

April 5, 2017

THE WALNUT CITY PLANNING COMMISSION

A Regular Meeting of the Walnut City Planning Commission was held on the above-referenced date. Chairperson Natividad called the meeting to order at 7:00 p.m.

**FLAG SALUTE:** Commissioner: Fernandez

**ROLL CALL:** Chairperson: Natividad  
Vice-Chairperson: Wu  
Commissioners: Fernandez, Dy, Koo

**ALSO PRESENT:** Community Development Director Weiner; City Planner Carlson; Assistant City Attorney Mann; Associate Planner Yang; Associate Planner Vasquez; Associate Planner Guerra; Community Development Technician Munoz.

**ORAL COMMUNICATIONS:**

**C/Natividad opened Oral Communications for Public Comment.**

Ken Chang, resident, stated that he wants Planning Commission (PC) item SPC/AR 2016-047, which was continued during the December 2016 meeting, to be agendized for further review. Mr. Chang indicated that the home owner at 20939 Brookline Drive has not made any efforts to reach out to the residents in the surrounding neighborhood and he would like the PC to move forward with the project.

**VC/Wu moved to close Oral Communications. C/Natividad seconded. Without objection motion passed 5-0.**

**APPROVAL OF MINUTES:**

**1. March 1, 2017 (Regular Minutes)**

**PC/Fernandez abstained due to his absence at the March 1, 2017 PC Meeting.**

**PC/Koo moved to approve the minutes of March 1, 2017. VC/Wu seconded. Motion passed 4-0.**

**PUBLIC HEARING:**

**2. Continuance: Tentative Parcel Map (TPM) 74098 and Site Plan Case/Architectural Review (SPC/AR) 2016-006 (Jia Siang Development, LLC.)** – A request to subdivide one (1), 31,589 square-foot parcel into two (2) residential lots (Lot 1 and 2) and construct two (2) two-story single-family residences with garages located at 451 Avenida Esplendor (APN: 8722-013-002).

AP/Yang presented the staff report.

PC/Koo mentioned that the ten (10') foot flat rear-yard setback for Unit B was satisfied and that Unit A had the second-story pushed back by approximately three (3') additional feet. PC/Koo further asked for clarification on the reduction of square-footage shown for Unit A and B.

AP/Yang summarized the changes that were made and indicated the applicant would be able to provide further modification details.

C/Natividad opened the Public Hearing for Public Comment.

Applicant/Jonathan Ma stated that Unit A was reduced in square-footage by approximately 300 square-feet and Unit B was reduced by 600 square-feet respectfully. Mr. Ma further stated that the ten (10') foot flat rear-yard setback was provided with an additional five (5') feet, for a total area setback of fifteen feet (15').

**C/Natividad motioned to close Public Comment. Without objection motion passed 5-0.**

**MOTION ON ITEM 2**

**PC/Koo motioned to adopt PC Resolution No. 2017-03, approving TPM 74098 and SPC/AR 2016-006, subject to the Conditions of Approval (COA). PC/Dy seconded.**

**ROLL CALL:**

**AYES: Natividad, Wu, Fernandez, Dy, Koo**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**Motion to approve passed 5-0.**

**3. Municipal Code Amendment 2016-02** – A request to amend Title VI, Chapter 25, Article I, Section 25-2 (Definitions), Article XXVI, Section 25-259(c), Section 25-261 (Permits), Section 25-262 (Signs Permitted in any Zone) and Section 25-263 (Subdivision signs) of the Walnut Municipal Code (WMC).

AP/Guerra presented the staff report.

VC/Wu asked for clarification on what can and cannot be regulated in regards to signage throughout the City.

ACA/Mann explained that the City cannot arbitrarily regulate content in terms of size and that with the Code Amendment presented, it is simply creating consistency with signage throughout the City.

C/Natividad asked if the City can have signage that is not in English.

CDD/Weiner stated that businesses are allowed to include other languages in the signage however it cannot be a primary component of said sign. CDD/Weiner described that typically businesses will have the business name on the first line of the signage and the second line will be in a secondary language that directly relates to the business.

PC/Dy asked if the Code Amendment allows for signs to be solely in another language aside from English.

CDD/Weiner confirmed that this would not be permitted.

C/Natividad opened the Public Hearing for Public Comment.

**C/Natividad motioned to close Public Comment. Without objection motion passed 5-0.**

PC/Dy clarified that the Code Amendment is restricting can signs and cabinet signs within the City.

CDD/Weiner confirmed that staff is requesting the Citywide restriction of can signs and cabinet signs.

The Commission and staff further discuss guidelines for signage, banners, and political signs throughout the City.

**MOTION ON ITEM 3**

**PC/Koo motioned to adopt PC Resolution No. 17-07 recommending the City Council to approve Municipal Code Amendment 2016-02, and accompanying Negative Declaration (ND) 2017-01, and Initial Study (IS) 2017-01 as presented. PC/Fernandez seconded.**

**ROLL CALL:**

**AYES: Natividad, Wu, Fernandez, Dy, Koo**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**Motion to approve passed 5-0.**

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**4. Site Plan Case and Architectural Review (SPC/AR) 2016-112 (The Church in Walnut)** – A request to construct a new 1,636 square-foot two-story addition, a 28 square-foot side-yard patio cover, and an 887 square-foot attached three (3) car garage to an existing residence located at 19810 Camino De Rosa (APN: 8722-016-019).

CDT/Munoz presented the staff report.

PC/Fernandez asked for verification for the current Zoning of the subject property as well as the existing six (6') foot high fence that is located in the front-yard.

CDT/Munoz confirmed that the current Zoning is C-1 (Light Commercial) and that a single-family dwelling is a permitted use.

CDD/Weiner confirmed that the existing chain-link fence is not permitted and that Condition of Approval (COA) #4 states that the applicant is required to submit a fence and wall plan to address all perimeter fencing, which includes the chain-link fence.

C/Natividad opened the item for Public Comment.

**PC/Fernandez motioned to close Public Comment. VC/Wu seconded. Without objection motion passed 5-0.**

PC/Fernandez mentioned his concern for the proposed addition creating two (2) separate dwelling units and inquired if the applicant is willing to “open-up” the proposed dining room area.

PC/Dy asked if the Church directly north of the subject property acquired the residence and its use.

Applicant/Miles Chang stated that the church Pastor lives at the subject property.

The Commission and the Applicant further discussed the proposed floor plan.

PC/Dy agreed with Commissioner Fernandez in the suggestion of widening the proposed dining room area.

PC/Fernandez commented on approving the item with an additional COA that requires the proposed dining room area to be enlarged and opened.

**MOTION ON ITEM 4**

**PC/Dy motioned to approve SPC/AR 2016-112 subject to the added COA that the new dining room area be widened. PC/Fernandez seconded.**

**ROLL CALL:**

**AYES: Natividad, Wu, Fernandez, Dy, Koo**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**Motion to approve passed 5-0.**

**5. Site Plan Case and Architectural Review (SPC/AR) 2016-058 (Ping)** – A request to construct a 2,473 square-foot two (2) story addition to an existing 1,957 square-foot one (1) story single-family dwelling located at 20359 Fuerte Drive within the R1-15,000; Single Family Residential and Rural Overlay Zoning District (APN: 8709-010-016).

AP/Vasquez presented the staff report.

C/Natividad opened the item for Public Comment.

Applicant/Douglas Wu stated he is available for questions.

**C/Natividad motioned to close Public Comment. Without objection motion passed 5-0.**

PC/Koo asked if a landscape plan was submitted as part of the proposal.

AP/Vasquez confirmed that the applicant is not proposing to redo the landscaping but that the applicant is requesting to modify the existing driveway approach.

PC/Koo mentioned that he would like the applicant to submit a landscape plan to address the front landscaping of the subject property.

**MOTION ON ITEM 5**

**VC/Wu motioned to approve SPC/AR 2016-058 with the additional Condition that a landscape plan be submitted prior to the issuance of any building permits. PC/Dy seconded.**

**ROLL CALL:**

**AYES: Natividad, Wu, Fernandez, Dy, Koo**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**Motion to approve passed 5-0.**

**6. Site Plan Case and Architectural Review (SPC/AR) 2017-004 (Ulloa)** – A request to construct a new two (2) story 5,303 square-foot single family home with a 926 square-foot four (4) car garage on a 4.97-acre undeveloped lot located at 701 Arabian Lane within the R.P.D. – 28,500; Residential Planned Development Zoning District (APN: 8709-063-005).

AP/Yang presented the staff report.

PC/Dy inquired if the lot will be graded and if it will affect the existing trail to the south side of the subject property.

AP/Yang stated that the lot is currently graded and no additional grading will occur outside the existing pad.

C/Natividad opened the item for Public Comment.

Applicant/Tim Racisz stated he is available for any questions the Commission may have.

**C/Natividad motioned to close Public Comment. Without objection motion passed 5-0.**

VC/Wu asked staff and the applicant as to why the subject site has been left vacant.

CDD/Weiner and AP/Yang mentioned that they are unaware as to why the lot has been left vacant.

The Commission and staff further discuss other vacant lots within the City.

Applicant/Tim Racisz mentioned that the owners of the subject lot have owned the property for a long period of time and have not decided to build on it until now.

**MOTION ON ITEM 6**

**C/Natividad motioned to approve SPC/AR 2017-004 subject to the COA. PC/Dy seconded.**

**ROLL CALL:**

**AYES: Natividad, Wu, Fernandez, Dy, Koo**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**Motion to approve passed 5-0.**

**DISCUSSION/TRANSACTION:**

**7. Continuance: Information related to Boarding Houses and Second Units**

AP/Vasquez presented the staff report.

PC/Koo asked if a summary can be given for the new Accessory Dwelling Unit (ADU) requirements.

ACA/Mann stated that new California State Law is going to encourage ADUs and restrict the City's ability to regulate ADUs in ways that the City currently does. ACA/Mann further mentioned that the ADUs will have a lot of leeway and that the City will have less control. He further indicated that the State enacted this requirement(s) in order to create more housing.

CDD/Weiner commented that a Study Session will be conducted to discuss the new State Law on ADUs.

The Commission and staff further discuss ADUs in regards to setbacks, parking, and guidelines.

CDD/Weiner reminded the Commission that a Study Session will take place with the City Council and that a draft Ordinance will be presented to the Commission for review as soon as possible.

PC/Koo thanked staff for their research on the limitation of bathrooms in a single family residence.

**8. View Ordinance Discussion**

CDD/Weiner presented the staff report.

PC/Dy indicated that all fees are applicable to the home owner seeking the view and gave the City of Laguna as an example.

C/Natividad asked if a View Ordinance has any impact on taxes.

PC/Dy stated that the only impact would be when the property is sold. PC/Dy further mentioned that other Cities in the San Gabriel Valley are in the process of establishing a View Ordinance as well.

PC/Koo inquired if Walnut has been a part of any disputes or mediations in the past few years.

CDD/Weiner mentioned that the City has not been in any disputes or mediations in regards to views but there has been concerns raised in the past by residents in regards to City Trees.

CDD/Weiner further stated that if there is an issue raised with views on a property, staff currently directs them to reach out to the neighbor. This is typically how conflicts with views get resolved.

C/Natividad asked if there is a right to light-and-view in the City.

PC/Dy stated that the State of California does not have a right to light-and-view but that Cities are starting to establish View Ordinances to have a right to light-and-view.

CDD/Weiner specified that if the Commission wishes to proceed further with a View Ordinance, a Study Session can take place with the City Council.

PC/Dy commented on wanting to move forward with a City View Ordinance.

PC/Fernandez mentioned that he prefers leaving the discretion of a view on a case-by-case basis. However, since research has already been conducted, this discussion item should go before the City Council Study Session.

VC/Wu stated that since views within the City have not been a significant problem, leaving it as a civil matter seems the best way to approach the issue.

PC/Dy informed that the City only sets the standards and guidelines for what is considered a view on a property.

The Commission and staff further discuss the cost associated in implementing a View Ordinance.

PC/Dy confirmed with wanting the item to proceed to a study session and the need for guidelines if the City does adopt a View Ordinance.

C/Natividad approved in moving the item forward to a City Council Study Session.

VC/Wu stated that he supports the idea, however he does not mind tabling the item until it becomes a problem in the City.

PC/Koo noted on presenting it to the City Council to hear their thoughts on a possible View Ordinance.

#### **REPORTS AND COMMENTS:**

- PC/Fernandez inquired about a security guard possibly restricting access within the Three Oaks area.
- CDD/Weiner mentioned that the residents in Three Oaks have the right to hire private security, but that they cannot restrict access on a public street.
- VC/Wu noted that he will not be present at the PC Meeting on May 3<sup>rd</sup>, 2017.

**ADJOURNMENT:**

**This meeting adjourned at 8:46 p.m. The next Planning Commission Meeting is set for a Regular Meeting on Wednesday, May 3, 2017, at 7:00 p.m. (Walnut City Hall, 21201 La Puente Road, Walnut)**

**Passed and Approved on this 3<sup>rd</sup> day of May 2017.**



**Chairperson, Benjamin Natividad**



**Tom Weiner, Community Development Director**