

## MINUTES

### TOWN OF APPLE VALLEY PLANNING COMMISSION REGULAR MEETING

NOVEMBER 6, 2019

#### CALL TO ORDER

Vice-Chairman Kallen called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:00 p.m.

#### Roll Call

Present: Commissioner Arias, Commissioner Tinsley, Vice-Chairman Kallen,  
Commissioner Harrison

Absent:

#### Staff Present

Carol Miller, Assistant Director of Community Development, Pam Cupp, Senior Planner,  
Thomas Rice, Town Attorney, Maribel Hernandez, Planning Commission Secretary.

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Arias.

#### APPROVAL OF MINUTES

1. Approval of Minutes for the regular meeting of September 18, 2019.

Motion by, Commissioner Tinsley, second by Commissioner Harrison to approve the minutes of September 18, 2019.

#### ROLL CALL VOTE

Yes: Vice-Chairman Kallen  
Commissioner Tinsley  
Commissioner Arias  
Commissioner Harrison

Noes: None

Abstain: None

Absent: None

The motion carried by a 4-0-0-0 vote

**PUBLIC COMMENTS**

None

**PUBLIC HEARINGS**

**2. Development Code Amendment No. 2019-012.** An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code that would allow for administrative review of Amendments to approved projects.

Vice-Chairman Kallen opens the public hearing at 6:03pm.

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

Chairman Tinsley asked if the Planning Commission could get a report that lists amendments requested after Planning Commission has approved projects.

Ms. Carol Miller stated the report can be presented to Planning Commission on a quarterly basis under Other Business.

Vice-Chairman Kallen closed the public hearing at 6:07pm.

**MOTION**

Motion by Commissioner Tinsley seconded Commissioner Arias to approve Planning Commission Resolution No. 2019-016.

**ROLL CALL VOTE**

Yes:	Vice-Chairman Kallen Commissioner Arias Commissioner Tinsley Commissioner Harrison
Noes:	None
Abstain:	None
Absent:	None

The motion carried by a 4-0-0-0 vote

**3. Development Code Amendment No. 2019-013.** An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code to include advisory information regarding Development Impact Fees.

Vice-Chairman Kallen opens the public hearing at 6:08pm.

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

Commissioner Harrison noted in section 3-2 under section A, it reads "*necessitates the recover the costs*" but should read "*necessitate the recovery of costs*"

Vice-Chairman asked if an index item could be added to reference DIF so people will know what the definition is.

Vice-Chairman Closed the public hearing at 6:11pm.

Motion by Commissioner Arias seconded Commissioner Harrison to approve Planning Commission Resolution No. 2019-017 with the correction made in section A and addition of index item referencing DIF.

**ROLL CALL VOTE**

Yes: Vice-Chairman Kallen  
Commissioner Arias  
Commissioner Tinsley  
Commissioner Harrison

Noes: None

Abstain: None

Absent: None

The motion carried by a 4-0-0-0 vote

**4. Development Code Amendment No. 2019-015.** An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code to allow legal, nonconforming, multi-family projects consisting of two (2) to four (4) units located within the Single-Family Residential (R-SF) zoning designation to be fully repaired or replaced in the event of fire of another damaging event.

Vice-Chairman Kallen opens the public hearing at 6:12pm.

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

Commissioner Harrison asked why Council decided to table this item and discussion ensued regarding the Council's prior decision to table the prior Code Amendment that would have modified the multi-family development standards.

Ms. Cupp said the multi-family standards will be discussed at the next joint meeting.

Vice-Chairman Kallen closed public hearing at 6:21pm

Motion by Commissioner Harrison seconded Commissioner Tinsley to approve Planning Commission Resolution No. 2019-018.

**ROLL CALL VOTE**

Yes: Vice-Chairman Kallen  
Commissioner Arias  
Commissioner Tinsley  
Commissioner Harrison  
Noes: None  
Abstain: None  
Absent: None

The motion carried by a 4-0-0-0 vote

**5. Development Code Amendment No. 2019-014.** An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code to allow solid metal and vinyl as optional materials for solid fencing in commercial zones, allow cargo/shipping containers to be used in Service Commercial (C-S) zone in the Apple Valley Village, modify the definition and footnote related to screening material, and provide design criteria for cargo containers to be allowed in residential zones. In addition, an Amendment to the North Apple Valley Industrial Specific Plan is proposed to allow solid metal and vinyl as optional materials for solid fencing of storage areas.

Vice-Chairman Kallen opens the public hearing at 6:12pm.

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

Commissioner Tinsley asked what examples of vinyl staff has seen to feel this is now acceptable material.

Ms. Cupp said there are nice vinyl panels that could be used for screening instead of the vinyl slats.

Vice-Chairman Kallen said if, fencing does not require a permit, then if a resident builds a substandard fence, will they be asked to take it down.

Ms. Cupp rephrased her comment and added that anything fence over 6 feet in height requires a building permit and will be reviewed by staff.

Commissioner Arias said most of the time this vinyl paneling will be used is for interior fencing and most likely not be visible from the street.

Commissioner Harrison asked staff if they had different language to provide some clarity for vinyl paneling.

Ms. Miller thought rigid solid panels may be added and separate vinyl from the other materials.

Mr. Rice, made the following suggestion for both the Development Code:

Acceptable materials can include, masonry, stucco, solid metal, but shall not include corrugated metal. Rigid vinyl panels may also be approved by the Director, when consistent with the provisions of the Development Code.

Mr. Rice, made the following suggestion for the changes to the North Apple Valley Industrial Specific Plan:

Acceptable materials can include, masonry, stucco, solid metal, but shall not include corrugated metal. Rigid vinyl panels may also be approved by the Director, when consistent with the provisions of the Specific Plan and Development Code.

Commissioner Harrison asked if cargo containers had to have a roof that matches the house.

Ms. Cupp said not typically with sheds in the rear of the yard and staff will ask that color matches the primary home.

It was the consensus of the Commission that cargo containers in the residential districts should also match the roofline of the main house and that the language should be modified to read:

**...unless said container and roofline/structure is covered or skinned with siding materials similar to the primary residence (i.e. wood, stucco, or masonry) and the design is compatible with the primary residence. All applicable building permits for alteration of prefabricated structure shall be required.**

Vice-Chairman Kallen closed public hearing at 6:54pm.

Motion by Commissioner Harrison seconded Commissioner Tinsley to approve Planning Commission Resolution No. 2019-015 as amended.

**ROLL CALL VOTE**

Yes: Vice-Chairman Kallen  
Commissioner Arias  
Commissioner Tinsley  
Commissioner Harrison  
Noes: None  
Abstain: None  
Absent: None

The motion carried by a 4-0-0-0 vote

**OTHER BUSINESS**

None

**PLANNING COMMISSION COMMENTS**

None

**STAFF COMMENTS**

Ms. Miller extended the invitation to the ground-breaking ceremony for the new Starbucks.


**ADJOURNMENT**

Motion by Vice-Chairman Kallen, Second by Commissioner Harrison, and unanimously carried, to adjourn the meeting of the Planning Commission at 6:43p.m. to the Joint Meeting on November 20, 2019.

Respectfully Submitted by:

  
Maribel Hernandez  
Planning Commission Secretary

Approved by:

  
Vice-Chairman, Bruce Kallen