

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
MAY 7, 2013**

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

Deputy Town Clerk presented the Oath of Office to M.F. Warren Lavender.

Commissioners Present: Bridenstine, Drozd, Lavender, Whitten, and Humphreville.

The Pledge of Allegiance was led by Chair Humphreville.

APPROVAL OF AGENDA

Commissioner Whitten moved to change the order of the agenda, to move the department report after the public hearing. Motion died for a lack of second.

Bridenstine moved to approve the agenda. Chair Humphreville seconded. Motion carried 4-0-1 on a voice vote.

PUBLIC COMMENTS

None

DEPARTMENT REPORT:

1. DRAFT DEVELOPMENT CODE

Deputy Town Manager Shane Stueckle presented a staff report and PowerPoint presentation. At the request of the Planning Commission at a prior meeting, Article 3 of the Draft Development Code relating to sign regulations is being brought in front of the commission for separate review. Existing general allowances in the Sign Ordinance were explained. Stueckle explained areas for specific review including sign height, design merits, square footage for free standing signs and wall signage.

Deputy Town Manager Stueckle continued to explain that amortization schedules are commonly used to address non-conforming signs. Proposed modifications are amortized based on fair market value from the Date of Notice and a time schedule for compliance. Stueckle explained that temporary signs and how to regulate them, such as banners, flags, pennants, hulas, political, and temporary subdivision signs is also an area needing attention.

Jennifer Collins, Yucca Valley, introduced others present at the meeting and spoke of input received through the Yucca Valley Chamber of Commerce office. Collins explained that these suggestions were forwarded to the Planning Commission for consideration.

Fritz Koenig, Yucca Valley, presented a document to the Planning Commission and commented that the purpose of the Sign Ordinance does not include any reference to improving the economy. Mr. Koenig suggested creating a sign ordinance that is in relation to local resources, not compared to other larger cities.

Tom Huls, Yucca Valley, explained that his business, Big O Tires sets back off the highway, and the recent relaxation of the sign code has helped his business tremendously. The use of temporary signage when used responsibly by business owners is very helpful. The Sign Code itself was created for the big business entities, but not for the small businesses we have in Yucca Valley.

Commissioner Drozd asked if the sign square footage is measured on letter size or background. Engineering Technician, Diane Olsen responded that the measurement would be taken by squaring off the total area.

Commissioner Bridenstine agreed that signage is very important and should be easy to see and of appropriate size for traffic view. Signage should be in good taste and well kept, but not to be as harmonious as the current code limits. The community expects signage in a commercial district. Signage, including temporary signage should not be blocking line of sight for safety reasons. Agrees with Mr. Koenig's comment about including the purpose of regulating signage is to promote business.

Commissioner Whitten thanked those in attendance for coming out this evening and questioned how many suggestions provided by the Chamber of Commerce group was included in the draft document. Also agreeing with Koenig's statement recommending a purpose of a sign ordinance should be included. Commissioner Whitten commented on his observation of the current signage throughout the community. Need to give the small businesses a chance to compete with the larger businesses and spoke of the benefit of monument signage.

Commissioner Whitten continued to discuss temporary signage including political signage. Twirler type signs provide employment for the youth of the community and help businesses that set back away from the road. Whitten also spoke on the limits of mural type signage on the side of buildings.

Commissioner Lavender spoke in favor of taking a relaxed attitude toward sign regulations.

Chair Humphreville asked Huls, what specific temporary signage he used to promote his business and asked about typical amortization schedule limits. Stueckle responded that 20 years is usually the maximum, usually based on value. Olsen also explained the inclusion of the Design Merits Program and the Landmark Signage Program to take into account historical signage. Humphreville stated he would like to see the signs stay smaller, yet

appealing and more effective; would like to see the consultant's recommendation. Political signage should have limits on size and frequency.

Commissioner Bridenstine would like to see an amortization schedule included in the new sign regulations, including an incentive such as reduced fees to encourage sign owners to bring into compliance. Signs should not be higher than the roof lines.

Commissioner Drozd agreed with including an amortization schedule as a fair and consistent avenue to bring signs into compliance and also suggested using type of business ownership instead of square footage to regulate signage to help with the smaller, mom and pop type stores. Stueckle responded that one way to possibly address this is to regulate signage by the sign size itself, not by allowing signage size to be based on property or building size.

Commissioner Lavender questioned the use of frontage feet as a tool for regulation. The Ideal Mall property was given as an example of an area where a monument type sign addressing all occupants of that property consistently.

Deputy Town Manager Stueckle presented information on the draft development code section 3-19 regarding commercial solar and wind energy. With tax incentives in effect, property used for energy production limits the amount of property tax collected. Consensus was made among all commissioners present to not allow commercial solar or wind energy within Town limits.

Commissioner Lavender questioned the use of residential solar energy and the possibility of including provisions for home solar use. Stueckle responded that section 3-23, accessory energy systems provides guidelines for residential alternate energy use. Commission discussion continued, questioning the use of roof mount vs. pole mount systems, the need for roof designs of both commercial and residential buildings to accommodate solar panels, and the use of renewable energy parking lot and accessory lights. The use of solar energy when possible was encouraged by the commissioners.

Deputy Town Manager Stueckle recommended that this item be continued to the May 14, 2013 Planning Commission meeting for further discussion.

PUBLIC HEARINGS:

2. DEVELOPMENT CODE AMENDMENT, DCA 01-13, REASONABLE ACCOMODATIONS

Proposed amendment to Title 8, Yucca Valley Development Code adding Article 9, Section 83.0309 et al, Reasonable Accommodations, to provide reasonable accommodations in the Town’s zoning and land use regulations, policies and procedures when needed to ensure equal access to housing and facilitate the development of housing for individuals with disabilities.

Deputy Town Manager Stueckle presented the staff report explaining that it is necessary to update the ordinance to bring into compliance, giving reasonable accommodations for those with disabilities. New construction will usually not be affected by these changes; however older, existing buildings may see the effects of this state mandate.

Chair Humphreville opened public comment. With no one wishing to speak on the item, the public comment period was closed.

Commissioner Bridenstine asked if fees would be charged for the variance process. Stueckle responded, that fees will not be charged as the intent of state law.

Commissioner Whitten moved that the Planning Commission find that the proposed ordinance is exempt from CEQA under Section 15061 (b) (3) and recommends that the Town Council adopt the ordinance. Bridenstine seconded. Motion carried 4-0-1 on a voice vote.

3. DEVELOPMENT CODE AMENDMENT, DCA 03-13, EMERGENCY TRANSITIONAL HOUSING AND SINGLE ROOM OCCUPANCY

Proposed amendment to Title 8, Yucca Valley Development Code to amend Section 84.0370 to allow emergency transitional housing subject to a Special Use Permit and single room occupancy units subject to a Conditional Use permit in the Industrial land use district.

Deputy Town Manager Stueckle presented the staff report explaining the provisions in the current general plan housing element regarding emergency transitional housing. The ordinance presented here, establishes reasonable standards providing elements to Town staff for granting approval of homeless shelter facilities within the industrial land-use district. Stueckle gave examples of these reasonable standards and explained that the shelters are for use by those who are homeless and need emergency shelter, and not for long-term or used as an emergency shelter due to a local disaster.

Deputy Town Manager Stueckle explained the second component of the state mandate requiring this ordinance mandates the Town to provide transitional housing and supportive housing. The Town is also required to develop Single Room Occupancy capacity with at least one land use district. All projects are subjected to the Conditional Use Permit process.

Chair Humphreville opened public comment.

Fritz Koenig, Yucca Valley voiced concern that the locations of such shelters, have reasonable access to bus stops, laundry facilities and spoke in favor of building clusters of high-density to fulfill these requirements.

With no others wishing to speak, Humphreville closed public comment.

Deputy Town Manager Stueckle again explained that the item before the commission was for emergency homeless sheltering and does not address sheltering for those affected by natural disaster. Industrial areas are scattered around different areas within the Town limits, to give opportunity for sheltering units.

Commissioner Bridenstine asked for clarification of the term transitional and supportive housing.

Commissioner Whitten asked if there were current numbers representing the homeless population and suggested alternative wording regarding the use of illegal drugs and alcohol. Whitten also asked if trailer parks could be used as supporting or transitional housing as he has seen in other communities.

Commissioner Lavender asked if the state is providing any monetary provisions for financing these mandates. Stueckle explained the mandate is for provisions, but not for the actual construction of actual units. Other funding options may be available on a project by project basis.

Commissioner Whitten moved that the Planning Commission recommends that the Town Council finds the proposed ordinance exempt from CEQA under Section 15061 (b) (3), and adopts the ordinance. Commissioner Bridenstine seconded. Motion carried 4-0-1 on a voice vote.

4. DEVELOPMENT CODE AMENDMENT, DCA 04-13, SECOND DWELLING UNITS

Proposed amendment to Title 8, Yucca Valley Development Code amending Section 84.0305 (b), 84.0320(b), 84.0325(b) and 84.0510, pertaining to second dwelling

units.

Deputy Town Manager Stueckle presented the staff report regarding the state mandate requirement the amendment of the Development Code pertaining to second living dwellings in designated zones. State law requires cities and counties to enact second unit regulations that support and facilitate the development of second units as a means of encouraging and supporting affordable housing, on all residentially designated parcels. Existing Town regulations must be amended to encourage and support second units on all residential lots.

Deputy Town Manager Stueckle continued by explaining ordinance provisions including, that the owner must live in one of the two units and cannot be owned by an investor. Also there is a need to eliminate the language about caretaker housing.

Chair Humphreville opened public comment.

Fritz Koenig, Yucca Valley, commented about enforcement of second units. The minimum standard presented at 725 square feet is not necessary and suggested the commissioners to look at architectural drawings for small living spaces. Less than 725 square feet is sufficient for many people.

With no others wishing to speak, Humphreville closed public comment.

Commissioner Whitten agreed with Mr. Koenig regarding the minimum standard of 725 square feet, being quite large for a second unit minimum and suggested using a percentage instead. Stueckle suggested that all sections work with each other including ancillary structures. Whitten expressed the need for further discussion on this particular language.

Chair Humphreville suggested that provisions for enforcement may need to be included such as property title disclosure.

Commissioner Whitten moved to approve that the Planning Commission recommends that the Town Council finds the proposed ordinance exempt from CEQA under Section 15061 (b) (3), and adopts the ordinance, without the inclusion of 84.0510 (a) due to caretaker language. Commissioner Drozd seconded. Motion carried 4-0-1 on a voice vote.

CONSENT AGENDA

STAFF REPORTS AND COMMENTS

Deputy Town Manager Stueckle explained that a public hearing was scheduled on May 14, 2013 regarding Affordable Housing, Article 3 of the Draft Development Code.

There will be an Public Hearing for an appeal of director approval of an HOP permit regarding firearm sales.

Super Wal Mart opening day was moved a month further out to July 2013.

Warren Vista Center Phase 2 under construction.

COMMISSIONER REPORTS AND REQUESTS

Commissioner Bridenstine thanked staff for their hard work and thanked the public for the comments.

Commissioner Drozd gave kudos to staff and appreciated the public comment heard tonight.

Commissioner Lavender thanked staff for explaining the items.

Commissioner Whitten thanked the public for their input and thanked staff for their work on these items. Whitten questioned the allowance of parking in the front yard due to septic issues and compaction problems.

Chair Humphreville welcomed Mr. Lavender to the Planning Commission

ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, May 14, 2013 at 6:00 p.m. in the Yucca Room of the Yucca Valley Community Center.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Lesley Copeland, CMC
Deputy Town Clerk