

MINUTES
REGULAR MEETING
CALIFORNIA CITY PLANNING COMMISSION
TUESDAY, MARCH 22, 2011, 6:00 P.M.
COUNCIL CHAMBERS, 21000 HACIENDA BOULEVARD

A. OPENING

The meeting was called to order at 6:00 p.m. by the Chairman followed with the Pledge of Allegiance and Invocation.

ROLL CALL:

Present: Samuel Pope, Don Trumble, Rick Warren, Vice Chairman Bill Dennis, Chairman Buford Land.

B. CONSENT ITEMS

1. ADOPT AGENDA.

Motion action of Pope, second by Trumble to adopt the agenda. **MOTION CARRIED.** Vote 5-0.

2. APPROVAL of MINUTES.

The Chairman called for a motion to approve the minutes for February 22, 2011.

Motion action of Pope, second by Warren to adopt the minutes for February 22, 2011. **MOTION CARRIED.** Vote 5-0.

C. ANNOUNCEMENTS/PRESENTATIONS

3. **Staff:** None.

4. **Civic:**

Cecile Campbell, President of the Desert Rose Garden Club of California City announced the Optimist Club will sponsor a swap meet at the IMC Business Park on April 2nd. Participating in the fund raiser will be the Art Club and the Desert Rose Garden Club. Mrs. Campbell announced applications for the May garden tour fund raiser are available at City Hall. Anyone who has a garden, whether it be a flower or vegetable garden, can fill out the application and the Desert Rose Garden Club will tour their garden.

Pastor Samuel Pope of Solid Rock Church announced a revival week from April 4th through the 9th at Four Square Desert Song Church. Pastor Frank Bahara will be delivering the sermon on Monday. The Ministerial Alliance's Easter Sunrise Services are scheduled for 7 a.m. April 24th at Central Park. The Angel Food Ministries' had \$1,200.00 in orders. Pastor Pope noted much of the food ordered is donated to needy families.

5. **Public Business from the Floor:**

Erick Menzer, California City. Mr. Menzer asked if there would be a public hearing on portable cargo containers tonight? The Chairman replied yes.

D. CONTINUED BUSINESS:

6. City Attorney's Ruling on Clerical Corrections to Resolution 2-8-2011PC.

The Chairman called for the staff report. The Director of Public Works reported the City Attorney was contacted regarding Resolution 2-8-2011PC and ruled clerical errors can be corrected without returning to the Commission. The recommendation was to receive and file the report.

E. NEW BUSINESS:

7. Public Hearing on Amending the Municipal Code as it Pertains to Portable Cargo Containers and the Use of Storage Pods.

The Chairman declared the public hearing open and called for the staff report. Following the staff report the Chairman called for Commission questions.

Vice Chairman Dennis discussed the storage pods being placed in the City's right of ways and these types of containers need to be in the driveway and off the street. City Staff agreed.

Commissioner Pope asked about the enforcement after 60 days and if the City would be able to enforce the Code? The City Manager/Planning Director responded he felt they would be able to enforce it.

Commissioner Warren clarified any containers not recognized on the lists are not grand fathered and would be considered an illegal structure and would have 60 days to remove it? The City Manager/Planning Director explained the reason for the 60 days would give the owners a chance to pull a permit to wrap the container and put a roof on it. Wrapping the container gives it the appearance of a regular conventional accessory building. The wrapped container would be finished to look like the main structure.

Commissioner Pope clarified there are set backs that precludes these containers from being put in the City's right of way. The City Manager/Planning Director said that is correct however, not everyone complies and that is where code enforcement gets involved.

Commissioner Trumble asked would the size of the man door have to be 32 inches and should that be added? The City Manager/Planning Director said not necessarily it would have to be large enough to fit a human through it and a man door could be added. Commissioner Trumble asked if the City has the capability to remove the container and what is our scale of authority? The City Manager/Planning Director said a good example of enforcement would be like abandon cars. The resolution calls for a misdemeanor however, it depends on the response of the owner.

Commissioner Warren said the Assessor Parcel Number (APN) would serve as a contact address if there is not one, then this gives the owner a reasonable solution. He noticed the containers are still allowed in the M1/M2 Industrial zones and it is not considered an accessory to the main structure. The City Manager/Planning Director said yes the containers are still allowed in the M1/M2 zones without a main structure.

There being no further Commission questions the Chairman called for any correspondence there being none he called for public testimony.

David Campbell, California City. Mr. Campbell said he does not like the containers not even for a short period of time.

Cecile Campbell, California City. Mrs Campbell asked for a definition of “wrapping” and are we talking about paper, cardboard, what?

The City Manager/Planning Director replied building materials that would compliment the main structure such as stucco or T1-11 would be appropriate.

David Campbell, California City. How do you start counting as these show up?

The City Manager/Planning Director replied with a shipping receipt.

Erick Menzer, California City. Mr. Menzer explained he has one of the containers and would wrap it and wanted to know if he could wrap it to match his barn and stables instead of his house?

The City Manager/Planning Director said he did not see a problem with matching such structures.

Mike Edmiston, California City EDC. Mr. Edmiston said the direction of the EDC was to remove the CUP in the commercial zones and continuing to allow them in the M1 and M2 Industrial Zones.

The City Manager/Planning Director replied the resolution does allow for containers in the M1 and M2 zones in item 3 c and we could add item 3 e stating containers are to be maintained.

Wally Melendez, California City. Mr. Melendez said containers do not bother him and he felt we need an Aesthetics Commission and containers should be taxed.

There being no further public comments the Chairman called for a motion to close public testimony.

Motion action of **Dennis**, second by **Pope** to close the public testimony portion of the meeting. **MOTION CARRIED.** Vote 5-0.

The Chairman called for final Commission discussion. Commissioner Pope wanted to add item e. maintenance of the containers and item f. installing a man door to Item (1) 3.

There being no further discussion the Chairman called for a motion and roll call vote.

Motion action of **Pope**, second by **Trumble** to accept the Resolution 3-22-2011PC with the addition of item e. and f. as discussed and move it forward to the City Council.

Commissioner Pope	Yes
Commissioner Trumble	Yes
Commissioner Warren	Yes
Vice Chairman Dennis	No
Chairman Land	No

MOTION CARRIED. Vote 3-2.

F. COMMISSION REPORTS/REQUESTS:

The Commission discussed signs and one in particular near the golf course on North Loop and Conklin the sign is down and needs to be removed.

The Commission discussed the recent flood damage to CCB and Trescape Road at the railroad tracks. The City Manager/Planning Director said they have a FEMA Settlement to start construction to repair the road and it will go out to bid soon. He mention there was significant damage found on Randsburg/Mojave Road.

The Commission discussed the issue of wandering sheep along CCB and the danger they pose to the public as a nuisance. The seriousness of the matter needs to be addressed particularly with the Police Department.

The pavement at Viburnum Avenue south of Redwood Blvd. and east of Airway Blvd. needs to be fixed. The westbound traffic gets stuck in the new drainage ditch that has developed. Other roads needing attention were discussed.

G. ADJOURNMENT

There being no further business, the Chairman called for a motion to adjourn.

Motion action of Dennis, second by Pope to adjourn at 7:30 p.m. MOTION CARRIED. Vote 5-0.