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**PLANNING COMMISSION MEETING MINUTES**  
***REGULAR MEETING***  
**JULY 03, 2002**

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**MEETING CALLED TO ORDER:** 1:15 p.m.

**FLAG SALUTE:** Chairman Conklin

**PRESENT:** Commissioner Brewster  
Commissioner Robert Day  
Commissioner Bill Jahn  
Vice-Chairman Thomas Beede  
Chairman Shed Conklin

**STAFF:** Molly Bogh, Community Development Director  
Sandra Molina, Principal Planner  
Jeff Ballinger, City Attorney  
Neil Braunstein, Associate Planner  
Anne Schneider, City Engineer  
Phil Mosley, Chief Building Official  
Bob May, Fire Chief  
Terri Abercrombie, Administrative Secretary  
Darrell Mulvihill, City Councilman

The Planning Commission of the City of Big Bear Lake took the following actions at the July 3, 2002 meeting held in Hofert Hall, Civic and Performing Arts Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

**AGENDA APPROVAL**

Moved by Commissioner Jahn, seconded by Commissioner Day, to approve the agenda as presented. The agenda was approved unanimously.

**PRESENTATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS**

Community Development Director Molly Bogh reminded the Planning Commission and the public that there would be a public input meeting on the Boulder Bay project on Wednesday, July 10, 2002 at 6:30 p.m. in the Training Room of City Hall.

**PUBLIC FORUM**

Commissioner Day wished to express his concern regarding the excessive watering of turf within the City. Mr. Day wished to take this concern to the City Council in order to discuss the possibility of having a moratorium on new turf for the remainder of the summer.

Ms. Bogh informed the Planning Commission that the City Council is scheduled to review an urgency ordinance, proposed by the Department of Water that deals with the issue of watering turf and landscaping. The item is scheduled for their July 8<sup>th</sup> meeting in Hofert Hall at 6:30 p.m.

**1. CONSENT CALENDAR**

Approval of the minutes of the regular Planning Commission meeting of June 19, 2002.

Moved by Commissioner Jahn, seconded by Vice-Chairman Beede, to approve the Minutes of June 19, 2002. The motion was carried by a vote of 4 in favor to 0 against. Commissioner Brewster abstained, as he was not in attendance for the June 19, 2002 meeting.

**2. PUBLIC HEARING ITEM**

- 2.1 Plot Plan Review 2002-064  
Applicant: Kevin Alsop  
Representative: Curry Engineering  
Location: 477 Eureka Dr.  
APN: 309-082-10

An application to expand an existing motorcycle business by constructing a 2,000 square foot storage and assembly building and by providing eight paved parking spaces on 0.22 acres zoned Multi-Family/Commercial (C-2). This project has been determined to be exempt from environmental review pursuant to Section 15332, Class 32 of the California Environmental Quality Act (CEQA).

Associate Planner Neil Braunstein reviewed the staff report with the Planning Commission and recommended that the Planning Commission adopt the resolution approving Plot Plan Review 2002-064, subject to the attached conditions of approval.

The Planning Commission and staff discussed the conditions of approval regarding the removal of the shipping container, fencing, and emergency exits.

The public hearing was opened at 2:00 p.m.

Owner and applicant Kevin Alsop addressed the Planning Commission's concerns regarding the chain-link fencing that currently exists around his property. He stated that the fencing to the back of the property could be left up if the Commission desired but that the rest of the fencing would have to be taken down in order to accommodate the new building and the construction. The Planning Commission requested that the fence at the back of the property be left up.

Mr. Alsop also stated that the trailer that he uses for motorcycle events and shows would be stored on the property.

Ms. Rita Ferm, a resident of Oriole Dr. voiced her concerns regarding potential drainage problems to Oriole Drive. Ms. Ferm wished to know if there are any measures being taken to allow for the additional run-off.

City Engineer Anne Schneider and Ms. Bogh informed Ms. Ferm and the Planning Commission that there are improvements scheduled for the intersection of Eureka and Tahoe through the Public Works Department. However, any increased runoff from Mr. Alsop's particular project was not significant enough to require that he be responsible for further improvements.

Mr. Stan O'Dell, a resident of Eureka Dr., commended the Public Works Department for the drainage improvements made around his property last summer. He spoke in favor of the project and of Mr. Alsop's business, in general. However, Mr. O'Dell also voiced concerns regarding the drainage problems on Oriole.

Chairman Conklin closed the public hearing at 2:15 p.m.

After further discussion among staff and the Commission, the following change was made to condition 54 in the conditions of approval:

Any of the trees to remain on the site, and any new trees planted pursuant to this approval, that have died within 24 months after issuance of a Certificate of Occupancy shall be replaced at a one-to-one ratio with a 24-inch boxed tree of the same species. ~~The determination as to the cause of tree death shall be based on whether more than 40% of the tree's root zone, as defined by the drip line, has been disturbed during construction, as determined by the Chief Building Official.~~ (PLN)

Moved by Vice-Chairman Beede, seconded by Commissioner Brewster, to approve the resolution, with the above-mentioned change, as follows:

**RESOLUTION NO. PC2002-025**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING PLOT PLAN REVIEW 2002-064 TO EXPAND AN EXISTING MOTORCYCLE BUSINESS BY CONSTRUCTING A 2,000 SQUARE FOOT STORAGE AND ASSEMBLY BUILDING LOCATED AT 477 EUREKA DRIVE (ASSESSOR'S PARCEL NUMBER 309-082-10).**

The motion was passed by the following vote:

AYES: BREWSTER, DAY, JAHN, BEEDE, CONKLIN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2.2 Tree Conservation Ordinance

A draft ordinance to regulate the removal of trees over six inches in diameter, to encourage the planting of new trees, to limit damage to trees during construction, and to establish compliance measures. Adoption of this ordinance will repeal and supersede Ordinance 92-224.

Principal Planner Sandra Molina presented the staff report to the Planning Commission and recommended that the Planning Commission conduct a public hearing and adopt the draft resolution recommending that the City Council conduct a public hearing to consider first and second readings of this ordinance, based upon the findings contained within the resolution. She stated that recommendations provided by the community, the Commission and staff through various public workshops held over the last year.

Chairman Conklin opened the public hearing at 2:25 p.m.

Mr. Bob Hertel, of Arrowhead Woods Architectural Committee and the Fire safe Council of the greater Lake Arrowhead area, informed the Commission and public that he has made available free information pamphlets regarding fire safety and prevention in the mountain area. Mr. Hertel also thanked the Commission for bringing the tree ordinance to finalization.

Ms. Bogh also wished to thank the members of the Arrowhead Woods Architectural Committee who gave input to staff during the process of drafting the tree ordinance.

Big Bear resident and Sierra Club member Ms. Glenda Akins wished to bring attention to the letter she had submitted to the Planning Commission for consideration. Chairman Conklin acknowledged that her letter had been included in the Commissioners' report and

her concerns would be brought up for discussion as the draft is reviewed. Additionally, Commissioner Jahn wished to thank Ms. Akins for her participation in the tree ordinance process.

Big Bear Lake resident Carolyn Knudsen spoke in favor of the tree ordinance and wished to thank the Commission for their diligence in bringing the tree ordinance to fruition.

Arborist Aaron Scullin spoke in favor of the tree ordinance and thanked the Commission for their efforts to preserve the City's trees and for allowing him to assist in the process.

Commissioner Day wished to thank Ms. Knudsen for her input and assistance during the tree ordinance process.

33-year Big Bear Lake resident Ms. Cary Smith spoke in favor of the tree ordinance but would like to see the verbiage in the ordinance be more definite when it comes to enforcement.

Big Bear Lake resident Joseph Sanders commented on what he feels is a lack of enforcement policy within the ordinance and additionally encouraged the City to focus on creating a tree plan for the entire city, not just on individual lots.

Ms. Bogh responded by saying that this ordinance, although not perfect, is much better than what currently exists and that there are requirements for surety, penalties, and other procedures in place, that will help to enforce this ordinance.

There being no further comments from the public at this time, Ms. Bogh requested final comments and/or changes on the ordinance as each page was reviewed.

Based upon the final review and discussion of the tree ordinance among the Commissioners, staff, and the public, the Planning Commission requested that the following changes be made prior to the draft being submitted to the City Council:

Section 7. Tree Conservation Requirements for Major Projects

B. Development review.

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2.d. Grading or landscaping techniques that involve backfilling of soil around trees should be avoided. ~~The original grade should be maintained within the drip line of existing trees, by dry wells if surrounding grade is elevated or by retaining wall if surrounding grade is lowered.~~

C. Preparation of Landscape Plans

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2. For any trees over six (6) inches DBH on the project site which are proposed for removal, a replacement tree shall be shown on the landscape plans, except as otherwise recommended by a qualified tree expert. Except as recommended by a qualified tree expert, replacement trees shall be no smaller than fifteen (15) gallon size, with 60% of the replacement trees to be twenty-four (24) inch box size, with a diameter of no less than two (2) inches measured at a point one (1) foot above natural grade. A minimum of fifty percent (50%) of the replacement trees shall be selected from Exhibit A, and a minimum of fifty percent (50%) of those trees selected shall be conifer trees, of which no less than half ~~some trees~~ shall be Jeffrey pine, except as otherwise approved.

D. Tree Conservation During Construction

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d. Every effort should be made to install utility trenches outside the critical root zones, which may include tunneling under the tree. Soil should only be compacted where the job engineer requires. Trenches shall be backfilled as soon as possible.

Section 9. Tree Removal Permit

A. Except as specified in Paragraphs E and F of this section, in cases where there is no approval of a discretionary project or a ministerial project, but where removal of one or more trees six (6) inches or greater DBH is proposed, the property owner or authorized representative shall be required to obtain a tree removal permit from the City of Big Bear Lake. Approval of discretionary or ministerial projects, which include review of tree conservation plans, shall constitute the tree removal approval and no separate tree removal permit shall be required in these cases.

Section 12. Violations

A. 3. In addition to the remedies set forth for criminal violations set forth in Paragraph 5 of this Section, the City, at its discretion, may file legal action for damage or destruction to any tree, for tree removal prior to approval of a development project, and for those trees removed in violation of approved plans. A dollar value for tree damage or loss shall be assessed by using a Basic Value Method or Replacement Cost Method as devised by the Council of Tree and Landscape Appraisers.

Section 15. Environmental Finding

The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, because the ordinance implements the City's environmental resources and community design policies regarding trees, and will ensure that existing trees will be preserved, or, if necessary, removed in accordance with City standards. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section ~~15061(b)(3)~~15307 of the CEQA Guidelines.

At this time resident Laura Koepke asked the Commission if the ordinance is subject to a developer being able to ask for a variance.

Ms. Bogh addressed the question by saying that there is flexibility built into each stage of the ordinance, whether it is at the staff or Commission level and therefore there should not be a reason to request a variance under this particular ordinance. Additionally, anyone is able to appeal any decision made based upon this ordinance.

Chairman Conklin officially closed the public hearing at 3:47 p.m.

After further comments from the Planning Commissioners, Commissioner Day moved to approve the resolution, with the previously noted changes. The motion was seconded by Commissioner Jahn as follows:

**RESOLUTION NO. PC2002-026**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL REPEAL ORDINANCE NO. 92-224 AND SECTION C.4 IN APPENDIX C OF ORDINANCE NO. 85-115 IN THEIR ENTIRETY AND ADOPT A NEW ORDINANCE REFERRED TO AS THE BIG BEAR LAKE TREE CONSERVATION ORDINANCE APPLICABLE TO PROPERTIES CITY-WIDE.**

The motion was passed by the following vote:

AYES: BREWSTER, DAY, JAHN, BEEDE, CONKLIN  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

**3. PLANNING OFFICIAL'S REPORT**

There was nothing to report.

**4. SUMMARY COMMENTS**

Commissioner Beede commented that he was glad to see that the tree ordinance is moving forward.

Commissioner Jahn commented that he was concerned about the deterioration of the property located at 1149 Clubview and wanted to know what is being done to remedy the situation.

Chief Building Official Phil Mosley addressed this concern by informing the Commission that Code Enforcement has issued citations to the resident of that property for violating the temporary use provisions of the Development Code and for un-permitted uses. Mr. Mosley added that the City Prosecutor has prepared cases to file with the court and the resident has appeared in court on the first charge and is expected back in court within the next few weeks.

Commissioner Day voiced his concern over the difficulty in seeing the "Fire Danger" and "No Fireworks" signs throughout the City due to their placement amongst several other types of signs. He expressed his desire to see this concern remedied with the implementation of the City's directional sign program. Mr. Day also made a request of staff to investigate the cleanliness of the outdoor trash receptacles located on the MacDonald's property. Ms. Bogh said that she would ask Code Enforcement to look into the situation.

Commissioner Brewster wished to thank the Building and Safety Division assistance and for their assistance and input which helped him in making the necessary decisions regarding his project.

Commissioner Jahn requested that permanent signs, similar to the U.S. Forest Service's, be installed as part of the City's directional sign program. Ms. Bogh replied that she would make sure that these types of signs are considered when the City is ready to move forward with the program.

**5. ADJOURNMENT**

There being no further comments, Chairman Conklin adjourned the meeting at 4:10 p.m. to the next regular Planning Commission meeting of July 17, 2002.

MINUTES APPROVED AT THE MEETING OF: August 7, 2002

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Jennifer Worth, Planning Commission Secretary