



CITY OF WILDOMAR  
**PLANNING COMMISSION**

Commission Members

Chairman Robert Devine · Vice-Chairman Scott Nowak  
Harv Dykstra · Gary Andre · Michael Kazmier

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REGULAR MEETING

**WEDNESDAY, MARCH 3, 2010 AT 7:00 P.M.**

Council Chambers, Wildomar City Hall, 23873 Clinton Keith Road, Wildomar, CA 92595

**PUBLIC COMMENTS:** Prior to the business portion of the agenda, the Planning Commission will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Speaker/Comment Card" available at the door. The completed form is to be submitted to the Chairperson prior to an individual being heard. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker or less if a large number of requests are received on a particular item.

**AGENDA**

**1.0 CALL TO ORDER**

- 1.1 Roll Call
- 1.2 Pledge of Allegiance

**2.0 PUBLIC COMMENT:** *Members of the audience may comment on matters that are not included on the agenda. Each person will be allowed three (3) minutes or less if a large number of requests are received on a particular item. No action may be taken on a matter raised under "public comment" until the matter has been specifically included on an agenda as an action item.*

**3.0 CONSENT ITEMS:**

- 3.1 February 3, 2010 Regular Meeting Minutes.

**4.0 CONTINUED PUBLIC HEARING ITEMS:** The Planning Commission will review the proposed request, receive public input and consider action for the following items:

None.

**5.0 PUBLIC HEARING ITEMS:** The Planning Commission will review the proposed request, receive public input and consider action for the following items:

None.

**6.0 GENERAL BUSINESS ITEMS:**

**6.1** Presentation on the California Environmental Quality Act (CEQA)

**7.0 ADMINISTRATIVE HEARINGS REPORT:**

**7.1** Report on the February 10, 2010 Director's Hearing.

**8.0 PLANNING DIRECTOR'S REPORT:** This item is reserved for the Planning Director to comment or report on items not on the agenda. No action will be taken.

**9.0 PLANNING COMMISSION COMMENTS:** This portion of the agenda is reserved for Planning Commission business, for the Planning Commission to make comments on items not on the agenda, and/or for the Planning Commission to request information from staff.

**10.0 ADJOURNMENT**

The next scheduled Regular Meeting of the City of Wildomar Planning Commission is March 17, 2010 at 7:00 P.M.

**RIGHT TO APPEAL:** Any decision of the Planning Commission may be appealed to the City Council within ten (10) calendar days after the date of Planning Commission's action.

**REPORTS:** All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar, California 92595. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mailing list to receive a copy of the agenda, a request must be made through the Planning Department in writing or by e-mail.

**PUBLIC COMMENTS:** Prior to the business portion of the agenda, the Planning Commission will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Speaker/Comment Card" available at the door. The completed form is to be submitted to the Chairperson prior to an individual being heard. Lengthy testimony should be presented to the Planning Commission in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

**ADDITIONS/DELETIONS:** Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Planning Commission.

**ADA COMPLIANCE:** If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Planning Department either in person or by telephone at (951) 667-7751, no later than 10:00 A.M. on the day preceding the scheduled meeting.

**POSTING STATEMENT:** On February 25, 2010, a true and correct copy of this agenda was posted at the three designated posting places: Wildomar City Hall, 23873 Clinton Keith Road; U. S. Post Office, 21392 Palomar Street; and the Mission Trail Library, 34303 Mission Trail Blvd.

**CITY OF WILDOMAR  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
FEBRUARY 3, 2010**

**1.0 CALL TO ORDER**

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Devine at 7:00 P.M. at Wildomar City Hall, Council Chambers.

**1.1 ROLL CALL OF PLANNING COMMISSION**

Present:        Scott Nowak, Vice-Chairman  
                  Harv Dykstra, Commissioner  
                  Gary Andre, Commissioner  
                  Michael Kazmier, Commissioner

Absent:         Robert Devine, Chairman

Staff Present: David Hogan, Planning Director  
                  Thomas Jex, Assistant City Attorney  
                  Sean del Solar, Planner  
                  Laurie Levine, City Landscape Architect

**1.2 PLEDGE OF ALLEGIANCE:**

Commissioner Andre led the flag salute.

**2.0 COMMUNICATIONS FROM THE PUBLIC:**

None.

**3.0 CONSENT ITEMS:**

**3.1 JANUARY 6, 2010 REGULAR MEETING MINUTES**

Commissioner Andre moved to approve the Minutes of January 6, 2010. The motion was seconded by Commissioner Kazmier. Motion carried, the following vote resulted:

AYES:            Nowak, Andre, Dykstra, Kazmier.

NOES:

ABSENT:        Devine

ABSTAIN:

**4.0 CONTINUED PUBLIC HEARING ITEMS:**

**4.1 ZONING CODE AMENDMENT 09-04 – PROHIBITION OF OUTDOOR ADVERTISING DISPLAYS AND STRUCTURES.**

Planning Director Hogan made the Staff report.

Vice-Chairman Nowak opened the public hearing.

Resident Denise Sewell addressed the Commission and discussed how a billboard on her property could help her small business succeed.

Vice-Chairman Nowak closed the public hearing.

Commissioner Dykstra asked if the current outdoor advertising regulations came from the County.

Director Hogan responded in the affirmative and clarified that the County Code was adopted at incorporation.

Commissioner Dykstra recalled regulations which limited the installations of billboards to properties already developed with either commercial or industrial facilities and asked if these limitations were still a part of the code.

Director Hogan responded that those limitations were not a part of the City's code.

Commissioner Dykstra noted the presence of billboards around the area and expressed reservation about prohibiting them along I-15 as it passes through the city. He went on to suggest that billboards should be allowed on I-15 provided they were located within 1,500 feet of an existing business.

Commissioner Andre expressed content with the proposed prohibition.

Commissioner Dykstra noted that all the existing billboards in Wildomar are illegal.

Vice-Chairman Nowak noted that once approved, billboards could be left in place indefinitely and could be left in place even after an undeveloped piece of property develops.

**MOTION:** Commissioner Andre motioned to recommend approval of Zoning Code Amendment 09-04 to the City Council. The motion was seconded by Commission Kazmier. Motion carried, the following vote resulted:

AYES: Nowak, Andre, Kazmier  
NOES: Dykstra  
ABSENT: Devine  
ABSTAIN:

#### 4.2 ZONING CODE AMENDMENT 10-01 – REVISIONS TO THE SECOND UNIT AND RURAL RESIDENTIAL ORDINANCES.

Planner del Solar made the Staff report.

Commissioner Dykstra recalled discussion about a smaller maximum second unit size for properties under an acre.

Planner del Solar indicated that while although the Commission did previously discuss the smaller unit size, however no consensus was reached. He suggested that if the Commission was in agreement, a smaller unit size could be included in a motion to approve the recommendation.

Commissioner Dykstra asked why parcels 3 acres or larger could have the second unit located in front of the primary unit.

Director Hogan explained that parcels 3 acres or larger were generally only located in the rural and mountainous areas of the city. He went on to explain that allowing second units to be placed in front of the main unit on these parcels would allow greater flexibility for geographically complicated properties to develop second units while not allowing this arrangement from occurring in the more urbanized areas of the city. After explaining the rationale, he indicated that the Commission may choose to either accept or reject the 3 acre provision in their recommendation to the City Council.

Commissioner Dykstra explained that he did not feel that 5 feet was a large enough setback for the side, noting several examples of homes built close together. He suggested that the Commission consider a 20 foot front, 10 foot side and 20 foot rear setback for the Rural Residential zone.

Director Hogan explained that the Rural Residential zone did not have setbacks and that Staff had proposed the 20 foot front, 5 foot side and 10 foot rear setbacks as a starting point for the Commission to begin their discussion.

Vice-Chairman Nowak clarified that the new setbacks would apply to all Rural Residentially zoned properties and not just second units.

Director Hogan replied in the affirmative.

Commissioner Andre recalled that there might be an existing 10 foot side setback in the Rural Residential zone.

Director Hogan responded that the Rural Residential zone currently does not have setbacks established. He went on to explain that because the second unit ordinance would rely on the setbacks established in each zoning designation, the Rural Residential zone needed to have setbacks established.

Commissioner Dykstra stated that he liked the idea of larger setbacks and expressed an interest in increasing the size of the R-1 setbacks.

Commissioner Andre discussed issues created by increased density in Orange County. He went on to express concerns that residents living in second units may not like the rural character of the community and suggested that prospective tenants be warned of the impacts before moving into such a unit.

Planner del Solar noted that the new second unit ordinance would require property owners to record a restrictive covenant which would require the property owner to maintain primary residence at the property. He went on to explain that this would keep property owners onsite and prevent both units on the property from being rented which should prevent the misunderstanding of rural activities which may take place on the property or surrounding area.

Commissioner Andre explained that it may not be enough and discussed a personal situation where residents in a neighbor's second unit complained about the horses he kept on his property. He went on to explain that he wanted to keep the Ranch Community at a density of 1 unit per acre and expressed concern that allowing second units would be counterintuitive to the Ranch Community. Mr. Andre also explained that he felt the half acre minimum lot size should be 21,780 square feet and not 20,000 square feet.

Director Hogan suggested that if it was the Commission's prerogative, the restrictive covenant could be expanded to include a statement about the rural character of the community. He concluded by suggesting that the Commission could include the larger minimum lot size of 21,780 square feet and/or a smaller maximum/minimum unit size in their motion.

Vice-Chairman Nowak opened the public hearing.

There was no public comment.

Vice-Chairman Nowak closed the public hearing.

Commissioner Andre expressed his desire to see the minimum lot size at 21,780 square feet and the minimum/maximum unit size at 500 to 1,000 square feet. He then asked about parking arrangements for second units.

Director Hogan explained that parking and access are all elements examined in the approval process, adding that if the applicant cannot provide parking and/or access, the second unit request would be denied.

Commissioner Andre then asked about additions to mobile homes.

Director Hogan explained that if a property met the development standards for a second unit they would be eligible, however the Building and Safety Department would ultimately determine the feasibility of an addition to a mobile home.

Commissioner Andres then discussed older, unsafe mobile homes which did not meet current building code requirements.

Vice-Chairman Nowak asked if the second units could be required to be stick built.

Director Hogan explained that mobile homes could not be prohibited. He added that while although they could not be prohibited, the design of the mobile home and foundation system could be regulated.

Vice-Chairman Nowak explained that he felt favorable to the 20,000 square foot minimum lot size but agreed that the minimum/maximum unit sizes for attached units should be reduced to 500 to 1,000 square feet.

Director Hogan asked the motion maker to provide clarity on the issue of the minimum/maximum unit size and lot size.

**MOTION:** Commissioner Dykstra motioned to recommend approval of Zoning Code Amendment 10-01 to the City Council with the following conditions: the second unit sizes for 20,000 square foot to 0.99 acre lots shall be 500 to 1,000 square feet. Second, he added that second units shall also be allowed in front of the main units on parcels 2 acres or larger. Third and finally, the rural residential setbacks shall be 10 feet in the side and 20 feet in the rear. The motion was seconded by Commission Kazmier. Motion carried, the following vote resulted:

AYES: Nowak, Dykstra, Kazmier  
NOES: Andre  
ABSENT: Devine  
ABSTAIN:

**5.0 PUBLIC HEARING ITEMS:**

**5.1 ZONING CODE AMENDMENT 10-02 – REVISIONS TO THE WATER EFFICIENT LANDSCAPING ORDINANCE.**

Director Hogan made the Staff report.

Vice-Chairman Nowak asked if the new regulations would affect future parks.

Director Hogan explained that parks and cemeteries would be not be subject to the most extreme regulations, but that due to the high cost of water, city parks and cemeteries are already conserving water.

Vice-Chairman Nowak noted that the regulations required runoff to be detained onsite.

Director Hogan clarified that State water quality guidelines already required properties to be designed to retain water runoff onsite.

Vice-Chairman Nowak asked if foreclosed homes with dead lawns would be subject to the new regulations should the landscaping need to be replaced.

Director Hogan responded that individual homes were not subject to the guidelines, but that commercial, industrial and tract homes would be subject during construction.

Vice-Chairman Nowak asked if individual homes could be subject to the new guidelines if the current landscaping was lost, in an effort to prevent the loss of lawns and landscaping.

Attorney Jex clarified that Staff had prepared an ordinance which met the State's minimum criteria and added that the City could adopt a more strict policy.

Vice-Chairman Nowak asked what could be done to the ordinance to prevent lawns and landscaping from dying.

Landscape Architect Levine suggested that perhaps provisions could be added elsewhere in the zoning code which could enable code enforcement to better address the Commission's concerns with dead landscaping.

Commissioner Dykstra asked what could be done to prevent the loss of landscaping in the yards of foreclosed homes.

Director Hogan discussed the City's foreclosed home registration program.

Commissioner Kazmier added that the foreclosed home program required someone to be named as responsible for the maintenance of the home and landscaping. He went on to explain that it required the utilities to remain connected so automatic irrigation systems could remain functioning.

Vice-Chairman Nowak suggested the inclusion of a requirement that would require any replacement landscaping to be subject to the new water efficient landscaping guidelines.

Attorney Jex asked for clarification that the replacement landscaping requirement being discussed would not be limited to the replacement of 2,500 square feet of landscaping, but replacement of any landscaping.

Vice-Chairman Nowak agreed with Attorney Jex's summary of the discussion.

Commissioner Andre asked about drought tolerant grasses and discussion about grass varieties and grass alternatives ensued.

Vice-Chairman Nowak opened the public hearing.

Resident Gerry Hall suggested that the City contact the Bear Creek golf course superintendent, as he is very knowledgeable about grass varieties.

Resident Leonelle Collins suggested that reclaimed water should be used for landscape irrigation and that the water efficient landscape requirements should also apply to the backyards of residences.

Vice-Chairman closed the public hearing.

Commissioner Dykstra asked if the regulations pertained to residences on wells.

Director Hogan explained that the regulations were limited to properties with metered water, which would make properties receiving water from private wells not subject to the new regulations.

Commissioner Dykstra also expressed concerns that the new regulations would require a landscape architect to prepare the plans which may be costly to local businesses.

Director Hogan explained that if the proposed landscaping was subject to the water efficient landscaping ordinance, then the plans would be required to be prepared by a licensed landscape architect.

Commissioner Dykstra asked about the cost of a landscape architect to prepare plans.

Landscape Architect Levine speculated on costs and discussion ensued. Ms. Levine added that in the long run, property owners would benefit from the lower cost of reduced water usage.

Commissioner Andre discussed fire resistant landscaping and suggested that the City's website develop public information on water efficient and fire resistant landscaping.

Vice-Chairman Nowak asked about the action needed on the item.

Attorney Jex explained that there were two actions needed, one was an ordinance and the other part was a resolution adopting the guidelines. He went on to explain that making the guidelines a resolution would afford Staff better flexibility to make changes as needed.

Vice-Chairman Nowak asked where a requirement for replacement landscaping could be included in the new ordinance.

Director Hogan advised that it should go in the ordinance under section 17.263.030(D) and should read similar to: "if street frontage landscaping dies, then the owner shall be responsible for the replacement of the landscaping in conformance with the provisions of this ordinance." Mr. Hogan also requested that changes in the errata sheet be included in the motion of a Commissioner.

MOTION: Commissioner Andre motioned to recommend approval of ZCA10-02, an ordinance amending the zoning code with conditions that a section be added 17.263.030 stating that if street frontage landscaping dies, then the owner shall be responsible for the replacement of the landscaping in conformance with the provisions of this ordinance and with the addendums in the errata sheet to be included. The motion was seconded by Commissioner Kazmier. Motion carried, the following vote resulted:

AYES: Nowak, Dykstra, Andre, Kazmier.  
NOES:  
ABSENT: Devine.  
ABSTAIN:

MOTION: Commissioner Dykstra motioned to recommend approval of a resolution adopting the guidelines contained in ZCA10-02 with the addendums found in the errata sheet and added an exemption for athletic fields and owner/builder projects on properties 2.5 acres and smaller.

Attorney Jex explained that the additional exemptions proposed would make the ordinance not as effective as the State's and would thus be in conflict with State law.

He added that under the applicability section of the ordinance ministerially approved permits would not be subject to the landscape requirements and small business owners making small modifications to landscaping would not be subject to the ordinance.

Commissioner Dykstra amended his motion to only include the addendums found in the errata sheet. The motion was seconded by Commissioner Andre. Motion carried, the following vote resulted:

AYES: Nowak, Dykstra, Andre, Kazmier.  
NOES:  
ABSENT: Devine.  
ABSTAIN:

**6.0 GENERAL BUSINESS ITEMS:**

None.

**7.0 ADMINISTRATIVE HEARINGS REPORT:**

None.

**8.0 PLANNING DIRECTOR'S REPORT:**

Director Hogan announced that the February 17, 2010 Commission meeting had been canceled and that the March 3, 2010 meeting would be reserved for a CEQA training by Assistant City Attorney Jex. He went on to inform the Commission that the Council adopted the Moratorium on mini storage, and that Cornerstone Community Church had withdrawn their application.

**9.0 PLANNING COMMISSION COMMENTS:**

Commissioner Andre expressed content with the prohibition of outdoor advertising, and water efficient landscaping but did not agree with the recommendation of the Commission on second units. He went on to discuss work he was doing preparing drawings of historic homes in the area.

Commissioner Dykstra recalled discussion during the norming session with the City Council about the approval process of the Commission for development projects and asked if that topic could be revisited.

Director Hogan and Attorney Jex suggested that the Commissioner provide clarify the question to them after the meeting.

Vice-Chairman Nowak expressed interest in making school facilities available to residents for recreational activities during non-school hours, noting that the City of Lake Elsinore had done something similar.

**10.0 ADJOURNMENT:**

The February 3, 2010 regular meeting of the Wildomar Planning Commission adjourned at 8:41 P.M.

Respectfully submitted:

David Hogan  
Commission Secretary

# MEMORANDUM

CITY OF WILDOMAR

**DATE:** March 3, 2010  
**TO:** Chairman and Members of the Planning Commission  
**FROM:** David Hogan, Planning Director  
**SUBJECT:** Director's Hearing Report

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The following projects were conditionally approved by the Planning Director at the February 10, 2010 Director's Hearing.

1. 09-0609 – Minor Plot Plan Application  
A proposal to construct a 2,400 square foot accessory building at 33220 Wildomar Road, Wildomar, California.
2. 10-0016 – Minor Plot Plan Application  
A proposal to construct a 1,200 square foot accessory building at 326589 Blue Mist Way, Wildomar, California.