

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, May 6, 2015

CALL TO ORDER

At 6:03 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for May 6, 2015, was called to order by Chairman Kallen.

ROLL CALL

Planning Commission

Roll call was taken with the following members present: Commissioner Jason Lamoreaux, Commissioner Mark Shoup, Commissioner B.R. "Bob" Tinsley, Vice-Chairman Doug Qualls and Chairman Bruce Kallen.

STAFF PRESENT

Carol Miller, Principal Planner; Pam Cupp, Associate Planner; Jonathan Wood, Senior Code Enforcement Officer; Thomas Rice, Town Attorney, and Debra Thomas, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Tinsley led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of April 15, 2015.

Motion by Vice-Chairman Qualls, and seconded by Commissioner Tinsley, to approve the Minutes for the Regular Meeting of April 15, 2015.

Motion Carried by the following vote: Ayes: Commissioner Lamoreaux, Commissioner Shoup, Commissioner Tinsley, Vice-Chairman Qualls and Chairman Kallen. Noes: None. Absent: None. Abstain: None.

PUBLIC HEARING ITEMS

- 2. Tentative Parcel Map No. 19645.** A request to consolidate and reconfigure ten (10) existing parcels into two (2) parcels consisting of 47.8 and 106.4 acres for industrial development.

Applicant: Watson Land Company

Location: South of Lafayette Road between Navajo Road and Dachshund Avenue; APNs 0463-231-07,-08,-10,-26,-27,-28,-30,-42,-43 & -60.

Chairman Kallen opened the public hearing at 6:05 p.m.

Ms. Carol Miller, Principal Planner, presented the staff report as filed by the Planning Division.

Mr. William Hoff, Hall & Foreman, representing Watson Land Company, stated the owners have a prospective buyer for one of the two (2) parcels. Mr. Huff also stated the applicant agreed to all Conditions of Approval.

PUBLIC COMMENT

None.

Chairman Kallen closed the public hearing at 6:10 p.m.

MOTION

Motion by Commissioner Shoup, seconded by Commissioner Lamoreaux, that the Planning Commission move to:

1. Find that pursuant to the California Environmental Quality Act (CEQA), Section 15305, the proposed request is Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Tentative Parcel Map No. 19645, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Shoup
Commissioner Tinsley
Vice-Chairman Qualls
Chairman Kallen

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

3. **Development Code Amendment No. 2015-002.** An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code by amending Chapter 9.74 "Signs and Advertising Displays" as it relates to temporary political signs and digital advertising displays.

Applicant: Town of Apple Valley

Location: Town-wide

Chairman Kallen opened the public hearing at 6:10 p.m.

Ms. Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Division.

Temporary Political Signs

Ms. Cupp stated that the Town's attorney suggested modifications be made to political signs. The Town can only limit aggregate total signage on any particular parcel. Item 5, page 3-3 needed to be modified in a manner reflective of an aggregate total rather than thirty-two (32) square feet of signage for each candidate.

Staff would also suggest that the provision for a sign permit be eliminated and instead require a statement of responsibility listing who to contact in case there is an issue with the political signs.

Mr. Thomas Rice, Town Attorney, clarified the changes. to the Development Code, which now would be maximum signage per parcel versus per candidate, as it related to political signs.. The Commission deferred review of political signs until after discussions relating to digital signs.

Digital Advertising Display

Discussion ensued regarding the areas that are ideal for digital advertising displays, possible restrictions to these digital displays to a larger development and where digital signs would be more appropriate.

Staff advised the Planning Commission that the Town could not regulate anything that is content based.

Mr. Rice explained how the Town needed to provide very clear standards as to where and when the Town would allow or prohibit digital advertising displays.

Discussion ensued by the Planning Commission relating to digital sign size, how many signs per lot, separation and lot size. The Planning Commission would like an applicant to have clear direction when presenting a project to the Planning Commission for approval.

The minimum standards where digital advertising displays would be allowed were discussed and are as follows:

- Institutional Use displays are permitted;
- Regulate non-institutional uses as follows;
- One (1) digital sign per property;
- Separation of 1,000 feet;
- Must have frontage along I-15 freeway corridor; and
- Minimum lot size of twenty-five (25) acres.

It was the consensus of the Planning Commission to bring the digital display portion of the Development Code Amendment back at the next regularly scheduled meeting with the above stated changes.

Temporary Political Signs.

Staff presented its recommendations for temporary political signs size, placement and the aggregate maximum.

Mr. Jonathan Wood, Senior Code Enforcement Officer, stated vacant lots were a problem area for temporary political signs. He commented on the difficulties Code Enforcement had when trying to contact a property owner and described the abatement warrant process to remove signs. His recommendation would be to limit the amount of signs per candidate and to measure those signs.

Mr. Rice advised that the Town cannot limit the number of signs, that a candidate or measure can have on any given parcel. Courts have upheld regulations addressing aggregate total of all signs on any particular property when the purpose of said regulations is to reduce the accumulation of debris.

Discussion ensued regarding the legalities of limiting and regulating political signs.

PUBLIC COMMENT

Mr. John Laraway, Apple Valley, CA. asked what the Planning Commission considered “multiple” versus “singular” signs, as well as, how many signs can be vertical and horizontal. He also asked what content could be placed on a political sign.

Chairman Kallen closed the public hearing at 7:44 p.m. It was the consensus of the Commission that Planning Commission Resolution No. 2014-004 be modified to include its recommendation for no change to temporary political signs.

MOTION

Motion by Commissioner Shoup, seconded by Commissioner Lamoreaux, that the Planning Commission move to:

1. Continue Development Code Amendment 2015-002, to the next regularly scheduled meeting of June 3, 2015..

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
 Commissioner Shoup
 Commissioner Tinsley
 Vice-Chairman Qualls
 Chairman Kallen

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

4. **Development Code Amendment No. 2015-001.** An Amendment to Title 9 “Development Code” of the Town of Apple Valley Municipal Code by amending Chapter 9.77 as it relates to wireless telecommunication towers and antennas that is consistent with Federal Law.

Applicant: Town of Apple Valley

Location: Town-wide

Chairman Kallen opened the public hearing at 7:52 p.m.

Ms. Carol Miller, Principal Planner, presented the staff report as filed with the Planning Division.

Discussion ensued on what the Town can and cannot do as it relates to modifications to existing Wireless Telecommunication Towers as allowed under Section 6409(a).

PUBLIC COMMENT

None.

Chairman Kallen closed the public hearing at 8:17 p.m.

MOTION

Motion by Commissioner Lamoreaux, seconded by Vice-Chairman Qualls, that the Planning Commission move to:

1. Approve Planning Commission Resolution No. 2015-003, forwarding a recommendation that the Town Council amend Title 9 "Development Code" of the Town of Apple Valley Municipal Code as outlined within the staff report.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Shoup
Commissioner Tinsley
Vice-Chairman Qualls
Chairman Kallen

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

PUBLIC COMMENTS

None.

PLANNING COMMISSION COMMENTS

Commissioner Lamoreaux advised he would not be able to attend the June 3, 2015 Planning Commission meeting.

Commissioner Shoup requested an update on being able to consider economics when evaluating a proposed project.

Commissioner Lamoreaux asked for an explanation on why the Planning Commission is required to ask whether an applicant agrees to the proposed Conditions of Approval and its location on the Motion Agenda.

Vice-Chairman Qualls thanked staff for all of their effort.

Chairman Kallen stated he appreciated staff. He also asked when the Builder's Workshop would be scheduled.

Ms. Carol Miller, Principal Planner, stated that the Assistant Town Manager would be setting up an Ad Hoc Committee to address the Builder's Workshop.

STAFF COMMENTS

None.

OTHER BUSINESS

5. A request to consider a General Plan Conformity Finding for the Town's Capital Improvement Program for the fiscal year 2015-2016.

Ms. Carol Miller, Principal Planner, presented the staff report as filed by the Planning Division.

MOTION

Motion by Commissioner Lamoreaux, seconded by Vice-Chairman Qualls, that the Planning Commission move to:

1. Adopt Planning Commission Resolution No. 2015-005 which finds the proposed CIP for Fiscal Year 2015-2016 consistent with the goals and policies of the Town's General Plan.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Shoup
Commissioner Tinsley
Vice-Chairman Qualls
Chairman Kallen

Noes: None

Abstain: None


Absent: None

The motion carried by a 5-0-0-0 vote.

ADJOURNMENT

Motion by Commissioner Lamoreaux, seconded by Commissioner Tinsley, and unanimously carried to adjourn the meeting of the Planning Commission at 8:30 p.m. to the Regular Meeting on June 3, 2015.

Respectfully Submitted by:



Debra Thomas
Planning Commission Secretary

Approved by:



Chairman Bruce Kallen