

MINUTES

CITY OF DELANO PLANNING COMMISSION – REGULAR MEETING April 10, 2013

CALL TO ORDER

Chairman Barba called the meeting to order at 6:02 p.m. in the City Hall Council Chambers, 1015 – Avenue.

FLAG SALUTE

Commissioner Headrick led the flag salute.

ROLL CALL

Commissioners present: Irma Barba, Anthony Gonzales, Sandeep Grewal, Diana Headrick, Gary Langston, Terrence Monrian, Dwight Todd

Commissioners absent: none

OFFICIALS PRESENT

Community Development Director Cariño, City Clerk Kraft, Senior Planner McCabe, Associate Planner Tendai Mtunga

ITEMS FROM THE PUBLIC

Steven Yue, 1313 Thomas Way, stated that Delano needs parks with parking lots. He stated that those who want dog parks should think about who will maintain and monitor them and what the City would do to control insects. He stated that he doesn't see responsible dog ownership in Delano.

CONSENT AGENDA

- 1) Authorization to waive the reading of any ordinance or resolution in its entirety and consenting to the reading of such ordinances or resolutions by title only
- 2) Minutes of regular Planning Commission meeting of March 13, 2013

Moved by Commissioner Todd, seconded by Commissioner Grewal, and unanimously carried to approve the Consent Agenda.

PUBLIC HEARINGS

- 3) Public Hearing #2013-03: **(Continued from February 13, 2013, March 13, 2013)**
Conditional Use Permit No. 2013-01 requesting the following:
 - a) A request to allow beer and wine sales for off-site consumption only at an existing Family Dollar Store in the "GC" (General Commercial) zone district, on property located at 1990 Cecil Avenue (Assessor Parcel Number 423-020-19) (Exempt from CEQA).

- b) A determination of public convenience or necessity for the proposed sale of beer and wine for off-site consumption only in the “GC” (General Commercial) zone district, on property located at 1990 Cecil Avenue (Exempt from CEQA).

Commissioner Grewal stated he has a conflict of interest as he owns property in the project area and left the room during discussion and vote of this item.

Mr. Mtunga presented the staff report.

Chairman Barba asked for public comments.

Steve Rawlings spoke on behalf of Family Dollar Store. He stated they have worked with staff on the conditions of approval and agree with having locking display cabinets and coolers for the beer and wine.

There was discussion regarding a distance from schools requirement and State ABC requirements.

Chairman Barba closed the public hearing.

a) Moved by Commissioner Langston, seconded by Commissioner Gonzales and failed to pass by the following vote Resolution No. 2013-10 of the Planning Commission of the City of Delano approving Conditional Use Permit No. 2013-01 to allow the sales of beer and wine for off-site consumption only at an existing Family Dollar Store in the GC, general commercial zone district at 1990 Cecil Avenue. AYES: Langston, Gonzales, Headrick NOES: Barba, Todd, Monrian ABSENT: Grewal

b) Moved by Commissioner Langston, seconded by Commissioner Gonzales and failed to pass by the following vote Resolution No. 2013-11 of the Planning Commission of the City of Delano making a determination that the public convenience or necessity will be served by approval of a proposed beer and wine sales license for off-premises consumption at an existing Family Dollar Store in the GC, general commercial zone district at 1990 Cecil Avenue. AYES: Langston, Gonzales, Headrick NOES: Barba, Todd, Monrian ABSENT: Grewal

Commissioner Grewal returned to the meeting.

- 4) Public hearing #2013-04: (**continued from February 13, 2013**) Conditional Use Permit No. 2013-02 requesting approval to operate an auto body and paint shop in an existing commercial building within the “GC” (General Commercial) zone district, located at 602 High Street (Exempt from CEQA).

Mr. Mtunga presented the staff report.

Chairman Barba asked for public comments. There were no public comments.

Chairman Barba closed the public hearing.

Moved by Commissioner Headrick, seconded by Commissioner Grewal and unanimously carried to adopt Resolution No. 2013-12 of the Planning Commission approving Conditional Use Permit No. 2013-02 proposing to establish an auto body shop at an existing 3,000 square foot industrial warehouse building in the GC, general commercial zone district at 602 High Street.

- 5) Public hearing #2013-10: Recommendation to City Council on Zone Amendment No. 2012-01 proposing the following (Exempt from CEQA):

- a) Amend Chapters 20.14.10(3) and 20.14.50(3) addressing regulations for the placement and display of temporary political signs.
- b) Rescind Chapter 20.14.20(9)(k) of the Delano Municipal Code and sequentially re-designating succeeding subsections, and by adding a new Chapter 20.14.30(10) thereto establishing standards for the placement and design of off-site advertising signs within the “GC” (General Commercial), “CRC” (Community Retail Commercial), and “I” (Industrial) zone districts of the City of Delano.
- c) Amend Chapter 20.14.40 - Table 14.A, Line B-1 – Signs Permitted for Office Buildings in Commercial Districts to delete “or monument” from Type column and to delete “and 4 ft. for monument” from Maximum Sign Height column, and to read “One square foot of sign area per lineal foot of building fronting on a street, 75 square foot maximum sign area in NC zone district, otherwise 100 square feet maximum” in Maximum Sign Area column, and add a new Type “Monument,” Maximum Number “One per street frontage,” Maximum Sign Area “24 square feet in NC zone district, otherwise 32 square feet,” Maximum Sign Height “4 feet,” Location “Shall be setback 5 feet from property line,” Illumination Allowed “Yes,” by amending Table 14.A, Line B-2 - Signs Permitted for Office Buildings in Commercial Districts to read “One square foot of sign area per lineal foot of building fronting on a street, 75 square feet maximum sign area in NC zone district, otherwise 100 square feet maximum” for wall signs, and “24 square feet in NC zone district, otherwise 32 square feet” for monument signs in Maximum Sign Area column. Also, by amending Chapter 20.14.40 - Table 14.A, Line C-(2)(d) – Signs (*Non-Office*) Permitted in Commercial Zone Districts to read “24 square feet in NC zone district, otherwise 32 square feet” in Maximum Sign Area column and Table 14.A, Line C(2)(g) to read “100 square feet per face” in Maximum Sign Area column.
- d) Amend Chapter 20.14 by adding an overlay sign district including property no farther than 500 feet on either side of the centerline of State Route 99 between Avenue on the north and Pond Road on the south for the placement of off-site advertising signs subject to approval of a Conditional Use Permit. This overlay sign district will also permit onsite identification signs extending above the roof line or parapet of a structure subject to approval of a Planned Sign Program pursuant to Chapter 20.14.80 of the Delano Municipal Code.

Ms. Carino presented the staff report.

Chairman Barba asked for public comments.

Al Adler, 1225 Airport Drive, thanked the commissioners for their consideration of the proposed ordinance. He noted that Caltrans precludes any signs in the scenic portion of Highway 99 and that they have standards regarding electronic signs. Mr. Adler asked that there be discussion in the future regarding the square footage restrictions.

Chairman Barba closed the public hearing.

Moved by Commissioner Headrick, seconded by Commissioner Gonzales and unanimously carried to adopt Resolution No. 2013-13 of the Planning Commission of the City of Delano recommending to the City Council approval of an ordinance amending Title 20 of the Delano Municipal Code by amending

Chapters 20.14.10 and 20.14.50(3) thereof pertaining to intent and regulations for the placement and display of temporary noncommercial signs, by rescinding Chapter 20.14.20(9)(K) thereof and by adding a new Chapter 20.14.30(10) thereof establishing standards for the placement and design of off-site advertising signs within commercial and employment zone districts, by designating a sign overlay district, and by amending Table 14.A of Chapter 20.14.40 thereof to bring on-site identification sign standards for office uses within commercial zone districts into consistency with the standards for non-office uses within the same zone district.

- 6) Public hearing #2013-11: Zone Amendment No. 2013-04, a proposal to amend Title 20 (Zoning Ordinance) of the Delano Municipal Code by amending Chapter 20.4.30 thereof by adding “Agricultural Uses” as Line A.12 to “Residential Uses in Table 4.A – Uses Permitted Within Residential Districts – as a permitted use in the “R-A” (Residential Agricultural) zone district and as a conditionally permitted use in the in the “R-1” (Single Family Residential) zone district, and adding a new Chapter 20.4.50 thereto setting forth the purpose and intent, development standards and conditions of approval for commercial agricultural cultivation uses in residential zone districts within the City of Delano.

Mr. McCabe presented the staff report.

Chairman Barba asked for public comments. There were no public comments.

Chairman Barba closed the public hearing.

Moved by Commissioner Todd, seconded by Commissioner Headrick and unanimously carried to adopt Resolution No. 2013-14 of the Planning Commission of the City of Delano recommending to City Council approval of an ordinance amending Title 20 of the Delano Municipal Code by amending Chapter 20.4.30 thereof by adding “Agricultural Uses” as a permitted use in the R-A (residential agricultural) zone district and as a conditionally permitted use in the R-1 (single family residential) zone district, and adding a new Chapter 20.4.50 thereto setting forth the purpose and intent, development standards and conditions of approval for commercial agricultural cultivation uses in residential zone districts within the City of Delano.

REGULAR AGENDA

- 7) Consideration of Green Building Ordinance

Ms. Cariño introduced Amy Jewel of KEMA who presented the report. She explained the funding provided by Southern California Edison, the process in drafting the proposed ordinance and the options presented in the proposed ordinance.

Michael Sousa, Southern California Edison, stated the company has no bias in the project. It only presented the funding for the California Strategic Plan. The final decision on implementation is up to the City Council.

No Planning Commission action required.

- 8) Consideration of Point-of Sale Energy Retrofit Program Ordinance

Ms. Cariño introduced Amy Rider of KEMA who presented the report.

No Planning Commission action required.

DEPARTMENTAL REPORTS

- 9) Status of Commercial Development Projects in the City of Delano

Ms. Cariño presented the report on various projects throughout the city.

- 10) Status Report on the Notice of Preparation (NOP) for the Grapevine Commercial Project Environmental Impact Report (EIR)

Ms. Cariño reported staff has been working with the developer, YK America, on this 80 acre project located west of Home Depot. Staff is also working with BSK on the environmental impact report.

COMMISSIONER STATEMENTS AND REPORTS

Commissioner Langston asked if the city is going to review developer impact fees, noting that traffic fees are too high.

Commissioner Gonzales: no items

Commissioner Todd: no items

Commissioner Headrick: no items

Commissioner Grewal: no items

Commissioner Monrian: no items

Chairman Barba asked staff to research a requirement for a distance regulation regarding sales of alcohol near schools.

ADJOURNMENT

Chairman Barba adjourned the meeting at 8:31 p.m.

Phyllis A. Kraft, City Clerk