

MINUTES – REGULAR PLANNING COMMISSION MEETING

COUNCIL CHAMBERS

18747 CLARKDALE AVENUE, ARTESIA, CA 90701

AUGUST 23, 2005

Call to Order

The Regular Planning Commission Meeting of the City of Artesia was called to order on August 23, 2005, at the City of Artesia Council Chambers at 7:02 p.m. by Vice Chairman Oliver.

Invocation

Commissioner Young led the invocation.

Pledge of Allegiance

Commissioner Menezes led the pledge of allegiance.

Roll Call

Present: Commissioner Nathan
Commissioner Young
Commissioner Menezes
Vice Commissioner Oliver

Absent: Chairman Da Veiga

Approval of the Planning Commission Agenda

The Planning Commission unanimously approved the Agenda.

Announcement of Speaker Cards

Vice Chairman Oliver announced that for recording purposes, if someone wishes to make a statement regarding any item on the agenda, to complete a speaker slip and deposit it with the planning clerk prior to the commencement of the meeting. Please note that there is a five-minute time limit per speaker imposed. Please stay within this time limit.

Public Comments

There were no comments from the public.

1. Consent Calendar

- A. Receive and file Action Agenda from July 18, 2005, City Council meeting.**

B. Receive and file Action Agenda from August 1, 2005, City Council meeting.

The Planning Commission received and filed all Consent Calendar items.

Administration of the Oath:

At this time anyone desiring to speak on a public hearing item should stand and be sworn in by the City Attorney Kevin Ennis.

New Business-Public Hearing:

2. **Case No. 2005-41: Modification No. 5 to the Pioneer Specific Plan & Conditional Use Permit 17713-18001 Pioneer Boulevard**

YMS Investment No. 3, LLC, 1400 N. Harbor Boulevard, Suite. 625, Fullerton, CA 92835

An application to amend the Pioneer Specific Plan to increase service and professional use from 12% to 16%, and a request for approval of a Conditional Use Permit to allow shared parking for the property located at 17713-18001 Pioneer Boulevard.

Resolution No. 2005-41P and Resolution No. 2005-42P.

Details of the case were explained by Associate Planner Okina Dor as noted in the staff report.

Vice Chairman Oliver opened the public hearing. No one approached the podium to speak regarding this item.

Questions were asked by Planning Commissioners and answered by staff.

Mr. Dor recommended that a condition be added to Resolution 2005-42P to require the installation of a decorative sculpture within the exterior pedestrian area, possibly in the fountain area. The applicant has been made aware of this.

Vice Chairman asked the traffic engineer, Hui Lai to comment on the proposal. Mr. Lai stated that he is confident with the shared parking proposed in this case.

MOTION by Commissioner Young, second by Commissioner Menezes **TO CLOSE PUBLIC HEARING.**

Said motion was unanimously approved by the Planning Commission.

Comments were made by Planning Commissioners.

MOTION by Commissioner Young, second by
Commissioner Menezes **TO APPROVE CASE
NO. 2005-41/RESOLUTION NO. 2005-41P**

Said motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Nathan, Menezes, Young, Oliver
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Da Veiga
ABSTAIN: COMMISSIONERS: None

MOTION by Commissioner Young, second by
Commissioner Nathan **TO APPROVE
RESOLUTION NO. 2005-42P WITH THE
ADDITION OF A CONDITION REQUIRING THE
INSTALLATION OF A DECORATIVE
SCULPTURE WITHIN THE EXTERIOR
PEDESTRIAN AREA, SUBJECT TO PLANNING
STAFF APPROVAL**

Said motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Nathan, Menezes, Young, Oliver
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Da Veiga
ABSTAIN: COMMISSIONERS: None

**3. Case No. 2005-42 Conditional Use Permit
11545 Artesia Boulevard**

Lindsay Oh, 11545 Artesia Blvd., Artesia, CA 90701

A request for approval of a Conditional Use Permit to allow the existing retail sales business to conduct the installation of automobile tires, wheels, and rims for the property located at 11545 Artesia Boulevard in the Commercial General (C-G) Zone. Resolution No. 2005-43P.

Details of the case were explained by Assistant Planner Dennis Harkins as noted in the staff report.

Vice Chairman Oliver opened the public hearing. There was no one in the audience wishing to speak regarding this item.

Commissioner Menezes requested clarification of where the installation of the tires is proposed to be performed. Vice Chairman Oliver called the applicant to the podium.

Lindsay Oh approached the podium and introduced herself as the business owner.

Commissioner Menezes asked where the installation is intended to be performed.

Ms. Oh replied that the installation will be conducted inside the garage. She further clarified that there will not be storage of materials at the site. The products are stored at another site and brought over for each specific order.

Vice Chairman asked Ms. Oh if she has reviewed all the conditions of approval with City Staff and understand them.

Ms. Oh stated that she did review them and does understand them.

Additional questions were asked by Planning Commissioners and answered by staff.

MOTION by Commissioner Menezes, second by Commissioner Young **TO CLOSE PUBLIC HEARING.**

Said motion was unanimously approved by the Planning Commission.

Comments were made by Planning Commissioners.

MOTION by Commissioner Young, second by Commissioner Menezes **TO APPROVE CASE NO. 2005-42/RESOLUTION NO. 2005-43P**

Said motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Nathan, Menezes, Young, Oliver
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Da Veiga
ABSTAIN: COMMISSIONERS: None

**4. Case No. 2005-43 Design Review
17509 Pioneer Boulevard**

Big Penny USA, Inc., 17509 Pioneer Blvd., Artesia, CA 90701
A request for Design Review approval for the reface of an existing non-conforming pole sign for the property located at 17509 Pioneer Boulevard in the Commercial General (C-G) Zone.
Resolution No. 2005-44P.

Details of the case were explained by Assistant Planner Dennis Harkins as noted in the staff report.

Questions were asked by Planning Commissioners and answered by staff.

Commissioner Young interrupted the meeting and apologized explaining that he realized that he must abstain from participating in this case. This was acknowledge and Commissioner Young left the council chambers.

Vice Chairman Oliver opened the public hearing and called Mr. David Bullen to the podium from the submitted speaker card.

David Bullen approached the podium, and introduced himself as a representative of the owner. He stated that the original sign was damaged in February, which required replacement. Mr. Bullen explained that some steps to accomplish this were not followed. He is here today requesting approval of the proposal. Mr. Bullen stated that he will be happy to answer any questions of the Commission.

Vice Chairman asked the representative of the owner if the applicant has reviewed all the conditions of approval with City Staff and understands them.

Mr. Bullen responded that the conditions are understood by the applicant.

MOTION by Commissioner Menezes, second by Commissioner Nathan **TO CLOSE PUBLIC HEARING.**

Said motion was unanimously approved by the Planning Commission.

MOTION by Commissioner Young, second by Commissioner Menezes **TO APPROVE CASE NO. 2005-43/RESOLUTION NO. 2005-44P**

Said motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Nathan, Menezes, Oliver
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Da Veiga
ABSTAIN: COMMISSIONERS: Young

Items from Staff

Okina introduced Raul Romero to the Planning Commission. He explained that Mr. Romero is a consultant assigned to assist the Planning Department. Mr. Romero was welcomed by the Planning Commissioners.

5. Update on status of survey regarding surrounding cities' policies on laying hens.

Okina reported findings from survey of 27 cities in the Gateway Cities Region regarding their regulations on laying hens.

Currently Artesia Municipal Code allows six (6) small farm animals (chickens, hens, ducks and rabbits) in the A-1 zone. In the R-1 Zone, only household pets are allowed, which have been defined not to include hens since they are defined as small farm animals.

Comm. Menezes commented that he feels we should allow hens, ducks, rabbits with a limited number of possibly four (4) in the R-1 Zone only.

Comm. Young agreed with Comm. Menezes. He asked Kevin Ennis, if we pass an ordinance to allow a limited number of hens in the R-1 Zone, without mention of noise or other problems that may arise from the animals, and then we receive multiple complaints from numerous neighbors. Would the affected neighbors have any recourse?

Mr. Ennis stated that the issues of impacts on the neighbors can be looked at to figure out how to address them to help the Commission decide whether to make it a permitted use with no discretion. Or we could come up with some type of mechanism to provide some sort of conditional approval.

Comm. Menezes suggested placing restrictions such as, so long as they don't make excessive noise, but then excessive noise must be determined. We could address odors and cleanliness.

Vice Chairman Oliver commented that ducks are noisy and would rather they be excluded from the description.

Comm. Young commented that he thinks it would be fine to permit these animals in limited numbers with conditions so that the neighborhood would not be harmed.

Mr. Ennis pointed out that in the A-1 Zone where the small farm animals are permitted, it does contain a provision that states,

No farm animals, corral, coop, hatch, pen, stable or other structure, or building used in connection with these animals, shall be located less than 50 feet from any residence, including an attached patio, from other buildings used for human habitation, from public rights-of-way, or from any facility dispensing or selling food for on or off-site consumption, or within 100 feet of any school, child care, church, park, hospital, or similar facility. Further, the coop can not be located in the required side, front, or rear yard setback areas.

There is another provision in the A-1 Zone that states,

No building or structure used in connection with keeping farm animals shall be constructed of sheet metal, or corrugated metal. Maintenance: All buildings and structures used the house farm animals shall be maintained in a neat, orderly, and sanitary condition. Storage: Food for the animals, tools and equipment utilized with keeping the farm animals, trash, straw and other materials, shall be stored within a completely enclosed structure. The storage of grain shall be confined to rodent-proof containers.

Comm. Menezes stated that he likes the conditioner regarding cleanliness and storage. They seem to be reasonable. The other conditions seem to be too extreme when R-1 lot sizes are considered.

Comm. Young made the recommendation to limit the number of laying hens to four (4), with a 25-foot set back, include the conditions from the A-1 Zone regarding cleanliness, elements of construction of structures, and storage. He recommended that we also include language to deal with complaints, and that if it becomes a public nuisance, they would not be permitted to keep the animals. He recommended that permitted small farm animals should be chickens, hens and rabbits (not roosters, not ducks).

Mr. Ennis suggested that staff could clarify the difference between hens and laying hens. He further explained that staff would put together a draft ordinance, which will be a public hearing item before the Planning Commission at a future meeting. At that time, the Commission would make its final recommendation.

Comm. Menezes pointed out that by requiring the 25-foot setback, properties in north Artesia, or in the 190's would be able to have anything. He also stated that he doesn't think the City Council will approve it that way.

Okina Dor pointed out that the average lot width is 50 feet, therefore the 25-foot setback requirement would exclude most properties.

Comm. Young suggested that the setback requirement does not have to be 25 feet. It should be a distance that works for our community. He clarified that the setback is for the location of the enclosure for the animals, and that the animals are to be kept in an enclosure.

Mr. Dor stated that codes from cities who responded to our survey will be reviewed to see what types of setbacks may be typically used. This information will be conveyed to the Planning Commission.

6. Update regarding the Community Design Guidelines and the first meeting of the Ad Hoc Committee.

Mr. Dor reported that the overview and presentation of the document has been continued to the Joint City Council and Planning Commission meeting scheduled for August 29, 2005.

Vice Chairman Oliver encouraged the Commissioners to drive through the entire city to take a thorough look. He stated that he did this, and at times was quite impressed with what he saw, and at times he was quite surprised.

Additional Citizens Comments

There were no additional citizen comments.

Items from the Commission

Commissioner Nathan stated that he is looking forward to the joint meeting with the City Council regarding the Community Design Guidelines. He commented that the Diho Market sign is still partially burned out and requested that Code Enforcement be informed. Commissioner Nathan commented that the water tower is a landmark for our City and wondered if the Commission would consider recommending repainting the structure with some different colors including "Artesia" presented in an artistic way.

Mr. Dor replied that staff is currently working with Marvin De Carlo, Consultant regarding the water tower. The water tower is in the process of being deemed an historical site. Research to meet the state requirements is underway.

Adjournment

Adjournment at 8:28 p.m. to the Regular Planning Commission meeting to be held on Tuesday, September 27, 2005, at 7:00 p.m., in the City of Artesia City Council Chambers.

Attest

I, Barbara Di Iorio, Planning Clerk of the City of Artesia, do hereby certify that the Minutes of the Regular Planning Commission Meeting of August 23, 2005, were approved at the Regular Planning Commission Meeting held on the 25th of April, 2006 by the following roll call vote:

AYES: COMMISSIONERS: Nathan, Menezes, Young, Oliver
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Da Veiga
ABSTAIN: COMMISSIONERS: None

Barbara Di Iorio, Planning Clerk

