

MINUTES – REGULAR PLANNING COMMISSION MEETING

COUNCIL CHAMBERS

18747 CLARKDALE AVENUE, ARTESIA, CA 90701

February 22, 2011

Call to Order

The Regular Planning Commission Meeting of the City of Artesia was called to order on February 22, 2011, at the City of Artesia Council Chambers at 7:02 p.m. by Chairman Canales.

Invocation

Commissioner Sousa led the invocation.

Pledge of Allegiance

Vice Chairperson Medina led the pledge of allegiance.

Roll Call

Present: Commissioner Sousa
Commissioner Young
Vice Chairperson Medina
Chairman Canales

Absent: Commissioner Pacheco

Also Present: Associate Planner, Okina Dor
Assistant Planner Jose Hernandez
Deputy City Attorney Serita Young
Planning Clerk Erika Castañeda

Approval of the Planning Commission Agenda

Motion by Commissioner Young second by Vice Chairperson Medina to approve the Planning Commission Agenda. The Planning Commission unanimously approved the Agenda.

Announcement of Speaker Cards

Chairman Canales announced that for recording purposes, if anyone 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.

Commissioner Pacheco arrived at 7:07 p.m.

Presentation

1. Code Enforcement presentation by City Prosecutor

Mr. Ken Dapeer from the City Prosecutors office of Dapeer, Rosenblit & Litvack provided an insight on Code Enforcement and its applications and processes. This presentation was for informational purposes only, no action was taken.

Chairman Canales asked Mr. Dapeer how they would handle repeat offenders who continue to violate City Codes and do not respect the system overall.

Mr, Dapeer stated that there are many different cases, in some cases property's are cleaned up and are closed and off probation after a couple of years and if a case arises again, a new case is opened and the process starts over again. At that point if it's known that this person is a repeated violator when they go to court, a maximum of probation could be given to the offender, additional fines may be asked to be paid along with stricter terms in general.

Commissioner Sousa asked Mr. Dapeer what the typical time frame is that's given to violators for a maintenance issue per say. Mr. Dapeer stated it depends on the situation but a reasonable time is given to each individual depending on the matter.

Mr. Dor stated that time frames can be as short as 24 hours if it is a health and safety issue, but typically it can be a two week time frame on average.

Vice Chairperson Medina asked how many open cases the City currently has but staff did not have an exact amount.

Public Comments

There were no comments from the public.

2. Consent Calendar

- A. Approval of Minutes of the Planning Commission Meeting of January 25, 2011.

MOTION by Commissioner Sousa, second by Vice Chairperson Medina **TO APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING OF January 25, 2011.**

The Planning Commission unanimously approved the minutes of the Planning Commission.

Said Motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Pacheco, Sousa, Young, Medina and Canales
ANOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: None

Administration of the Oath:

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

Continued Business - Public Hearing:

3. Case No. 2010-37

**Conditional Use Permit
18803 Corby Avenue**

MWI, Inc. (Certified Pipe) P.O. Box 5169 Oceanside, CA 92052

A request for approval of a conditional use permit to allow a wholesale warehouse (plumbing supplies) for the property located at 18803 Corby Avenue in the Light Manufacturing and Industrial (M-1) Zone.

Resolution No. 2010-30P

Details of the case were presented by Assistant Planner Jose Hernandez, as noted in the staff report.

Chairman Canales opened the public hearing.

Mr. John Morally owner of MWI approached the podium stating that this is the most adequate building for this type of business but is seeking to have outside storage to keep all of their products on site. Mr. Morally stated the material that will be stored outside will not be in the public view and the products will not exceed the height of the block wall surrounding the building.

Commissioner Sousa asked the applicant if he was able to store all materials inside the building instead of outside. Mr. Morally stated that what is going to be stored outside is cast iron and pvc pipes which will not physically fit inside the building.

Commissioner Young inquired on the NPDES requirements, the storing of raw materials and asked staff regarding the violations at the site and were answered by staff.

MOTION by Commissioner Sousa, second by Vice Chairperson Medina to CLOSE PUBLIC HEARING.

Commissioner Sousa asked staff if some of the materials the applicant is proposing to store outside could be maintained by keeping it elevated a certain feet off the floor.

Mr. Dor stated there could be some outdoor storage allowed if the applicant is willing to have a canopy or build an outdoor structure, but in this is case the applicant is proposing raw material to be out in the open.

Vice Chairperson Medina asked staff if this item could be continued to allow the applicant to work with staff and make the necessary changes to their proposal to follow through with the City's guidelines in terms of having outdoor storage approved.

Mr. Dor stated that it's at the Commissions discretion to continue this item and have the applicant work with staff to make changes to his proposal or follow through with the conditions set in Resolution No. 2010-30P.

MOTION by Commissioner Young, second by Commissioner Sousa to RE-OPEN PUBLIC HEARING.

Mr. Morally clarified that the pipe that is currently outside is elevated to a certain degree off the ground and pictures were provided for the Commission to see.

MOTION by Commissioner Sousa, second by Commissioner Pacheco to CLOSE PUBLIC HEARING.

No further comments were made.

MOTION by Commissioner Young, second by Commissioner Pacheco TO APPROVE CASE NO. 2010-37/RESOLUTION NO. 2010-30P.

Said Motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Pacheco, Sousa, Young, Medina and Canales
ANOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: None

New Business- Public Hearing

4. Case No. 2011-01

**Property Acquisition
17202 Alburdis Avenue**

City of Artesia, 18747 Clarkdale Avenue, Artesia CA 90701

A request for approval for the proposed property acquisition and use as a public works yard facility for the property located at 17202 Alburto Avenue in the Heavy Manufacturing and Industrial (M-2) Zone.

Resolution No. 2010-31P

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

Chairman Canales opened the public hearing.

No further comments were made.

MOTION by Vice Chairperson Medina, second by Sousa to CLOSE PUBLIC HEARING.

No questions were asked by the Commission.

MOTION by Commissioner Pacheco, second by Commissioner Sousa to Approve CASE NO. 2011-01/RESOLUTION NO. 2011-01P.

Said motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Pacheco, Sousa, Medina and Canales
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: Young

5. Case No. 2011-02

**Design Review
17023 Roseton Avenue**

Jerry Nason, 10323 Haledon Avenue, Downey CA 90241

A request for design review approval to increase the height of an existing block wall from 6'-0" to 8'-0" for the property located at 17023 Roseton Avenue in the Light Manufacturing and Industrial (M-1) Zone.

Resolution No. 2011-02P

Details of the case were presented by Assistant Planner Jose Hernandez, as noted in the staff report.

Chairman Canales opened the public hearing.

Commissioner Young asked staff if the City Engineer would be involved with this project in regards to the added load. Staff indicated that the City Engineer would be involved.

MOTION by Commissioner Sousa, second by Commissioner Pacheco to CLOSE PUBLIC HEARING.

No further comments were made.

MOTION by Commissioner Young, second by Commissioner Sousa to Approve CASE NO. 2011-02/RESOLUTION NO. 2011-02P.

Said motion was carried in the following roll call vote:

AYES: COMMISSIONERS: Pacheco, Sousa, Young, Medina and Canales
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: None

Report Item

Discussion Items from Staff

6. Staff is seeking policy direction from the Planning Commission for consideration to a request to review residential fence regulations for side yards. The main points that need to be discussed is to establish for fences, fences or walls since there are no set definition for. Also discuss considerations/regulations pertaining to the height, materials, color and setbacks from front yard property lines.

Discussion was held among the Commission and staff.

The Planning Commission directed planning staff to recommend to the City Council at its next regularly scheduled meeting that, if feasible, the Council adopt a moratorium on the construction of side yard fences and walls to provide staff the opportunity to review and evaluate the City's fence and wall development standards. In the event that the imposition of such a moratorium is not feasible, the Planning Commission directed staff to return to the Commission with suggested revisions to the City's fence and wall development standards based on comments received by residents and including recommendations regarding materials used to construct fences and walls.

Items from Staff

7. City Council, Redevelopment and Planning Commission joint workshop being held on Monday March 28, 2011 at 7:00 p.m.

This was just a courtesy reminder to let the Commission know about the upcoming joint meeting regarding the Artesia Boulevard Specific Plan Corridor program.

Additional Citizens' Comments

None

Items from the Commission

Vice Chairperson Medina stated that he will be resigning from the Planning Commission and his last meeting he will be attending will be at the March 22, 2011 meeting.

Commissioner Young asked staff if there were any plan check review from staff pertaining to outside improvements on properties for statue lighting, and or fountains. Mr. Dor stated it depends on the proposal; it may need planning review over the counter in conjunction with building permits, while other proposal may trigger plan check review.

Commissioner Young then if there was anything in the books pertaining to regulating esthetics as far as what can be put in your property in a Single Family Residential zone. Staff stated that there is nothing in place to regulate that therefore, Commissioner Young asked if this could be an item to be discussed at a later date.

Chairman Canales inquired on shared parking for mix uses and inquired on who qualifies, the details and guidelines and asked staff if this item could also be discussed at a later date.

Adjournment

Adjournment at 9:05 p.m. to the next Regular Planning Commission Meeting to be held on Tuesday, March 22, 2011, at 7:00 p.m., in the City of Artesia Council Chambers.

Attest

I, Erika Castaneda, Planning Clerk of the City of Artesia, do hereby certify that the Minutes of the Regular Planning Commission Meeting of February 22nd, 2011

were approved at the Regular Planning Commission Meeting held on the 22nd of March, 2011 by the following roll call vote:

AYES: **COMMISSIONERS:** Pacheco, Sousa, Young, and Medina

NOES: **COMMISSIONERS:** None

ABSENT: **COMMISSIONERS:** Canales

ABSTAIN: **COMMISSIONERS:** None



Erika Castaneda, Planning Clerk