

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
February 20, 2007**

Chair Huntington called the regular meeting of the Yucca Valley Planning Commission to order at 7:00 p.m.

Commissioners present: Chair George Huntington, Commissioners David Cooper, Dennis McKoy, Steve Willman and Shannon Goodpaster

Chairman Huntington led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Mr. Goodpaster moved to approve the Agenda, which motion was seconded by Mr. Cooper and passed unanimously by voice vote.

PUBLIC COMMENTS:

None

PUBLIC HEARINGS:

**1. TENTATIVE TRACT MAP 18312 – ALL, ENVIROINMENTAL ASSESSMENT
EA 19-06**

A request to subdivide 7.5 acres into 14 single family lots in the RS-2 land use designation located on the east side of Church Street, between Onaga and Navajo Trails and identified as APN 587-011-02 and -03.

Contract Planner Nicole Criste requested that the item be tabled to a future unspecified date due to unresolved hydrology issues with the project.

Mr. Cooper moved to table the item which motion was seconded by Mr. Willman and passed unanimously by voice vote.

**2. CONDITIONAL USE PERMIT 07-06 - VERIZON and CATEGORICAL
EXEMPTION FROM CEQA, SECTION 15332, INFILL DEVELOPMENT**

A request for approval of an 80 foot high telecommunications antenna (monopole) adjacent to an existing county antenna located at 58399 Serin Drive (on Paxton Hill) and identified as APN, 598-011-17.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Contract Planner Nicole Criste presented the project discussion to the meeting. If a building to house a generator is proposed, an amendment to the CUP will have to come before the Planning Commission for approval.

In response to a question from Mr. McKoy, Ms. Criste responded the new tower is required because there is insufficient room on the existing lattice tower to hold additional equipment and alignment problems would exist.

Mr. Goodpaster requested and received confirmation that the only change to the lattice tower is the removal of existing Verizon equipment.

In response to a question from Mr. Cooper, Ms. Criste stated that Planning Commission approval would be required if a private entity wanted to install new equipment on the lattice tower. Since the lattice tower is owned by the County, installation of new equipment by the County would not require approval.

Mr. Huntington stated Paxton Hill is an antenna farm and asked if there are aesthetic alternatives. Ms. Criste stated technology is changing and modules are becoming smaller. Monopoles take less space than lattice towers but towers in general may never disappear.

Mr. Huntington opened the Public Hearing.

To questions asked by the Commissioners, Alan Reece of Daly International representing Verizon replied the 80 foot tower request is to get the signal above those of the lattice tower. Lowering the lattice tower would be up to the County but would present technical problems regarding electronic signals and azimuth and sight line objectives. Painting of the pole is not recommended due to the site line against the background of the sky. The new pole is being requested to increase capacity, augment coverage and to offer digital data transfer and wireless internet connections.

There being no others wishing to speak, Mr. Huntington closed the Public Hearing.

Mr. Cooper stated towers are a problem to all cities but he would rather see them grouped together in remote areas than spread throughout the community.

Mr. Cooper moved that the Planning Commission recommend to the Town Council approval of Conditional Use Permit CUP 07-06, based on the findings contained within the staff report and the recommended Conditions of Approval. The motion was seconded by Mr. Goodpaster and passed unanimously by voice vote.

POLICY DISCUSSION:

3. LIMITED IMPROVED (UNPAVED) ROADS

A request from staff that the Planning Commission discuss and approve the policy of allowing roads with limited improvements (unpaved roads) to serve subdivided lots where the conditions of the proposed development (including drainage/erosion, density of development proposed and in the area, topography, and proximity to existing paved roads) warrant a lesser standard than paved roads and such roads are compatible with the area in which they are proposed, the safety of the present and future traveling public is not impaired, subject to certain minimum Town standards.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Deputy Town Manager Shane Stueckle presented the project discussion to the meeting.

Mr. Stueckle commented prior discussions of the issue have indicated some neighborhoods in Town may be best served by roads which do not meet the Town standard of a paved width of 40 feet over 3 inches of packed base. The County allowed lower level development density areas to have dirt roads. Staff is requesting direction and input to answer the following questions. If less than normal paving is going to be allowed and some lesser standards allowed, what are those standards going to be? Who will pay to construct and maintain lesser standard roads? Are maintenance assessment districts the proper vehicles, and if not then what are. Who will be responsible for the eventual paving of dirt roads?

Also, the County held the position that the offer of the dedication of a road easement created a public road. The Town Attorney disagrees and opines that the easement must be accepted by the public agency to create a public road. Every time a Tract or Parcel Map is approved, new public roads are created.

The Town has a legal obligation to keep the roads open to the public. What should the standards of construction be if they are less than paved?

Mr. Cooper stated he can see a few places in Town where dirt roads might be amenable but he is reluctant to open that door and set that precedent. It will be very difficult to say no to the next guy who says "me to." However, Rancho Mesa is a perfect example of a large area served by dirt roads maintained by a Homeowners Association. That development was approved prior to incorporation and he would be nervous about the Town approving a project like that. If the roads are public, how can the Town require only the homeowners to maintain roads that anyone can use?

Mr. Goodpaster stated the issue may have to be a part of a General Plan Review and not decided one project at a time. If approved, would the Town be responsible for maintaining gravel roads?

Mr. McKoy commented safety standards for dirt roads must be clearly set out and standards for reclamation within time limits after a big storm must be established.

Mr. Willman stated safety and speed limits, drainage, flood control and repair after a storm must be addressed.

Mr. Huntington requested and received confirmation that the maintenance districts would be administered by the Town and then opened the discussion to the public.

Mr. Bill Souder who lives in the Rancho Mesa area of Town stated he would prefer that subdivisions not be allowed to avoid paving the roads. Keeping the roads in Rancho Mesa maintained is not a smooth process. Some sections of the roads are very difficult to maintain and require a lot of attention. A major concern is drainage. Culverts don't always work well and even baseball sized gravel gets washed away onto the highway in large storms. Getting enough of the residents to approve an assessment to get the roads paved is almost impossible even with bonding over 30 years. If the Commission is going to do this, there has to be maintenance provisions. The owners and builders of the original development have a responsibility for the roads.

There being no others wish to speak; Mr. Huntington closed the discussion to the public.

Mr. Willman questioned the requirements for bringing a dirt road into the Town system and was informed by Mr. Stueckle that the owners must improve the roads to Town standards based on a

soils test and compaction report. There is only one mile of dirt road maintained by the Town. Easements do not exist for many dirt roads in Town so the roads are private property.

Mr. Cooper commented if a development was for 1 or 2 acre horse properties or a self contained equestrian development, internal dirt roads might be appropriate. However, the access streets should be paved. The Town has been pretty adamant in the last few years in requiring the applicant to pave to the nearest access point. He would have a hard time backing away from that.

Mr. Huntington stated realistically our dirt roads are not going to disappear soon. We will have lots splits that are not contiguous, within 3 or 5 miles, to current paving. A 400 foot stretch of pavement in the middle of nowhere is not a good idea. But standards for dirt roads have to be set. The biggest problem with dirt roads is dust, dirt and wash-boarding. Drainage is a problem, especially along the side of the roads. An aggregate base with gravel on top will help with dust abatement. Speed limits of 15 mph on dirt roads Town wide would also help mitigate dust. A 50 foot right-of-way is probably too wide for a dirt road, 24 feet may be more appropriate. Good engineering is required. The transition from dirt to asphalt is always a problem and needs a standard. Any sub-division contiguous to asphalt must be paved.

Mr. Goodpaster stated a concern regarding traffic hazards if the right-of-way is too narrow. Mr. Willman agreed commenting damage is done to berms on the sides of dirt roads when the road is too narrow for 2 large vehicles to safely pass each other. Embankments are damaged when large trucks have to move to the side to allow oncoming vehicles to pass.

Mr. McKoy stated compliance review is difficult for the Town to ensure that dirt roads continue to be maintained to meet the standards.

Mr. Stueckle commented standards need to be developed for many issues, including design speeds, line of sight, etc. And if they are public roads, would the Town want to turn over the maintenance responsibility of a public road to a private Homeowners Association? That is not recommended.

The general process for assessment districts is to have an Engineers study prepared which evaluates annual maintenance costs. In a dirt road situation a cushion factor would be added perhaps budgeting for 3 major storms per year, not just 1 major storm per year. The property owners are responsible for paying those estimated costs, primarily through property taxes established when the lots are created. Proposition 18 requires that the maximum assessment per parcel be established at the time of creation with only an annual cost-of-living increase being allowed without a vote of the property owners.

Mr. McKoy questioned the impact of dirt roads on property taxes. Mr. Stueckle replied the Tax Assessor finds no difference in the assessed value between dirt and paved roads.

Mr. McKoy asked if dirt roads are more or less expensive to maintain. Mr. Stueckle replied that, when correct standards are in place, in the long term dirt roads are much more expensive to maintain and build.

Mr. Cooper sees this policy discussion as a change in direction for the Town. Mr. Stueckle disagreed that it is a change of direction in that Town Council has held for a number of years that dirt roads in certain areas of Town reflect our rural character. The most recent Planning Commission discussion of several years ago continued in the direction that some areas are better

served by non-paved roads and it may be inappropriate to require paved roads in those areas. Historically some people have the distinct impression that dirt roads mean "rural."

Mr. Huntington agrees that standards must be developed. It will take an Engineer who knows traffic and how to make dirt roads safe.

Mr. Stueckle thanked the commissioners for their comments, stated staff will continue to work on the policy and return at a later date for further discussion.

CONSENT AGENDA

4. MINUTES

Mr. Willman moved to approve as submitted the minutes of the Planning Commission meetings held on January 16, 2007 and February 6, 2007 which motion was seconded by Mr. Goodpaster and passed unanimously by voice vote.

DEPARTMENT REPORTS

Dir. of Community Development Tom Best commented staff met with Mr. Bill Shack to discuss alternatives to his GPA and Tract Map. It is unclear how the project is going to be revised.

COMMISSIONER REPORTS AND REQUESTS

Mr. McKoy commented Oracle Plaza is looking great.

Mr. Willman commented a new informal used car lot materializes on the week-ends on the SE corner of Balsa and SR62 and requested Code Enforcement attention. It is also becoming a problem along SR62 in the Wal-Mart parking lot. Oracle Plaza is looking beautiful and will be a huge asset.

ANNOUNCEMENTS

The next regular meeting of the Planning Commission will be held at 7:00 pm on Tuesday, March 6, 2007.

ADJOURNMENT

Mr. Huntington adjourned the meeting at 8:00 pm.

Respectfully submitted by



Jeannie Lindberg
Sr. Administrative Assistant