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**CITY OF BIG BEAR LAKE  
PLANNING COMMISSION MEETING MINUTES  
REGULAR MEETING**

**July 6, 2005**

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

**FLAG SALUTE:** Chairman Beede

**PRESENT:** Chairman Thomas Beede  
Commissioner Timothy Brigham  
Commissioner Garry Dokter  
Two Seats Vacant

**STAFF:** Sandra Molina, City Planner  
David Martinez, Deputy City Manager  
Marco Martinez, City Attorney  
Phil Mosley, Chief Building Official  
Janice Etter, Associate Planner  
Neil Braunstein, Associate Planner  
Lynne Rayner, Administrative Secretary

The Planning Commission of the City of Big Bear Lake took the following actions at the July 6, 2005 meeting held in Hofert Hall, Civic and Performing Arts Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

**AGENDA APPROVAL**

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

**PRESENTATIONS / ANNOUNCEMENTS / INFORMATIONAL ITEMS**

None

**PUBLIC FORUM**

No one wished to speak.

**REORGANIZATION**

- a. Swearing in of new Planning Commissioners

At the hour of 1:19 p.m., City Clerk Kathy Jefferies conducted the swearing-in of Craig Smith and Rick Hackney.

At the hour of 1:21 p.m., Commissioners Smith and Hackney took their seats at the dais.

b. Selection of Vice-Chairman

Commissioner Brigham nominated Commissioner Dokter as Vice-Chairman of the Planning Commission. Chairman Beede seconded the nomination.

The nomination of Commissioner Dokter as Vice-Chairman was approved by the following vote:

AYES:	SMITH, HACKNEY, BRIGHAM DOKTER, BEEDE
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

**1. CONSENT CALENDAR**

1.1 Approval of the Minutes of the Planning Commission meeting of June 15, 2005.

Vice-Chairman Dokter informed the Commission that Tom Johnson requested the minutes reflect that businesses in the Village L could still apply for a Minor Special Event Permit for outdoor sales in the Village six times per year for up to four days each event. The following paragraph was amended to reflect this addition:

Tom Johnson, owner of Hunter Hall in the Village, spoke in support of the proposed Development Code Amendment, and supported excluding the Village Specific Plan in the proposed Amendment. Mr. Johnson asked whether merchants in the Village Specific Plan could still apply for Minor Special Event permits. He was told they could.

Moved by Chairman Beede, seconded by Commissioner Brigham, to approve the minutes for June 15, 2005 as amended. The minutes were unanimously approved by a vote of 3 in favor and 0 opposed. Commissioners Smith and Hackney abstained, as they were not present at the meeting of June 15, 2005.

**2. PUBLIC HEARING ITEMS**

2.1 Plot Plan Review 2005-033

Applicant: Reneh and Patricia Shahin Family Trust  
Representative: Reneh Shahin  
Location: 39236 and 39238 Big Bear Boulevard  
APN: 306-151-01

Associate Planner Janice Etter presented the staff report, stating that the applicant is requesting approval to construct a two-story, 2,462 square foot structure consisting of a property management office and single-family residence, 534 square foot garage, and six parking spaces, on a 14,266 square foot lot. She continued, stating that staff recommends the Planning Commission hold a public hearing, take public testimony, and adopt a resolution finding the project exempt from the California Environmental Quality Act (CEQA) and approving Plot Plan Review 2005-033.

Commissioner Brigham asked for clarification regarding a residence in a Commercial zone. Associate Planner Etter stated that the property is zoned Commercial-Visitor (C-3), and that a property management office is permitted in this zone subject to a Plot Plan Review application, and that an accessory living unit is a permitted use in the C-3 zone, subject to compliance with the residential development standards established in the Development Code including building setbacks, building height, open space, lot coverage, and parking requirements.

Vice-Chairman Dokter asked if the applicant had read and agreed with all conditions contained in the resolution. Associate Planner Etter stated that the applicant was not present at the meeting and she had not been in contact with the applicants so therefore did not know.

Chairman Beede stated he was not comfortable with the look of the building and asked that the applicant submit a materials color board.

Vice-Chairman Dokter stated that the plans indicated a large tree, possibly an eagle perch tree, was tagged to be removed. He asked that staff speak with the applicant about saving the tree.

Commissioner Smith inquired about signage for the commercial use. City Planner Molina informed the Commission that signage was not a requirement of a commercial use.

Commissioner Hackney stated that the use appeared to be a multiple-family residential use, rather than a commercial use. City Planner Molina stated that full time transient rental units were allowed in a commercial zone.

At the hour of 1:44 p.m., Chairman Beede opened the public hearing. No comments were heard.

Further discussion ensued regarding other information needed from the applicant, such as a current business license, a tree management plan, a snow removal and trash enclosure plan, and a color board.

Moved by Vice-Chairman Dokter, seconded by Commissioner Brigham, to continue Plot Plan Review 2005-033 to the meeting of July 20, 2005 to allow staff time to contact the applicant for the requested items.

The motion was approved by the following vote:

AYES: SMITH, HACKNEY, BRIGHAM, DOKTER, BEEDE  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

2.2 Conditional Use Permit 2004-324

Applicant: Mr. Raymond Burton  
Representative: Mapco  
Location: 42040 Big Bear Boulevard  
APN: 2328-121-02

Associate Planner Neil Braunstein presented the staff report, stating that the applicant is requesting to replace an existing office building with a new 1,530 square foot office building, to replace an existing maintenance building with a 5,250 square foot building, to construct a 900 square foot solar panel roof structure, and to replace underground fuel tanks with a 12,000 gallon above-ground fuel tank, all to serve an existing concrete batch plant. He stated that the applicant was in attendance and had agreed with the conditions of approval, and that staff recommends the Planning Commission hold a public hearing, take public testimony, and adopt a resolution finding the project exempt from the California Environmental Quality Act (CEQA) and approving Conditional Use Permit 2004-324.

Commissioner Smith asked if the fence along Big Bear Boulevard might be moved back to increase open space, to allow the property to look more appealing from the street and allow for additional landscaping to be installed.

At the hour of 1:58 p.m. Chairman Beede opened the public hearing.

Raymond Burton, the applicant, stated that moving the fence back would not be feasible, as it would require company vehicles to then be parked outside the fence area and therefore be unsecured.

Hearing no further comment, Chairman Beede closed the public hearing at 2:01 p.m.

It was the consensus of the Commission that the proposed improvements would greatly improve the facility and that the 4% open space was not an issue with this site.

Moved by Chairman Beede, seconded by Vice-Chairman Dokter, to adopt Resolution No. PC2005-022 approving Conditional Use Permit 2004-324 based on the findings and subject to the conditions of approval as follows:

**RESOLUTION NO. PC2005-022**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 2004-324 TO REPLACE AN EXISTING OFFICE BUILDING WITH A NEW 1,530 SQUARE FOOT OFFICE, TO REPLACE AN EXISTING MAINTENANCE BUILDING WITH A 5,250 SQUARE FOOT BUILDING, TO CONSTRUCT A 900 SQUARE FOOT SOLAR PANEL ROOF STRUCTURE, AND TO REPLACE EXISTING UNDERGROUND FUEL TANKS WITH A 12,000 GALLON ABOVE-GROUND FUEL TANK, ALL TO SERVE AN EXISTING CONCRETE BATCH PLANT ON A 3.22 ACRE SITE LOCATED AT 42040 BIG BEAR BOULEVARD (ASSESSOR'S PARCEL NUMBER 2328-121-02).**

The motion was approved by the following vote:

AYES: SMITH, HACKNEY, BRIGHAM, DOKTER, BEEDE  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

2.3 Tentative Tract Map 2003-217, Conditional Use Permit 2003-218, and Variance 2003-359

Applicant: Shadow Mountain Investments  
Representative: Bob Carlisle, Mapco  
Location: 38500 Big Bear Boulevard  
APN: 306-011-02

Associate Planner Braunstein gave a brief background of the project, stating that on January 5, 2005, the Planning Commission approved Tentative Tract Map 2003-217, Conditional Use Permit 2003-218, and Variance 2003-359 to subdivide an existing 3.19-acre property into eight single-family custom home lots by approving Planning Commission Resolution No. PC2005-001. He continued, stating that Mr. Dennis Large appealed the decision of the Planning Commission on January 14, 2005, and that on February 28, 2005 the City Council remanded the item back to the Planning Commission for further environmental review, which staff then completed. Associate Planner Braunstein informed the Commission that after noticing the project for today's meeting, it was determined that more time was needed to respond to comments on the previously circulated Initial Study and Draft Mitigated Negative Declaration and stated that staff recommends continuing the public hearing to the meeting of July 20, 2005.

Vice-Chairman Dokter asked for a summary of the nature of the comments. Mr. Braunstein responded that the comments were related to visual impact of the project not being addressed sufficiently and biological resources not being sufficiently mitigated, such as wintering bald eagles, the San Bernardino Flying Squirrel and the Southern Rubber Boa snake. He continued, stating that comments were received regarding consistency with the General Plan relating to preservation and protection of wild life and plant species and development on hillside areas in the City, and that comments were received from the California Native American Heritage Commission recommending various mitigation measures with respect to Native American archeological resources. Associate Planner Braunstein stated that more detail on these comments would be contained in the staff report distributed for the July 20<sup>th</sup> meeting.

At the hour of 2:10 p.m., Chairman Beede opened the public hearing, stating that since the recommendation from staff was to continue the public hearing, public comments could be heard now, or may be saved for the continuation of the public hearing on July 20<sup>th</sup>.

Sandy Steers, resident of Fawnskin, stated she will attend and comment at the July 20<sup>th</sup> meeting, but stated her opposition to the project, citing public safety as her concern for the design of the retaining walls.

Larry Cooke, resident of Big Bear Lake, stated his opposition to the project because of health and safety issues relating to the variance being requested for the height of retaining walls.

Peter Begle, resident of Big Bear Lake, stated his opposition to the project for the impact on traffic in the area.

Moved by Vice-Chairman Dokter, seconded by Commissioner Smith, to continue Tentative Tract Map 2003-217, Conditional Use Permit 2003-218 and Variance 2003-359 to the meeting of July 20, 2005, to allow staff to respond to comments on the previously circulated Initial Study and Draft Mitigated Negative Declaration.

The motion was approved by the following vote:

AYES: SMITH, HACKNEY, BRIGHAM, DOKTER, BEEDE  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

2.4 Development Code Amendment 2005-097

Applicant: City of Big Bear Lake  
Location: Citywide

City Planner Molina presented the staff report, stating that during the public workshop on May 18<sup>th</sup> members of the Commission stated that outdoor display of merchandise should not be permitted within the Village District and that at that time, City Attorney Marco Martinez advised the Commission that special findings would need to be made to substantiate the basis for precluding outdoor display within the Village District. The Planning Commission directed staff to prepare a public hearing for a Development Code Amendment regulating the outdoor display of merchandise in the City, which was noticed and held on June 15, 2005. City Planner Molina reminded the Commission that at the June 15<sup>th</sup> meeting, the Commission accepted all proposed text changes but then focused on whether outdoor display of merchandise should be prohibited within the entire Village Specific Plan or just within the Village L, and directed staff to notify the Village property owners and merchants of the proposed revisions to the Development Code before considering excluding them from being able to display merchandise outdoors, and continued the item to today's date.

She continued, stating that Commissioners Smith and Hackney had listened to audio meeting tapes of the public workshops and public hearings, had read the staff reports relating to outdoor display, and therefore were eligible to participate in today's discussion and vote on the item. She stated that this project is exempt from the California Environmental Quality Act (CEQA) and that staff recommends that the Planning Commission conduct a public hearing, take public testimony, and approve a resolution recommending that the City Council adopt an ordinance amending Section 17.35.090.D and Table 17.35.040.A of the Development Code relating to outdoor display of merchandise for sale.

At the hour of 2:31 p.m. Chairman Beede opened the public hearing and received public comment from the following business owners:

Charles Brewster, resident of Big Bear Lake and Village merchant, stated that the Village area did not need to be specifically excluded from regulating outdoor display, as section D (2) already regulates the sale of outdoor merchandise by stating that no item shall displayed on public property or right-of-way.

Earl Cline, resident of Big Bear Lake and Village merchant, stated his support of the Development Code Amendment excluding outdoor display of merchandise in the Village Specific Plan area, and added that Minor Special Event permits, available up to six times per year for up to four days each defeats the purpose of prohibiting outdoor displays.

Autumn Washburn, resident of Big Bear City and Village merchant, inquired about hanging windsocks on an awning. The Commission asked for clarification on flags. City Planner Molina stated that decorative flags not exceeding twenty-four square feet in area could be flown for each ten lineal feet of lot frontage.

Hearing no further comment, at the hour of 3:00 p.m., Chairman Beede closed the public hearing.

Commissioners Smith, Hackney, Dokter and Beede all expressed their agreement with the terminology stating that outdoor display of merchandise for sale shall not be permitted on properties that front along Village Drive from Paine Road to Knickerbocker Road, and properties that front along Pine Knot Avenue from Big Bear Boulevard to Cameron Drive.

Commissioner Brigham stated that although he did not want to see a swap meet atmosphere in the Village, he expressed his opposition to treating the Village L area differently than the rest of the Village Specific Plan area. He did not want to distinguish which street would or would not be precluded from outdoor display and stated that he did not support outdoor display of merchandise in the Village Specific Plan area at all.

Moved by Vice-Chairman Dokter, seconded by Commissioner Hackney, to adopt Resolution No. PC2005-023 recommending that the City Council adopt an ordinance amending Section 17.35.090.D and Table 17.35.040.A of the Development Code relating to outdoor display of merchandise for sale, with Section 4 amended to indicate the expanded Village L identified above, based on the findings as follows:

**RESOLUTION NO. PC 2005-023**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 17 (DEVELOPMENT CODE) OF THE CITY OF BIG BEAR LAKE MUNICIPAL CODE BY AMENDING SECTION 17.35.090.D**

**(PERFORMANCE STANDARDS) FOR OUTDOOR DISPLAY AND  
TABLE 17.35.040.A OF THE DEVELOPMENT CODE RELATING  
TO ACCESSORY USES APPLYING CITY-WIDE.**

The motion was approved by the following vote:

AYES: SMITH, HACKNEY, DOKTER, BEEDE  
NOES: BRIGHAM  
ABSENT: NONE  
ABSTAIN: NONE

**3. PLANNING OFFICIAL'S REPORT**

None.

**4. SUMMARY COMMENTS**

Vice-Chairman Dokter offered his congratulations to Commissioners Smith and Hackney and also asked for a report on the recent control burn conducted by the Fire Department. Chief Building Official Mosley then gave the Commission a brief summary of the controlled burn of six different sample wall panels conducted by Acting Fire Chief Morley at the Fire Department at Elm and Moonridge Road.

Commissioner Brigham welcomed Commissioners Smith and Hackney and offered his congratulations to them also.

Chairman Beede welcomed the new Commissioners and stated he was looking forward to working with them both.

**5. ADJOURNMENT**

There being no further comments, Chairman Beede adjourned the meeting at 3:10 p.m.

MINUTES APPROVED AT THE MEETING OF JULY 20, 2005.

*Lynne Rayner*

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Lynne Rayner, Administrative Secretary