

AGENDA

TEHACHAPI PLANNING COMMISSION SPECIAL MEETING, MONDAY NOVEMBER 21, 2016 - 4:00 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, 02/22/16

ACTION ITEMS

1. PUBLIC HEARING, SETBACK DEVIATION NO. 2016-01, PROPOSING TO REDUCE FRONT YARD SETBACKS AND SIDE YARD SETBACKS ON NEW RESIDENTIAL STRUCTURES IN ALTA ESTATES LOCATED NORTH OF HIGHLINE ROAD, SOUTH OF PINON STREET AND WEST OF CURRY STREET
 - 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. 2016-02, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEHACHAPI GRANTING SETBACK DEVIATION NO. 2016-01 RE: ACTION

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 REPORTS

1. LOCKED MAILBOXES FOR PLANNING COMMISSION PACKETS RE: DISCUSSION

ADJOURNMENT

MINUTES

**TEHACHAPI PLANNING COMMISSION SPECIAL MEETING
CONTINUANCE OF HEARING
Wells Education Center
300 South Robinson Street
Monday, February 22, 2016 – 6:00 P.M.**

NOTE: Bu, Wi, Ch, Te and Wh are abbreviations for Planning Commissioners Butler, Williams, 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

<p><u>CALL TO ORDER</u></p> <p>Meeting called to order by Chairperson Christensen at 6:00 p.m.</p> <p><u>ROLL CALL</u></p> <p>Roll call by Administrator of the Planning Commission Roxanne Davis.</p> <p>Present: Chairperson Christensen, Planning Commissioners White, Williams, Teel and Butler.</p> <p>Absent: None.</p> <p><u>PLEDGE TO THE FLAG</u></p> <p>Led by Commissioner Teel.</p> <p><u>PUBLIC HEARING</u></p> <p>1. Continued Public Hearing, Appeal by Guy and Jennifer Williams of the Decision of the Development Services Director relating to Minor Use Permit No. 2015-01 for the operation of the Jennifer's Terrace Outdoor Event Venue located at 413 South Curry Street.</p> <p>Closed Hearing at 6:05 p.m.</p> <p>H) By motion, the Commission approved Minor Use Permit No. 2015-01 subject to conditions of approval.</p> <p><u>ADJOURNMENT</u></p> <p>By motion, the Planning Commission adjourned at 6:23 p.m.</p> <p style="text-align: right;">_____ ROXANNE DAVIS, CMC Administrator of the Planning Commission</p> <p>Approved this 21st day of November, 2016.</p> <p>_____ DARYL CHRISTENSEN, Chairperson</p>	<p>Approved MUP 2015-01, Subject To Conditions Of Approval Te/Bu Ayes All</p> <p>Adj. at 6:23 p.m. Wh/Bu Ayes All</p>
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**NOTICE OF PUBLIC HEARING
BEFORE THE TEHACHAPI PLANNING COMMISSION**

A Public Hearing will be held before the Tehachapi Planning Commission on Monday November 21, 2016, or soon thereafter at 4:00 P.M., at the Development Services Department Conference Room 117 South Robinson Street Tehachapi, California, for the purpose of considering the following request:

1. Application Case No: Setback Deviation No. 2016-01
2. Owner/Applicant: Steve Ash
14 Cameo Crest
Laguna Niguel, CA 93677
3. Property Location: Located north of Highline Road, south of Pinon Street and west of Curry Street.
4. Request: The applicant is proposing to reduce front yard setbacks and side yard setbacks on new residential structures located in Alta Estates.
5. Assessor Parcel Number(s): 417-281-02, 417-281-03, 417-281-04, 417-282-03 & 417-282-04

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

A handwritten signature in blue ink that reads "Roxanne Davis". The signature is written in a cursive style and is positioned above a horizontal line.

**ROXANNE DAVIS, CMC, ADMINISTRATOR OF THE
PLANNING COMMISSION OF THE CITY OF TEHACHAPI**

Dated: November 9, 2016
Posted: November 9, 2016
Published: November 11, 2016 (Bakersfield Californian)



TEHACHAPI PLANNING COMMISSION

STAFF REPORT

Title: Setback Deviation No. 2016-01

Date: 10/27/16

I. **GENERAL INFORMATION:**

1. Applicant: Alta Homes, LLC
2. Engineer: N/A
3. Specific Request: Setback Deviations for 5 lots within housing tract 6216
4. Project Location: Lots 1,2,3,6 & 7 in Housing Tract 6216, Phase 3.
5. APN: Lot 1: 417-281-02
Lot 2: 417-281-03
Lot 3: 417-281-04
Lot 5: 417-282-03
Lot 7: 417-282-05
6. Existing Zoning: R-1
7. Present Land Use: Residential
8. General Plan Designation: Neighborhood General
9. Surrounding Land Use:
North: Undeveloped land zoned for T-4 (Neighborhood General)
South: Undeveloped lots within housing tract 6216 zoned as R-1
East: Residential neighborhoods zoned as R-1
West: Undeveloped land (Tract 6928) zoned for T-4 (Neighborhood General)
10. Correspondence in opposition: Yes No
Correspondence in favor: Yes No

II. **BACKGROUND:** On October 19, 1992 the City Council introduced Ordinance 92-09-609. Said Ordinance established a procedure to allow deviations from setbacks as an alternative to the variance mechanism. Setbacks for the R-1 zone are as follows; 25ft for front and rear setbacks (20ft if the total square footage of the property is less than 8,000 square feet.). For interior lots setback standards require one side setback be 5 feet and another side setback be 10 feet. Corner lot setback standards require street side setbacks be 15 feet and interior side setbacks to be 5 feet. The subject sites are all located in housing tract 6216 (Alta Estates); 3 of the lots front to Clasico Drive and 2 of the lots are along Alder Avenue.

III. **PROPOSAL:** Alta Home LLC (Alta) is requesting several setback deviations for 5 lots in housing tract 6216. These deviations are requested to allow current housing tract floor plans, similar to other developments in the housing tract, to fit within subdivision lots. Alta is requesting front setback deviations for all 5 of the lots and additionally side setbacks for 2 of the lots. Below is a summary of the setback deviations requested.

Lot 1; APN 417-281-02: Lot 1 is a corner lot at 1202 Clasico Drive. The Tehachapi Zoning Code requires a front setback of 25ft and a street side setback of 15ft for corner lots in R-1 zones. The applicant is requesting that the front setback be reduced to 20ft and the street side setback be reduced to 13ft in order to properly fit the floor plan within the rear and interior side setbacks.

Lot 2; APN 417-281-03: Lot 2 is an interior lot at 1206 Clasico Drive. The Tehachapi Zoning Code requires a front setback deviation of 25ft for R-1 zoned lots. The applicant is requesting that the front setback deviation be reduced to 22ft in order to properly fit the floor plan within the rear and side setbacks.

Lot 3; APN 417-281-04: Lot 3 is a corner lot at 1210 Clasico Drive. The Tehachapi Zoning Code requires a front setback of 25ft and a street side setback of 15ft for corner lots in R-1 zones. The applicant is requesting that the front setback be reduced to 20ft and the street side setback be reduced to 10ft in order to properly fit the floor plan within the rear and interior side setbacks.

Lot 6; APN 417-282-03: Lot 6 is an interior lot at 1105 Alder Avenue. The Tehachapi Zoning Code requires a front setback deviation of 25ft for R-1 zoned lots. The applicant is requesting that the front setback deviation be reduced to 18ft in order to properly fit the floor plan within the rear and interior side setbacks.

Lot 7; APN 417-282-05: Lot 7 is an interior lot at 1101 Alder Avenue. The Tehachapi Zoning Code requires a front setback deviation of 25ft for R-1 zoned lots. The applicant is requesting that the front setback deviation be reduced to 140ft in order to properly fit the floor plan within the rear and interior side setbacks.

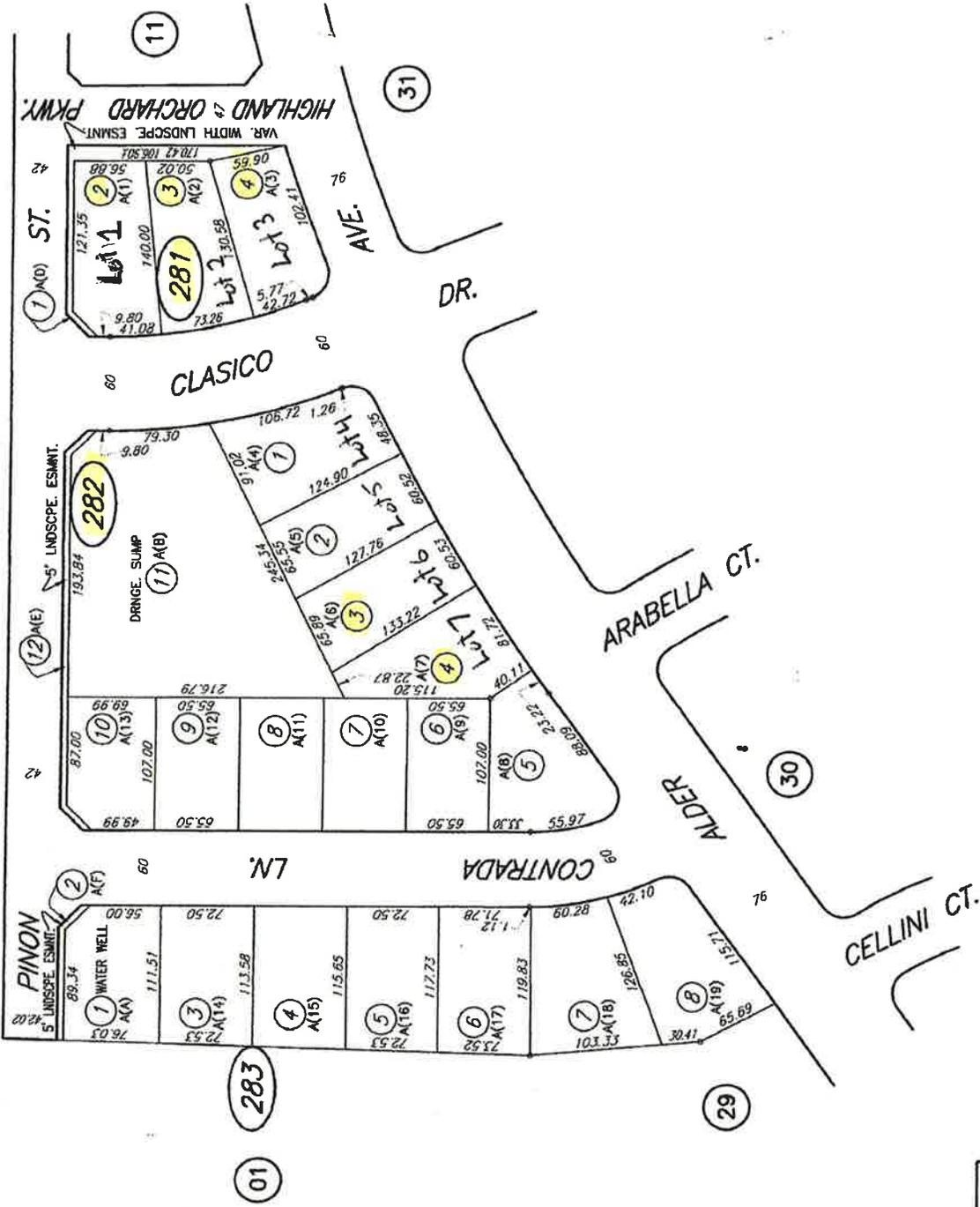
IV. **RECOMMENDATION:** Due to the nature of grading and lot development when Tract 6216 was subdivided, a number of the lots in this development are oddly shaped or have smaller dimensions than typical R-1 lots. Staff is of the opinion that these setback deviation requests will allow the development to continue with a level of architectural uniformity in the neighborhood by allowing floor plans, which have been used in previous lots within the subdivision, to continue being developed. There is precedent in this subdivision for setback deviations. Staff recommends that the Planning Commission adopt Resolution No. 16-02 a resolution of the Planning Commission of the City of Tehachapi granting Setback Deviation No. 2016-01 located north of Highline Road, south of Pinon Street and west of Curry Street.

V.

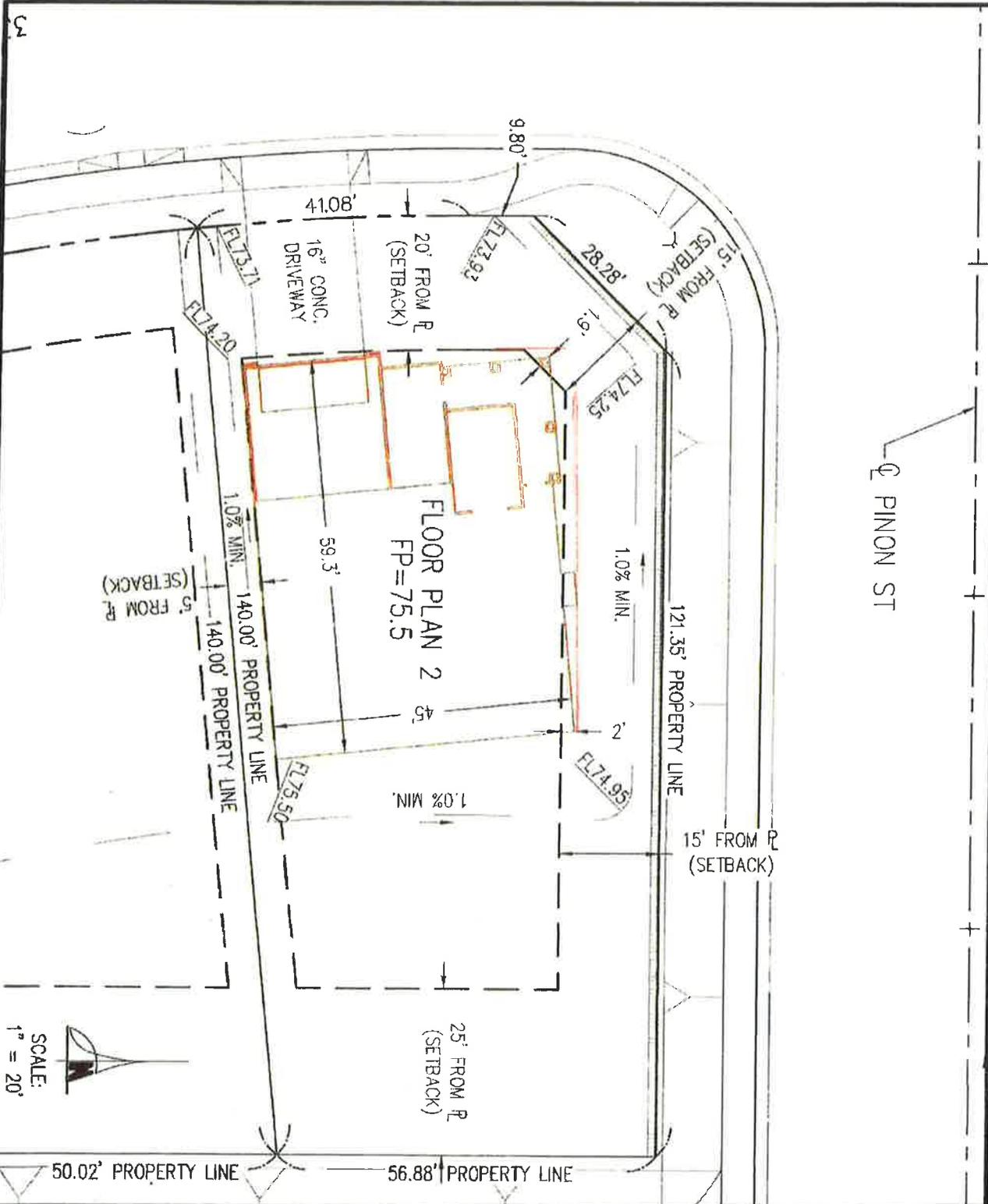
ATTACHMENTS

Assessors map displaying all 5 lots in relation to each other and site plans, containing property lines, setback lines, and floor plans, for each individual lot in this setback deviation request.

BK. 416



LEGEND	SUBD. KEY	DISCLAIMER
DRAWN November 29, 2006	REF. SUBD. A. TR 6216 PH 1	This map is for purposes only. It is not to be construed as portroying legal ownership or divisions of land for purposes of zoning or subdivision law.
JURISDICTION CITY OF TEHACHAPI	(LOT DESIGNATIONS IN PARENTHESIS)	



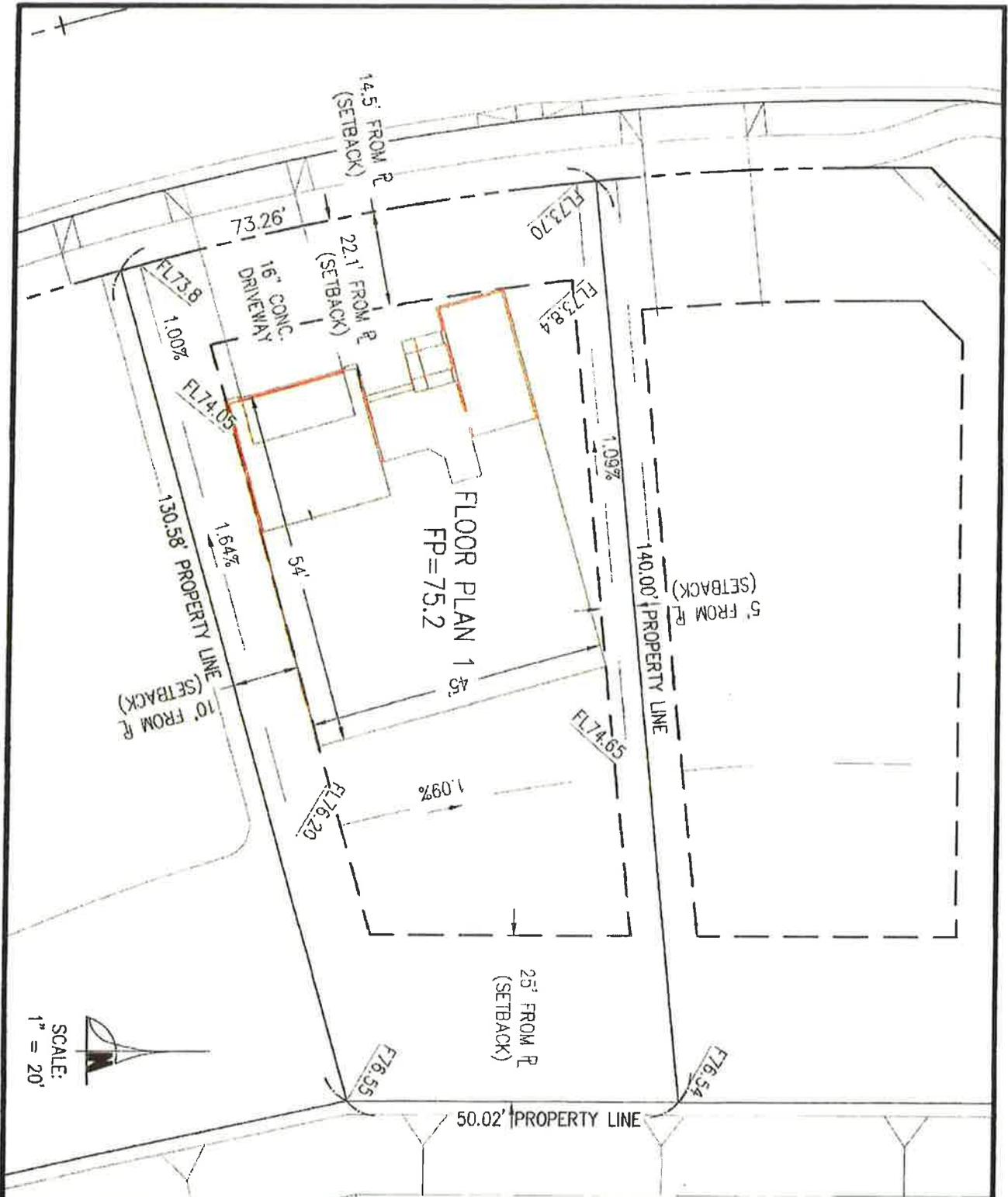
CORNERSTONE ENGINEERING, INC.
 208 Oak St.
 Bakersfield, CA 93304
 TEL: (661) 325-9474
 CONSULTING CIVIL ENGINEERING AND LAND SURVEYING
 www.cornerstoneeng.com

LEGAL DESCRIPTION

TRACT 6216-1, LOT 1
 APN: 417-281-02
 CITY OF TEHACHAPI, CALIFORNIA

DATE: 10-1-15 | DRAFTER: LRR DWG. NO.: 4520100_Site Plan.dwg

Floor Plan 2 with fourth bedroom and exercise room options. Elevation "A"; Color Scheme 6; Plant Palette C



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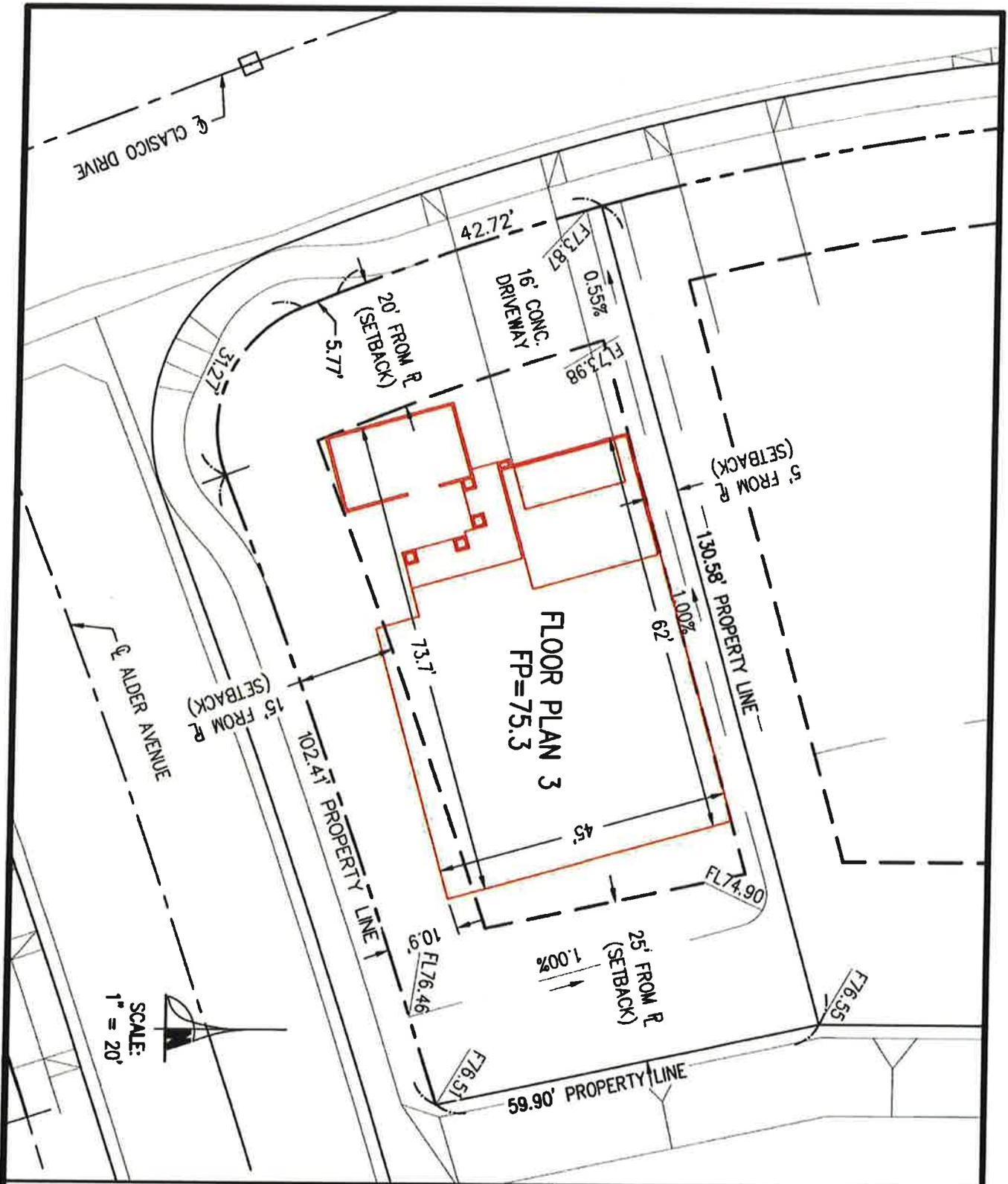
CIE

DATE: 10-24-16 | DRAFTER: LRR | DWG. NO.: 4520100 Site Plan.dwg

LEGAL DESCRIPTION

TRACT 6216-1, LOT 2
 APN: 417-281-03
 CITY OF TEHACHAPI, CALIFORNIA

Floor Plan 1 with office option. Elevation "C"; Color Scheme 3; Plant Palette A



SCALE:
1" = 20'

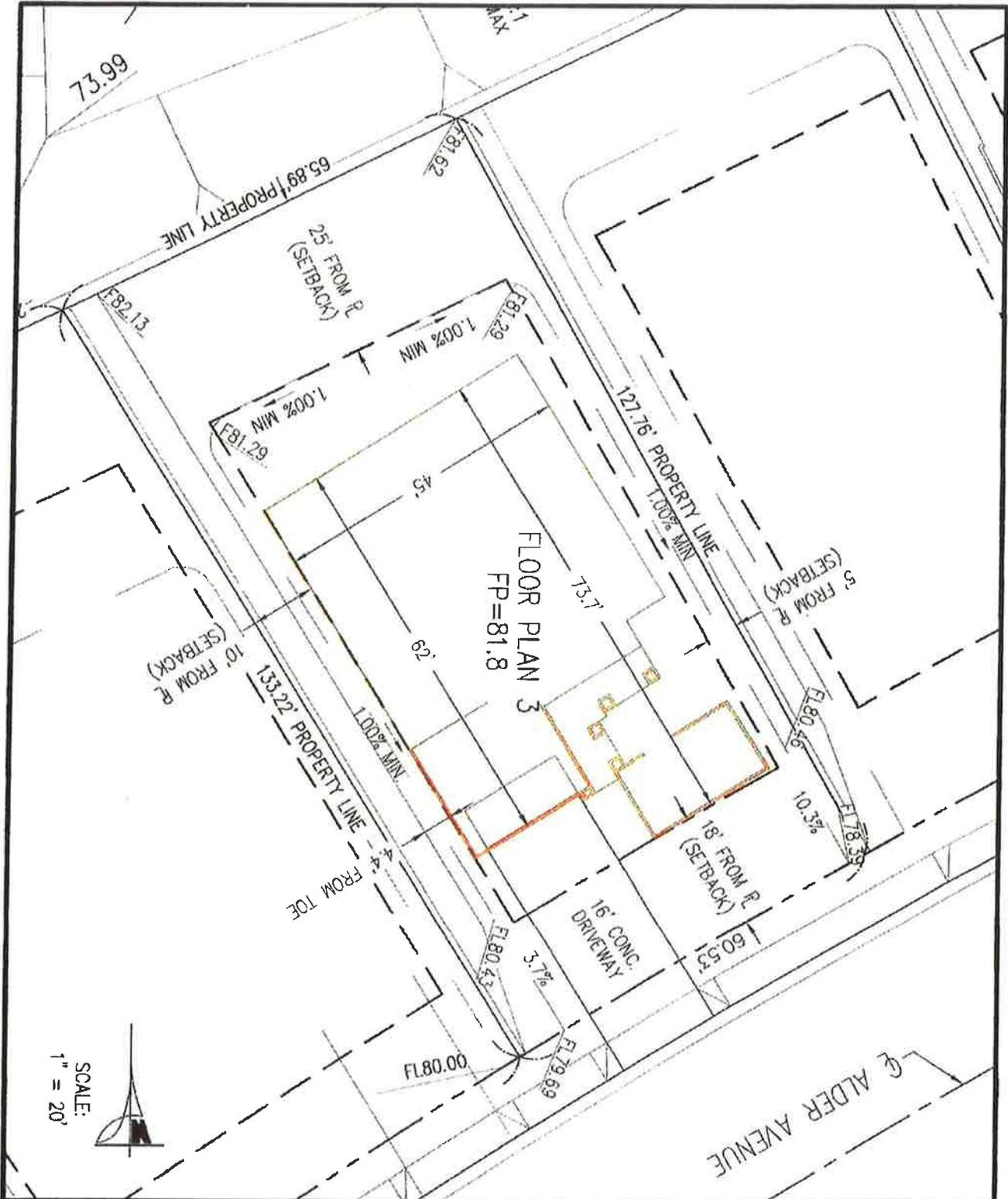


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 208 Oak St.
 Berkeley, CA 93304
 TEL: (861)325-9474
 CONSULTING CIVIL ENGINEERING AND LAND SURVEYING
 www.cornerstoneeng.com

DATE: 10-24-16 | DRAFTER: LRR | DWG. NO.: 4520100_Site Plan.dwg

LEGAL DESCRIPTION

TRACT 6216-1, LOT 3
 APN: 417-281-04
 CITY OF TEHACHAPI, CALIFORNIA

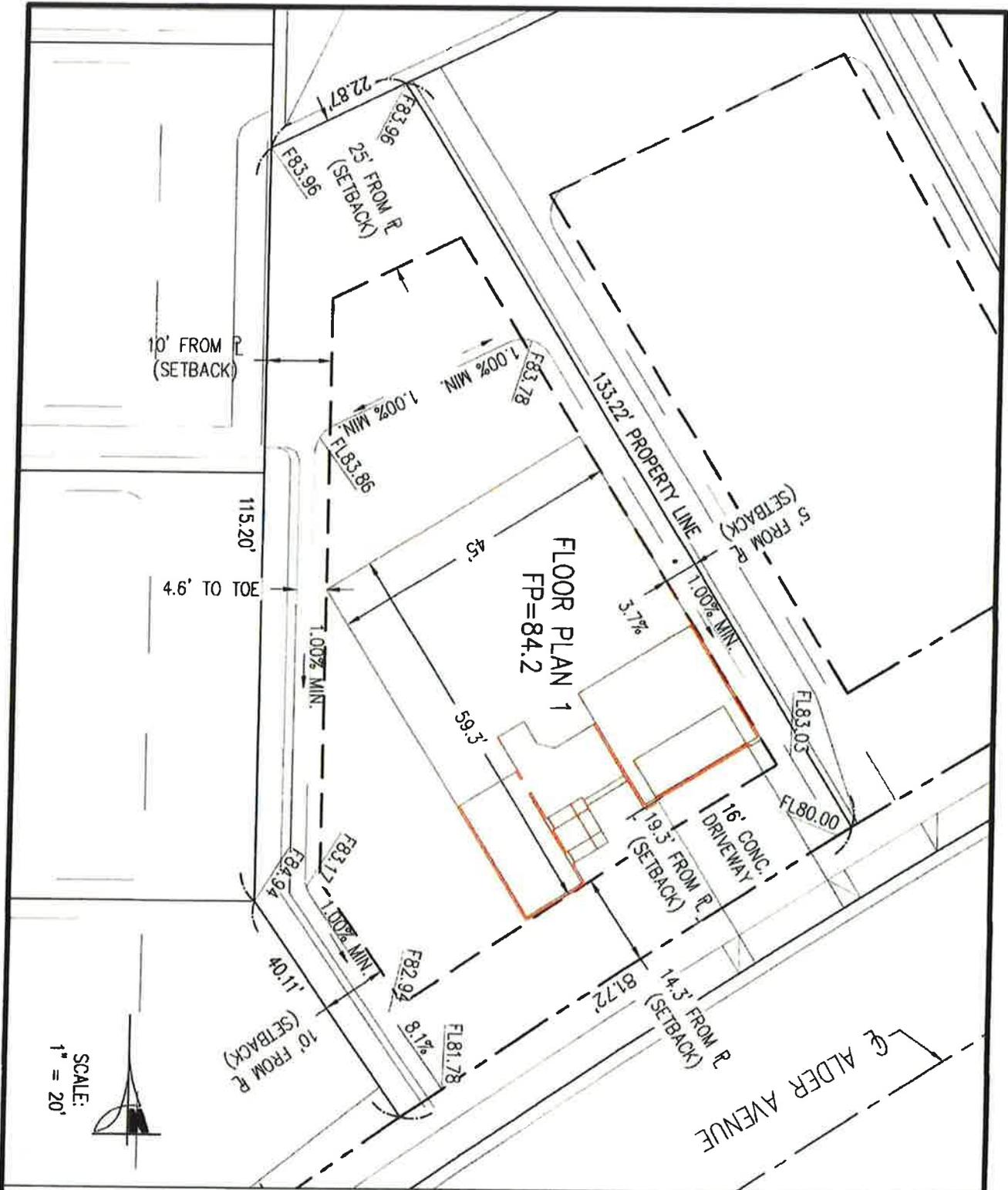



CORNERSTONE ENGINEERING, INC.
 208 Oak St.
 Bakersfield, CA 93304
 TEL: (661) 325-9474
 CONSULTING CIVIL ENGINEERING AND LAND SURVEYING
 www.cornerstoneeag.com

DATE: 10-24-16 | DRAFTER: LRR | DWG. NO.: 4520100 Site Plan.dwg

LEGAL DESCRIPTION
 TRACT 6216-1, LOT 6
 APN: 417-282-03
 CITY OF TEHACHAPI, CALIFORNIA

Floor Plan 3 with fourth bedroom and office options. Elevation "C"; Color Scheme 4; Plant Palette D



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	CONSULTING CIVIL ENGINEERING AND LAND SURVEYING www.cornerstoneng.com
	DATE: 10-24-16 DRAFTER: LRR DWG. NO.: 4520100_Site Plan.dwg

LEGAL DESCRIPTION

TRACT 6216-1, LOT 7
 APN: 417-282-04
 CITY OF TEHACHAPI, CALIFORNIA

Floor Plan 1 with office option. Elevation "A"; Color Scheme 2; Plant Palette A

RESOLUTION NO. 16-02

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF TEHACHAPI GRANTING SETBACK DEVIATION NO.
2016-01 LOCATED NORTH OF HIGHLINE ROAD, SOUTH OF
PINON STREET AND WEST OF CURRY STREET**

Alta Estates, LLC, located within the R-1-8 District, having filed an application for a setback deviation as established by the Zoning Ordinance of the City of Tehachapi, and the application brought to hearing before the Planning Commission at the regular meeting held on November 14, 2016, and that notice of time and place of the hearing was given by mail more than ten (10) days before the meeting as provided by State Law; and the City Planner having submitted a report of investigation of the application, and the Commission having permitted all interested persons to be heard in the manner, and being fully advised:

NOW THEREFORE, the Planning Commission of the City of Tehachapi makes the following conditions:

1. All building permits shall be obtained.
2. Lot 1; APN 417-281-02: Lot 1 is a corner lot at 1202 Clasico Drive. The Tehachapi Zoning Code requires a front setback of 25 feet and a street side setback of 15 feet for corner lots in R-1 zones. The applicant is requesting that the front setback be reduced to 20 feet and the street side setback be reduced to 13 feet in order to properly fit the floor plan within the rear and interior side setbacks.
3. Lot 2; APN 417-281-03: Lot 2 is an interior lot at 1206 Clasico Drive. The Tehachapi Zoning Code requires a front setback deviation of 25 feet for R-1 zoned lots. The applicant is requesting that the front setback deviation be reduced to 22.1 feet in order to properly fit the floor plan within the rear and side setbacks.
4. Lot 3; APN 417-281-04: Lot 3 is a corner lot at 1210 Clasico Drive. The Tehachapi Zoning Code requires a front setback of 25 feet and a street side setback of 15 feet for corner lots in R-1 zones. The applicant is requesting that the front setback be reduced to 20 feet and the street side setback be reduced to 10.9 feet in order to properly fit the floor plan within the rear and interior side setbacks.
5. Lot 6; APN 417-282-03: Lot 6 is an interior lot at 1105 Alder Avenue. The Tehachapi Zoning Code requires a front setback deviation of 25 feet for R-1 zoned lots. The applicant is requesting that the front setback deviation be reduced to 18 feet in order to properly fit the floor plan within the rear and interior side setbacks.
6. Lot 7; APN 417-282-05: Lot 7 is an interior lot at 1101 Alder Avenue. The Tehachapi Zoning Code requires a front setback deviation of 25 feet for R-1 zoned lots. The applicant is requesting that the front setback deviation be reduced to 14.3 feet in order to properly fit the floor plan within the rear and interior side setbacks.

7. This approval shall be valid for one (1) year and if work has not commenced within that time the approval shall be void.

PASSED AND ADOPTED by the Planning Commission of the City of Tehachapi at a regular meeting thereof held on the 21st day of November 2016.

DARYL CHRISTENSEN, Chairperson
of the Planning Commission of the
City of Tehachapi

ATTEST:

ROXANNE DAVIS, CMC
Administrator of the Planning Commission
of the City of Tehachapi