



**PLANNING COMMISSION MEETING
OF THE
CITY OF CALIFORNIA CITY**

**TUESDAY, APRIL 18, 2023 @ 6:00 PM
VIDEO CONFERENCE/IN PERSON
21000 HACIENDA BLVD., CALIFORNIA CITY, CA 93505**

If you need special assistance to participate in this meeting, please contact the planning department at (760) 373-7141 or via email at planning@californiacity-ca.gov. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II).

Zoom

1. Public may join Planning Commission Meeting live via Zoom:
 - Link: <https://us06web.zoom.us/j/82077243180>
 - Meeting ID: 820 7724 3180
2. Public can dial into the Zoom line:
 - One tap mobile: +16694449171, 86119522302# US
 - Dial the following number and enter the meeting ID: + 1 669 444 9171 US

Granicus

1. Agenda can be viewed via Granicus: https://californiacity.granicus.com/viewpublisher?view_id=1
2. Public may eComment on agenda items via Granicus

City Website

1. Agenda can be viewed on city website
2. Recording of this meeting can be viewed on the city website

LATE COMMUNICATIONS: Following the posting of the agenda any emails, writings, or documents that the public would like to submit to the Commission must be received by the Recording Secretary no later than 3:00 p.m. the day prior of the scheduled meeting.

Public is urged to listen to the meeting in a quiet place, to avoid background noise. We also request public to **MUTE** your audio device when not commenting to avoid disruption during meeting.

****At this time, please take a moment to turn off your cell phones****

CALL TO ORDER

PLEDGE OF ALLEGIANCE/INVOCATION

ROLL CALL

Commissioner	Cantrell
Commissioner	McKinley
Commissioner	Welling
Vice Chair	Conry
Chair	Dunham

ADOPT AGENDA

Adopt Agenda: April 18, 2023

PLANNING SECRETARY REPORTS/LATE COMMUNICATIONS

None

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS

Disclosure by Commissioners of site visits and ex-parte contact for items on the agenda.

PUBLIC BUSINESS FROM THE FLOOR

This portion of the meeting is reserved for the public to address the Planning Commission on any matter not on the agenda and over which the Planning Commission has jurisdiction. Comments are to be limited to three (3) minutes. The Planning Commission will receive the comments but cannot engage in back-and-forth discussion with the public or make any decision. The Planning Commission may direct staff to bring the item back to a future agenda for discussion.

CONSENT CALENDAR

CC 1: Approve meeting minutes 03/15/2023

DISCUSSION ITEMS

Discussion items typically involve preliminary discussions of topics of significance and provide an opportunity for open dialogue with the Planning Commission and members of the community. No formal action occurs during Discussion Item reviews. These discussions may result in recommendations for City Council consideration.

- DI 1:** Commissioner reports on League of California Cities Planning Commissioners Academy
Planning Commissioners will report on key items noted in the recent League of California Cities Planning Commissioners Academy. Such items may result in suggestions by the Planning Commission to adjust practices related to conduct of Planning Commission or may result in recommendations to the City Council for follow up actions.

Recommendation

Direct staff to prepare a summary memo of key items noted by the Planning Commission and any actions which the Commission wishes to recommend to the City Council. Such memo to be presented to the Commission at a subsequent meeting prior to transmittal to City Council.

STAFF COMMENTS

COMMISSIONER COMMENTS

This portion of the meeting is reserved for Planning Commissioners to present information, announcements and items that have come to their attention. Short staff responses may be appropriate. The Planning Commission will take no formal action. A Planning Commissioner may request to calendar an item for consideration at a future meeting or refer an item to staff.

Commissioner	Cantrell
Commissioner	McKinley
Commissioner	Welling
Vice Chair	Conry
Chair	Dunham

ADJOURNMENT

AFFIDAVIT OF POSTING: This agenda was posted on all official City bulletin boards, the City's website and agenda packets were completely accessible to the public at City Hall at least 72 hours, special meetings 24 hours, prior to the Planning Commission Meeting. *Planning Department*

**CITY OF CALIFORNIA CITY
PLANNING COMMISSION MEETING
MEETING MINUTES**

WEDNESDAY, March 15, 2023 @ 6:00 P.M.
21000 Hacienda Blvd., California City, CA 93505

CALL TO ORDER

Chair Dunham called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE/INVOCATION

Pledge of Allegiance: **Commissioner McKinley**

Invocation: **Pastor Rob**

ROLL CALL

Present: Chair Dunham, Vice Chair Conry, Commissioner Cantrell, Commissioner McKinley, Commissioner Welling

ADOPTION OF AGENDA

Adopt Agenda: March 15, 2023

Motion by: Commissioner Cantrell Second by: Vice Chair Conry

VOTE:	5	Yes	0	Nays	0	Abstain	0	Absent	Motion Carried
Cantrell		X							
McKinley		X							
Welling		X							
Conry		X							
Dunham		X							

PLANNING SECRETARY REPORTS/LATE COMMUNICATIONS

NONE

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS

Chair Dunham previously visited sites but not since last meeting

Vice Chair Conry visited sites recently but no contacts

Commissioner McKinley previously visited sites but not since last meeting

Commissioner Welling previously visited sites but not since last meeting

PUBLIC BUSINESS FROM THE FLOOR

NONE

CONSENT CALENDAR

CC 1: Motion to approve minutes from 02/21/2023

Motion by: Commissioner Cantrell Second by: Vice Chair Conry

VOTE:	5	Yes	0	Nays	0	Abstain	0	Absent	Motion Carried
Cantrell		X							
McKinley		X							

Welling	X
Conry	X
Dunham	X

PUBLIC HEARINGS

PH 1: Proposal for General Plan Amendment (GPA 22-04) and adoption of Zoning Amendment (ZC 22-04) for the property located at 10856 Hanover Drive (APN 210-263-14) to amend the General Plan designation from “Neighborhood Commercial” to “Light Industrial and Research” and to rezone the property from “Neighborhood Commercial (C-1)” to “Light Industrial (M-1)” to accommodate the existing Padron Metal Finishing Company use. – Presented by Paul Junker

- **Commissioner Cantrell** – Inquired if current homes nearby were constructed before current zoning provisions and when current zoning went into effect
- **Vice Chair Conry** – referenced page 4; Inquired about why Padron would not be a good representation of California City; Asked for clarity between Padron and Cannabis; Expressed concern about consistency with California City General Plan; Disappointed in the delay of approval
- **Paul Junker** – Explained the delay was because of the actions of the applicant’s non-compliance
- **Brian Glidden** – Clarified that business was built in 2006; Tentative improvements; Already pre-approved.
- **Paul Junker** – Clarified building was there as a storage; Referring to the current use, not shell building
- **Commissioner McKinley** – Wanted clarification when conversation happened between Shawn Monk and Padron
- **Commissioner Cantrell** – Clarification requested regarding approval of Padron Metal use; inquired about CUP
- **Brian Glidden** – Stated City had given verbal approval for business approval
- **Commissioner Welling** – Inquired about getting more information on the CUP
- **Paul Junker** – Stated that highly unlikely CUP application was completed
- **Brian Glidden** – Stated that we have to question if a CUP was requested
- **Padron Metal, Crystal and Ivan Padron** – Provided background on Padron; clarified metals being used. Crystal Padron responded to concerns from Paul Junker’s presentation. Ivan Padron stated that they have never tried to hide the intent of Padron Metal.
- **Commissioner Cantrell** – Inquired about building permits, deficiencies
- **Crystal Padron** – Responded that no one has provided them with a list of deficiencies
- **Vice Chair Conry** – Inquired about interior modifications and information on what materials are being used.
- **Ivan Padron** – Provided info about electrical modifications; Clarified there is nothing harmful to the residents and public.
- **Commissioner Cantrell** – Inquired again about generator and environmental permits
- **Vice Chair Conry** – Requested code violations
- **Ivan Padron** – Stated Padron Metal was not given a list of code violations
- **Commissioner Welling** – Clarified the scope of the Planning Commission body
- **City Manager, Inge Elmes** – Stated that its important to hear background of applicants; suggested to meet with Tiffany and Susie regarding business permits needed
- **Ivan Padron** – Inquired to Paul Junker about project discussion with Chief Kosick
- **Paul Junker** – Responded that he and Chief Kosick does not discuss Padron on a daily basis as Ivan Padron stated
- **Vice Chair Conry** – Stated she has heard Dr. Hart say that Padron project would not get approval and she wants to know why; Stated that she sees so many inconsistencies related to the Padron project
- **Paul Junker** – Stated that staff only makes recommendations, not decisions
- **Commissioner Cantrell** – Commended Paul Junker for being a man of character and honest regarding his work

- **Commissioner McKinley** – Agreement with Commissioner Cantrell’s statement about Paul Junker
- **Chair Dunham** – Stated that we need to be careful about perspectives because opinions are not necessarily why a business doesn’t get approved or not
- **Crystal Padron** – Commented about “seeing cannabis projects be recommended but only sees negative reports regarding their project”
- **Commissioner Cantrell** – Stated the reason why any project goes through expeditiously are when applicants provide everything required for approval
- **Chair Dunham** – Stated that he appreciated the presentation; Clarified that the issue is the type of business for this zone, not to compare cannabis to industrial; Asked for a perspective on land use for all zones, ie general land use
- **Brian Glidden** – Stated that project is listed as Denied for the Zone Change
- **Commissioner Cantrell** – Inquired the whereabouts of the paperwork that listed Zone Change as denied
- **Paul Junker** – Requested the document to rectify the error that Zone Change was denied
- **Chair Dunham** – Stated that the error or someone else’s personal decision has no bearing on the decision that must come to Planning Commission
- **Vice Chair Conry** – Referenced project list dated 12/13/22 page 18 on SPR 21-17
- **Public comment from Silver (Zoom)** – Regarding spot zoning; request to welcome project; not a health and safety concern for community; help business succeed
- **Public comment from Mr. Bradley (Zoom)** – Informed Mr. Padron of 10-day appeal process; public has no concern; Stated the delay is unacceptable
- **Commissioner Cantrell** – Stated he is pro-business; doesn’t understand why a list of deficiencies has been provided to applicant
- **Commissioner McKinley** – Inquired if permits can be obtained without zone change
- **Chair Dunham** – Stated that amending plan and zone change needs to happen
- **Commissioner Welling** – Stated that the re-zoning process takes time
- **Chair Dunham** – Explained whether or not Planning Commission should do a GPA and Rezone; Presented resolution in packet is to deny forwarding to CC; if yes vote, recommendation is not to do a GPA; if no, clarification what Planning Commission should construct to prepare an agenda item for recommendation to City Council.
- **Paul Junker** – Stated if Planning Commission would support rezone, recommendation would be formulated to City Council.
- **Chair Dunham** – Stated that City cannot implement a Variance with a Use; Reiterated the purpose of the Public Hearing; Inquired about changing zoning language
- **Paul Junker** – Stated City can make regulations match zoning; Easier to focus on Use classification
- **Paul Junker and Planning Commission** – Discussed Options 1 and 2 for City Council recommendation

Recommendation: Adopt Resolution 03-23-01, thereby denying the request for General Plan amendment and rezone for 10856 Hanover Drive.

Motion by: Commissioner Cantrell 2nd by: Commissioner McKinley

VOTE:	0	Yes	5	Nays	0	Abstain	0	Absent	Motion Failed
Cantrell				X					
McKinley				X					
Welling				X					
Conry				X					
Dunham				X					

Planning Commission supports rezone that would allow Padron Metal to operate in its current location.

The reason for the Planning Commission vote are (1) No evidence that use occurring at Padron Metal presents a health hazard to surrounding properties, (2) There are numerous examples in the City where M1 and residential properties

are in proximity to each other, (3) Planning Commission strongly supports economic growth in California City, (4) The industrial uses are the key to that economic growth, (5) Allowing industrial operations at this location would be a catalyst to attract more businesses to the City, and (6) Small scale and appropriate for this location.

Commissioner Cantrell – Makes a motion to use language Paul Junker has given as to reasons to rezone with the understanding that Planning Commission are going to use Padron Metal as a starting point for the whole area; Option 2 is favored as presented in Paul Junker’s presentation to submit to City Council.

Motion by: Commissioner Cantrell 2nd by: Commissioner McKinley

VOTE:	5	Yes	0	Nays	0	Abstain	0	Absent	Motion Carried
Cantrell		X							
McKinley		X							
Welling		X							
Conry		X							
Dunham		X							

PH 2: A request to amend previously approved Tentative Parcel Map 12417 (TPM 12417) to remove a requirement for a public access easement on the eastern boundary of the property. The 19.78-acre property is located approximately 0.12 mile north of Lindbergh Blvd. and east of Yerba Blvd. – Presented by Paul Junker

- **Chair Dunham** – Asked for clarification of PH 2; Inquired about revising conditions; Questioned if City can rely private owner to allow access to easement; requested if language added that easement won’t be blocked or inhibit access to easement
- **Paul Junker** – Clarification provided that easement would be open and accessible if private owner puts a gate; it only assures that there won’t be anything built on property
- **Chair Dunham** – Questioned who is responsible for maintenance
- **Brian Glidden** – No property owner is allowed to build on a private road easement that is meant to be accessed/reserved for someone else; inquired who would instigate the action if something were to happen; Access is already there on the Easterly boundaries; Leave as a private road easement, and not make a public right-of-way easement; entire map is done and is ready for final map approval; Already delayed over a year; Willing to change verbiage to the owner that they cannot put anything on that easement. Stated there is an expired public easement to the North
- **Commissioner Cantrell** – Stated there is nothing legally that would stop owner from building a gate; were not presented with clear guidance from the City if they were in favor with leaving it as a private easement; Inquired what would happen if emergency vehicles needed access
- **Brian Glidden** – Stated no one can build on it legally, not even a gate; Neither Owner nor Developer does not have rights to block the access; show legal description that private road easement is available to all owners; Has never known of any issues with private easements; to revise map is approximately \$4k more and 3 months delay
- **Chair Dunham** – Inquired about legally enforceable standard language to owners regarding private easement access
- **Brian Glidden** – Stated that he agreed to making standard language for private easement to owners; would advise his customers that they aren’t losing anything because it wasn’t their property to start
- **Chair Dunham** – Inquired if Paul Junker sees any problems for the City going forward for this
- **Paul Junker** – Stated that he doesn’t believe Planning Commission is setting a hard precedent or going to compromise the City on future project reviews
- **Brian Glidden** – Informed Planning Commission that the specified area is at a dead-end; Clarified the process to amend a Tentative Parcel Map.

Planning Commission recommends that (1) Access should be maintained to get to and from different parts of our City and no one should be able to block access, (2) Be careful not to inhibit another land owner, and (3) Should not be able to erect a gate or barrier at the interface of the public/private easement boundaries.

