

## Planning Commission

The regular meeting of the Planning Commission was called to order by Chairman Nichols at 7:04 p.m., Wednesday, July 20, 2011, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

**Commissioners Present:** John Nichols, Chairman  
Lori Uber-Zak, Vice-Chairman  
Miguel Rojas  
Carolyn Palmieri  
John Lenart (arrived at 7:08)

**Staff Present:** Konrad Bolowich, Director

Chairman Nichols led the Pledge of Allegiance. No items were added or deleted; no public participation comments were offered upon invitation of the Chairman.

Chairman Nichols addressed the Commission seeking input as to the desire of the Commission to reorganize based upon recent reappointments by City Council.

Vice Chairman Uber-Zak indicated her willingness to leave as is unless someone else wanted to take over as Vice Chairman.

**Motion by Uber-Zak, seconded by Rojas and carried to leave the organization of the Commission as is. Lenart absent.**

### Continued Items

**PC-11-25 - TENTATIVE PARCEL MAP (TPM) NO. 10-205 AND CONDITIONAL USE PERMIT (CUP) NO. 10-203 - (PUBLIC HEARING)** – A proposal to subdivide an existing 7.7 acre parcel into seven individual lots to construct a new neighborhood business center at 25701 Barton Road in the Neighborhood Business Zone, which includes a total of 73,000 square feet of building area divided into four separate pads.

Chairman Nichols opened the public hearing and indicated that staff recommended continuing the public hearing to the September 7 meeting. No testimony was offered.

**Motion by Uber-Zak, seconded by Palmieri and carried to continue TPM No. 10-205 and CUP No. 10-203 to the regular meeting of September 7, 2011. Lenart absent.**

**PC-11-26 – PRECISE PLAN OF DESIGN (PPD) NO. 11-58 – (PUBLIC HEARING)** – A request to construct a new two-story duplex on a site with an existing 2,000 square foot single-family residence. The project is located at 25004 Court Street in the Multiple-Family Residence Zone.

Chairman Nichols opened the public hearing and indicated that staff recommended continuing the public hearing to the September 7 meeting. No testimony was offered.

**Motion by Uber-Zak, seconded by Palmieri and carried to continue PPD No. 11-58 to the regular meeting of September 7, 2011. Lenart absent.**

Commissioner Lenart arrived at 7:08 p.m.

**PC-11-27 – DEVELOPMENT CODE UPDATE PROJECT (DCU) – (PUBLIC HEARING) – A** comprehensive update of Loma Linda Municipal Code, Title 16 (Subdivisions), Title 17 (Zoning) for compliance with the City’s General Plan (May 26, 2009), State Law and other applicable laws, and current planning practices.

The public hearing was opened. Director Bolowich indicated that Chapters 17.08, .10, .40, .46, .50, .52, .54, .56, .58, .60, .62, and .68 had been previously distributed to the Commission and with the agenda this evening, were Chapters 17.14 and 17.42

As not all Commissioners had previously distributed copies available, Director Bolowich began the review with Chapter 17.14 SIGNS, going section by section seeking comments from Commissioners. Areas of concern included:

17.14.010 – Avoid the use of extremely bright or florescent hues

Vice Chairman Uber-Zak expressed concern as it related to use of company logos and similar items that may use bright and/or florescent colors.

Chairman Nichols indicated that the intent was probably to prohibit things that are onerous, but provide the latitude to the Commission.

Director Bolowich indicated intent was to limit the use of really bright, garish colors. When combined with the following items, “permit neon colors ...” and “avoid use of unpainted, bar (should it be "bare"? metal and highly polished metal materials” it allows for flexibility.

17.14.060 – Signs Permitted in Residential Zones

Vice Chairman Uber-Zak asked about yard sale signs, where they were addressed, how long they can be up, and about monitoring and enforcement.

Director Bolowich indicated that enforcement was complaint driven as there was no Code Enforcement Officer on duty over the weekend.

17.14.120 – Permitted Signs – All Zones

Vice Chairman Uber-zak questioned whether the tables in this section were fairly industry standard.

Commission Rojas, having a familiarity with the subject matter indicated that yes they were fairly industry standard.

Director Bolowich said that documents from surrounding cities, primarily Ontario, Redlands and Rancho Cucamonga were used as templates for this document.

#### 17.14.150 – Off-Site Subdivision Directional Signs

Director Bolowich commented that City Council allowed sign twirlers in the past and so, there was some leniency regarding the sign twirler used by new subdivisions.

#### 17.14.180 – Freestanding Announcement Signs Permitted When

Chairman Nichols questioned flashing or moving signs not visible from a roadway such as those on a school campus, were they permitted.

Vice Chairman Uber-Zak indicated they were covered under 17.14.200.

#### 17.14.190 – Political Signs

Vice Chairman Uber-Zak expressed concern regarding the removal of political signs within 10 days after an election, however some remained for much longer and that while political signs are allowed on private property in the yard, they are not allowed to be affixed to any tree, fence post, utility pole, equipment, not any structure by any means.

Discussion ensued among Commissioners, with comments that perhaps affixing signs to trees or fences makes them appear more permanent; there was also concern regarding the use of mobile political signs.

Director Bolowich responded that there was a City Council ordinance in place regarding political signs and that care needed to be exercised so that freedom of speech was not compromised. He indicated that he would clarify issues regarding political signs on private property with the City Attorney. He also indicated that mobile signs are covered under the mobile sign ordinance recently adopted by City Council that is now the subject of litigation; outcome of such litigation may necessitate changes in the future.

#### 17.14.200 – Nonpublic Directional Signs – Permitted

Chairman Nichols commented that as long as the signs are not designed to be viewed from any street, highway or public place, directional and moving signs were permitted.

#### 17.14.210 – Prohibited Signs

Chairman Nichols expressed concern regarding section B. pertaining to flashing and animated signs. In certain locations, such as an educational complex and done in a tasteful way such signs can be useful; and suggested that the Planning Commission and/or City Council ~~to~~ have discretion on a case-by-case basis.

Vice Chairman Uber-Zak had concerns regarding traffic hazards created by video signs. Drivers are apt to pay more attention to the movement in the signs than to driving and would like to see less of these types of signs in Loma Linda and would also like Planning Commission and/or City Council to have discretion.

After discussion, Director Bolowich reviewed the Caltrans requirement for animated signs regarding maximum transitions/flips and indicated that “video, animated, and message boards” would be added to the digital message boards that require a conditional use permit, thereby allowing the Planning Commission and City Council discretionary control.

Discussion moved to Section 17.42 and it was noted by Vice Chairman Uber-Zak that the copies in the agenda packets were incorrect as they read 17.40 rather than 17.42.

Director Bolowich indicated that it would be corrected throughout the document.

#### 17.42.030 – Use Regulations

Commissioner Palmieri questioned Section B 3 regarding mobile/manufactured homes in a suburban residential district, did this include all residential districts and could anyone decide to install a foundation and install a mobile home on their property?

Director Bolowich indicated that was correct, pending Planning Commission approval through the CUP process; would not allow staff level approval; but would follow same process as any new home.

Vice Chairman Uber-Zak indicated that the section did read as to give Planning Commission the scope to review setbacks and consistency with surrounding neighborhood.

Commissioner Rojas questioned whether the National Mobile Home Construction and Safety Standards Act of 1974 was the latest standards in that it seemed antiquated.

Director Bolowich responded that these were the latest adopted standards and that regulation of mobile home construction and setting of the mobile home is regulated by the State, not by local building codes. Local building codes addressed the foundation on which the home is placed.

Vice Chairman Uber-Zak suggested language to the effect of “or later standards/codes if applicable” be added.

After discussion by the Commission, Director Bolowich recommended that the section be amended to include “or most recent Standards”.

Commissioner Rojas observed that section C (1) indicated that the “...design of the mobile/manufactured home shall be similar in character and appearance to other dwellings in the area...” and was concerned in that for the most part, manufactured homes were being placed in Redevelopment zones and these tended to be more blighted areas. In such a case, with the intent to upgrade the area, one would not want the new dwelling to match existing dwellings.

After discussion among Commissioners, Director Bolowich indicated addition of wording along the lines of “to match or exceed other dwellings...”.

Vice Chairman Uber-Zak commented that Section 7 dealt with yard sales and questioned whether anyone ever looks at or enforces these.

Director Bolowich indicated that yard sale restrictions were dealt with by exception.

Commissioner Rojas questioned Section 8 regarding mobile home park development and no minimum yard, side areas, width, or depth requirements and how is a decent environment established for these communities? One home could be put practically on top of another.

Director Bolowich responded that the separation would be governed by the fire separation standards.

Discussion continued among Commissioners regarding setbacks, landscaping, lot size; that there be some minimum standards established; and perhaps the section needed to indicate that these items were regulated under fire standards and building standards.

Director Bolowich responded that Section 8 a, b, c, & d would be reviewed and some minimum standards established and brought back to the Commission for their review.

Section 5 J as it pertained to "...temporary/removable structures for a second dwelling..." Commissioner Palmieri questioned whether this pertained to motor homes.

Director Bolowich responded that it pertained to garden sheds and those types of storage buildings, they have to be toward the back of the lot; where there were two houses on a lot, these types of structures would need to be behind the second house.

Discussion continued among Commissioners, with Commissioner Rojas recommended rewording to read "in conjunction or association with a second dwelling..." rather than "...for a second dwelling unit..."

Vice Chairman Uber-Zak questioned where PODS or temporary storage units would fall under this section. Discussion ensued among Commissioners regarding the use of PODS and their placement on the lot.

Director Bolowich indicated that as they would be considered on-site temporary storage, they would fall under the prevue of code enforcement rather than development codes.

#### 17.42.040 – Site Development Criteria

Vice Chairman Uber-Zak expressed concern as to whether the numbers in Section B Table 17.08.040-B for very low, low, low-moderate, moderate, moderate-high, high density numbers regarding number of dwelling units permitted were consistent with previous Commission action and would like to see these numbers clarified.

After discussion, it was determined that previous Commission action would have been regarding the Housing Element of the General Plan as they related to the SCAG's regional housing requirements. The Commission at that time made it clear that the Commission retained discretion for up to a certain density number.

Chairman Nichols questioned the basic vs optional standards; that there should be very clear standards as to avoid potential litigation.

Director Bolowich indicated that staff would double check the numbers for consistency and bring this back to the Commission with copies of the Housing Element and other pertinent sections of the General Plan for Commissioners review. Staff would also review and get some definition to the basic vs optional standards.

Vice Chairman Uber-Zak asked if the tables as they related to Streetscape Setbacks and Building Separations were fairly standard.

Director Bolowich indicated that these tables were what was currently in place or consistent with neighboring communities. Many of these setbacks were driven by fire standards and how much room firefighters would require.

Commissioner Rojas, with knowledge in this area, indicated that yes they were consistent with fire standards.

Chairman Nichols questioned Section E, Table 17.08.040-E number 2 the building to curb as opposed to building to property line.

Director Bolowich indicated that he would check on that as building to property line did seem to make more sense.

Commissioner Rojas commented re Section F. Front Yard Landscaping that artificial turf was turning up in more and more locations and should perhaps be addressed, in addition to other types of landscaping materials such as flagstone, etc.; that there be some leeway so long as the end result is attractive.

Director Bolowich responded that this section will be reviewed to look at including Commissioners concerns, also to include water concerns and use of Xeriscape and alternative ground cover. In addition, defining tree size by gallon container size is not consistent among nurseries and there is a need to look at the age or size of tree as the minimum requirement.

Regarding Section I. Energy Conservation, Chairman Nichols commented that there should be something more substantial.

Director Bolowich responded that standards in regards to energy conservation has been shifted to the building codes; it is addressed in the newest revision of the building codes in 2008 and is defined by California law and continues to evolve.

In regards to Section J. Slope Planting, Director Bolowich indicated that wording needed to be included that addressed exceptions like rocky hillsides where things will not grow or are too steep to maintain, but that those options will also prevent erosion.

Commissioner Palmieri commented that when looking at those exceptions, care needed to be taken that erosion does not take place and the hillside ends up in the street.

Going back to Section H. Recreation Area/Facility, numbers 1, 2 & 3, Vice Chairman Uber-Zak indicated that perhaps rather than limiting the number of amenities, reword to indicate that the development include "a minimum..." or "at least..." when addressing the recreation areas.

Director Bolowich responded that the change could be made to the wording include "a minimum" when addressing the recreation areas. He also indicated that number 2, & 3 give latitude to the Planning Commission to substitute equivalents.

Commissioners Palmieri and Rojas had some concerns in regards to Section M. Garage Setbacks in that 10 feet did not seem near enough space for a turning radius.

Commissioner Rojas indicated that a minimum of 20 feet would be more reasonable.

Director Bolowich indicated that the section would be amended to indicate a garage setback of 20 feet.

Q 3 Temporary, Portable and Permanent Shade Structures, Commissioner Palmieri questioned whether this included carports and the like. Perhaps rewording to separate storage structures from shade structures to prevent someone from erecting a storage space in their front yard and indicate that it is not for shade and therefore be allowed.

Commissioners discussed issues such as RV carports with no side yard setback; RV carport height; the fact that the Section is titled "shade structures" but talks about storage.

Director Bolowich indicated that in Section 3 a. there was a minimum property line setback of 5 feet which was new; Section 3 b addressed the height; and that the Section be retitled Temporary, Portable and Permanent Shade and/or Storage Structures.

Commissioner Palmieri asked if shade or storage structures used for piling up old boxes, appliances, etc. that would be visible from the street were addressed.

Discussion ensued regarding the use of carports for storage that is visible from the street and where that would be addressed in this section; that there should be screening that prevented items being stored from being viewed from the street; and some side yard setbacks where the interior side yard was being used for storage.

Director Bolowich indicated that staff would develop language that addressed these concerns.

Chairman Nichols left at 8:30 p.m.

Director Bolowich indicated changes discussed will be made and copies brought back to the Commission with the changes highlighted.

**Motion by Palmieri, seconded by Lenart, and carried to continue the Development Code Update to September 7, 2011 or when all five Commissioners are in attendance. Nichols absent.**

In summary, recommended changes/additions/deletions include -

- Sections 17.14.210 add video, animated, and message board signs;
- Correct Section headings re Residential Zones from 17.40 to 17.42;
- Section 17.42.030 B 3 amend to include "or most recent Codes and Standards";
- Section 17.42.030 B 3 c (1) amend to read "to match or exceed...other dwellings...";
- Section 17.42.030 5 J amend to read "...in association with a second dwelling.." rather than "...for a second dwelling...";
- Section 17.42.030 8 a, b, c & d amend to include some minimum standards;
- Section 17.42.040 B verify density numbers with previous Commission action as it pertains to the Housing Element of the General Plan;

- Section 17.42.040 E Table 17.08.040-E 2 change building to curb to read building to property line;
- Section 17.42.040 F amend to include other types of landscaping and tree size;
- Section 17.42.040 H 1, 2 & 3 amend to indicate a minimum number of recreational amenities;
- Section 17.42.040 J to allow for exceptions for things like rocky hillsides or extreme slope lines;
- Section 17.42.040 M amend a minimum 10 foot setback to a 20 foot setback;
- Section 17.42.050 3 amend to read “Temporary, Portable and Permanent Shade and/or Storage Structures” and to include screening that prevented items being stored being viewed from the street.

**PC-11-28 - APPROVAL OF MINUTES** – June 15, 2011 & July 6, 2011

**Motion by Rojas, seconded by Palmieri and carried to approved the minutes of June 15, 2011 as presented. Uber-Zak abstained, Nichols absent.**

**Motion by Rojas, seconded by Palmieri and carried to approve the minutes of July 6, 2011 as presented. Nichols absent.**

**REPORTS BY PLANNING COMMISSIONERS** – None.

**COMMUNITY DEVELOPMENT DIRECTOR REPORT**

Director Bolowich indicated that he will be on vacation at the time of the August meeting; that Assistant Planner Allan Penaflores would be present. City Attorney Holdaway will also not be present, his assistant will attend.

**ADJOURNMENT**

The meeting adjourned at 8:37 p.m.

Minutes approved at the meeting of .

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Barbara Nicholson  
Deputy City Clerk