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**SEPTEMBER 15, 2008**

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**MINUTES**

**REGULAR PLANNING COMMISSION MEETING**

**SEPTEMBER 15, 2008**

1. **CALL MEETING TO ORDER**

A regular meeting of the Planning Commission of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Hall Council Chambers, 4045 Palos Verdes Drive North, by CHAIRMAN CONWAY.

2. **PLEDGE OF ALLEGIANCE**

CHAIRMAN CONWAY led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

Commissioners Present:	O'Day, Southwell, Bayer, Rein, Scott, Chairman Conway
Commissioners Absent:	Golida
Staff Present:	Planning Director Wahba, Associate Planner Thom, Assistant Planner Masters
City Representative:	Andy Clark, Community Services Director

4. **APPROVAL OF MINUTES**

COMMISSIONER BAYER moved, seconded by COMMISSIONER O'DAY,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF JULY 14, 2008.

There being no objection, CHAIRMAN CONWAY so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

A. WAIVE READING IN FULL OF ALL RESOLUTIONS THAT ARE PRESENTED FOR PLANNING COMMISSION CONSIDERATION ON TONIGHT'S AGENDA AND ALL SUCH RESOLUTIONS SHALL BE READ BY TITLE ONLY.

B. PLANNING APPLICATION NO. 23-08; APPLICANT: PV BICYCLE CENTER; LOCATION: 4B PENINSULA CENTER; A PRECISE PLAN OF DESIGN FOR TWO BUSINESS IDENTIFICATION SIGNS WITH A LOGO.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER BAYER,

TO APPROVE THE CONSENT CALENDAR.

There being no objection, CHAIRMAN CONWAY so ordered.

Planning Director Wahba explained the 20-day appeal period.

7. BUSINESS ITEMS

- A. PLANNING APPLICATION NO. 24-08; APPLICANT: CARSON BUILDING; LOCATION: 810 SILVER SPUR ROAD; A PRECISE PLAN OF DESIGN FOR A MASTER SIGN PLAN.

Assistant Planner Masters gave a brief Staff Report, as per written material, and recommended approval.

COMMISSIONER SCOTT asked whether the signs would be on the exterior elevations of the premises of the tenant, not just on the building.

Planning Director Wahba confirmed that they are on the exterior of the tenant spaces.

COMMISSIONER SCOTT moved, seconded by COMMISSIONER SOUTHWELL,

TO APPROVE PA-24-08.

AYES: O'Day, Southwell, Bayer, Rein, Scott, Chairman Conway  
NOES: None  
ABSTAIN: None  
ABSENT: Goida

Planning Director Wahba explained the 20-day appeal period.

- B. COMMERCIAL BUSINESS GUIDELINES FOR EQUESTRIAN BOARDING ON RESIDENTIAL PROPERTIES.

Planning Director Wahba gave a brief Staff Report, as per written material, and recommended the Commission discuss the issues of equestrian businesses and horse boarding on residential properties and provide input to City Council. Last year, the City felt it would be difficult to regulate boarders, and issues have been raised lately by new trail riding businesses that have come in and comply with Code when renting stalls but increase traffic with additional riders instead of for their own personal use, operating a commercial business on residential property.

Community Services Director Clark briefly explained the policies suggested by the Committee and the current Home Occupation Standards.

COMMISSIONER CONWAY asked how the new ordinance would be enforced. Planning Director Wahba responded that the ordinance would be legally binding on the property owner and the licensed business entity.

COMMISSIONER CONWAY further asked about the homeowners association's authority and to what degree the City separates itself from their applications. Planning Director Wahba pointed out that the more horse-related type lots are along PVDN, which are voluntary homeowners associations with public streets, thus enforcement of CC&Rs by the HOA would be very difficult.

COMMISSIONER CONWAY asked about adjoining homeowners who might want to expand their home, serving to make the horse area noncompliant with the new setback. Planning Director Wahba replied that the conflict has not been addressed but that it would probably be grandfathered.

COMMISSIONER O'DAY asked whether a "neighborhood" had been defined because with the current wording, a visitor could park on a residential street in another neighborhood and walk to the neighborhood where the business is being conducted. Planning Director Wahba responded that the intent is not to park on a residential street but to instead park at a public or private institution or City park site.

COMMISSIONER O'DAY then raised the issue of whether the residence could have all the visiting cars parking on their own residence.

COMMISSIONER O'DAY then asked whether this raises the same question of business patrons in general (going to see accounts, lawyers, etc.). All business patrons of all businesses should be treated in a similar fashion. Also, commercial manure dumpster services should be clarified as to what qualifies.

COMMISSIONER O'DAY further raised the issue in regard to finding #4 as to whether the trails are limited to other riders and riding events or just commercial trail rides.

COMMISSIONER BAYER added that Palos Verdes Stables, the Empty Saddle Club, etc. use the trails and can have riders in large groups using the trails. Planning Director Wahba agreed and added that horses could also be trucked in from somewhere else and use the trails in large groups.

COMMISSIONER BAYER also wondered how big these new businesses are and how many neighbors are having issues with them, as they appear to be innocuous. The concern would be the City becoming too restrictive because of a few loud voices, while others enjoy seeing the horses. This is a horse keeping area, and there are going to be horses and people riding their horses and manure and flies. One of the businesses is doing it out of a love for horses as much as a business, and we want to encourage that and not make it so restrictive that people are not going to take advantage of it. Planning Director Wahba agreed and pointed out that so far it has been a gentleman's handshake to not park on the street and respect the neighbors, and the new businesses have been working with the neighbors. He also indicated that only three residents have submitted complaints.

COMMISSIONER REIN agreed with COMMISSIONER BAYER and added that the Equestrian Committee Meetings expressed the same sentiments. This is a horse keeping city, and the neighbors should not be complaining of the proliferation of horses. This is a parking issue, and the practical implication is that it does become a matter of enforcement. The new people in the city who are encouraging equestrian activity are welcome and should not be discouraged or restricted from boarding horses. It's a good, subtle tool to have on the books but won't be enforced.

COMMISSIONER SCOTT raised the issue of imposing insurance and safety rules and suggested that legal counsel be sought by the City. Planning Director Wahba responded that it mirrors the existing process for horse trainers using public facilities.

COMMISSIONER SCOTT asked whether there are publicly available facilities for parking near the riding areas, and Planning Director Wahba and Community Services Director Clark responded that there is available parking.

COMMISSIONER SCOTT then raised the issue of Home Occupation Standards applying to homeowners but not third-party businesses not operating from their own home.

COMMISSIONER CONWAY wondered if the City would be regulating the homeowner to the businesses' detriment by putting the business owner out of business if the homeowner failed to comply. Would the City then be involved in that business relationship? Planning Director Wahba responded that when a Municipal Code is violated, typically the business and the property owner are both served.

COMMISSIONER SOUTHWELL added that this is a business dependent on operating on public land and public property and also a business in which a significant percentage of the clients are minors, and from both points of view, the City has an obligation to step in with more stringent controls than home occupancies restricted to private property.

COMMISSIONER BAYER added that it is a dual business because the homeowner is making money from the stable rental.

COMMISSIONER SCOTT clarified that the action needs to be tied to a business license.

COMMISSIONER BAYER moved, seconded by COMMISSIONER O'DAY,

TO RECOMMEND THAT CITY COUNCIL CONSIDER THE PLANNING COMMISSION AND EQUESTRIAN COMMITTEE'S INPUT BEFORE MOVING FORWARD WITH AN ORDINANCE REGULATING EQUESTRIAN BUSINESS BOARDING ON RESIDENTIAL PROPERTIES.

AYES: O'Day, Bayer, Rein, Golida, Scott, Chairman Conway  
NOES: Southwell  
ABSTAIN: None  
ABSENT: None

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 21-08; APPLICANT: KIKU RESTAURANT;  
LOCATION: 871 SILVER SPUR ROAD; A CONDITIONAL USE PERMIT FOR  
A NEW RESTAURANT AND A VARIANCE FOR PARKING.

Associate Planner Thom gave a brief Staff Report, as per written material, and recommended adoption.

COMMISSIONERS O'DAY, SCOTT, CONWAY and BAYER discussed with Planning Director Wahba and Associate Planner Thom the parking issues and specifics of how the Variance would apply.

COMMISSIONER CONWAY asked that the Resolution be more consistent with the parking analysis, finding that the new use would not result in a lower parking demand.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SCOTT,

TO OPEN THE PUBLIC HEARING.

AYES: O'Day, Southwell, Bayer, Rein, Golida, Scott, Chairman Conway  
NOES: None  
ABSTAIN: None  
ABSENT: Golida

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOUTHWELL,

TO CLOSE THE PUBLIC HEARING.

AYES: O'Day, Southwell, Bayer, Rein, Scott, Chairman Conway  
NOES: None  
ABSTAIN: None  
ABSENT: Golida

COMMISSIONER SCOTT moved, seconded by COMMISSIONER O'DAY,

TO ADOPT RESOLUTION NO. PA-21-08 WITH CHANGES TO RECONCILE  
THE PARKING DEMAND CONSISTENCY BETWEEN THE PARKING STUDY  
AND THE RESOLUTION.

AYES: O'Day, Southwell, Bayer, Rein, Scott, Chairman Conway  
NOES: None  
ABSTAIN: None  
ABSENT: Golida

9. COMMISSION ITEMS

COMMISSIONER O'DAY asked for an update on the property at the corner of Conestoga and Estribo Drives, and Planning Director Wahba did not have any new information.

COMMISSIONER CONWAY asked about changing in the timing of traffic lights at PVDE and PVDN. Planning Director Wahba responding that they are working on the timing.

COMMISSIONER BAYER advised Staff that during the Portuguese Bend horse show, the tennis club members were not permitted to park at Ernie Howlett Park and were treated rudely, and this needs to be addressed for next year.

10. DIRECTOR'S ITEMS

None.

11. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES MINUTES (SEPTEMBER 2, 2008).
- B. CITY COUNCIL ACTIONS (AUGUST 12, 2008).
- C. CITY COUNCIL ACTIONS (AUGUST 26, 2008).
- D. CITY COUNCIL ACTIONS (SEPTEMBER 9, 2008)

COMMISSIONER BAYER moved, and COMMISSIONER REIN seconded,

TO RECEIVE AND FILE ITEMS 11A through D.

There being no objection, CHAIRMAN CONWAY so ordered.

12. ADJOURNMENT

At 8:40 p.m. CHAIRMAN CONWAY adjourned the Planning Commission meeting to October 6, 2008, at 7:30 p.m.

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Julie Cremeans  
Minutes Secretary

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Douglas R. Prichard  
City Clerk