

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
JUNE 14, 2011**

Chair Lombardo called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Town Clerk Anderson administered the Oath to incoming Commissioner Bridenstine.

Commissioners Present:     Alberg, Bridenstine, Hildebrand, Humphreville and Chair Lombardo

Pledge of Allegiance was led by Chair Lombardo

**APPROVAL OF AGENDA**

Commissioner Alberg moved to approve the agenda. Commissioner Humphreville seconded. Motion carried 5-0 on a voice vote.

**PUBLIC COMMENTS**

None

**PUBLIC HEARINGS**

**1.     CONDITIONAL USE PERMIT, CUP 01-11 NEILSON**

A request for approval to install two 25' tall towers, one with three, five foot tall wind turbines and one with two five foot tall wind turbines. The applicant proposed to place the towers in the rear of the property, 40' from the rear property line and 68' from the eastern property line. The towers will be approximately 30' in overall height, less than the maximum permitted in this land use district but taller than the surrounding trees and homes.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file.

Commissioner Humphreville questioned the difference between 5 fans vs. the typical 1 fan. Associate Planner Kirschmann advised he is trying to get more information on the wattage, most of the information was regarding noise. Commissioner Humphreville expressed concern the property could be subdivided at a later time making it smaller than the existing 1 ¼ acre and suggested a condition requiring removal of the towers if that occurred. He noted that he has a problem with two towers and would prefer to see just one with the others units on the roofs of the accessory buildings, but the Town does not have an ordinance regulating these towers and he has a problem with changing the rules in the middle of a project. The request does comply within the present rules. He questioned the fact that the condition states that the noise generated shall not exceed 60 decibels yet

they are recommending 40-45 decibels at the property line. Associate Planner Kirschmann stated the 60 dB came out of the noise element of the General Plan and is normally acceptable in single family residential areas.

Commissioner Alberg stated he was also opposed to changing the rules in middle, but he also has a concern about the two towers and the lot size. He suggested the Commission needs to meet with the Council quickly.

Commissioner Hildebrand stated he feels the way the project is presented is ok, noting on smaller lots he is more in favor of roof mounted turbines.

Commissioner Bridenstine stated she had a couple of issues, mainly regarding engineering. She noted she did some research and could not find any examples of multiple turbines on a tower, and questioned why 5 are proposed on this project. She also questioned what kind of turbulence will be created with 5 turbines so close together and how effective they are going to be. She also didn't find any research regarding engineering with multiple turbines on a single tower. She does not believe in changing the rules in the middle, but is also concerned about setting a precedent.

Chair Lombardo opened the public hearing.

Andy Canada, Yucca Valley, applicant, explained the type of turbines noting there are multiple units on two towers so that he does not have 5 towers erected, and having a lesser footprint on the land. These are the best producing turbines with low noise levels, all the footings are engineered, and they have a warranty. With reference to the lack of examples of multiple units on a tower, he noted here are some in Hesperia. Chair Lombardo questioned the reaction from the neighbors. Mr. Canada advised he hasn't had any negative reaction except from the one couple who attended the first hearing. Commissioner Humphreville questioned how it would hurt the system if he was asked to put 2 of the fans on the accessory structures. Mr. Canada advised those accessory buildings are sheds and he doesn't know if they can handle the units, and noted the roof of the house is closer to Antelope, and he was trying to keep them in the back away from the road. Commissioner Alberg questioned if the stated decibels at the base were per unit or the total. Mr. Canada stated that is 45-50 decibels with multiple turbines. Commissioner Bridenstine questioned how the units are maintained. Mr. Canada stated they are self-maintained with only one moving part and they are designed to tilt down.

Commissioner Alberg requested an explanation of staff's recommendation. Associate Planner Kirschmann advised it goes back to previous Commission discussion about having multiple towers on smaller lot areas. He noted in this case there is a potential at some point for the lot to be subdivided into smaller lots. Deputy Town Manager Stueckle advised that the staff recommendation was structured with an alternative A going back to policy discussion on lot size. He noted at some point in the future we may start to see more suburban development with smaller lots. If the Commission sees a need for a condition of approval, that if and when the property is subdivided the tower would need to be removed, the appropriate motion would be Alternative A that the Commission direct staff to return to the Commission with the necessary findings for approval of the application as submitted.

Commissioner Humphreville noted if there was an ordinance in place, he probably wouldn't support the application, but he does have a problem with changing the rules in the middle.

Commissioner Bridenstine agreed stated she doesn't like multiple towers, feeling it is starting to become wind farms on this type zoning. If the Town had an ordinance would not be in favor of the project, but doesn't think we can change the rules.

Commission consensus was that they do not care for multiple towers on the lot but don't feel there is an prohibition at this time. Upon questioning as to whether approval would set a precedence, Deputy Town Manager Stueckle advised that it would not.

Chair Lombardo questioned why there are multiple units proposed rather than one larger unit. Mr. Canada advised a larger unit would have to be much higher. Melinda Allen, Yucca Valley, added that larger generators have to reach a much higher rpm before they start generating power.

Commissioner Alberg questioned what conditions would be presented if Alternative A were chosen. Associate Planner Kirschmann advised that one would reference the fact that the lot size would be required to stay the same or the towers removed.

Upon discussion Commissioner Humphreville moved to direct staff to return to the Planning Commission with the necessary findings for approval of the application as submitted. Commissioner Alberg seconded. Motion carried 5-0 on a voice vote.

**PERMIT HEARING:**

**2. LAND USE COMPLIANCE REVIEW, LUCR 02-11 MCDONALDS**

A request for approval to install a new point of order drive thru and complete exterior remodel at the existing McDonald's restaurant.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file.

Commissioner Bridenstine stated she likes the project noting it is nice and clean and looks great. Double stacking helps with the speed of service.

Commissioner Hildebrand expressed concern regarding the exit from the drive up window and the fact that you cannot see cars coming across the front of the building. McDonalds representatives stated that they will look at that area regarding placing a stop sign or caution sign.

Commissioner Humphreville thanked McDonald's representatives for caring about the community.

**Quan Mack**, Architect, requested direction regarding the landscaping along the highway noting there is no water in the area. Associate Planner Kirschmann advised staff will be happy to work with applicant on that.

Commissioner Alberg moved to find the project categorically exempt from CEQA under section 15332, class 32, in-fill development and approve Land Use Compliance Review, LUCR 02-11, based upon the Conditions of Approval contained within this staff report. Commissioner Humphreville seconded. Motion carried unanimously.

**DEPARTMENT REPORTS:**

**3. CONDITIONAL USE PERMIT, CUP 01-08 AND TENTATIVE PARCEL MAP, TPM 1903, WARREN VISTA CENTER**

Update for the Planning Commission on: the request for deferral of Conditions of Approval for CUP 01-08 & TPM 19103, Warren Vista Center. Request to allow a Certificate of Occupancy to be issued prior to the establishment of Assessment Districts and prior to the relocation of the traffic signal at SR 62 & Warren Vista and construction of the Cal-trans required median island.

Associate Planner Kirschmann gave an update on the status of the conditions and project.

Commissioner Humphreville questioned if the lack of street lights gives us a legal problem with pedestrian safety. Associate Planner Kirschmann advised there will be street lights at the intersection and on site.

Commissioner Alberg moved to receive and file the report. Commissioner Bridenstine seconded. Motion carried unanimously.

**4. MINOR PERMIT APPLICATION PROCESS – REVIEW AND DISCUSSION**

A request from staff that the Commission discuss and provide feedback on minor permit processing.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the

project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file.

Commissioner Humphreville commented regarding commented regarding Special License Permits noting that they are required for sale of firewood, fruits and vegetables or flowers, etc. but are not required for things such as parking lot yard sales, noting that it looks bad, and he has a problem with it.

Commissioner Humphreville questioned if the sign code and native plant ordinances will be looked at in conjunction with the Development Code. Deputy Town Manager Stueckle advised that they will.

The Commission received the report.

**CONSENT AGENDA**

None

**STAFF REPORTS AND COMMENTS**

None

**COMMISSIONER REPORTS AND REQUESTS**

None


**ANNOUNCEMENTS**

The next regular meeting of the Yucca Valley Planning Commission is Tuesday, June 28, 2011 at 6:00 p.m. in the Yucca Valley Community Center.

**ADJOURNMENT**

The meeting was adjourned at 7:17 p.m.

Respectfully submitted,

  
Jamie Anderson  
Town Clerk