



CITY OF RIDGECREST
100 West California Avenue
Ridgecrest, California 93555-4054

COMMUNITY DEVELOPMENT COMMITTEE
Council Conference Room
Thursday, November 1, 2007 5:30 pm

MINUTES

Members: Chair Steve Morgan, Chip Holloway, Jerry Taylor, Nellavan Jeglum

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.

Present: Chair Steve Morgan, Mayor Chip Holloway, Committee Members Nellavan Jeglum & Jerry Taylor.

Staff Present: Assistant City Manager Mike Avery, Public Services Director Jim McRea, City Planner Matthew Alexander, Economic Development Project Manager Gary Parsons, Administrative Secretary Danielle Valentine

2. APPROVAL OF AGENDA

City Planner Matthew Alexander requested the removal of Item 6. from the Agenda. A motion was moved by Member Jeglum and seconded by Mayor Holloway to approve the agenda including removal of Item 6. The Agenda (including removal of Item 6.) was approved.

AYES: Morgan, Holloway Jeglum, Taylor
NAYES: None

3. APPROVAL OF MINUTES

A motion was moved by Member Jeglum and seconded by Member Taylor to approve the minutes. The minutes of October 4, 2007 were approved as submitted.

AYES: Morgan, Holloway, Jeglum, Taylor
NAYES: None

4. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA

None. Chair Morgan held this item over for any comments later in the meeting.

5. FORMAL PLAN FOR REVIEW AND ENFORCEMENT OF ALL EXISTING CUPs

Mayor Holloway spoke to the Committee saying that the current situation was "ridiculous". He referred to the billboards located along China Lake Boulevard and previously mentioned in a staff report at the Planning Commission and said that he felt whatever had to be done to instigate and continue a formal plan for review of all CUPs should be a priority.

Public Services Director Jim McRea said he didn't have a problem with a formal plan and noted staff had researched CUPs the previous year. He said they found 6 out of the total number of CUPs of recent record were in breach but the review had not gone back to 1982 (the year that the CUP's were initiated for the Billboards previously referred to). Mayor Holloway asked what action other cities took to combat this problem. Planner Alexander said that sign CUPs had sunset dates – and typically other CUPs did not.

Member Taylor referred to a local daycare facility and Mr. McRea responded stating that Immanuel Daycare, Charter School and others he didn't remember at the time were non-compliant. Mr. McRea explained the process to be followed in an instance of non-compliance explaining that it wasn't as simple as reviewing the CUP and then enforcing it. He said that

staff could not just suddenly enforce something that had been let go for 20 years – rather they would be subject to a Revocation Hearing.

Member Taylor suggested that staff review five CUPs every month and make CUP Reviews a consistent Agenda Item. Mr. McRea agreed to this and said that staff could review the CUPs and recommend an extension or a Revocation Hearing.

Member Taylor said that his only issue with Immanuel Daycare was that they were building a playground but not meeting their CUP requirements for parking on asphalt. There was discussion back and forth regarding other non-compliant CUP situations.

Mayor Holloway said it was his position that if individuals or organizations had made no attempt over a period of years to address the problem that situation would be treated differently to an individual or organization putting forward a concrete plan to remedy.

Chair Morgan directed staff (after confirming agreement from Committee Members) to bring back outstanding CUPs and variances on a regular basis. He said it was his belief that there were far more than 6 non-compliant CUPs.

Economic Development Project Manager asked for direction as to how far to go back into the records and Chair Morgan noted this was a “good point” for consistency sake. Mayor Holloway raised the issue of sea vans and Chair Morgan noted this issue along with non-compliant CUP’ had been brought forward for discussion in the past.

Member Taylor said he was just looking for consistency and Member Jeglum said she agreed and that it was her opinion that the process would be easy to document. Mayor Holloway asked who set the price of CUPs and Mr. McRea explained it was set by resolution. Planner Alexander noted that the price should be reviewed from time to time.

Member Taylor said he was sensitive to pricing and said that the City could perhaps waive fees to encourage applicants to come into City Hall and “fix up” paperwork.

Planner Alexander asked Committee Members to amend instructions to review CUPs from 1990 onwards. Member Jeglum said she felt the review should go back to 1980 as the 80’s was a “busy time”. Planner Alexander then asked why the review should include variances. Mr. McRea explained that sometimes variances have conditions of approval and Planner Alexander responded “not according to state law they don’t”.

Chair Morgan used an example of a building in town out of compliance without a variance and Planner Alexander asked to confirmed that Chair Morgan meant that the applicant was denied and went ahead anyway. Chair Morgan said he would “go out on a limb” and say that he believed the applicant was approved although the conditions were outside regulation.

Member Taylor suggested for staff’s sake a direction be given that CUPs - versus CUPs and Variances - be reviewed as the first phase.

Mr. McRea suggested that staff pick a date from 1980 onwards – whatever date they found information had been recorded from - and noted that the process would be quite detailed and involved checking numerous sources of data. Chair Morgan noted that the Committee would trust the due diligence of staff.

Planner Alexander asked that the report back to the Committee have a due date of January given that City Hall did close during December. There was discussion back and forth and it was agreed that Review of CUPs would be a standing Agenda Item until the February meeting – when a final report would be due.

6. Removed from the Agenda

7. Sign Ordinance

Chair Morgan noted that this issue went back to the July meeting and said he had brought his copy of information provided by staff at that meeting. He noted there were several bullet

points noting staff concerns and asked Administrative Secretary Danielle Valentine to provide new copies of documentation to Committee Members.

Mr. McRea noted there were three areas for discussion in regards Sign Ordinance:

- Electronic signage
- Billboards
- General clarity of the ordinance

He said the timing of the review of the sign ordinance was affected by the GPAC process and the fact that the City Clerk was currently putting out for bid on a codification of the code. He said that the codification would check for clarity and that part of the codification process was a review of how the ordinance compared to “best practice” explaining that it was this part of the codification that would take place at the end of the GPAC process.

Mayor Holloway said it was his opinion that it would always be possible to come up with an intelligent argument against codes or regulations.

Chair Morgan noted that according to the Bakersfield Californian that City was currently working on an Electronic Sign Ordinance. Mr. Parsons said that in his experience he had witnessed some cities directing applicants towards the sort of signage they felt appropriate via their ordinance.

Member Taylor said that as far as billboards were concerned if they were not wanted the application process should reflect this sentiment and they should not be allowed via a CUP. He requested staff make a recommendation as to the appropriateness or lack thereof of billboards for the City.

8. Community Partnership Grant

Mr. McRea explained that the \$60,000 allocated to the Community Development Committee to distribute via the Community Partnership Grant was in the budget and the position of the Financial Officer and City Manager, Harvey Rose was that the Committee could allocate the funds as they saw fit – however with an understanding that the “roots” of the grant came out of T.O.T. generation. He explained that to distribute funds staff would need an appropriation from the City Manager.

He referred to the draft documentation provided to Committee members saying that it had originally been drafted to reflect a competitive aspect – ie. applicants compete for the funds based upon their eligibility and ability to attract T.O.T. He said it was his opinion that this application process would reduce the likelihood of unsuccessful applicants accusing the Committee of making a gift of public monies. It was therefore his recommendation that the Committee make the grant application a competitive one. He went on to note that it was not contingent upon the Committee to distribute the entirety of the funds and the guidelines would assist in this regard should they feel suitable applications were not received.

Mr. Parsons said that he had noticed upon review of the draft that they referred to “number of tourists” and he asked the question if this was appropriate or perhaps if “number of tourists overnight” was more appropriate.

Chair Morgan said that the Committee should expect to deal with businesses and entrepreneurs who would take the grant money and supposedly create revenue. He said that the Committee had to be prepared to justify why any recipient should receive grant monies.

Member Jeglum asked where the funds would come from and Mr. McRea explained that they came from the General Funds – based on T.O.T. – he then explained the process undertaken to decide on the amount of \$100,000 (\$60,000 via Community Development Committee and \$40,000 via Quality of Life Committee) for distribution.

Member Jeglum questioned how the Committee could give away \$100,000 of City Money when streets needed paving. Member Taylor firstly clarified that what he would say was not necessarily his opinion but just the other side of the argument - and that was that “out-of –

towners" money was being "built upon", hopefully creating revenue that would not otherwise be created. He stipulated that he agreed that the Committee should however watch "how we spend the money".

Mr. McRea said that the Committee did not necessarily have to allocate the grants simply because it was appropriated. He spoke to the Committee about an instance in the past of the grant monies being applied much like a loan. Member Jeglum responded that she would like to see the monies being used in that way.

Chair Morgan stated that he did not want to see people running events claiming to generate T.O.T. and each year the costs for putting on such events increased. He said he would like to see a "drop-dead" date.

There was discussion about how to best achieve clarity and fairness in the distribution of the grant monies.

Mayor Holloway asked if the draft documentation was applicable to both the Community Development Committee and the Quality of Life Committee. Mr. McRea responded that the documentation was for the Community Development Committee only and said it would be modified accordingly and perhaps include a phrase something like "defendable general fund expenditure". Member Jeglum said she like that term and agreed with it.

Chair Morgan asked to see a new draft at the next Committee meeting. Mr. McRea explained that whilst the monies were budgeted, the funds were not yet available so there was little point in bringing it forward until the funds became available. Chair Morgan – on behalf of the Committee – agreed to adjourn further discussions until staff advised the funds were available.

9. GPAC UPDATE

Member Taylor advised that there had been questions raised at GPAC regarding annexation. Mr. McRea explained that discussions had commenced between the City and the County and expanded on the contents of those discussions. He summarized saying there had been discussion but not resolution.

Member Taylor went on to say that GPAC members were interested in metrics relevant to the current zoning and were not willing to move forward until they got that information. That is, they sought metrics in order to best make decisions on subjects such as annexation.

Planner Alexander reminded Committee Members that there was a Kern Council of Governments Second Blueprint Workshop scheduled for 14th November.

10. IWMB UPDATE

Mr. McRea informed Members that staff was expecting a visit from the Integrated Waste Management Board – Local Assistant Team and Compliance Team – on the 8th November. He said that discussion would be held in regards the Local Assistance Plan.

11. DIRECTOR'S REPORT/UPDATES

None.

12. COMMENTS/ANNOUNCEMENTS

None.

13. FUTURE AGENDA ITEMS/NEXT MEETING

Mayor Holloway asked that an item be added for next meeting – how T.O.T. baseline is calculated.

14. ADJOURN

The meeting was adjourned at 6:42 p.m.