



CITY OF RIDGECREST
100 West California Avenue
Ridgecrest, CA 93555
DRAFT MINUTES

MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION
Tuesday, January 22, 2013 at 6:00 PM

Outgoing Commissioners: **Craig Porter, Chairman Lois Beres, Vice Chairman, Chris LeCornu, James Sanders, Carter Pope**

Incoming Commissioners: **Pat Brokke, Scott Davis, Chris LeCornu, Steven Morgan, Robert OBergfell**

1. CALL TO ORDER 6:00pm

2. ROLL CALL

Present: Vice Chairman Beres, Commissioners LeCornu, Pope
Absent: Chairman Porter, Sanders (resigned 12/5/12 due to City Council appointment)
Staff Present: Matthew Alexander, Ricca Charlon

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES: November 27, 2012 CP motion, CL second 3 ayes
Motion to approve Minutes of the Nov. 27, 2012 Planning Commission as written by Commissioner Pope, seconded by Commissioner LeCornu. None opposed – **APPROVED**

5. APPROVAL OF AGENDA – Motion to approve Agenda as written by Commissioner Pope, seconded by Commissioner LeCornu. None opposed – **APPROVED**

6. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA - None

7. SWEARING IN OF NEW COMMISSIONERS BROKKE, DAVIS, MORGAN AND OBERGFELL – Secretary of the Commission and Deputy City Clerk Ricca Charlon performed the swearing in.

8. APPROVAL OF RESOLUTIONS OF APPRECIATION FOR FORMER COMMISSIONERS PORTER, BERES, POPE AND SANDERS CL motion, SM second

Motion To Approve Resolutions Of Appreciation For Former Commissioners Porter, Beres, Pope And Sanders 13-01, 13-02, 13-03, & 13-04 Made By Commissioner LeCornu, Seconded By Commissioner Morgan. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, And 2 Absent.

9. ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Commissioner OBergfell motioned and Commissioner Morgan seconded nomination of Commissioner LeCornu as Chairman. Commissioner Morgan made a motion to close Chairman nominations and Commissioner OBergfell seconded. Commissioner LeCornu was unanimously voted as Chairman.

Commissioner LeCornu motioned and Commissioner OBergfell seconded nomination of Commissioner Morgan as Vice Chairman. Commissioner Morgan made a motion for closure of Vice Chairman nominations and Commissioner Davis seconded. Commissioner Morgan was unanimously voted as Chairman.

10. PUBLIC HEARINGS – None

11. DISCUSSION ITEMS

a. Report on Possible Amendments to the Animal Keeping provisions of the Zoning Ordinance

Matthew Alexander gave staff report. Animal control officers Candice Robb and Mary Stage are present as they worked on the amendment with staff. Our goal is to make the ordinance more clearly understood on various animals. Interpretation of the ordinance does not address chickens. At the very least we should clean it up to make it clear to the public and the Animal Control Officers. Staff has been allowing interpretations on a case by case and zoning situation as zoning dictates the current ability of keeping animals. Only the estate or agricultural districts are allowed at the current time to keep chickens (i.e. barn animals). Staff has made up a chart categorizing animals for Commission review for the ease of making decisions. Staff is looking for direction, and if the Commission concurs, we will hold a public hearing for the next meeting. Staff has made a recommendation with 5 options as to what direction commission might want to go.

Mary Stage spoke on her concerns about having chickens in R1 zoning is that the homes are close together and has the most amount of land designation among the city. Most of the time neighbors are complaining about noise and/or smell. Animal control is called and they educate the people and/or have them remove the animals. Noise, smell, cleanliness, rodents, proper housing, disease, rooster fighting – all concerns of allowing chickens in R1. Guidelines need to be put in place for consistency in the enforcement of these animals. There used to be a long time ago something in the code but nothing currently. All wording within the documents we do have are vague. We need to have something with teeth in it so we can give to the citizen.

Brokke – How much work will this add to current staff if we ask animal control to police this effort?

Stage – It is our job, it will be more work but it is part of a normal work day. Once people find out that their neighbors have chickens it is going to be the same problem as a dog barking. All we can do is go out and warn or cite the person. We are babysitters to make sure everyone is following the rules. Some will comply and have no problem but we are not talking about that small handful. We need some guidelines to follow, instruct people and enforce.

Brokke – I grew up in Ohio and never minded animals because it was farm country. In a small neighborhood I don't agree with allowing them. If that is what they want they need to live in the correct zoning.

Morgan – Knows the issue will come up at the public hearing about sustainability considering where the state is going. In his opinion farm animals have no reason to be within city limits except maybe in estate zoning where we can make exception, i.e. goats milk, allergies, medical purposes, etc. In favor of staff recommendation D for only dogs, cats, and very small animals permitted in R1, R2, R3. Unfortunately, with this issue when we talk about the small animals, we may have an issue with people having aviaries with 20-30 birds; this is another part of defining what is not specific in the ordinance. Can staff give us some kind of numbers on that? Thinks a hearing is a good idea.

LeCornu – Agreed with Commissioner Morgan. In favor of Option B or D as he believes the animal control officers have the knowledge and should be included. 50 ft is too short of a distance in his opinion.

Brokke – Believes limits should be placed on amounts of cats/dogs allowed also. Likes option D presented by staff with an emphasis on E district.

Davis – Has limited experience with chickens but I do know some people with well kept chickens and after listening to animal control he believes that they should be left in control. Likes option B and D.

Obergfell – Animal control is the expert. Caution should be given as to the fact that some persons are attached to these animals. Can staff bring forth numbers of aviaries and complaints? Consider grandfathering some small animals in, but definitely thinks we should deny, limit and/or enforce for the future. Options B and D are best and the others become a compliance and financing issue and the state is no help.

Public Comment

L. Acton – So you don't have to reinvent the wheel, she pointed out that the County does have an animal commission and guidelines for residential that commission might want to look into. Also, remember with chicken's people sell eggs. Then you have a business in a residential which is a larger problem.

J. Ward – 246 Mesquite – Has problems with the approval of option B. Years prior in Fresno, her children were involved in Four H and the small animal program i.e. chickens and rabbits. Not everyone has a choice to move to E1 in order to have a larger animal. You are limiting and denying people to have this opportunity. People who do not take care of their animals can be to any type of animal and it is not fair to deny children the opportunity to participate in Four H and programs of the same. Understands the concerns but cautions the Commission just considers this.

J. Sanders – He has chickens and has for a couple years. It has been a great experience for his family. Neighbors are all aware and have no issue. It would be a disaster to limit the responsible pet owners at the expense of the irresponsible. Give animal control the flexibility to allow those that are responsible to continue. Likes the direction of clarifying the ordinance but cautioned they consider his comments. He would be the first to get rid of his if the law did come to that.

Jim Heeser- 1768 W Bowman - Thinks the staff missed a category. What about commercial distribution or care of animals? A limit might want to be considered for them also. Take for instance pet integrity where they keep far too many animals on site.

b. Discussion of General Plan Amendment / Rezoning for property at 828 Balsam St. (Sally Peterson)

Subject property was never zoned. Staff is asking that the commission set a public hearing if they feel it is appropriate in order to get it zoned. If the applicant was to bring this up on her own it would cost well of 5,000 dollars. If the commission was to take this on than she would be asked to only pay for costs associated which would be minimal. Ms. Peterson's residential property – staff would recommend changing to R2. Staff will contact the property owner of 822 Balsam and get their compliance as it also falls under request. Balsam Street is varied in zoning uses. General Plan has is stated for commercial. Staff is requesting Commission direction to hold a public hearing for rezoning of the property to residential.

Steve Morgan believes that Commission should move forward on the public hearing. Chair LeCornu agrees, Davis, Brokke, Obergfell all agree to hold the public hearing.

12. COMMISSIONER ITEMS

- a. OTAP/Downtown Branding update - Chris LeCornu, next OTAP Meeting: Feb. 12, 2013 at USO building.
- b. Comments from Commissioners
Morgan – R/C city council has tasked the commission as Need to gain more insight as to where they would like us to go. Staff and mayor bring things/plan forward to give direction. It will educate us and be a great financial burden off the city if we can update the code.
- c. Planning Commissioner Seminar: February 1, 2013 KMCC 12noon- 5pm; will include lunch.

13. STAFF ITEMS

14. ADJOURN at 6:58pm to Special Planning Commission Meeting, 12 noon, Kerr McGee Center, February 1, 2013