$3,303. If the Planning Commission approves the proposed 25% preapplication fee, future upfront costs for convening a meeting with the representative staff would be \$826.

### Pre-applicant benefits

In order to focus the expenditure of staff time on economic development and housing activities that are likely to move to the project stage, the preapplication process provides useful assistance to serious potential applicants. Guidance regarding regulations, requirements, environmental concerns, and other possible hurdles related to the proposed project allows the potential applicant to determine the feasibility of a project at an early stage, saving both time and money. Consequently, the preapplication process accelerates processing of concrete development projects which, in turn, results in the achievement of several City strategic plan goals regarding economic development and housing.

### City staff benefits

Through the preapplication process, staff avoids expending time and effort on proposed projects with little likelihood of materializing. By providing feedback at an early stage, potential applicants are encouraged to evaluate project feasibility and to determine whether the cost expenditure is warranted. Pursuant to the proposed ordinance, however, the Development Services Director may waive the preliminary application requirement, as appropriate, when determined that there would be no additional benefit in undergoing preliminary application review and it would be appropriate to move directly to a formal application.

#### Projects requiring preapplication submittal

The following projects would be subject to the preapplication process:

- A. Annexation.
- B. General Plan amendment; rezoning; or other City Council approval.
- C. Specific Plan and amendment.
- D. All non-residential projects (other than permitted reuse of existing site or structure).
- E. Conditional Use Permit, Site Plan Review, and Planned Development.
- F. Tentative map.
- G. Project located within 300 feet of a residentially-zoned district or property designated residential within a Specific Plan.
- H. Project seeking a density bonus and/or other incentives or concessions under Density Bonus Law.
- I. Does not appear to qualify for an exemption under the California Environmental Quality Act (CEQA).
- J. Site under Williamson Contract.
- K. Development Agreement or amendment (described in Section 18.70.050).

#### Projects subject to streamlining

Pursuant to Government Code Section 65941.1(a), the preliminary application review would be slightly different for potential projects subject to streamlining under state housing law. These projects would include the following:

- A. Residential units only;
- B. Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designed for residential use; or
- C. Transitional housing or supportive housing.

These projects would be subject only to the ordinances, policies, and standards adopted and in effect when the preliminary application was deemed submitted. However, changes of 20% or more in number of residential units or square footage of construction would trigger an updated preliminary application reflecting the revisions. Certain timeframes would also be applicable to such a project as set out in the proposed ordinance.

#### Topics of preapplication process and discussion

It is anticipated that the following topics would be addressed through the preapplication process:

- A. Subject Parcel. Size, location, dimensions, and area; any existing improvements or development on-site; current general plan land use designation(s); current zoning district(s);
- B. Proposed Development Project. Uses proposed for the site; type and placement of buildings and other improvements; hours of operation; number of employees; proposed demolition;
- C. Characteristics of the Project Site and Vicinity. Existing and proposed land use(s), uses and development on adjacent parcels; identified natural or man-made hazards on-site or in vicinity;
- D. Proposed Circulation Improvements, both on- and off-site. Access points and vehicular ingress/egress, parking, loading, and pedestrian circulation;
- E. Public Improvements. Type, location, and sizes of public facilities likely to be required to support the proposal, including utilities, sewer, water, and drainage, along with a plan for providing and maintaining improvements;
- F. Open Space and Landscaping. Location, amount, type, and method of maintenance for proposed open space and landscaped areas;
- G. Community Service Impacts. Estimated impacts on public services, including schools, parks and recreation, fire and police protection, and solid waste disposal.

#### Non-binding and advisory

Any staff recommendations proposed during the preapplication process would be advisory only and not binding on either the pre-applicant or the City. Neither the preapplication review nor the provision of information and/or pertinent policies would constitute a recommendation for approval or denial of the application by city representatives or result in any vested rights related to the project.

#### **Planning Commission Options**

The Planning Commission has the following options available:

- Adopt Resolution PC24- as submitted;
- Adopt Resolution PC24- with modifications;
- Decline to adopt Resolution PC24- ;
- Continue the item for further discussion.

#### **CEQA REVIEW**

CEQA review is required for any project (meaning the whole of an action) which has a potential for resulting in either physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Neither the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project nor organizational or administrative activities of governments that will not result in a potentially significant indirect physical change in the environment are projects. Consequently, no CEQA

review is required for adoption of the proposed resolution, which is an administrative activity of the City, including the setting of a fee. CEQA, Cal. Pub. Res. Code section 21065.

## **ATTACHMENTS**

1. Resolution No. PC-24-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Recommending City Council adopt Ordinance No. \_\_\_; An Ordinance of the City Council of the City of Suisun City, California, Establishing Chapter 18.65 “Preapplication” and Repealing and Replacing Section 18.70.050 “Preliminary Review” of Title 18 (Zoning) of the Suisun City Municipal Code and Establishing a Preapplication Deposit.

**RESOLUTION NO. PC 24-\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUISUN  
CITY RECOMMENDING CITY COUNCIL AMEND THE ZONING CODE TO ADOPT  
MUNICIPAL CODE CHAPTER 18.65 PREAPPLICATION; REPEAL AND REPLACE  
IN ITS ENTIRETY SECTION 18.70.050 PRELIMINARY REVIEW; AND AMEND THE  
CITY'S MASTER FEE SCHEDULE**

**WHEREAS**, the Planning Commission determined that a preapplication process should be provided in the zoning code to encourage the efficient review of potential projects; and

**WHEREAS**, the preapplication process provides potential applicants with early input on the project concept, design, and challenges related to zoning, environmental impact, and infrastructure; and

**WHEREAS**, the preapplication process fosters communication and collaboration between potential project applicants and city staff, enabling a more efficient and cost-effective approval process; and

**WHEREAS**, the preapplication process provides potential project applicants with the opportunity to modify the project based on feedback received, increasing the likelihood of project approval; and

**WHEREAS**, pre-applicants shall be required to deposit a preapplication fee an amount equal to twenty-five percent (25%) of the anticipated project development review fees prior to initiating the preapplication process and said deposit shall be credited to project development review fees to be collected at the time of project application; and

**WHEREAS**, after due consideration of all materials and testimony, and using its independent judgment, the Planning Commission recommends City Council adopt the attached ordinance (Exhibit A).

**NOW, THEREFORE, BE IT RESOLVED** by the City of Suisun City Planning Commission, exercising its independent judgment as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. The Planning Commission further recommends the City Council finds and concludes that the zoning text amendment is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) which establish that where it can be seen with certainty that there is no possibility that a project may have a significant effect on the environment; the project is exempt from review under CEQA; and
3. The planning Commission recommends City Council of the City of Suisun City adopt the attached ordinance adopting Municipal Code Chapter 18.65 Preapplication.; repealing and

replacing Municipal Code Section 18.70.050 Preliminary Review; and amending the City’s Master Fee Schedule.

4. This resolution is effective immediately upon adoption.

The motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and adopted this 10<sup>th</sup> day of December, 2024, by the following vote:

AYES:           Commissioners:  
NOES:           Commissioners:  
ABSENT:       Commissioners:  
ABSTAIN:       Commissioners:

\_\_\_\_\_  
Commission Secretary

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY,  
CALIFORNIA, ESTABLISHING CHAPTER 18.65 PREAPPLICATION AND  
REPEALING AND REPLACING SECTION 18.70.050 PRELIMINARY REVIEW OF  
TITLE 18 (ZONING) OF THE SUISUN CITY MUNICIPAL CODE AND  
ESTABLISHING A PREAPPLICATION DEPOSIT**

**WHEREAS**, Section 1.01.050 of the Suisun City Municipal Code provides for amendments to the Suisun City Municipal Code by the City Council; and

**WHEREAS**, Title 18, Chapter 18.82 – Amendments of the Suisun City Municipal Code provides for the amendment of the Title by changing the text whenever the public necessity, convenience, or general welfare requires such amendment; and

**WHEREAS**, this proposed Zoning Ordinance amendment was considered by the City Council of the City of Suisun City at its regular meeting of \_\_\_\_\_, 2025; and

**WHEREAS**, a public notice describing the proposed amendments to the Suisun City Zoning Ordinance relative to Title 18 was published in the Daily Republic, a newspaper of general circulation, in accordance with 6061 of the California Government Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY,  
CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council hereby approves the proposed changes to the text of the Suisun City Municipal Code establishing Chapter 18.65 “Preapplication.”, repealing and replacing Section 18.70.050 Preliminary Review, and establishing a preapplication deposit. Changes are shown by strike-through and new text is bold underscored to read as follows:

**Chapter 18.65 Preapplication.**

**18.65.010 Purpose and Effect.**

**A. The purpose of the preapplication process is to provide an opportunity for exchange of information between the applicant and staff prior to the submittal of a formal development application. This chapter contains procedures and requirements for the preapplication review.**

B. Discussions at the preapplication conference are not binding on the City and do not constitute submittal or review of a development application.

C. A formal application for a development project will not be accepted until after the mandatory preapplication conference has been completed.

#### **18.65.020 Initial meeting.**

A. Pre-applicants shall contact the Development Services Department to obtain the required preapplication forms. Upon receipt of the completed forms and required deposit, staff shall schedule a preapplication conference and inform the applicant of the date and time of the conference.

B. Except for projects identified in this chapter or when waived by the planning division, a prospective applicant for any development entitlement is required to meet with staff prior to completing and filing an application for any proposed project listed in 18.65.040 or 18.65.050 in order to:

1. Provide an opportunity for the applicant to learn about the submittal requirements, procedures, and standards applicable to the proposed project;
2. Familiarize staff with and offer preliminary comments about the proposed project;
3. Review the city's approval process, possible project alternatives, or modifications;
3. Determine the type of permits required for the project; and
5. Identify any necessary technical studies and information relating to the environmental review of the project.

#### **18.65.030 Preapplication Deposit.**

No preapplication will be accepted for review without a deposit of 25% of the project development fees established by the city's master fee schedule, which amount will be credited toward project development fees collected at the time of submittal of a formal project application.

**18.65.040 Preapplication for projects in general.**

A. Staff shall prepare, update, and maintain preapplication forms and a related checklist for potential projects subject to legislative or discretionary approval pursuant to the municipal code, including:

1. Annexation.
2. General Plan amendment; rezoning; or other City Council approval.
3. Specific Plan and amendment.
4. All non-residential projects (other than permitted reuse of existing site or structure).
5. Conditional Use Permit, Site Plan Review, and Planned Development.
6. Tentative map.
7. Located within 300 feet of a residentially-zoned district or property designated residential within a specific plan.
8. Includes a request for a density bonus and/or other incentives or concessions under Density Bonus Law, except as provided in 18.65.050, below.
9. Does not appear to qualify for an exemption under the California Environmental Quality Act (CEQA).
10. Any site under Williamson Contract.
11. Development Agreement or amendment (described in Section 18.70.050).

B. A preapplication shall be deemed submitted upon providing the information specified in the City's applicable submittal checklist and submittal of the deposit specified in Section 18.65.030.

C. A preapplication review shall also be available for potential projects not included in 1. Through 11., above, at the project proponent's request, subject to the same submittal requirements.

D. The planning division may waive the preapplication requirement, as appropriate, when determined that there would be no additional benefit in undergoing preapplication review.

E. A preapplication is not subject to the requirements of the California Permit Streamlining Act or the California Environmental Quality Act (CEQA), as determined by state law.

F. Discussions regarding a preapplication are not binding on the City. Submittal of a preapplication does not constitute submittal or review of a project, and does not grant a vested right to develop the project under the regulations and fees in effect at the time the preapplication is submitted.

**18.65.050 Preapplication review for projects subject to streamlining under state housing law.**

Pursuant to Government Code Section 65941.1(a), and as may be amended, prospective proponents of eligible housing development projects may submit a preapplication under state law and this section.

A. Projects entitled to preapplication under this section include any of the following:

1. Residential units only;

2. Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designed for residential use; or

3. Transitional housing or supportive housing.

B. A preapplication shall be deemed submitted upon providing the information specified in the city's applicable submittal checklist and submittal of the deposit specified in Section 18.65.030.

C. The project for which a preapplication has been submitted shall be subject only to the ordinances, policies, and standards adopted and in effect when the preapplication was deemed submitted.

D. If the development project is revised such that the number of residential units or square footage of construction changes by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, the housing development project shall not be deemed to have submitted a preapplication that satisfies this section until the applicant resubmits the information required by the city's applicable submittal checklist so that it reflects the revisions. For purposes of this subsection, "square footage of construction" means the building area, as defined by the California Building Standards Code (Title 24 of the California Code of Regulations).

E. Within 180 calendar days after submitting a preapplication, the application(s) required for the development project shall be submitted with all of the information required to process the development application consistent with state law, including, but not limited to, Government Code Sections 65940, 65941, and 65941.5.

F. If the city determines that the application for the development project is not complete pursuant to Government Code Section 65943, the development proponent shall submit the specific information needed to complete the application within 90 days of receiving the agency's written request for additional information. If the development proponent does not submit this information within the 90-day period, then the preapplication shall expire and have no further force or effect.

**18.70.050– Preliminary review.**

~~The city encourages the use of a preliminary review of development agreements to enable the applicant ample opportunity to formulate a complete formal application addressing the issues and concerns of the city. There are no formal procedural requirements for a preliminary review. A preliminary review of draft agreements, development plans, and objectives, as well as other pertinent information may be requested by an applicant or authorized agent of an applicant. When such a request is made, the development services director shall distribute any information submitted by the applicant to the city staff and shall arrange meetings as deemed appropriate by the development services director in his absolute discretion.~~

**18.70.050 - Preapplication.**

The city requires the use of a preapplication process, as set forth in 18.65 Preapplication., prior to the submittal of a development agreement application to enable the applicant to prepare and submit a complete formal application addressing the issues and concerns of the city.

A. Purpose. The purpose of a development agreement preapplication conference is to provide an opportunity for the applicant to learn about the submittal requirements, procedures, and standards applicable to development agreements. The preapplication conference is also an opportunity for staff to become familiar with and offer preliminary comments about the proposed development agreement.

B. Discussions Non-Binding. Discussions at the preapplication conference are not binding on the City and do not constitute submittal or review of a development agreement.

C. Scheduling. Applicants shall contact the Development Services Department to obtain the required preapplication forms. Upon receipt of the completed forms and required deposit, staff

shall schedule a preapplication conference and inform the applicant of the date and time of the conference.

D. Procedure. During the preapplication conference, staff will explain the development agreement review process and any special issues or concerns regarding the proposed development agreement.

E. Effect. An application for a development agreement will not be accepted until after the mandatory preapplication conference has been completed.

**SECTION 2.** This ordinance amendment is categorically exempt from environmental review under Section 15061 (b)(3) of the State CEQA Guidelines. The proposed text amendments are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**SECTION 3.** This Ordinance shall be in full force and effect thirty (30) days after its adoption following second reading.

**SECTION 4.** The City Clerk is hereby authorized and directed to certify as the passage of this Ordinance and to give notice thereof by causing copies of this Ordinance to be posted in three public places throughout the City, or published in a county newspaper that is circulated in the City, within 15 days after its passage, there being no newspaper of general circulation printed and published within the City.

[SIGNATURES ON FOLLOWING PAGE]

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council of the City of Suisun City, California, on this \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Anita Skinner,  
City Clerk

**CERTIFICATION**

I, Anita Skinner, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on \_\_\_\_\_, and regularly passed and adopted at a regular meeting of said City Council held on \_\_\_\_\_, by the following vote:

**AYES:** Councilmembers: \_\_\_\_\_  
**NOES:** Councilmembers: \_\_\_\_\_  
**ABSENT:** Councilmembers: \_\_\_\_\_  
**ABSTAIN:** Councilmembers: \_\_\_\_\_

**WITNESS** my hand and the seal of said City this \_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Anita Skinner,  
City Clerk



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DATE:	12/10/2024	Files: ZTA 24/25-001
TO:	PLANNING COMMISSION	
FROM:	APRIL WOODEN, SPECIAL PROJECTS	
RE:	ZONING TEXT AMENDMENTS - CHAPTER 18.47 – RESIDENTIAL DENSITY BONUS AND DENSITY INCENTIVES; SECTION 18.08.080 TWO UNIT SB9 PROJECT; SECTION 18.08.090 URBAN LOT SPLIT; AND SECTION 18.08.095 DEFINITIONS	

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### **SUMMARY**

The Planning Commission is asked to consider adoption of a resolution recommending that the City Council adopt an ordinance amending the Municipal Code zoning text to comply with recent changes to state law, to implement the City Housing Element, and to encourage the development of affordable housing within the City.

### **STAFF RECCOMENDATION**

That the Planning Commission hold a public hearing, and:

1. Determine that the Zoning Text Amendments to amend Chapter 18.47 Residential Density Bonus and Density Incentives; Section 18.08.080 Two Unit SB9 Project; Section 18.08.090 Urban Lot Split; and Section 18.08.095 Definitions are exempt from environmental review pursuant to CEQA Section 15061(b)(3) of the CEQA Guidelines.
2. Adopt Resolution No. PC-24-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adopt Ordinance No. \_\_\_\_\_. An Ordinance of the City Council of the City of Suisun City, California, Amending Various Sections of Title 18 (Zoning) of the Suisun City Municipal Code.

### **BACKGROUND**

#### Introduction

California just doesn't have enough housing to keep up with demand. The difference between the number of homes needed and the number of homes built has been growing for decades. There is a statewide production goal of roughly 2.5 million new units by the end of the decade — or roughly 315,000 per year. The state has never come close to building that much that quickly.

Consequently, since 2017, housing policy has no longer been left up to local government. State lawmakers, both progressive Democrats and conservative Republicans, have concluded that the

state must play an active role to ensure more homes are built. This has resulted in the enactment of housing bills in every legislative session for the past 8 years.

A few examples of recent housing law show the impact on local government:

- **SB 828:** This 2018 law made changes in the assessment of regional housing needs (RHNA) and gave Housing and Community Development, the state housing regulators, increased power to force local governments to plan for more housing development.
- **AB 68:** This 2019 law encouraged construction of ADUs and started an annual legislative process which typically requires yearly updates to the City's zoning code regarding ADUs.
- **SB 330:** Another 2019 law prevents local governments from reducing the overall number of homes that can be permitted within the City limits.
- **SB 2345:** This 2020 law allows radically increased density if a certain share of residential units within a project is designated affordable.
- **SB 9:** This 2021 law requires "duplexification"- requiring zoning to allow duplexes on parcels currently zoned exclusively for single family homes and permitting "urban lot splits" which divide existing single-family lots into two.

The proposed zoning text amendments are necessary to keep the City in compliance with recent changes to state law.

#### Density Bonus

The City's density bonus ordinance was adopted recently and is legally sufficient. However, due to wording changes made to the law in the most recent legislative session, the proposed text amendments will bring the zoning code completely up to date with state law by adopting minor changes to the wording of certain definitions.

#### Senate Bill 9 (SB 9)

SB 9 (*Chapter 162, Statutes of 2021*), the "California Home Act", was enacted as part of the state's broader effort to increase the development of affordable housing, and became effective January 1, 2022. SB 9 supersedes traditional single-family zoning and provides for the development of more homes than currently allowed under the City's zoning code. The intention of SB 9 is to increase the supply of housing by requiring that cities and counties implement ministerial procedures for the approval of certain applications in single family zoning districts. The required ministerial process is intended to reduce approval time and cost by mandating that approval of these applications be handled at the staff level. Staff approval is required as long as specific statutory criteria are met.

These applications include:

- 1) Two Unit Development: The development of more than one primary dwelling unit on parcels zoned for single family homes; and
- 2) Urban Lot Split: The subdivision of existing residential lots.

In addition, SB 9 includes eligibility criteria addressing environmental site constraints (e.g., wetlands, wildfire risk, etc.), anti-displacement measures for renters and low-income households, and the protection of historic structures and historic districts. SB 9 requires the city to modify or eliminate objective development standards on a project-by-project basis if they would prevent a two unit development or an urban lot split.

## **DISCUSSION/ANALYSIS**

### **Density Bonus**

The City's density bonus ordinance was adopted recently and is legally sufficient. However, due to wording changes made to the law in the most recent legislative session, the proposed text amendments will bring the zoning code completely up to date with state law by adopting minor changes to the wording of certain definitions.

### **SB 9**

The proposed zoning text amendment provides for two types of applications: Two Unit Development and Urban Lot Splits. For both applications, the amendment provides for the development of additional dwelling units and ADU/JADUs on residential lots subject to specific approval criteria.

### **Review**

The statute requires that within 60 days of submittal of a complete application, staff shall review and approve complete applications that are in compliance with the SB 9 requirements and any other applicable objective development standards stated in the Municipal Code. If staff has not approved or denied the complete application within 60 days, the application is deemed approved. However, the Building Official may deny an application if the proposed units would "have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon public health and safety or the physical environment and that there is no feasible method to satisfactorily mitigate or avoid the impact."

### **Application – Zoning Districts**

The SB 9 zoning amendments would be applicable in the following zoning districts:

- 1) RL: Low-density Residential
- 2) RM: Medium-density Residential

The amendments also apply to sites within a Specific Plan identified for single-family residential development. However, the amendment does not apply to low-density residential or medium density residential located within an historic district.

### **Checklist and other documents**

Once the Ordinance is in effect, staff will prepare SB 9 application forms, checklists, affidavits and other necessary documents for processing SB 9 applications. It is anticipated that the following (at a minimum) will be required for a complete SB9 application:

- Application form, including required attachments.
- Verification of property ownership.

- Legal description of the property.
- Affidavit showing occupancy for the past three years.
- Recorded covenant prohibiting non-residential use and short-term rentals.

For an Urban Lot Split application, these additional items are required:

- Recorded covenant prohibiting further subdivision.
- Affidavit of intention to occupy one unit for at least three (3) years.

### **Ordinance effect - Criteria**

The effect of these changes allows the development of up to four dwelling units (2 primary units and 2 ADU/JADU units) on a lot or parcel which would otherwise be planned to accommodate only one primary dwelling unit and one ADU/JADU. The law also limits the number of parking spaces that can be required and establishes the maximum building setbacks for units built in response to this statute. Since the intent of SB 9 is to increase the supply of housing, units resulting from SB 9 applications may not be leased for short-term rentals (30 days or less).

#### *Two Unit Development*

The criteria include:

- 1) The new housing units would not require the demolition or alteration of existing affordable housing;
- 2) The new housing units would not require the demolition or alteration of existing rental housing;
- 3) The site is not in a historic district;
- 4) There is no existing historic structure on the lot;
- 5) The site is not on prime farmland;
- 6) The site is not a known hazardous waste site.

The amendment also creates new development standards addressing:

- 1) The number of dwelling units and ADUs which can be built;
- 2) Minimum side and rear yard setbacks (4 feet);
- 3) Front setback which conforms to the underlying zoning district standard;
- 4) Consistency in architectural style, materials, and color palette;
- 5) One parking space for each unit, unless exempt due to statutory exceptions.

If any of the criteria cannot be met, staff must modify or waive such criteria in order to permit (at a minimum) the construction of two dwelling units, each at least 800 square feet.

#### *Urban Lot Split*

In addition to the requirements for all SB 9 Projects, Urban Lot Splits shall meet the following eligibility requirements:

1. The Urban Lot Split will create no more than two new parcels, and each of the newly-created parcels meet all of the following requirements:
  - a. Is at least 1200 square feet in size;

- b. Is at least 40 percent of the area of the original parcel;
  - c. Has access to or adjoins the public right of way sufficient to allow development on the parcel to comply with any property access requirements under the California Fire Code Section 503 and Title 14, California Code of Regulations section 1273.00 et seq., when applicable to the parcel.
2. The parcel to be divided was not established through a prior Urban Lot Split.
3. The Urban Lot Split conforms to all applicable objective requirements of the Subdivision Map Act (Government Code Section 66410 et seq.), except as otherwise provided in this Section.
4. Neither the owner of the parcel being subdivided, nor any person acting in concert with the owner, has previously subdivided an adjacent parcel using an Urban Lot Split.
5. The proposed new parcels are intended for exclusively residential use.
6. The Urban Lot Split will not result in a structure being constructed over the two parcels.
7. The owner of the parcel to be subdivided signs an affidavit under penalty of perjury declaring that:
  - a. the housing units proposed to be demolished or altered have not been occupied by a tenant at any time within three years of the date of the application for an Urban Lot Split
  - b. The owner of the parcel intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval of the Urban Lot Split;
  - c. The new housing units would not require the demolition or alteration of existing affordable housing.
8. The new housing units would not require the demolition or alteration of existing rental housing;
9. The site is not in a historic district;
10. There is no existing historic structure on the lot;
11. The site is not on prime farmland;
12. The site is not a known hazardous waste site.

If any of the criteria cannot be met, staff must modify or waive such criteria in order to permit (at a minimum) the construction of two dwelling units, each at least 800 square feet.

Definitions that are relevant to the administration of the SB 9 application process are included in the ordinance in Section 18.08.095.

### **Fees**

The City's Master Fee Schedule includes fees for entitlement applications. This fee schedule will apply to staff review and approval of SB 9 applications, including two-unit development and urban lot splits, minimizing any fiscal impact.

### **CONCLUSION**

By recommending adoption of these zoning text amendments to City Council, the Planning Commission is furthering the requirement that the City be compliant with state law. In addition,

this action furthers the development of affordable housing and helps to achieve the goals and objectives of the City's Housing Element.

### **Planning Commission Options**

The Planning Commission has the following options available:

- Adopt Resolution PC 24-\_\_\_: as submitted;
- Adopt Resolution PC 24-\_\_\_: with modifications;
- Decline to adopt Resolution PC 24-\_\_\_: or
- Continue the item for further discussion.

### **ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA) Section 15061(b)(3) establishes that where it can be seen with certainty that there is no possibility that a project may have a significant effect on the environment, the project is exempt from review under CEQA. California statutes require that the City's density bonus and density incentives be administered in compliance with Government Code Sections 65915 et seq. Consequently, the proposed amendments do not have the potential to result in a significant effect on the environment and adoption of the proposed amendments is exempt from review under the provisions of CEQA and the CEQA Guidelines.

### **ATTACHMENTS**

1. Resolution No. PC 24-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adopt Ordinance No. \_\_\_\_\_. An Ordinance of the City Council of the City of Suisun City, California, Amending Various Sections of Title 18 (Zoning) of the Suisun City Municipal Code.

**RESOLUTION NO. PC 24-\_\_**

**A RESOLUTION OF THE SUISUN CITY PLANNING COMMISSION RECOMMENDING  
CITY COUNCIL APPROVE AN AMENDMENT TO THE ZONING CODE TO ADD SECTION  
18.08.080 TWO UNIT SB 9 DEVELOPMENT, SECTION 18.08.090 URBAN LOT SPLIT, AND  
SECTION 18.08.095 DEFINITIONS TO COMPLY WITH REQUIREMENTS OF SENATE BILL 9  
AND TO AMEND SECTION 18.47 RESIDENTIAL DENSITY BONUS AND DENSITY  
INCENTIVES SECTION 18.47.030 DEFINITIONS**

**WHEREAS**, in 2021 the State of California approved the “California Housing Act of 2021” (also known as Senate Bill 9) which imposes requirements on cities and counties to approve certain types of residential lot splits and the development of more than one dwelling unit on parcels zoned for one single family home; and

**WHEREAS**, Senate Bill 9 allows local agencies to adopt regulations to implement state law; and

**WHEREAS**, the proposed amendment to the Suisun City Municipal Code incorporates regulations and standards to implement Senate Bill 9; and

**WHEREAS**, Section 65915 of the Government Code was amended to expand the definition of residential care facilities for the elderly such that the approval of residential density bonus and density incentives are required for such projects; and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on December 10<sup>th</sup> 2024 to consider evidence and testimony regarding the amendment of the Municipal Code.

**WHEREAS**, after due consideration of all materials and testimony, and using its independent judgment, the Planning Commission recommends City Council adopt the attached ordinance (Exhibit A).

**NOW, THEREFORE, BE IT RESOLVED** by the City of Suisun City Planning Commission, exercising its independent judgment as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. The Planning Commission further recommends the City Council finds and concludes that the zoning text amendment is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) which establishes that where it can be seen with certainty that there is no possibility that a project may have a significant effect on the environment the project is exempt from review under CEQA; and
3. This resolution is effective immediately upon adoption.

The motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and adopted this 10<sup>th</sup> day of December, 2024, by the following vote:

AYES:           Commissioners:  
NOES:           Commissioners:  
ABSENT:       Commissioners:  
ABSTAIN:       Commissioners:

\_\_\_\_\_  
Commission Secretary

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY,  
CALIFORNIA, AMENDING VARIOUS SECTIONS OF TITLE 18 (ZONING) OF  
THE SUISUN CITY MUNICIPAL CODE**

**WHEREAS**, Section 1.01.050 of the Suisun City Municipal Code provides for amendments to the Suisun City Municipal Code by the City Council; and

**WHEREAS**, Title 18, Chapter 18.82 – Amendments of the Suisun City Municipal Code provides for the amendment of the Title by changing the text whenever the public necessity, convenience, or general welfare requires such amendment; and

**WHEREAS**, this proposed Zoning Ordinance amendment was considered by the City Council of the City of Suisun City at its regular meeting of \_\_\_\_\_, 2025; and

**WHEREAS**, a public notice describing the proposed amendments to the Suisun City Zoning Ordinance relative to Title 18 was published in the Daily Republic, a newspaper of general circulation, in accordance with 6061 or the California Government Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUISUN CITY,  
CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council hereby approves the proposed changes to the text of the Suisun City Municipal Code amending 18.47 “Residential Density Bonus and Density Incentives” Section 18.47.030 “Definitions” and adding 18.08.080 “Two Unit Project”, 18.08.090 “Urban Lot Split”, and 18.08.095 “Definitions”. Changes are shown by strike-through and new text is bold underscored to read as follows:

**[Chapter 18.47 RESIDENTIAL DENSITY BONUS AND DENSITY INCENTIVES]**

**18.47.030 Definitions.**

“Residential care facility for the elderly” means a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, or personal care are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility.

Persons under 60 years of age with compatible needs may be allowed to be admitted or retained in a residential care facility for the elderly. A residential care facility for the elderly shall be considered a residential use of property and shall be permitted in all zones permitting residential uses, subject to compliance with the restrictions and development standards for other residential dwellings in the same zone. This definition shall be operative only until the enactment of legislation implementing the three levels of care in residential care facilities for the elderly pursuant to Section 1569.70 of the California Health and Safety Code.

“Shared housing unit” One or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the “minimum room area” specified in Section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of “guestroom” in Section R202 of the California Residential Code. Shared housing unit for purposes of a residential care facility for the elderly includes a unit without an individual kitchen where a unit may be shared by unrelated persons, and a unit where a room that may be shared by unrelated persons meets the minimum room area requirements of “shared housing unit”.

#### **18.08.080 – Two Unit Senate Bill (SB) 9 Project.**

The purpose of this section is to facilitate the development of new residential housing units consistent with the provisions of State law as reflected in Government Code Sections 65585, 65852.21, and 66411.7 et seq., and to establish an application and approval process for Two Unit SB 9 Projects. In cases of conflict between this section and any other provision of this Title, the provisions of this section shall prevail.

A. A Two Unit SB 9 Project (meaning two attached or detached units on a property, as described further, below) shall be ministerially approved by staff if it meets all the following requirements:

1. The parcel is located within the Low-density residential (RL) or Medium-density residential (RM) zoning district or in a Specific Plan on property intended for residential development.
2. The parcel is not located in any of the following:
  - a. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by an approved local ballot measure.
  - b. Wetlands, as defined in the United States Fish and Wildlife Service Manual, part 660 FW 2 (June 21, 1993).
  - c. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Public Resources Code Section 4202. This subparagraph does not apply to sites excluded from the specified hazard zones by the city, pursuant to subdivision (b) of Section 51179 of the Government Code, or sites that have adopted fire hazard mitigation

measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

- d. A hazardous waste site that is listed pursuant to Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section 25356, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
- e. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5, commencing with Section 18901, of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code.
- f. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfied this subparagraph, the city shall not deny the application on the

basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met (1) the site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or (2) the site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter 1 of Title 44 of the Code of Federal Regulations.

- g. Within a regulatory floodway as determined by FEMA in any official maps published by FEMA, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
- h. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10, commencing with Section 2800, of Division

3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

- i. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec 1531 et seq.), the California Endangered Species Act (Chapter 1.5, commencing with Section 2050n, of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10, commencing with Section 1900, of Division 2 of the Fish and Game Code).
- j. Lands under conservation easement.

3. The Two Unit SB 9 Project Application would not require demolition or alteration of any of the following types of housing:

- a. Housing subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
- b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
- c. Housing that has been occupied by a tenant in the last three years.

4. The parcel is not a parcel on which an owner of residential real property has exercised the ownership rights under Government Code Section 7060 et seq. to

withdraw accommodations from rent or lease within 15 years before the date that the applicant submits an SB9 Application.

5. The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, or within a site that is designated or listed as a city landmark or historic property or district by local ordinance.

6. The Two Unit SB 9 Project meets all other requirements of this Section.

B. A Two Unit SB 9 Project shall be processed consistent with Section 18.76.020 – Administrative site plan review required.

1. Within 60 days of submittal of a complete application, the Development Services Director (or his/her designee) shall review and approve complete applications that are in compliance with the requirements of this Section and the underlying development standards in the zoning district or specific plan in which it is located, and any other applicable objective development standards stated in the Municipal Code. Provisions of this section shall supersede where any conflict exists. If the Director has not approved or denied the completed application within 60 days, the application shall be deemed approved.

2. Two Unit SB 9 Projects shall meet the following requirements:

a. The Project Application is consistent with Section 18.08.080 A.;

b. The side and rear setbacks of each unit are at least four (4) feet;

c. The front setback meets the standard of the underlying zoning district or specific plan requirements;

- d. The architectural style, materials, and color palettes of each unit are similar and compatible;
  - e. One offstreet parking space is provided for each unit, unless:
    - i. The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code;  
or
    - ii. There is a car share vehicle located within one block of the parcel.
  - f. A restrictive covenant shall be recorded upon approval of the project precluding the rental of either unit for a term less than 30 days;
  - g. Each dwelling unit shall have access, provide access to, or adjoin the public right of way. Accessibility shall be in conformance with the Building Code and Americans with Disability Act and shall not preclude construction of future public improvements.
3. If the Project is a Two Unit SB 9 project to be constructed on a site created by an SB 9 Urban Lot Split, no ADU or JADU may be constructed in addition to the project's two units.
4. Fees for Two Unit SB 9 Projects shall be the same as those assessed for other residential construction projects.
- C. Notwithstanding an SB 9 Project's compliance with the above, the Director shall deny a complete application if the City's Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed Two Unit SB 9

Project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety, for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

**18.08.090 – Senate Bill (SB) 9 Urban Lot Split.**

The purpose of this section is to appropriately regulate qualifying SB 9 urban lot split developments on property intended for single family residential development in accordance with California Government Code Section 66411.7 and to establish an application and approval process for such projects. In cases of conflict between this section and any other provision of this Title, the provisions of this section shall prevail.

- A. An SB 9 Urban Lot Split shall be ministerially approved by the Development Services Director or his/her designee within 60 days of the date of submission of a complete application if it meets all the following requirements:
1. The parcel is located within the Low-density residential (RL) or Medium-density residential (RM) zoning district or in a Specific Plan on property intended for residential development;
  2. The Project Application is consistent with Section 18.08.080 A.;
  3. The Project will create no more than two (2) new parcels and each of the newly-created parcels meets the following requirements:
    - a. Is at least 40% of the lot area of the parcel being divided;
    - b. Is at least 1200 square feet in size;

- c. Allows for the construction of a unit not less than 400 square feet and not greater than 1200 square feet, with side and rear setbacks not less than (4) feet;
  - d. Has access to or adjoins the public right-of-way, sufficient to allow development on the parcel to comply with any property access requirements under the California Fire Code Section 503 and Title 14, California Code of Regulations Section 1273.00 et seq., when applicable to the parcel;
  - e. Allows for the construction of one offstreet parking space, unless:
    - i. The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code;  
or
    - ii. There is a car share vehicle located within one block of the parcel.
  - f. The Project includes a covenant to be recorded upon approval precluding the rental of either unit for a term less than 30 days;
  - g. The proposed new parcels are intended for exclusively residential use
4. If the Two Unit SB 9 project is intended to be constructed on a site created by an SB 9 Urban Lot Split, no ADU or JADU may be constructed in addition to the project's two units.
5. The owner of the parcel to be subdivided signs an affidavit under penalty or perjury declaring all of the following to be true:

- a. The housing units proposed to be demolished or altered (if any) have not been occupied by a tenant at any time within three years of the date of application for an Urban Lot Split;
- b. The owner of the parcel intends to occupy one of the housing units as their principal residence for a minimum of three (3) years from the date of approval of the Urban Lot Split. (Ownership is not required if the owner is a community land trust or qualified nonprofit corporation under Sections 214.5 or 402.1 of the Revenue and Taxation Code.)
- c. The owner has not previously subdivided an adjacent parcel using an Urban Lot Split.
- d. The owner has not previously acted in concert with any person to subdivide an adjacent parcel using an Urban Lot Split. (“Acted in concert” means that the owner, or a person acting as an agent or representative of the owner, knowingly participated with another person in a joint activity or parallel action toward a common goal of subdividing the adjacent parcel.)

B. SB 9 Urban Lot Splits are not permitted on parcels:

- 1. Described in Section 18.08.080.A;
- 2. Created by a prior SB 9 Urban Lot Split;
- 3. Containing more than two existing units.

C. All provisions of the Subdivision Map Act and the City of Suisun City Municipal Code shall apply unless expressly modified in this section.

1. No dedication of right-of-way or construction of offsite improvements shall be required as a condition of SB 9 Urban Lot Split parcel map approval.
  2. If the SB 9 Urban Lot Split is proposed on a public street that has not been dedicated to its ultimate width, public access and utility easements shall be recorded as a condition of parcel map approval.
  3. Correction of nonconforming zoning conditions shall not be required as a condition of ministerial approval.
- D. Notwithstanding an SB 9 Project's compliance with the above, the Director shall deny a complete application if the City's Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed Two Unit SB 9 Project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety, for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

#### **18.08.095 – SB 9 Definitions**

The following definitions are applicable to SB 9 Two Unit Projects and Urban Lot Splits:

“Adjacent parcel.” A parcel of land that is touching the subject parcel at any point, separated from the subject parcel by only a public right-of-way, private street or way, or public or private utility access easement.

“Car share vehicle.” A motor vehicle that is operated as part of a fleet by a public or private car-sharing company or organization and provides hourly or daily service.

“Common Ownership or Control.” Property owned or controlled by the same person, persons, or entity, or by separate entities in which any shareholder, partner, member, or family member of an investor of the entity owns ten (10) percent or more of the interest in the property.

“Lower-Income Household.” A household described by the meaning set forth in California Health and Safety Code Section 50079 et seq.

“Major Transit Stop.” A site containing any of the following: 1) an existing rail or bus rapid transit station; 2) a ferry terminal served by either a bus or rail transit service; or 3) the intersection of two (2) or more major bus routes with frequency of service intervals of 15 minutes or less during morning and evening peak commute periods.

“Moderate-Income Household.” A household described by the meaning set forth in California Health and Safety Code Section 50093 et seq.

“SB 9 Project or SB 9 Application.” A project application submitted to the City in accordance with Section 18.08.080 or Section 18.08.090 of this Title to: 1) Split a qualifying single-family residential zoned parcel into two (2) lots; or 2) Develop no more than two primary units on a single lot.

“Two Unit SB 9 Development.” A development that proposes no more than two new primary residential units (or proposes to add one new primary residential unit to one existing primary residential unit) that meets all the criteria and standards set forth in Section 18.08.080 of this Title.

“Urban Lot Split.” Subdivision of an existing parcel into no more than two (2) separate parcels that meets all the criteria and standards set forth in Section 18.08.090 of this Title.

“Very Low-Income Household.” A household described by the meaning set forth in California Health and Safety Code Section 50105 et seq.

**SECTION 2.** This ordinance amendment is categorically exempt from environmental review under Section 15061 (b)(3) of the State CEQA Guidelines. The proposed text amendments are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**SECTION 3.** This Ordinance shall be in full force and effect thirty (30) days after its adoption following second reading.

**SECTION 4.** The City Clerk is hereby authorized and directed to certify as the passage of this Ordinance and to give notice thereof by causing copies of this Ordinance to be posted in three public places throughout the City, or published in a county newspaper that is circulated in the City, within 15 days after its passage, there being no newspaper of general circulation printed and published within the City.

[SIGNATURES ON FOLLOWING PAGE]

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council of the City of Suisun City, California, on this \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Anita Skinner,  
City Clerk

**CERTIFICATION**

I, Anita Skinner, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on \_\_\_\_\_, and regularly passed and adopted at a regular meeting of said City Council held on \_\_\_\_\_, by the following vote:

**AYES:** Councilmembers: \_\_\_\_\_  
**NOES:** Councilmembers: \_\_\_\_\_  
**ABSENT:** Councilmembers: \_\_\_\_\_  
**ABSTAIN:** Councilmembers: \_\_\_\_\_

**WITNESS** my hand and the seal of said City this \_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Anita Skinner,  
City Clerk



DATE: 12/10/2024  
TO: PLANNING COMMISSION  
FROM: JOHN KEARNS, PRINCIPAL PLANNER  
RE: WALMART EXPANSION PROJECT – 350 WALTERS ROAD

Files:  
SP/AR 24/25-003

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### SUMMARY

The Walmart Expansion Project involves the physical expansion of the existing Walmart store located at 350 Walters Road. The proposed project will include a 3,053 square foot expansion on the eastern side of the building. The expanded area will be utilized as storage for Walmart's online pickup order program. Additionally, Walmart is proposing to make parking lot improvements as well as repaint the building and revise signage.

### STAFF RECOMMENDATION

Staff recommends that the Planning Commission conduct a public hearing, for the building expansion at 350 Walters Road:

1. Find the Project is Exempt from the California Environmental Quality Act (CEQA) Per Section 15303 for the Walmart Expansion located at Assessor's Parcel Numbers 0173-830-020.
2. Adopt Resolution No. PC24-\_\_\_; A Resolution of the Planning Commission of the City of Suisun City Approving Site Plan/Architectural Review No. SP/AR 24/25-003 for the Walmart Building Expansion Project Located at 350 Walters Road (Assessor's Parcel Number 0173-830-020).

### BACKGROUND

#### Project Description

In February 2008, the Suisun City Council approved the Walmart development project through the adoption of Resolutions 2008-13 through 15 including the certification of an Environmental Impact Report (EIR). In 2015, an occupancy permit (177,448 square foot building) was issued and the store opened to the public. As stated in the submitted project description (Attachment 2), the applicant describes the project as 3,053 square foot expansion to the eastern side of the building to be utilized as storage for Walmart's online order program. In addition, the applicant indicates that to accommodate the expansion, there will need to be demolition of the existing parking lot and landscape. This will result in 31 newly striped parking spaces for the online pickup program as well as 7 new trees and a new light standard in this area. As for the exterior, the applicant is showing a gray color scheme opposed to the existing brown scheme. Lastly, the applicant is proposing to revise the onsite building signage and pylon signage.

## DISCUSSION/ANALYSIS

The proposed project includes a 3,053 square foot expansion to an existing 177,448 square foot building as well as both exterior building improvements as well as site improvements. Due to the history of the original project, planning staff felt it was necessary to bring the proposed expansion directly to the Planning Commission for consideration even though Title 18 “Zoning” provides the Development Services Director approval authority. Below is an analysis of the project conformance to the General Plan and Zoning Code as well as proposed conditions of approval for Planning Commission consideration.

### General Plan/Zoning

The project location is designated as Commercial Mixed Use in the Suisun City General Plan with a Zoning classification of Commercial Retail (CR) on the Suisun City Zoning Map. The current zoning has been in place since the original project’s approval in 2008. The proposed project meets all applicable zoning standards (height, setbacks, etc.) with the exception of a strict application of the parking requirements. Below is a table provided by the applicant indicating the existing conditions and post-projects result on parking onsite.

Parking Information				
Walmart Building Information		Suisun City Req.	Walmart Standard	Total Spaces (Onsite)
Walmart	Square Footage	Spaces	Spaces	Spaces
Existing	177,448	888 spaces (5/1,000)	710 spaces (4/1,000)	817 spaces
Proposed	180,501	903 spaces (5/1,000)	723 spaces (4/1,000)	815 spaces

The applicant has provided an explanation regarding Walmart’s standard as well as how the parking should be viewed as a part of the proposed expansion project. Until 2016, Walmart had a standard of 5 spaces / 1,000 SF, but in 2016 changed their parking standard to be 4 spaces / 1,000 SF. This change was due to an increase in their online shopping platform. While the needed ratio has dropped further since then due to the pickup platform Walmart has still determined that 4.0 is sufficient to meet the parking needs for their supercenters. With the proposed project (and as reflected in the table above) the project would provide a shortage of 88 spaces. However, staff has determined this is appropriate for the following reasons:

- (1) the proposed parking for the online pickup will be on the side of the store in a typically under-utilized portion of the parking lot; and
- (2) according to information provided in the application, a customer who uses the online grocery pickup stall is at that stall for a maximum of 5-10 minutes versus a customer who goes into the store is parked for an average of 30+ minutes. The shorter duration of time will lead to more availability of those spaces; and

- (3) the sales floor area of Walmart is 147,383 SF. If the 5 space/1,000 SF parking ratio was calculated based on this number, 737 parking stalls would be required, which the site exceeds with 815 stalls.

As the analysis provides, existing conditions and post-project both result in less parking spaces than required by the Zoning Code. However, through observation of the conditions since the opening of the store as well as the shift in how customers use the store, planning staff feels the parking provided meets the intent of the zoning code and will not provide a burden on adjacent land uses.

#### Proposed Conditions of Approval

As stated in the project description, the proposed project includes a physical building expansion as well as some exterior and site improvements. Following review of the project, the following conditions of approval are being recommended to the Planning Commission for consideration:

1. The applicant or applicants successor in interest shall indemnify, defend and hold harmless the City of Suisun City it's agents, officers, and employees from any and all claims, actions or proceedings against the City of Suisun City, its agents, officers, and employees to attach, set aside, void or annul, any approval by the City of Suisun City and its advisory agency, appeal board, or legislative body concerning this application which action is brought within applicable statutes of limitations. The City of Suisun City shall promptly notify the applicant or applicant's successor in interest of any claim or proceedings and shall cooperate fully in the defense. If the City fails to do so, the applicant or applicant's successor in interest shall not thereafter be responsible to defend, indemnify or hold the City harmless. This condition may be placed on any plans, or other documents pertaining to this application.
2. The use shall be constructed in accordance with the information presented (except as otherwise identified in the Conditions of Approval) and shall conform to all requirements of the City of Suisun City Code including but not limited to the Uniform Building Code as adopted by the City of Suisun City.
3. Approval of this permit will be effective, provided no appeals are received within 10 calendar days of the Planning Commission meeting date of December 10, 2024, and that the property owner and the applicant signatures are obtained affirming that they have read and understand the Conditions of Approval for the Site Plan/Architectural Review Permit No. SP/AR 24/25-003 and agree to comply with the conditions.
4. The applicant shall comply with all applicable Federal, State, and local codes including, but not limited to, the Uniform Building Code, Fire Code and County Health Department guidelines as interpreted by the County Health Inspectors.
5. All the proposed improvements, including landscape installation shall be completed prior to issuance of any business license or Certificate of Occupancy.
6. A sign permit is to be submitted to and approved by the Development Services Department prior to installation of any signage on the property.
7. The applicant is to provide a final landscape plan for the review and approval of the Development Services Director (or his/her designee).

8. The final color scheme and materials are to be approved by Development Services Director (or his/her designee).
9. All exterior lighting shall be downcast.
10. Construction of the project and use of the property shall be in substantial conformance with the approved plans including the project description. Any deviation will need to be submitted to the Development Services Director to determine whether further Planning Commission consideration is necessary.
11. Installation of tree root barriers along the eastern perimeter of the proposed landscape strip is required.
12. Construction drawings must provide a callout/note to protect the existing storm drainpipe.

#### Required Findings for Site Plan/Architectural Review

In order for the Planning Commission to approve a Site Plan/Architectural Review application, specific findings are required to be made. These findings assure consistency with applicable regulatory plans and compatibility with adjacent land uses and residents. Below are the required findings:

1. That the proposed project along with the proposed conditions under which it would be operated or maintained will be consistent with Title 18 “Zoning” of the Suisun City Municipal Code.
2. That the proposed project along with the proposed conditions under which it would be operated or maintained will be consistent with the General Plan.
3. That the proposed project will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the City.
4. That the proposed project is exempt from the California Environmental Quality Act per Section 15303 (New Construction or Conversion of Small Structures) (California Public Resources Code section 21000, *et seq.*) and the Guidelines thereunder (14 California Code of Regulations section 15000, *et seq.*) (collectively, “CEQA”).

In evaluating the above findings, staff has determined each of the findings can be made by the Planning Commission when taking into account the project description, Purpose and Intent of both the Commercial Mixed Use General Plan Designation and Commercial Retail District of Title 18 “Zoning” as well as the proposed conditions of approval included as Attachment 1 Exhibit A.

#### **CEQA REVIEW**

Subsequent to the filing of the Project Applications, the City performed an environmental assessment pursuant to the requirements of the California Environmental Quality Act (California Public Resources Code section 21000, *et seq.*) and the Guidelines thereunder (14 California Code of Regulations section 15000, *et seq.*) (collectively, “CEQA”), and determined the Project Approvals were subject to exemptions pursuant to CEQA Guidelines Section 15303 ((New Construction or Conversion of Small Structures) as the proposed project would be adding less than 2% to the existing building footprint.

## **ATTACHMENTS**

1. PC24-\_\_\_: A Resolution of the Planning Commission of the City of Suisun City Approving Site Plan/Architectural Review No. SP/AR 24/25-003 for an Expansion of the Walmart Store Located at 350 Walters Road (Assessor's Parcel Number 0173-830-020)
  - a. Project Description
  - b. Project Plans
  - c. Conditions of Approval

**RESOLUTION NO. PC 24-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUISUN CITY APPROVING SITE PLAN/ARCHITECTURAL REVIEW NO. SP/AR 24/25-003 FOR AN EXPANSION OF THE WALMART STORE LOCATED AT 350 WALTERS ROAD (ASSESSOR'S PARCEL NUMBER 0173-830-020)**

**WHEREAS**, Kimley-Horn on behalf of Walmart Stores Inc. (hereinafter referred to as Applicant) filed an application with the City of Suisun City for Site Plan/Architectural Review for a 3,097 square foot building (hereinafter referred to as Project), described as Exhibit A (Project Description) and shown as Exhibit B (Project Plans) located on the eastern side of the existing Walmart store at 350 Walters Road (Assessor's Parcel Numbers: 0173-830-020) and

**WHEREAS**, the applicant has met all applicable requirements under State law and City ordinances related to this development plan; and

**WHEREAS**, the Planning Commission is required to consider and take final action on this development application; and

**WHEREAS**, the Planning Commission of the City of Suisun City did conduct on December 10, 2024, a properly noticed public hearing pursuant to Government Code Section 65090 and has considered all written and verbal testimony presented during the hearing.

**WHEREAS**, the Planning Commission of the City of Suisun City hereby makes the following findings:

1. That the proposed project along with the proposed conditions under which it would be operated or maintained will be consistent with Title 18 "Zoning" of the Suisun City Municipal Code in that the project is retail in nature within the Commercial Retail District, consistent with all applicable zoning regulations and will and help expand an existing business.
2. That the proposed project along with the proposed conditions under which it would be operated or maintained will be consistent with the General Plan in that the project meets the goals of expanding retail and generating sales tax revenue as well as expansion of an existing business.
3. That the proposed project will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the City. The project has taken into account surrounding land uses as well as onsite factors such as internal circulation so as not to provide any negative impacts.
4. That the proposed project is exempt from the California Environmental Quality Act per Section 15303 (New Construction or Conversion of Small Structures) (California Public Resources Code section 21000, *et seq.*) and the Guidelines thereunder (14 California Code of Regulations section 15000, *et seq.*) (collectively, "CEQA"). The original project was approved with the certification of an Environmental Impact Report. This expansion project provides for a less than 2% increase in building footprint which staff finds negligible when considering its CEQA determination.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Suisun City hereby approves the Site Plan/Architectural Review application subject to Exhibit C - Conditions of Approval, attached hereto and by this reference incorporated herein.

The forgoing motion was made by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ and carried by the following vote:

AYES:	Commissioners:
NOES:	Commissioners:
ABSENT:	Commissioners:
ABSTAIN:	Commissioners:

**WITNESS** my hand and the seal of said City this 10<sup>th</sup> day of December 2024.

---

Bianca Vasquez, Commission Secretary

Exhibit A: Project Description, Submitted by Kimley-Horn

Exhibit B: Project Plans  
    Site Plan  
    Floor Plan  
    Demolition Plan  
    Landscape Plan  
    Elevations

Exhibit C: Proposed Conditions of Approval

December 3, 2024

## **Walmart Building Expansion Project**

350 Walters Rd

Suisun City, CA 94585

### **Project Description**

The proposed project will consist of improvements to the existing Walmart Supercenter at 350 Walters Rd. A 3,053 SF building expansion located on the eastern end of the supercenter is proposed. The building expansion will be utilized as storage area for Walmart's online pickup order program.

### **Civil Scope of Work**

#### **DEMOLITION:**

- Remove 7 existing trees
- Remove existing landscaping, sidewalk and asphalt paving as shown on the preliminary demolition plan for the proposed building expansion
- Remove and reroute portion of existing underground electrical line
- Remove existing online grocery pickup signage and striping
- Remove existing underground storm drain lines from existing roof drainage
- Remove existing accessible signage and striping

#### **PROPOSED:**

- 3,053 SF building expansion
- Proposed asphalt paving, landscaping and concrete sidewalk
- 31 online pickup order parking stall striping and signage
- 1 proposed light pole
- 7 proposed trees
- Proposed accessible parking stall striping and signage
- Mill and overlay for accessible parking stall areas to ensure ADA compliance
- Refresh stop bar, directional arrow and crosswalk striping
- Proposed storm drain line for roof drainage

### **Architectural Scope of Work**

#### **EXTERIOR:**

- REMOVE 12 BOLLARDS AT FRONT ENTRANCES, INSTALL 12 NEW BOLLARDS AS SHOWN. REPLACE CONCRETE AND TRUNCATED DOMES AS REQUIRED.
- ADD 3,053 SQ FT BUILDING EXPANSION AS SHOWN.
- REMOVE PLANTERS, CURBS, DOORS, AND WALLS AS SHOWN FOR NEW BUILDING EXPANSION.

#### **EXTERIOR WALLS:**

- CLEAN, PREP AND PAINT AS SHOWN.
- REPLACE AND INSTALL EXTERIOR SIGNAGE AS SHOWN.

## SALES FLOOR:

- MOVE LOCATION OF ELECTRONICS DESK AND ADD DIGITAL DISPLAY BOARDS. CLEAN, PREPARE AND PAINT WALLS.
- REPAIR AND REPLACE FLOOR FINISHES AS SHOWN.

## ROOF:

- ADD NEW RCU'S/RTU'S AND ROOF TOP EQUIPMENT.

## RESTROOMS:

- REFURBISH FAMILY RESTROOM AND CUSTOMER RESTROOMS.
- REPLACE SINKS AND ACCESSORIES.
- NEW PLUMBING FIXTURES, ACCESSORIES AND FINISHES.

## CUSTOMER SERVICE:

- REMODEL AS NOTED. NEW FINISHES AND ADD DIGITAL DISPLAYS.
- RESURFACES MILLWORK TOPS AND FACES AS SHOWN.

## CUSTOMER CHECK OUT AREA:

- REVISE LOCATION OF CASH REGISTERS AND OTHER EQUIPMENT.
- ADD REFRIGERATED CASES.

## PHOTO LAB:

- ADD NEW AS SHOWN.

## VISION CENTER

- REMODEL AS SHOWN. ADD VISION CENTER GATES. ADD NEW CASEWORK AND LIGHTING.

## PHARMACY

- REMODEL AS SHOWN. REMOVE EXISTING WALLS AND DOORS. ADD NEW MODULAR WALLS, DOORS, AND SIGNAGE. ADD NEW CASEWORK AND LIGHTING.

## ENTRY VESTIBULE:

- CLEAN AND PAINT, NEW FINISHES.

## REAR OFFICES:

- PREPARE AND PAINT WALLS AS SHOWN,
- RESURFACE MILLWORK TOPS IN OFFICES.

## BREAK ROOM:

- REMODEL, INSTALL FIXTURES, NEW FINISHES.

## GARDEN CENTER:

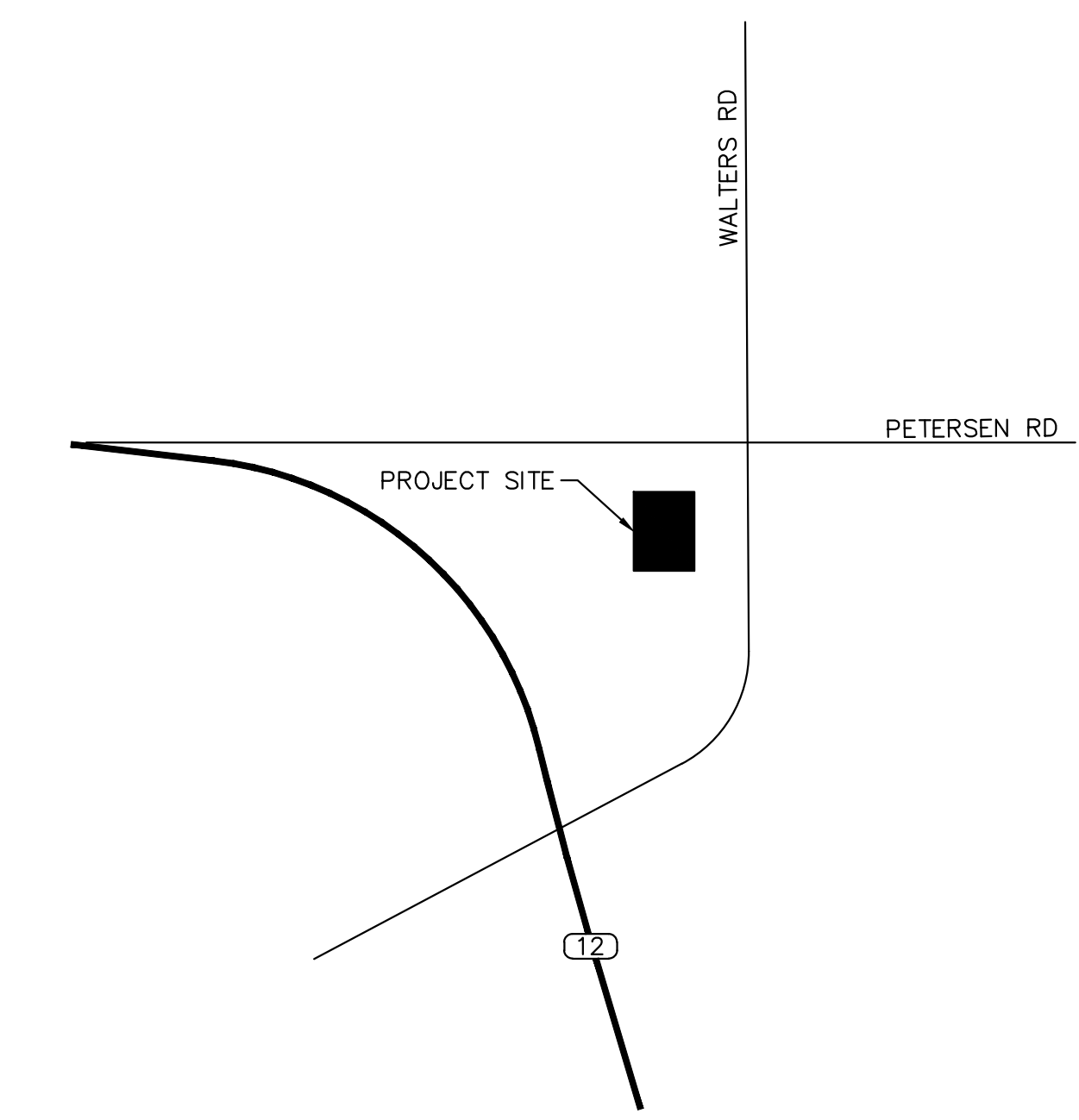
- PAINT AS SHOWN AND CLEAN.

## GROCERY:

- REMODEL, AND NEW FINISHES.
- REMOVE REFRIGERATED CASES AND EQUIPMENT.
- ADD REFRIGERATED CASES, EQUIPMENT AND DIGITAL DISPLAYS.

## ONLINE PICK UP:

- RELOCATE EXISTING OPERATIONS TO EXPANSION.
- IMPLEMENT PICKUP 2.0 AND REMODEL EXISTING PICKUP AREA.



### LEGEND

	PROPERTY LINE
	EXISTING EASEMENT LINE
	EXISTING RIGHT OF WAY LINE
	CENTERLINE
-SS-	EXISTING SEWER LINE
SD	EXISTING STORM DRAIN LINE
W	EXISTING WATER LINE
U/E	EXISTING UNDERGROUND ELECTRICAL LINE
SD	PROPOSED STORM DRAIN LINE
U/E	PROPOSED UNDERGROUND ELECTRICAL LINE
	ACCESSIBLE ROUTE (LOCATION ONLY, DO NOT PAINT)

Diagram illustrating four proposed improvements for the intersection:

- PROPOSED MILL AND OVERLAY
- PROPOSED ASPHALT PAVEMENT
- PROPOSED LANDSCAPING
- PROPOSED CONCRETE PAVEMENT

## DATA SUMMARY

ZONE:	CR - COMMERCIAL RETAIL			
LOT SIZE:	18.60 ACRES			
FLOOD ZONE:	ZONE X - 0.2% ANNUAL CHANCE FLOOD HAZARD. AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE.			
<u>EXISTING LOT COVERAGE</u>				
TOTAL SITE AREA:	810.404	SQ.FT.	(18.60 AC)	100%
BUILDING AREA:	177.448	SQ.FT.	(4.07 AC)	21.9%
IMPERVIOUS AREA:	474.664	SQ.FT.	(10.90 AC)	61.5%
LANDSCAPE AREA:	158.292	SQ.FT.	(3.63 AC)	19.5%
FLOOR AREA RATIO:				21.9%

<u>PROPOSED LOT COVERAGE</u>				
TOTAL SITE AREA:	810,404	SQ.FT.	(18.60 AC)	100%
BUILDING AREA:	180,545	SQ.FT.	(4.14 AC)	22.2%
IMPERVIOUS AREA:	472,721	SQ.FT.	(10.86 AC)	59.1%
LANDSCAPE AREA:	157,138	SQ.FT.	(3.60 AC)	18.7%
FLOOR AREA RATIO:				22.3%

**STIPULATION FOR REUSE**

THIS DRAWING WAS PREPARED FOR USE ON A SPECIFIC SITE AT: **SUNSHINE CITY, CALIFORNIA** WITH ITS ISSUE DATE ON **06/10/24** AND IT IS NOT SUITABLE FOR USE ON A DIFFERENT PROJECT SITE OR AT A LATER TIME. IT IS AN EXAMPLE OF ANOTHER PROJECT THAT REQUIRES THE SERVICES OF PROPERLY LICENSED ARCHITECTS AND ENGINEERS. REPRODUCTION OF THIS DRAWING FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION AND MAY BE CONTRARY TO THE LAW.

CONSULTANTS

**Kimley»Horn**

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PHONE: 781-533-1000  
WWW.KIMLEY-HORN.COM

Walmart\*

SUISUN CITY, CA

350 WALTERS RD

STORE NO: 03708 - 282

JMBER: 2023.0777 | PROTO:


[illegible]

CHECKED BY:	JG
DRAWN BY:	MF
PROTO CYCLE:	02/23/24
DOCUMENT DATE:	06/10/24

NOT FOR  
CONSTRUCTION

DIRECTIONAL SIGN SCHEDULE		
ARROW	NUMBER	MOUNTING TYPE
Directional Left	2	Pole
Directional Right	3	Pole
Directional Straight	4	Pole

## SIGNAGE LEGEND

DIRECTIONAL SIGN —  SIGN ARROW DIRECTION  
L=LEFT  
R=RIGHT  
S=STRAIGHT

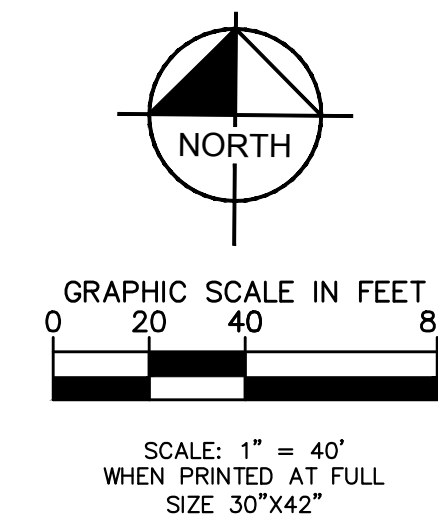
## OVERALL SITE PLAN

SCALE: 1" = 40'

PARKING INFORMATION										
WALMART BUILDING INFO		AHJ PARKING REQUIRED	WALMART PARKING REQUIRED	REGULAR PARKING STALLS PROVIDED	OPD PARKING STALLS PROVIDED	ADA PARKING STALLS PROVIDED (VAN)	CART CORRAL STALLS PROVIDED	TOTAL STALLS PROVIDED	TOTAL AHJ PARKING RATIO	TOTAL WALMART PARKING RATIO
WALMART	BUILDING SF (1)	SPACES	SPACES	SPACES (2,3)	SPACES (2,3)	SPACES (2,3,4)	SPACES (2,3)	SPACES (2,3)	SPACES (2,3)	SPACES (3)
EXISTING	177,448 SF	888 SPACES (5.00 SP / 1,000 SF)	799 SPACES (4.50 / 1,000 SF)	787	11	19 (5)	32	817	4.60 SP / 1,000 SF	4.60 SP / 1,000
PROPOSED	180,501 SF	903 SPACES (5.00 SP / 1,000 SF)	813 SPACES (4.50 / 1,000 SF)	763	31	19 (5)	30	813	4.50 SP / 1,000 SF	4.50 SP / 1,000

**PARKING INFORMATION NOTES:**

- (1) USABLE FLOOR AREA IS PER INFORMATION SHOWN ON ORIGINAL SITE PLAN SHEET.
- (2) EXISTING PARKING COUNTS ARE BASED ON ORIGINAL CONSTRUCTION PLANS AND A REVIEW OF AVAILABLE AERIAL PHOTOGRAPHS.
- (3) PARKING SPACES OCCUPIED BY CART CORRALS HAVE BEEN EXCLUDED FROM THE PARKING COUNTS AND PARKING RATIOS.
- (4) THE VAN STALL COUNT IS INCLUDED IN THE ADA PARKING STALLS PROVIDED COUNT.

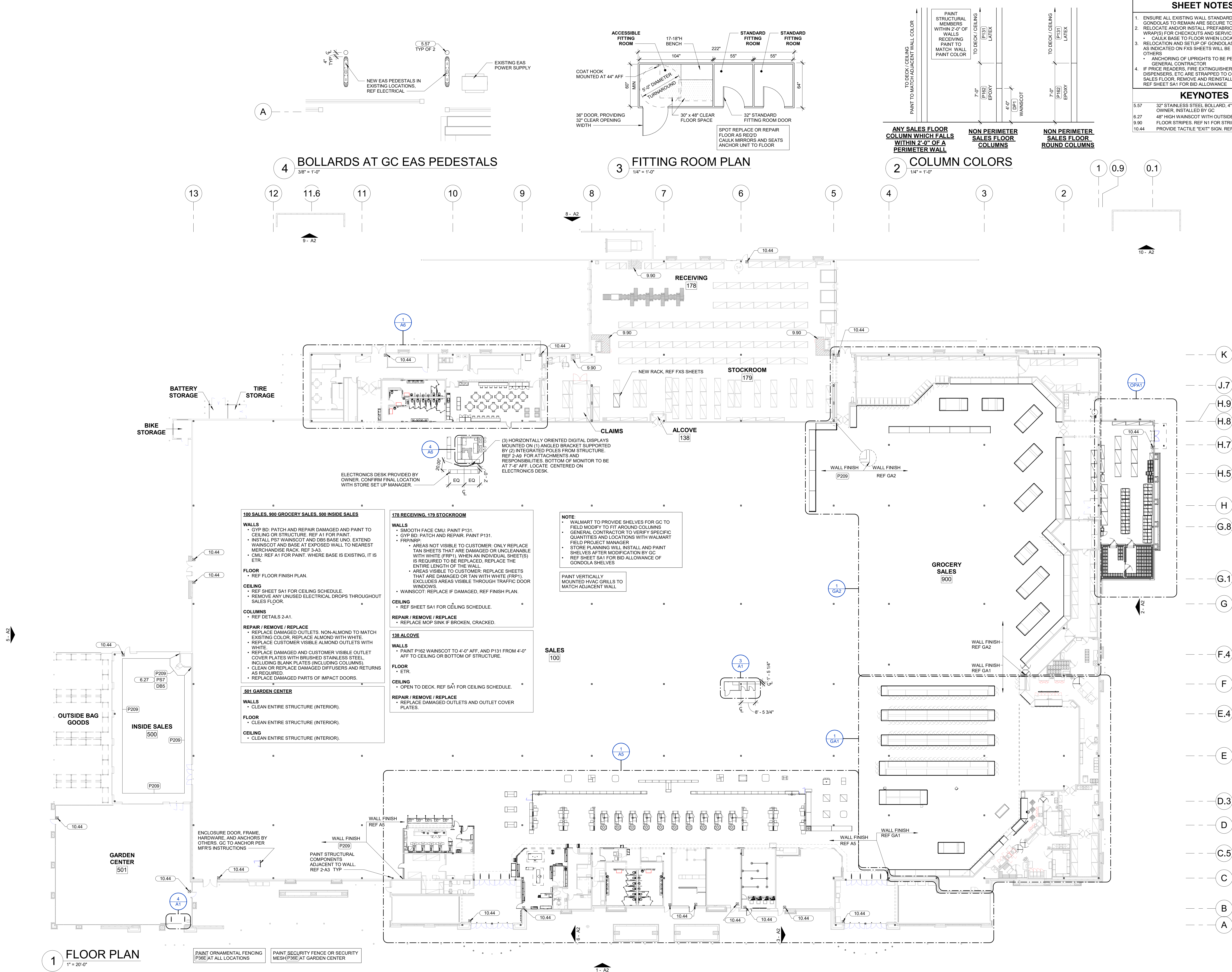
PRELIMINARY  
SITE PLAN

SHEET: **EX-2**

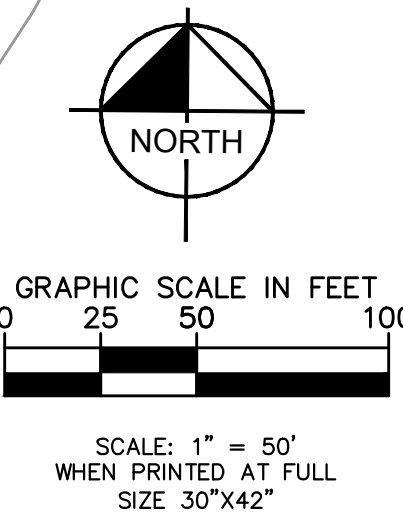
5.57	32" STAINLESS STEEL BOLLARD, 4" OD FURNISHED BY OWNER, INSTALLED BY GC
6.27	48" HIGH WAINSCOT WITH OUTSIDE CORNER TRIM.
9.90	FLOOR STRIPES. REF N1 FOR STRIPING CONDITIONS.
10.44	PROVIDE TACTILE "EXIT" SIGN. REF N1.

## A1

C:\Users\christopherturner\OneDrive - PB2 Architecture and Engineering\Desktop\03708 Sulisun City CA 180 A V22 christopher.turnerVF4XA(Recovery).m







SHEET: L-1

## SHEET NOTES

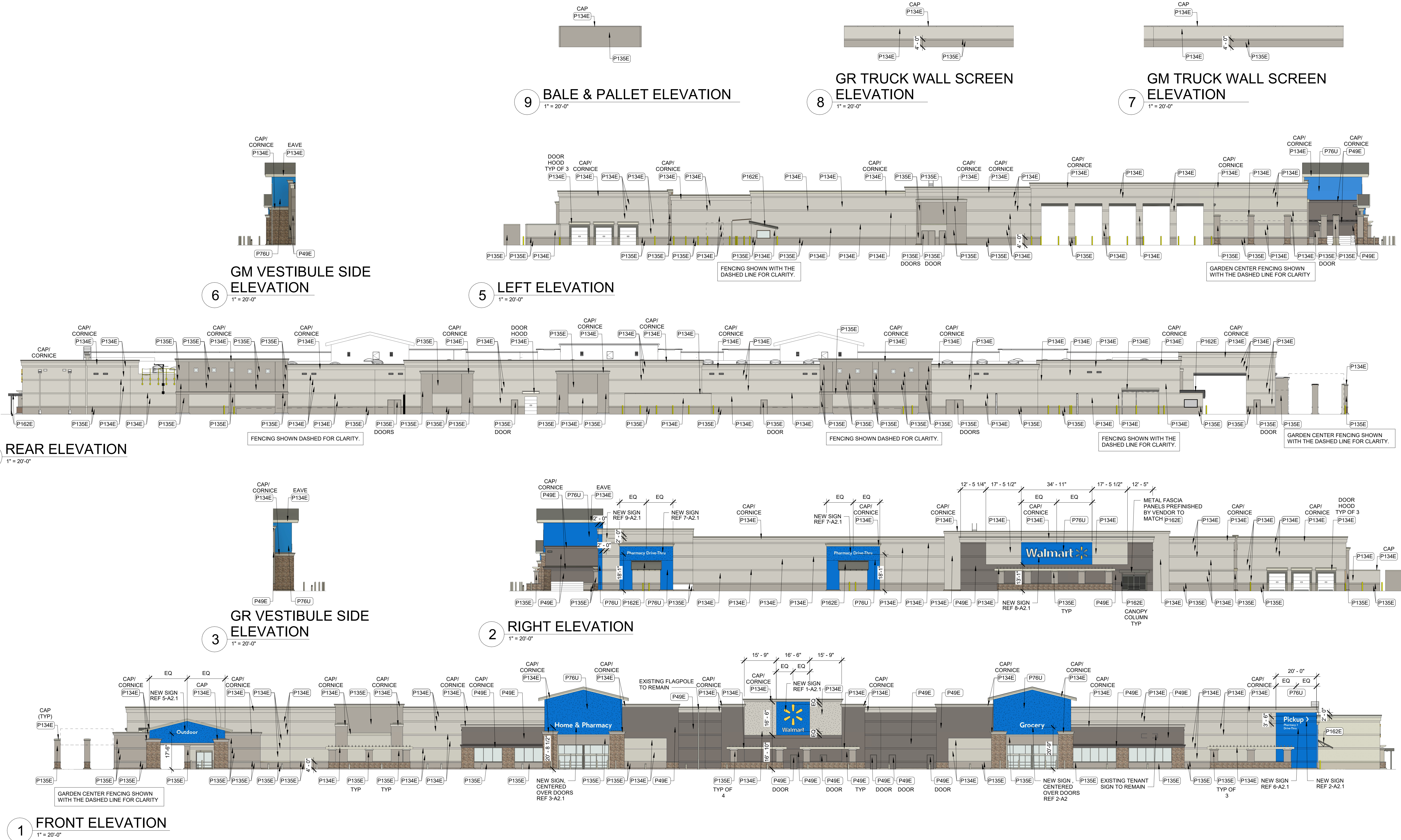
1. PATCH AND REPAIR EXTERIOR WALL SURFACES, DAMAGED OR EXPOSED DUE TO REMOVAL OF BUILDINGS MOUNTED ITEMS, TO MATCH ADJACENT AS REQUIRED.
2. PATCH TO REPAIR EXTERIOR WALL SURFACES TO MATCH FINISH REQUIREMENTS AT ALL LOCATIONS OF BUILDING MOUNTED SIGNS.
3. REMOVE EXISTING ELPD TO NEAREST PLANE WHERE SIGNAGE IS BEING REMOVED OR REPLACED.
4. NOT USED
5. PRIOR TO PAINTING WALL AT LOCATION(S) OF LIT IDILOGO SIGN(S), COORDINATE SCOPE OF WORK WITH WALMART CM.
6. IF PAINTING ADJACENT WALLS PANE, AND DOWNSPOUTS, EXPOSED METAL FLASHING, AND DOWNSPOUTS, REMOVE MISCELLANEOUS STEEL TO MATCH ADJACENT BUILDING COLOR UND.
7. PAINT ANY ROOFING FLASHING TO MATCH FRAME.
8. WHERE EXTERIOR WALL IS BEING PAINTED, GAS PIPE ABOVE SIDE WALL TO GRADE SHALL MATCH ADJACENT BUILDING.
9. DO NOT PAINT METAL ROOF OR VALVES.
10. IF PAINTING ADJACENT WALLS PANT CANOPY STRUCTURAL STEEL AND FLASHING TO MATCH ADJACENT WALL, UND.
11. PAINT CANOPIES, ROOFING TO BE ACCESSED BY CUSTOMERS, PANT UNPAINTED OF CANOPY DECK(P33E) DO NOT PANT CANOPY DECK IF NOT PREVIOUSLY PAINTED.
12. PAINT GRAY BOLLARD SLEEVES AT ALL ENTRANCE BOLLARDS, PANT ALL SAFETY BOLLARDS (PSE), PANT ALL OTHER PAINTED/DECORATIVE BOLLARDS P313E.
13. PAINT ALL EXTERIOR WALL HOUSINGS TO MATCH ADJACENT WALL, REMOVE PANT OVERSPRAY FROM LENSES.
14. DO NOT PAINT LED LIGHT PACK HOUSINGS
15. PAINT GARDEN CENTER SIGNAGE, LIGHT FIXTURES AND FRAMES(P33E)
16. PAINT STEEL DOORS AND FRAMES TO MATCH ADJACENT WALL, IF THERE ARE TWO COLORS AT ADJACENT WALL, USE BOTTOM COLOR FOR ENTIRE DOOR AND FRAME.
17. DO NOT PAINT QUIK-BRICK, STONE VENEER, FACE BRICK, UNPAINTED TILT-WALL OR PRECAST PANELS.
18. PAINT ALL LOCATIONS WHERE SIGNS ARE BEING REPLACED, REMOVE AND PANT AREA BEHIND SIGN TO MATCH EXISTING COLOR, REF. SPEC 09900.
19. PAINT JIB CRANES(HIGH END) TO BOTTOM (PSE) ON HANDRAILS.
20. PAINT SPRINKLER VALVES(P21E)
21. DO NOT PAINT OVER SIGN GLASS OR FIRE ALARM BELL.



CHECKED BY:	GK
DRAWN BY:	CL
PROTO:	180
PROTO CYCLE:	02.23.2024
DOCUMENT DATE:	06.10.2024

## EXTERIOR ELEVATIONS

SHEET: A2







## Exhibit C: Walmart Expansion Conditions of Approval

1. The applicant or applicants successor in interest shall indemnify, defend and hold harmless the City of Suisun City it's agents, officers, and employees from any and all claims, actions or proceedings against the City of Suisun City, its agents, officers, and employees to attach, set aside, void or annul, any approval by the City of Suisun City and its advisory agency, appeal board, or legislative body concerning this application which action is brought within applicable statutes of limitations. The City of Suisun City shall promptly notify the applicant or applicant's successor in interest of any claim or proceedings and shall cooperate fully in the defense. If the City fails to do so, the applicant or applicant's successor in interest shall not thereafter be responsible to defend, indemnify or hold the City harmless. This condition may be placed on any plans, or other documents pertaining to this application.
2. The use shall be constructed in accordance with the information presented (except as otherwise identified in the Conditions of Approval) and shall conform to all requirements of the City of Suisun City Code including but not limited to the Uniform Building Code as adopted by the City of Suisun City.
3. Approval of this permit will be effective, provided no appeals are received within 10 calendar days of the Planning Commission meeting date of December 10, 2024, and that the property owner and the applicant signatures are obtained affirming that they have read and understand the Conditions of Approval for the Site Plan/Architectural Review Permit No. SP/AR 24/25-003 and agree to comply with the conditions.
4. The applicant shall comply with all applicable Federal, State, and local codes including, but not limited to, the Uniform Building Code, Fire Code and County Health Department guidelines as interpreted by the County Health Inspectors.
5. All the proposed improvements, including landscape installation shall be completed prior to issuance of any business license or Certificate of Occupancy.
6. A sign permit is to be submitted to and approved by the Development Services Department prior to installation of any signage on the property.
7. The applicant is to provide a final landscape plan for the review and approval of the Development Services Director (or his/her designee).
8. The final color scheme and materials are to be approved by Development Services Director (or his/her designee).
9. All exterior lighting shall be downcast.
10. Construction of the project and use of the property shall be in substantial conformance with the approved plans including the project description. Any deviation will need to be

submitted to the Development Services Director to determine whether further Planning Commission consideration is necessary.

11. Installation of tree root barriers along the eastern perimeter of the proposed landscape strip is required.
12. Construction drawings must provide a callout/note to protect the existing storm drainpipe.