

CITY OF RIDGECREST  
100 West California Avenue  
Ridgecrest, CA 93555  
MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION  
City Council Chambers  
Tuesday, October 11, 2005 at 7:00 p.m.

First Resolution 05-19  
Minutes

1. CALL TO ORDER  
The meeting was called to order at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL  
Present Chair Roulund, Commissioners Smith, Laire and Feemster  
Absent Commissioner Biddlingmeier
4. APPROVAL OF MINUTES: June 14, 2005  
The minutes were approved
5. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA  
None
6. PUBLIC HEARINGS

a) Tentative Tract Map 6674, a request to create 79 single family residential lots ranging in size from 6,370 sq. ft. to 9,400 sq ft located at the northwest corner of Inyo Street and Upjohn Avenue (AP# 508-02-019). Planner Landrum presented the staff report. This tract is part of a development agreement; within the agreement each parcel is responsible for traffic lights, drainage, and parks. The draft resolution presented includes current conditions and conditions from agreement. An EIR was done with PM 8533 and a current negative declaration is warranted. Developer should be aware that the City is in the process of working on impact fees.

CEDD Parsons requested a condition be added that requires the developer to enter into an agreement to pay the developer/impact fees at the building permit phase or within 180 days. The fees have not been determined.

Commissioner Smith commented that the City is asking the developer to give them a blank check. CEDD Parsons responded we could put a moratorium on development, but want to give the developer the option to move forward. Commissioner Smith reiterated that the developer needs to know what the costs are; this is not a good position for developer. When will the costs be known?

CED Parsons responded the study was to take 180 days, could be 60 days from now.

Public Hearing was opened at 7:11 p.m.

George Bertrand, Autumn Way –

- Parsons we're going to put in an insurance policy and take it out of your check, but we're not sure of the cost. Would you sign up for it? Have serious problem signing up for something without knowing costs.
- Alternative suggested was to stop development. City's creating a financial burden now without an answer.
- Would fees be put on house? CED Parsons indicated it could be at the Tract Map or Building Permit phase, we don't know.
- Property has development agreement and you want another one on. CED Parsons indicated if agreement addresses issues, won't be charged.
- Can't sign up without details. Don't want condition.

Chair Roulund asked if there was an estimate. CED Parsons responded not at this time. City prefers to have an agreement with developer rather than moratorium. Chair Roulund asked if Condition 17 addresses this. Staff responded that condition is for established fees. The Commission further discussed the study and encouraged staff and Council to expedite the study; can't ask for blank check. Developers should have the information needed. Commissioner Smith recommended a moratorium.

Everett Green,

- Support George Bertrand. The City is doing too little too late
- Questioned the legality of doing this after the fact
- Holding permit hostage
- Should be able to establish fees not to exceed an amount
- Who's going to sign a blank check

Deputy City Manager McRea commented that developers need to know cost, but they don't know future costs. We don't know today what the school fees will be for a house built one or two years from now. City will apply fees reasonably. Past residents didn't pay but we have to consider now. Property tax doesn't pay for maintenance. Impact fees are opposed by developers and realtors. There will be a task force that will include a developer, realtor, staff and consultant.

Public Hearing was closed at 7:38 p.m.

Commissioner Feemster asked what the drainage condition means (i.e., sump), Tract slopes toward Church. Staff indicated the drainage is design to go north on Church onto Downs and into the park. DCM McRea indicated the developer's agreement provides for drainage; there is no sump. Map shows Church as a half

street, agreement assumed Church would be fully paved. Developer will work with the City's Engineering Department.

A motion was made by Commissioner Feemster and seconded by Commissioner Smith to approve resolution 05-19, a negative declaration for TTM 6674

Ayes: Chair Roulund, Commissioners Smith, Laire and Feemster

Noes: None

Absent: Commissioner Biddlingmeier

Abstain: None

Resolution 05-19 was approved

A motion was made by Commissioner Feemster and seconded by Commissioner Laire to approve resolution 05-20 subject to 19 conditions, with the renumbering of condition 18 to 19 and the addition of condition 18, Developer agrees to enter into an agreement with the City of Ridgecrest for payment of developer impact fees at the building phase or within 180 days, whichever is longer.

Ayes: Chair Roulund, Commissioners Laire and Feemster

Noes: Commissioner Smith

Absent: Commissioner Biddlingmeier

Abstain: None

Resolution 05-20 was approved

b) Tentative Tract Map 6133, a request to create 9 single family residential lots ranging in size from 13,113 sq. ft. to 13,447 sq.ft. located on the northwest corner of Sydnor Avenue and Carolyn (APN#453-020-14). Planner Landrum presented the staff report. This is a request for an extension on an approved map. All the original conditions have been brought forward.

Public Hearing was opened at 7:50 p.m.

Everett Green, Inyo – Commented on the notice mailed. Map not accurate and applicant not identified.

CEDD Parsons recommended the same conditions for TTM 6133.

George Bertrand, Autumn – Only asking for extension because can't get recorded due to engineer. It's a renewal of an existing tract.

Public Hearing closed at 7:57 p.m.

Commissioner Feemster commented that he was confused. Map already approved, just not recorded.

CEDD Parsons stated if it's just an extension, he will withdraw his recommendation.

A motion was made by Commissioner Laire and seconded by Commissioner Smith to approve resolution 05-21, an extension for TTM 6133.

Ayes: Chair Roulund, Commissioners Smith, Laire and Feemster

Noes: None

Absent: Commissioner Biddlingmeier

Abstain: None

Resolution 05-21 was approved

c) Conditional Use Permit 05-20, a request for a conditional use permit to develop a 60' monopole tower wireless telecommunication facility at 100 East Bataan Avenue (AP# 343-351-15). Planner Landrum presented the staff report. Cingular is requesting a monopole located at the Desert Community Church facility. Primary concern is aesthetics. Existing towers have reached capacity. The monopole would be less distracting than a pine tree.

Public Hearing was opened at 8:01 p.m.

Jim , Cingular representative –

- Shelter will be prefab product and will match church
- Upright difficult for stealth product. Trees don't work well.
- Height requirement required by frequency.
- Pole will cover array of frequency and provide area for other carriers. Can support 3 or 4 more carriers.
- Site chosen because it met three aspects (ring requirement, zoning, and leasing)

CEDD requested a condition that allows the City access to pole for city use and help with cost. Applicant indicated there was not a problem with request as long as there was no interference.

Public Hearing was closed at 8:07 p.m.

Commissioner Feemster commented that he agrees with applicant but with future development a tree wouldn't stand out. Applicant indicated they could consider paint color and mentioned that they have had other cities add conditions in the future when new carriers were added to their poles.

A motion was made by Commissioner Smith and seconded by Commissioner Laire to approve resolution 05-22, CUP 05-20 with an added condition that The City of Ridgecrest will be allowed access to the monopole tower subject to an agreement.

Ayes: Chair Roulund, Commissioners Smith, Laire and Feemster

Noes: None

Absent: Commissioner Biddlingmeier

Abstain: None

Resolution 05-22 was approved

d) Site Plan Review 05-25, a request for Site Plan Review of a 9,900 sq. ft. warehouse located at 317 W. Inyokern Rd. (APN# 419-010-50). Staff requested this item be continued to the next scheduled Planning Commission meeting.

e) ORDINANCE OF THE CITY OF RIDGECREST amending the Ridgecrest Municipal Code relating to Section 20-1.2 by adding a definition for cargo containers and adding Section 20-32 regulating metal cargo containers. Planner Landrum presented the staff report. This item has been before the Commission in a workshop. At the request of the commission the Ordinance has been fine tuned. It's before the Commission for approval of a negative declaration and a recommendation to City Council.

Public Hearing was opened at 8:17 p.m.

George Bertrand, Autumn Way

- Are there provisions for Condition Use Permit for mini storage? Response was no. Mr. Bertrand asked if there should be.
- Asked staff if he should have been notified of the last meeting and was told no.
- Is ordinance going to apply to the city, CLOTA, museum
- Do have permanent cargo containers in City, are there requirements for permanent storage?

Planner Landrum explained the Commission in their workshop requested that cargo containers be removed from residential zones and nonconforming containers in commercial will have up to June 2007 to be removed. Removal will be in stages. Containers with Health and Safety issues will need to be removed in 30 days, non-conforming could be from 180 days up to 18 months depending on whether the City knew about the container. Ordinance introduced for several reasons currently cargo containers are not regulated and there are fire and safety concerns. The containers that will be allowed will require Site Plan Review which will be at both the staff and commission level.

Roy Nichols, Garth

- First time I've seen ordinance, owner of storage facility (not in city). Sell and rent cargo containers
- Understand there were alternatives (not permit, permit with CUP, permit with less, not do anything). Has that been decided?

- If prohibited, people are going to have a hard time conforming. It's like telling someone to move their house. There should be a grandfather clause.

Planner Landrum indicated the Planning Commission action is not final; this is a recommendation to Council. Council has the option to look at other alternatives.

Public Hearing was closed at 8:35 p.m.

Commissioner Feemster noticed errors in the ordinance and requested staff be allowed to make technical changes.

A motion was made by Commissioner Smith and seconded by Commissioner Laire to approve resolution 05-22, a negative declaration for Ordinance Of The City Of Ridgecrest amending the Ridgecrest Municipal Code relating to Section 20-1.2.

Ayes: Chair Roulund, Commissioners Smith, Laire and Feemster

Noes: None

Absent: Commissioner Biddlingmeier

Abstain: None

Resolution 05-22 was approve

A motion was made by Commissioner Smith and seconded by Commissioner Laire to approve resolution 05-23, a recommendation to amending the Ridgecrest Municipal Code relating to Section 20-1.2.

Ayes: Chair Roulund, Commissioners Smith, Laire and Feemster

Noes: None

Absent: Commissioner Biddlingmeier

Abstain: None

Resolution 05-23 was approve

7. DISCUSSION ITEMS

None

8. FUTURE AGENDA ITEMS & COMMENTS

None

9. ADJOURN

The meeting was adjourned at 8:37 p.m.