

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION REGULAR MEETING

March 21, 2018

CALL TO ORDER

Chairman Tinsley called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:00 p.m.

Roll Call

Present: Commissioners Bruce Kallen; Doug Qualls; Vice-Chairman Jason Lamoreaux; Chairman B.R. "Bob" Tinsley
Absent: Commissioner Mark Shoup

Staff Present

Carol Miller, Assistant Director of Community Development, Pam Cupp, Associate Planner, Thomas Rice, Town Attorney, Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Tinsley.

APPROVAL OF MINUTES

1. **Approval of Minutes**
 - a. Regular Meeting of February 7, 2018.

Yvonne Rivera, Planning Commission Secretary, noted that a correction was made to the minutes for the regular Meeting of February 7, 2018. The correction reflects Commissioner Kallen voting "Yes" on the new election of Vice-Chairman Tinsley as Chairman and Commissioner Lamoreaux as Vice-Chairman of the Apple Valley Planning Commission.

MOTION

Motion by Vice-Chairman Lamoreaux, seconded by Chairman Tinsley to approve the minutes for the Regular Meeting of February 7, 2018, as amended.

Vote: Motion carried 3-0-1-1
Yes: Commissioners Kallen; Vice-Chairman Lamoreaux; Chairman Tinsley.
Absent: Commissioner Shoup
Abstain: Commissioner Qualls

b. Regular Meeting of February 21, 2018.

MOTION

Motion by Vice-Chairman Lamoreaux, seconded by Chairman Tinsley, to approve the minutes for the Regular Meeting of February 21, 2018.

Vote: Motion carried 4-0-1-0
Yes: Commissioners Kallen; Qualls; Vice-Chairman Lamoreaux; Chairman Tinsley.
Absent: Commissioner Shoup

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

Chairman Tinsley recommended to rearrange the order of the Agenda Items, to discuss Agenda Item Number 3 first.

It was the consensus of the Planning Commission to discuss Agenda Item Number 3 at this time.

3. **Tentative Parcel Map No. 19575, Extension 1.** A request for a three (3) year time extension of a previously approved subdivision of eight (8) acres into eight (8) parcels for a planned commercial development. The project is located within the Regional Commercial (C-R) zoning designation.

Applicant: Mr. Thomas Steeno, representing Mr. Steven Farmer.

Chairman Tinsley opened the public hearing at 6:05 p.m.

Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Division. She noted, for the benefit of the Commission, that this will be the only extension for Tentative Parcel Map No. 19575.

Thomas Steeno, Applicant, commented on the different phases of the project including water, sewer and road widening. He noted that the landscape plans will be submitted within two weeks and anticipates that all of the work will be completed within the three (3) year time extension that is being requested.

Chairman Tinsley asked the Applicant if he agreed to the Conditions of Approval.

Mr. Steeno stated that he agreed with the Conditions of Approval.

There being no requests to speak, Chairman Tinsley closed the public hearing at 6:10 p.m.

MOTION

Motion by Vice-Chairman Lamoreaux, and seconded by Commissioner Kallen that the Commission move to:

1. Find that there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted by the Planning Commission on April 6, 2016. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve a three (3)-year extension of time for Tentative Parcel Map No. 19575, subject to the attached Conditions of Approval.

Vote: Motion carried 4-0-1-0

Yes: Commissioners Kallen; Qualls; Vice-Chairman Lamoreaux; Chairman Tinsley.

Absent: Commissioner Shoup

2. **Development Code Amendment No. 2017-002.** An amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code by modifying provisions relating to second dwelling units and accessory dwelling units, as required by California Government Code Section 65852.2 and California Health & Safety Code Section 17958.1. This amendment will also provide standards related to guest quarters and residential accessory structures used for recreational purposes.

Applicant: Town of Apple Valley

Chairman Tinsley opened the public hearing at 6:11 p.m.

Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Division. She noted that the amendment coincides with the recently approved state law, and further added that accessory dwelling units cannot be counted toward density.

Ms. Cupp informed the Commission that staff is recommending to add a provision for a covenant that only one unit on the property is rentable, and that one unit must be owner-

occupied. She informed the Commission that the Town Attorney is recommending an amendment to the Resolution, to add standards related to interior accessory dwelling units, as well as setback requirements for a detached garage that is converted. She also noted that these projects will be reviewed through the Building Permit process.

Thomas Rice, Town Attorney, clarified that the changes made to the Resolution are standards that are required by state law.

Mr. Rice also made minor corrections to the list of conditions as follows:

1. Renumber Section G to read Section F as shown on Page 2-15.
2. Add an extra CEQA Exemption under Public Resource Code No. 21080.17, which applies to the adoption of Ordinances to implement the new ADU Laws.

Ms. Cupp responded to questions by the Commission as it relates to requirements for accessory dwelling units.

Commissioner Qualls commented on the need to make minor corrections to the following sections of the staff report:

C. General Standards

Line Item No. 7 should read as follows:

"The primary dwelling, accessory dwelling unit, or both must be occupied by the property owner."

Addendum – Section F. Interior Accessory Dwelling Units Standards

Line Item No. 3 should read as follows:

"The accessory dwelling unit has side and rear setbacks that are sufficient for fire safety."

There being no requests to speak, Chairman Tinsley closed the public hearing at 6:17 p.m.

MOTION

Motion by Commissioner Qualls, and seconded by Vice-Chairman Lamoreaux to approve Planning Commission Resolution No. 2018-003, as amended by staff and the Town Attorney, forwarding a recommendation that the Town Council amend Title 9 "Development Code" of the Town of Apple Valley Municipal Code as outlined within the staff report.

Vote: Motion carried 4-0-1-0

Yes: Commissioners Kallen; Qualls; Vice-Chairman Lamoreaux; Chairman Tinsley.

Absent: Commissioner Shoup

OTHER BUSINESS

None.

PLANNING COMMISSION COMMENTS

None.

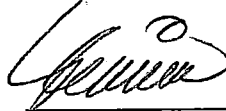
STAFF COMMENTS

None.

ADJOURNMENT

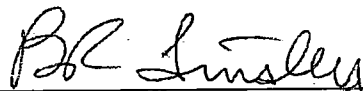
Motion by Vice-Chairman Lamoreaux, seconded by Commissioner Kallen, and unanimously carried, to adjourn the meeting of the Planning Commission at 6:19 p.m. to its next regularly scheduled meeting on April 4, 2018.

Respectfully Submitted by:



Yvonne Rivera
Planning Secretary

Approved by:



Chairman B.R. "Bob" Tinsley