

AGENDA

TEHACHAPI PLANNING COMMISSION MEETING, MONDAY, MARCH 12, 2017 - 6:00 P.M.

Persons desiring disability-related accommodations should contact the City Clerk no later than ten days prior to the need for the accommodation. A copy of any writing that is a public record relating to an open session item of this meeting is available at City Hall, 115 South Robinson Street, Tehachapi, California, 93561.

CALL TO ORDER

ROLL CALL

PLEDGE TO FLAG

AUDIENCE ORAL AND WRITTEN COMMUNICATIONS

The planning commission welcomes public comments on any items within the subject matter jurisdiction of the commission. We respectfully request that this public forum be utilized in a positive and constructive manner. Persons addressing the commission should first state their name, the matter of city business to be discussed, and the organization or persons represented, if any. Comments directed to an item on the agenda should be made at the time the item is called for discussion by the chairperson. No action can be taken by the commission on matters not listed on the agenda except in certain specified circumstances. The commission reserves the right to limit the speaking time of individual speakers and the time allotted for public presentations. Comments should be limited to three (3) minutes. Please turn all cellular phones off.

1. General public comments regarding matters not listed as an agenda item.

APPROVAL OF MINUTES

1. Regular meeting February 12, 2018.

ACTION ITEMS

1. PUBLIC HEARING, ARCHITECTURAL DESIGN AND SITE PLAN REVIEW NO. 2018-02, WESTERN PROPANE SERVICES
 - A) OPEN HEARING
 - B) NOTICE OF PUBLIC HEARING
 - C) CORRESPONDENCE
 - D) STAFF EXPLANATION OF PROJECT & RECOMMENDATION
 - E) AUDIENCE DISCUSSION

F) CLOSE HEARING

G) COMMISSIONER'S DISCUSSION & ACTION

1. PROPOSED RESOLUTION NO. 18-03, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEHACHAPI REPEALING RESOLUTION NO. 18-02 AND DENIAL OF AD&SPR 2018-02 RE: ACTION
2. PUBLIC HEARING, SETBACK DEVIATION NO. 2018-01, 1311 WILD OLIVE ROAD, TEHACHAPI, CALIFORNIA, 93561
 - A.) OPEN HEARING
 - B.) NOTICE OF PUBLIC HEARING
 - C.) CORRESPONDENCE
 - D.) STAFF EXPLANATION OF PROJECT & RECOMMENDATION
 - E.) AUDIENCE DISCUSSION
 - F.) CLOSE HEARING
 - G.) COMMISSIONER'S DISCUSSION & ACTION
 1. PROPOSED RESOLUTION NO. 18-04, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEHACHAPI GRANTING SETBACK DEVIATION NO. 2018-01 LOCATED AT 1311 WILD OLIVE LANE

PLANNING COMMISSION ANNOUNCEMENTS OR REPORTS

On their own initiative, a Planning Commissioner may ask a question for clarification, make a brief announcement, provide a reference to staff or other resources for factual information, take action to have staff place a matter of business on a future agenda, request staff to report back at a subsequent meeting concerning any matter, or make a brief report on his or her own activities. (Per Gov't. Code §54954.2(a))

DEVELOPMENT SERVICES DIRECTOR ANNOUNCEMENTS OR REPORTS

ADJOURNMENT

MINUTES

TEHACHAPI PLANNING COMMISSION REGULAR MEETING

Tehachapi Police Department

220 West C Street

Monday, February 12, 2018 – 6:00 P.M.

NOTE: Bu, Wr, Ch, Te and Wh are abbreviations for Planning Commissioners Butler, Wright, White, Teel and Chairperson Christensen, respectively. For example, Bu/Te denotes Commissioner Butler made the motion and Commissioner Teel seconded it. The abbreviation Ab means absent, Abd abstained, Ns noes, and NAT no action taken.

ACTION TAKEN

CALL TO ORDER

Meeting called to order by Chairperson Christensen at 6:00 pm.

ROLL CALL

Roll call by City Clerk, Tori Marsh

Present: Planning Commissioners Christensen, White, Teel, Butler and Wright

Absent: Commissioner Wright

PLEDGE TO THE FLAG

Led by Commissioner Trevor Hawkes

AUDIENCE ORAL COMMUNICATIONS

APPROVAL OF MINUTES

1. By motion the Commission approved the minutes for the regular meeting on 12/11/18

Approved Minutes Of 12/11/17
Te/Wh Motion Carried
Ab Wr

PUBLIC HEARING

1. Public Hearing – Architectural Design and Site Plan Review No. 2018-01, Mill Street Cottages PUD Revision

A) Opened hearing at 6:02 pm

B) Notice of Public Hearing was published in the Tehachapi News on January 31, 2018.

C) No correspondence received.

D) Planner Trevor Hawkes gave staff report

Commissioner Wright arrived at 6:04 pm

Commissioner Wright arrived at
6:04 pm

E) No comments received.

F) Closed hearing at 6:06 pm.

G) Commissioner’s discussion & action

1. ADOPTED RESOLUTION NO. 18-01, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEHACHAPI APPROVING ARCHITECTURAL DESIGN AND SITE PLAN REVIEW NO. 2018-01 SUBJECT TO CONDITIONS OF APPROVAL

Adopted Resolution No. 18-01, A Resolution Of The Planning Commission Of The City Of Tehachapi Approving Architectural Design And Site Plan Review No. 2018-01 Subject To Conditions Of Approval Wh/Te Ayes All

2. Public Hearing – Architectural Design and Site Plan Review No. 3018-02, Bailey Court change in use (Liquefied Petroleum Gas Tank)

A) Opened hearing at 6:19 pm.

B) Notice of Public Hearing was published in the Tehachapi News on January 31, 2018.

C) No correspondence was received.

D) Planner Trevor Hawkes gave staff report.

E) No comments received.

F) Closed hearing at 6:23 pm.

G) Commissioner’s discussion & action

1. ADOPTED RESOLUTION NO. 18-02, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEHACHAPI APPROVING ARCHITECTURAL DESIGN AND SITE PLAN REVIEW NO. 2018-02 SUBJECT TO CONDITIONS OF APPROVAL

Adopted Resolution No. 18-02, A Resolution Of The Planning Commission Of The City Of Tehachapi Approving Architectural Design And Site Plan Review No. 2018-02 Subject To Conditions Of Approval Bu/Te Ayes All

PLANNING COMMISSION ANNOUNCEMENTS OR REPORTS

DEVELOPMENT SERVICES DIRECTOR ANNOUNCEMENTS OR REPORTS

ADJOURNMENT

By motion, the Planning Commission adjourned at 6:34 pm

Adjourned At 6:34pm Wh/Bu Ayes All

TORI MARSH, CITY CLERK
City of Tehachapi

Approved this 12th day
Of March, 2018.

DARYL CHRISTENSEN, CHAIRPERSON
City of Tehachapi

TEHACHAPI PLANNING COMMISSION

STAFF REPORT

Title: AD&SPR No. 2018-02

Date: March 12, 2018

I. **GENERAL INFORMATION:**

1. Applicant: Western Propane Services
P.O. Box 1060
Santa Maria, CA 93456
2. Architect: Tartaglia Engineering Civil Engineers
7360 El Camino Real, Suite E
Atascadero, CA 93422
3. Specific Request: To consider construction of an 18,000 gallon Liquefied Petroleum Gas (Propane) tank. The construction of the Propane Tank will require a change in land use designation from the existing Storage and Warehousing to Gas Station.
4. Project Location: 610 Bailey Court. Tehachapi, CA 93561.
5. APN: 223-650-01-00
6. Existing Zoning: M-1
7. Present Land Use: Storage and Warehousing
8. General Plan Designation: 5A (Northern Foothills)
9. Surrounding Land Use:

North:	Storage and Warehousing
South:	M-1 Light Industrial (Undeveloped)
East:	Agriculture
West:	M-1 Light Industrial (Undeveloped)
10. Correspondence in opposition: Yes No
 Correspondence in favor: Yes No

II. **PROPOSAL:** Attachment A

On February 12th, 2018 Staff brought before the City of Tehachapi Planning Commission a Change in Land Use proposal, from Warehouse/Storage to Gas Station, for 610 Bailey Court. This approval granted the applicant entitlement to construction an 18,000 gallon Liquefied Petroleum Gas (Propane) tank in the outdoor storage area. Since last month's Planning Commission meeting Staff determined that a more thorough analysis of the propane tanks permissibility under the Airport Land Use Compatibility Plan (ALUCP) was required. The following Staff report, for a Change in Land Use for 610 Bailey Court, now includes discussion of the propane tank in relation to the ALUCP zones and a new recommendation from Staff to reverse the commission's previous decision.

III. CIRCULATION/PARKING:

Access will not be altered from what is currently offer at the site. Ingress and egress to and from the public right of way is achieved through a shared driveway with the site's northern neighbor at the northwestern corner of the property. The applicant will maintain the screened fenced outdoor storage area where the propane tank will be located. This fenced area will have 2 lockable gates from which ingress and egress from the fueling area is possible. There are 10 marked regular parking stops and 1 marked accessible parking stops on the subject site. Gas Stations for non-commercial vehicles require 10 parking spots in total so the Change in Land Use will not require any change to parking on the site.

IV. ARCHITECTURAL ELEMENTS:

There will be no change in the architecture to the primary building on the site, a metal industrial building. The propane tank does not require an architectural review under the zoning code.

V. SIGNAGE:

The applicant or perspective tenants will be required to formally submit a sign package for approval to City Staff prior to permit issuance. Approval for sign plans is made by the Development Services Director in compliance with the Zoning Code.

VI. LANDSCAPING/LIGHTING:

No additional landscaping or lighting is required since there is no addition or expansion to the primary building. Landscaping was done with the original development of the lot and is in fair condition to this day.

VII. AIRPORT LANDUSE COMPATIBILITY:

610 Bailey Court resides within the B-1 zone of the Airport Land Use Compatibility Plan (ALUCP). The B-1 zone is considered the approach/departure and adjacent to the runway zone. According to the ALUCP compatibility criteria (Chapter 2-2), storage of highly flammable liquids, except in the case of aviation fuel, are prohibited in this zone.

VIII. ENVIRONMENTAL:

Staff finds that this project is a Categorical Exemption (No. 15303) under the California Environmental Quality Act and no further environmental review was warranted. If the Change in Land Use approval remains, prior to operation the Division of Industrial Safety Pressure Vessel Unit will visit the site to inspect the propane tank and its location, and they will continue to monitor the unit after inspection. All

employees are required to receive training per local, state and federal regulations.

IX. RECOMMENDATION:

The applicant's proposal, which constructs an 18,000 gallon propane tank, is considered a prohibited use by the ALUCP at the subject site. For this reason Staff recommends Planning Commission approve Resolution No. 18-03 which repeals Resolution No. 18-02 approval of Architectural Design and Site Plan Review No. 2018-02.

ATTACHMENTS

Attachment A	Site Plan
Attachment B	ALCUP Compatibility Criteria
Attachment C	ALCUP Compatibility Zone Map



**NOTICE OF PUBLIC HEARING
BEFORE THE TEHACHAPI PLANNING COMMISSION**

A Public Hearing will be held before the Tehachapi Planning Commission on Monday, March 12, 2018, or soon thereafter at 6:00 P.M. at the Tehachapi Police Department Community Room, 220 West C Street, Tehachapi, California, for the purpose of considering the following request:

1. **Application Case No:** AD&SPR No. 2018-02 Bailey Court Change in Use (Liquefied Petroleum Gas Tank)
2. **Owner/Applicant:** Western Propane Service
PO Box 1060
Santa Maria, CA 93456
3. **Property Location:** The property address is 610 Bailey Court. The site is zoned M-1 (Light Industrial) and is designated 5A (Freeway Corridor) within the General Plan. The parcel encompasses 1.00± acre.
4. **Request:** On February 12, 2018, the Planning Commission approved the proposed change in use of the current outdoor storage yard to include an 18,000 gallon tank for the storage, distribution and sale of liquefied petroleum gas (LPG). City Staff has subsequently determined that insufficient information was presented in the original hearing and that the proposed addition of an LPG storage tank should be reconsidered.
5. **Assessor Parcel Number(s):** 223-650-01-00.

The Planning Commission will consider verbal and written comments by all interested persons.

Anyone wishing to present evidence or be heard in said matter may appear at said hearing or any continuation thereof.

TEHACHAPI PLANNING COMMISSION



VICTORIA MARSH, ADMINISTRATOR OF THE
PLANNING COMMISSION OF THE CITY OF TEHACHAPI

Dated: February 21, 2018
Posted: February 21, 2018
Published: February 28, 2018 Tehachapi News Press

RESOLUTION NO. 18-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF TEHACHAPI REPEALING RESOLUTION NO. 18-02 AND
DENIAL OF AD&SPR NO. 2018-02**

WHEREAS, the applicant, Western Propane Services, filed a application AD&SPR No. 2018-02 (the "Application") with the City of Tehachapi (the "City") for an Architectural Design and Site Plan Review, seeking approval to consider construction of an 18,000 gallon liquefied petroleum gas tank (propane) and a change in land use designation from Storage and Warehousing to Gas Station (the "Project"); and

WHEREAS, the Planning Commission held a noticed public hearing on the Application on February 12, 2018 and adopted Resolution No. 18-02 approving the Application; and

WHEREAS, following the Planning Commission's approval, the Planning Department determined that the Project was incompatible with the Airport Land Use Compatibility Plan and is therefore prohibited; and

WHEREAS, the Planning Department has determined that the prior approval of the Project and Resolution No. 18-02 should be repealed; and

WHEREAS, the Planning Department has determined that repeal of the approval of the project is categorically exempt from the preparation of environmental documentation in accordance with the State CEQA Guidelines; and

WHEREAS, on March 12, 2018, the Planning Commission held a noticed public hearing on repeal of its approval of the Project, considered all public testimony, as well as all materials in the staff report and accompanying documents for Architectural Design and Site Plan Review No. 2018-02 which hearing was publicly noticed by a publication in a newspaper of general circulation, an agenda posting, and notice to property owners within 300 feet of the Project boundaries, and to persons requesting public notice.

NOW, THEREFORE, the Planning Commission of the City of Tehachapi resolves and orders as follows:

1. That the foregoing recitals are true and correct.
2. That the Planning Commission hereby repeals Resolution No. 18-02.

3. That the Architectural Design and Site Plan Review No. 2018-02 construction of an 18,000 gallon liquefied petroleum gas tank (propane) and a change in land use designation from Storage and Warehousing to Gas Station is hereby denied.

PASSED AND ADOPTED by the Planning Commission of the City of Tehachapi at its regular meeting thereof held on the 12th day of March, 2018.

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

DARYL CHRISTENSEN, COMMISSIONER
City of Tehachapi, California

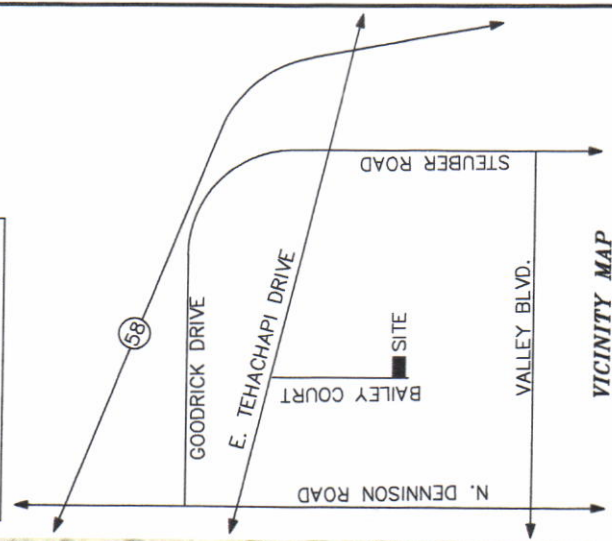
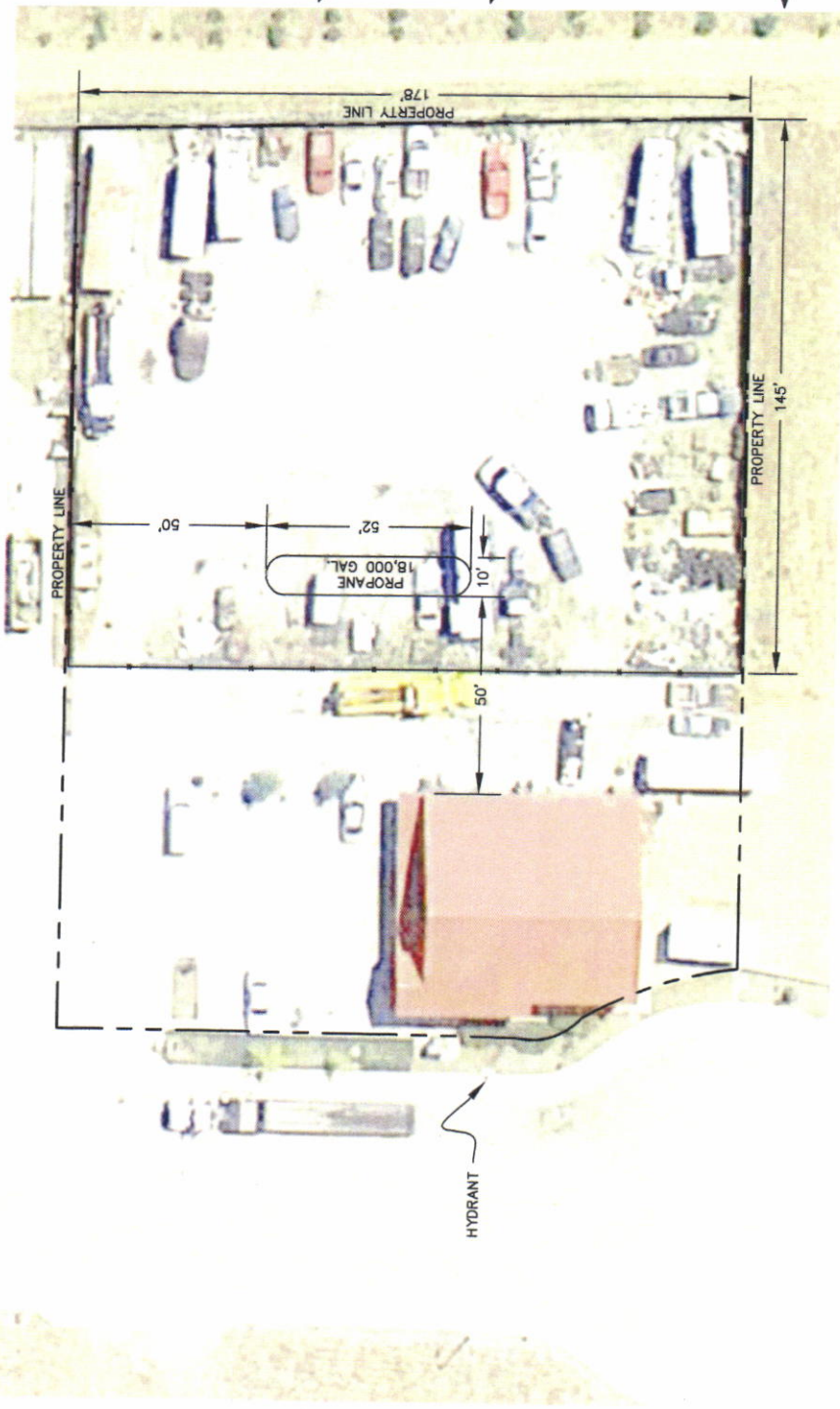
ATTEST:

TORI MARSH, CITY CLERK
City of Tehachapi, California

I hereby certify that the foregoing resolution was duly and regularly adopted by the planning commission of the City of Tehachapi at a regular meeting thereof held on March 12, 2018.

TORI MARSH, City Clerk
City of Tehachapi, California

SITE INFORMATION
 OWNER: PROFFITT FAMILY LLC
 PROPERTY ADDRESS:
 610 BAILEY COURT
 TEHACHAPI, CA 93561
 APN: 223-650-01-00
 CURRENT ZONING: MI
 LOT SIZE: 1.00 ACRE / 43,560 SF
 BUILDING: 3,500 SF
 SCREENED/FENCED YARD: 25,900 SF



DESIGN	FLK
DRAWN	FLK
CHECKED	JAS
SCALE	1"=30'
DWG. NO.	18-03
DATE	01/15/18
SHEET	1 of 1

T E TARTAGLIA ENGINEERING
 CIVIL ENGINEERS
 7160 El Camino Real, Suite 4, Northridge, CA 91322
 805-466-5560 FAX: 805-466-5471

PROFFITT FAMILY

SITE PLAN