

**MINUTES**

**CITY OF CARSON**

**REGULAR MEETING OF THE PLANNING COMMISSION  
IN JOINT SESSION WITH THE  
SPECIAL MEETING OF THE  
PUBLIC WORKS COMMISSION**

***CITY COUNCIL CHAMBERS, CARSON CITY HALL***

***701 East Carson Street, Second Floor  
Carson, CA 90745***

***June 14, 2011 – 6:30 P.M.***

- 1. CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:36 P.M.
- 2. PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Commissioner Schaefer.
- 3. ROLL CALL**

Planning Commissioners Present: Brimmer, Diaz, Faletogo, Goolsby, \*Gordon, Park, Schaefer, Saenz, Verrett

\*Commissioner Gordon arrived at 6:50 P.M.

Planning Commissioners Absent: None

Public Works Commissioners Present: \*Fa'avae, Harris, Thompson, Tingson

\*(Commissioner Fa'avae arrived at 6:55 P.M.)

Public Works Commissioners Absent: Johnson (excused)

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Gonzalez, Planning Technician Alexander, Traffic Engineer Garland, Code Enforcement Manager Tupuola, Recording Secretary Bothe

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|----|---|--|
| 4. | <b>AGENDA POSTING<br/>CERTIFICATION</b> | Recording Secretary Bothe indicated that all posting requirements had been met.  |
| 5. | <b>AGENDA APPROVAL</b>                  | Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the Agenda as presented. Motion carried, 8-0 (absent Commissioner Gordon).   |
| 6. | <b>INSTRUCTIONS<br/>TO WITNESSES</b>    | Chairman Faletogo requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation. |
| 7. | <b>SWEARING OF WITNESSES</b>            | Assistant City Attorney Soltani  |
| 8. | <b>ORAL COMMUNICATIONS</b>              | For items <b>NOT</b> on the agenda. Speakers are limited to three minutes. None.   |

**9. CONSENT CALENDAR**

**A) Minutes:** May 10, 2011

**MOTION:** Chairman Faletogo moved, seconded by Vice-Chairman Park, to approve the May 10, 2011, Minutes as presented. Motion carried, 7-0 (Commissioner Gordon had not yet arrived; Commissioner Schaefer abstained).

**10. CONTINUED BUSINESS DISCUSSION**

**A) Workshop regarding Truck Routes and the Circulation Element of the General Plan**

Applicant's Request:

The applicant, city of Carson, is requesting a joint workshop with the City's Planning Commission and Public Works Commission to discuss the truck routes and the Circulation Element of the General Plan. Properties involved are citywide.

Staff Report and Recommendation:

Traffic Engineer Garland provided staff report and the recommendation for the Commissions to consider and provide staff direction.

Chairman Faletogo questioned whether it would be a costly process to create travel time restrictions for the truck drivers.

Traffic Engineer Garland explained that if the Commissions vote to change the truck route system, there are several additional steps that need to be taken; advised that an amendment process will need to be taken for the City's General Plan Circulation Element; that public hearings will need to be conducted; and that the Carson Municipal Code would have to be amended and would require City Council approval, noting this

would all take several months of public hearings to complete the amendment process. He added that Public Works would then need to order new signs to indicate the changes; and stated that while it's not a costly process, it could be a fairly lengthy process.

Commissioner Saenz noted that currently, the residents have no choice in this matter, but stated that while the truckers and businesses may be inconvenienced and have to spend a little more in fuel costs and travel time, they will still be in business and the residents will have some relief.

Commissioner Verrett stated that since there are no businesses, except for the technology center, coming up Victoria in a westerly direction, she questioned why the City is allowing trucks to travel through that part of Victoria; pointed out the need for trucking activity is east of Central and a little bit west of Wilmington; and stated she is opposed to moving the truck route to Alameda at the 405 Freeway in the Dominguez area because of the residential areas between Alameda and Santa Fe, stating that one of those truck routes should be eliminated. She stated there is no reason for trucks to be traveling down Victoria in a westerly direction towards Main Street, passing all these residents' houses; and stated those trucks should be exiting from the 91 Freeway onto Main Street instead of traveling this roadway to get to Main Street.

Commissioner Brimmer thanked staff for delivering all the information the Commission had requested for this evening's workshop. She addressed her concern with the City's limited law enforcement assigned to watch for trucking violators, noting the Sheriffs are not able to stop a vehicle unless there is just cause and are not easily able to see the documentation to evidence where product is being delivered or picked up; and highlighted the cutbacks in government and law enforcement, questioning who will be enforcing these changes if any are to be made.

Vice-Chairman Park asked Traffic Engineer Garland if he believes the part-time truck routes are easily enforceable or legal.

Traffic Engineer Garland stated that if signs are erected that clearly designate the hour restrictions, it could be enforced, but pointed out the Sheriffs are not able to be present all the time; and he added that the cities of Palo Alto and San Mateo have time restrictions for truck routes.

Assistant City Attorney Soltani stated it is legal to restrict trucking operation travel times, noting a city can base its decision on protecting public health and safety.

Commissioner Schaefer asked if the City could help provide financial assistance in extending the height of the residents' perimeter walls; and asked how effective the rubberized asphalt is for reducing noise.

Traffic Engineer Garland stated that the rubberized asphalt has a noticeable effect on reducing noise and vibrations but not stopping the noise and vibrations. He added that increasing the height of the walls would somewhat reduce the noise heard inside the houses but would have no impact on lessening the vibrations.

Commissioner Goolsby stated that the truck routes have been in place for approximately 40 years and pointed out that altering the truck routes will only move the problem to other residential areas. He added that many of the houses being impacted today were built after the truck routes were already in place.

Traffic Engineer Garland stated that files indicate the truck routes were in place at least in 1972.

Commissioner Goolsby noted his concern that if Victoria is to be eliminated from the truck route, the trucks typically using that roadway will be moved onto another road and will further impact that other roadway. He highlighted the Chamber of Commerce letter, noting the need for commerce and residential areas.

Commissioner Verrett stated she has traveled Victoria for many years and that she is becoming increasingly concerned with the very large trucks using this roadway from Central all the way to Main Street; and reiterated that there are many residents living along this roadway and no businesses that require the use of these large trucks, noting they should be getting on the freeway elsewhere and getting off at Main if that is their destination. She reiterated there is no reason why the trucks should be traveling on the residential portion of Victoria; and suggested some of this truck traffic be shifted to Albertoni, noting that street is wider and has many businesses along that route.

Commissioner Schaefer stated that shifting the truck route to another residential area would only be shifting the problems from one residential area to another; pointed out that shifting the trucks to another street would increase the number of trucks already using that street; and she used Del Amo as an example, noting that instead of having 114 trucks per hour, Del Amo would increase to 246 trucks per hour. She added that if the trucks were re-routed to Albertoni, it would then increase that truck traffic from 156 trucks per hour to 288 trucks per hour.

Carson Sheriff Deputy Williams noted he is the City's only truck enforcement officer at the Carson Station, noting that deputies sometimes do write tickets for truck violations. He noted his personal opinion that eliminating some of the truck routes will be extremely problematic for other areas. He advised that Carson Street between Alameda and Santa Fe were already eliminated from the truck route, noting this took a tremendous amount of enforcement to finally get it to where it's manageable today. He stated that the City's truck route signage needs to be improved, noting that many truckers say they do not notice or even see the signage. He explained that many of the truck drivers are creatures of habit and travel the same roads night and day and don't notice new signage unless it is very visible and larger than the currently displayed signs that measure 1 foot by 1 foot.

Commissioner Brimmer asked how many traffic citations are given to the truck drivers on average each day.

Deputy Williams stated it averages between 5 and 15 tickets per day for various violations.

Vice-Chairman Park asked if the GPS companies can be contacted to input new truck routes and/or changes.

Commissioner Verrett asked what the weight limit is for the very large container trucks.

Traffic Engineer Garland advised that the maximum legal tonnage allowed on the roadway is 80,000 pounds/40 tons, noting the roadways are constructed to withstand the maximum load. He stated it is the City's responsibility to keep the roadways maintained; and commented on the City's pavement management system. He noted that roads are typically resurfaced once every 10 years.

Chairman Faletogo stated he is leaning more toward maintaining the current truck routes on Victoria, Main and Santa Fe, mainly because these routes have been in place for over 40 years; and added that trucks are essential to the livelihood of this city and its residents. He expressed his belief that shifting the burden to other residentially oriented streets that currently are not on the truck routes does not solve anything and adds additional traffic impacts to other currently existing truck routes. He stated that rubberized asphalt should be put in place to minimize the noise and vibrations and for the City to give serious consideration to increasing the height of the perimeter walls.

Commissioner Verrett expressed her belief that some of the Victoria truck traffic can be shared by other routes, especially those less traveled, moving the truck routes around a little bit so as not to totally inconvenience the trucking industry. She stated that Albertoni is closer to the 91 Freeway and can easily accommodate the truck route. She added that the Victoria truck route can be moved further up to Broadway.

Commissioner Brimmer expressed her belief that even though these truck routes have been in place for over 40 years, this City has grown and changed in that time and that the truck traffic should be taken off Victoria; and she suggested restricting the hours on some of the routes and displaying more visible signage.

Deputy Williams noted for Commissioner Brimmer that if a truck driver gets cited for traveling off a truck route, the fee is \$206 and a point and a half on their driving record with no chance for driver's school to remove the citation from their driving record.

Traffic Engineer Garland stated that his main assignment as traffic engineer for the City is to do what's best to move vehicles, people and goods throughout the city in the most effective manner; and that his objective and recommendation would be to maintain the current truck routes.

Commissioner Goolsby asked if the City's traffic engineer disagreed with anything written in the Chamber of Commerce letter.

Traffic Engineer Garland stated he agrees with the concerns noted in the following Chamber of Commerce March 21, 2011 letter:

“Re: Item to consider amending the truck route system to eliminate Victoria Street between Main Street and Avalon Boulevard -

Dear Members of the Planning Commission and Public Works Commission:

The Carson Chamber of Commerce understands that the Planning Commission and the Public Works Commission have been asked to consider whether or not to recommend that the Circulation Element of the General Plan be changed to remove the segment of Victoria Street between Main Street and Avalon Boulevard from the city of Carson truck routes. For reasons that are listed below, the Chamber respectfully requests that you DECLINE to recommend this change.

1) Removing this section of street from the City's truck route system will not do anything to diminish the amount of truck traffic. It will merely divert it through other areas of the city and increase the impact on residents and businesses in those neighborhoods. Furthermore, as truckers seek shortcuts, the elimination of this portion

of the truck route may actually increase the illegal use of roadways that abut area parks and residences.

2. Industrial and warehouse operations represent an important percentage of Carson's business demographic. When selecting a location, these businesses which depend on trucks to move material in and out of their facilities consider the ease with which these movements can occur. Moving the truck route will result in additional time, expense, and inconvenience for Carson's businesses as well as for an already strained city staff which must implement and enforce the proposed new route.

3. The city is currently facing serious economic challenges. Successful businesses pay more fees and taxes into the city's treasury and contribute generously to local philanthropies. Carson, which prides itself on being a business friendly city, should not impose hardship on its business community when no net benefit will be realized.

4. City staff has already acted on several other mitigation measures requested by the petitioners.

Thank you for your consideration, John Wogan, President."

Commissioner Goolsby noted his opposition to using Albertoni as a truck route; and stated that the truck route signage should be increased in size so the truck drivers can easily spot them.

Vice-Chairman Park noted the necessity to balance the needs of all involved - the residents, truck drivers, and the businesses, pointing out the businesses support jobs for the residents; stated that additional enforcement would be helpful; and noted his support for larger signage on the truck routes. He noted some interest in restricting the hours of travel on Victoria, possibly allowing travel from 7:00 a.m. to 8:00 p.m., which will relieve some of the problems the residents are complaining about, yet it will still allow the business operations. He added his support to diverting the truck route over to Broadway instead of Main because of residents living east of Main Street. He suggested stopping the truck route south of Carson Street and picking up again north of El Presidio, noting there are areas for the trucks to come off of the Alameda Corridor. He added that the truck traffic should be reduced around the schools.

Commissioner Diaz echoed Vice-Chairman Park's comments; stated that if the truck routes are to be changed, it is imperative to erect signage that effectively and easily alerts the truck drivers of those changes; and noted his support for having time restrictions on various truck routes.

Deborah Mason, resident, stated that the truck traffic has created thousands of dollars of damage to her home and her neighbors' homes from the vibrations; stated that the trucks should be staying on the freeways until their last exit to service the businesses; and stated that the trucks are very loud and disruptive, believing the truck noise exceeds the allowable levels. She stated the City has laws in place for maximum noise levels and that these levels should not be exceeded; that the noise is disruptive to sleep, damaging their ears and creating an overall health concern for the residents. She added that many of the residents will be filing claims with the City for the damages, stating that excessive noise causes serious hazards to the public welfare and that

exposure can result in physical harm. She added that the trucks exceed 130 decibels outside and 80 decibels inside their homes.

Vice-Chairman Park asked if Ms. Mason requested from the City a noise survey be performed of these trucking activities.

Ms. Mason indicated she was told the City didn't have equipment to do a noise survey.

Commissioner Schaefer asked what year Ms. Mason's home was built.

Ms. Mason indicated 1964. She stated that since some truck route signs were erected last summer, the truck traffic has increased, noting they are getting off the freeways way ahead of their destinations; and advised that she has communicated her concerns with various staff members, City Council Members and addressed the damages she believes is being done to her house and her health because of the trucks. She noted her concern that many of the residents are senior citizens and are on fixed incomes and cannot afford to make the suggested improvements to their homes. She added that with the nearby three freeways, there is no reason for these trucks to be on the residential portion of Victoria where there are no businesses.

Bob Fanselow, Price Transfer, noted his concern with the suggestion to eliminate truck access on the corner of Dominguez and Santa Fe, noting this is where their business is located; advised that Price Transfer is a United States customs/border protection station and receives its goods from the ports and has a 24-hour time limit of when product is to reach this destination from the ports; and pointed out there are approximately 36 other businesses on this stretch of roadway that will be negatively impacted with eliminating this truck route. He added that Santa Fe is a 4-lane road that can easily accommodate trucks and truck parking; and that restricting truck traffic at Del Amo and El Presidio will only shift the complaints to the residents in the Dominguez area. He stated that El Presidio has vehicle parking on both sides of the street and this narrows the lanes of travel, noting this will create some safety concerns. With regard to the concerns of the schools, he pointed out that all vehicles on the roadway, not just trucks, are to obey traffic safety laws and are held to the same laws and standards as other vehicles on the roadways; and stated he is not aware of any truck accidents along these areas. He added that Del Amo is already a congested roadway and stated that adding more trucks to this roadway would make it even worse. He noted that Price Transfer put up a 6-foot wall around its business to reduce the noise from its operations to the surrounding area; that their drivers are instructed on reducing noise impacts to the surrounding area and neighborhoods and urged not to use their horns; and he urged the City to leave the truck routes as is.

Connie Turner, representing Southern California Edison, explained that Edison utility trucks and their contractor trucks need to be exempt from any changes to the truck routes. She advised that their primary focus is public safety, the safety of their employees, and to maintain the electrical system, noting they have a franchise agreement which allows them unrestricted access to the right-of-ways to their facilities.

Traffic Engineer Garland advised that public utility trucks would be exempt, per the City's Municipal Code.

### **Victoria Street**

- Maintain status quo by keeping the truck route designation on Victoria Street.
- Eliminate the segment of Victoria Street between Main Street and Avalon Boulevard from the truck route system and add Avalon Boulevard between Victoria Street and Albertoni Street to the truck route system.
- Eliminate the segment of Victoria Street between Main Street and Central Avenue from the truck route system.
- Keep the truck route designation on Victoria Street between Main Street and Central Avenue, but designate it as a truck route only from 7:00 a.m. till 8:00 p.m. (or whatever times are deemed appropriate).

### **Main Street**

- Maintain status quo by keeping the truck route designation on Main Street.
- Eliminate the segment of Main Street between Broadway and Victoria Streets from the truck route system.
- Keep the truck route designation on Main Street between Broadway and Victoria Streets, but designate it as a truck route only from 7:00 a.m. till 8:00 p.m. (or whatever times are deemed appropriate).

### **Santa Fe Avenue**

- Maintain status quo by keeping the truck route designation on Santa Fe Avenue.
- Eliminate the entire segment of Santa Fe Avenue from the truck route system between Del Amo Boulevard and the south city boundary at the I-405 freeway.
- Eliminate the segment of Santa Fe Avenue between the south city boundary and El Presidio Street (or Dominguez Street) from the truck route system and add El Presidio Street (or Dominguez Street) between Santa Fe Avenue and Alameda Street to the truck route system.

### **For Victoria Street:**

Vice-Chairman Park and Commissioner Diaz noted their support for the 4th bullet. Chairman Faleto go noted his support for the 4<sup>th</sup> bullet, but starting at 6:00 a.m.

Commissioners Verrett, Saenz, Brimmer noted their support for the 3<sup>rd</sup> bullet.

Commissioners Schaefer and Goolsby noted their support for the 1<sup>st</sup> bullet.

### **For Main Street:**

Vice-Chairman Park and Commissioners Diaz, Verrett, Saenz noted their support for the 2<sup>nd</sup> bullet.

Commissioner Brimmer noted her support for the 3<sup>rd</sup> bullet.

Commissioners Schaefer and Goolsby and Chairman Faleto go noted their support for the 1<sup>st</sup> bullet.



**For Santa Fe Avenue:**

Vice-Chairman Park and Commissioners Diaz, Verrett, Saenz, Brimmer noted their support for the 3<sup>rd</sup> bullet.

Commissioners Schaefer and Goolsby and Chairman Faletogo noted their support for the 1<sup>st</sup> bullet.

Commissioner Brimmer reiterated her concern that the truck route signage should be enlarged and that the businesses be informed of any changes.

Commissioner Schaefer asked that the City aggressively improve the truck route streets near residential areas with rubberized asphalt and explore if anything else can be done with the perimeter walls.

Commissioner Diaz echoed the comments about the need for better/larger signage, regardless of any truck route changes.

Commissioner Gordon expressed his belief that shifting the burden is not solving anything, that there is no proposed solution at this time that will fix any problems; and asked whether other streets could handle the excess truck traffic.

Traffic Engineer Garland explained that shifting the truck traffic over to other streets would result in increased wear and tear on the pavement and increase noise and vibrations for the residents in those areas.

Planning Officer Repp commented on the public hearing process for this matter, advising that those notices will be sent to homeowners within the next couple of months.

Traffic Engineer Garland explained that as long as any truck is within the noise ordinance of the City and weight limits of the state of California, that truck can still use a non-truck route if they have a delivery or pick up in that area/street, but they cannot use that roadway as a through route only.

Commissioner Verrett, citing no unanimous agreement on Victoria, asked that staff add a condition that the heavy freight containers not be allowed on Victoria because those are the ones that create most of the issues.

Public Works Commissioner Harris stated that the trucks should be staying on the freeway system for as long as possible in reaching their destinations.

Public Works Commissioner Thompson noted the new high school being built on Santa Fe and his concern with pedestrian safety, but stated that he would not change the truck routes at this time.

Chairman Faletogo asked staff to schedule a public hearing.

Vice-Chairman Park asked that the report for the public hearing provide option numbers for consideration instead of bullet points.

Commissioner Verrett reiterated that another bullet point/option be included to restrict heavy freight container trucks from using Victoria Street.

At 8:55 P.M., the Public Works Commission adjourned its meeting.

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**A) Retail Sale of Diesel Fuel for Large-Body Trucks**Applicant's Request:

The applicant, Bijan Radnia, is requesting to consider a major modification to allow large-body trucks on-site for retail sale of diesel fuel or revocation of approval for retail sale of diesel fuel at an existing Mobil gas station located in the CG-D (Commercial, General – Design Overlay) zoning district. The property is located at 21633 South Wilmington Avenue.

Staff Report and Recommendation:

Planning Technician Alexander presented staff report and the recommendation to OPEN the continued public hearing; TAKE public testimony; and APPROVE the minute resolution to allow large-body truck fueling with review in six (6) months of compliance and successful safety standards.

Chairman Faletogo questioned what will happen if there is no follow-through after six months and why the gas station was recently closed.

Planning Technician Alexander stated it can either go back to what was approved for small vehicle diesel fuel sales only or revocation proceedings can take place. She noted that the station was recently closed for underground equipment maintenance activity.

Vice-Chairman Park asked what the status is on the expired permits listed on Page 17.

Planning Technician Alexander stated those permits are still currently expired; however, the applicant has submitted plans to the Building and Safety staff to rectify those issues. She explained that in the past when diesel fuel sales was approved, it was simply approved by the Commission with no official resolution for those sales; but at this time, approval will be contingent upon compliance to the conditions highlighted in staff report.

Vice-Chairman Park asked if a resolution will be prepared pursuant to the Commission's action this evening.

Planning Technician Alexander stated a resolution will be drafted in six months.

Planning Officer Repp explained that staff normally provides a resolution for Planning Commission action for whatever municipal code it relates to; and advised that there is currently no conditional use permit (CUP) associated with these diesel sales and was not required, but added that this will be corrected. She stated that staff is going to allow more time for the applicant to achieve full compliance with the directions, but at the end of six months, a formal resolution will be prepared for Planning Commission approval, making clear what the operating standards are for this property, for this applicant or any other future owner.

Planning Technician Alexander pointed out that staff has emailed the staff report to the applicant and mailed the hard copy to the applicant to make sure he can use it as a check-off list to comply with the conditions of approval.

Commissioner Brimmer highlighted the applicant's pattern of noncompliance.

Mr. Radnia advised that he is investing more money into this business than he is making at this site, highlighting the cost of the various projects he's had to undertake on this property; and stated he is thinking of closing the doors on this business.

Chairman Faletogo asked the applicant if he understands that staff is not recommending revocation, but is willing to allow him to continue for six months in spite of all the noncompliance issues at this site that will need to be fixed within that time period.

Mr. Radnia stated he is doing his best; that he has spent thousands of dollars in improvements and to prepare/duplicate engineering plans and submit those to the Building and Safety Department; that he has paid fees to reinstate the permits that were expired; and that he has paid twice for some of the permits because there was a requirement from a quality control representative that he have a Healy tank at the back of the building, noting he was the first business operator to do so in Carson. He stated that the permits expired because of a misunderstanding only.

Commissioner Verrett noted her support of staff recommendation to allow this applicant to continue for another six months in order to gain compliance.

Planning Officer Repp noted that staff can help save some costs for the applicant by having staff and the traffic engineer analyze the effectiveness of the written policy and/or training manual for employees related to diesel sales.

Mr. Radnia expressed his concern that the 2-stage Healy system at the back of the building was properly permitted until staff asked him to enclose that system, noting the concrete slab is now in two pieces; and expressed his concern that because of that direction by staff, he may not get final approval.

Planning Officer Repp stated that staff will recommend to the Building and Safety Department staff to put forth its best effort to work through any minor issues. Planning Officer Repp stated that a meeting will be set up with the Building and Safety official to clarify what permits still need to be obtained and that everyone involved will work with this applicant to gain compliance.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Diaz, to concur with staff recommendation; to delete Bullet No. 7, "Provide a report prepared by an engineer or traffic engineer analyzing the effectiveness of the written policy and/or training manual for employees related to diesel sales," noting that staff will assist the applicant in this endeavor. This motion carried as follows:

AYES: Diaz, Faletogo, Gordon, Park, Saenz, Schaefer, Verrett  
 NOES: Brimmer  
 ABSTAIN: Goolsby  
 ABSENT: None

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**A) Sign Area Calculation and Banner Display Period**Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission consider an Ordinance amendment to Sections 9136.7 and 9146.7 of the CMC regarding calculation of total allowable sign area and extending the display period for banners to exceed 60 calendar days for properties citywide.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to RECOMMEND approval of the proposed Ordinance Amendment to the City Council; and WAIVE further reading and ADOPT Resolution No. 11-2394, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council an Ordinance Amendment to Sections 9136.7 and 9146.7 of the Carson Municipal Code regarding calculation of total allowable sign area and the display period for banners and similar temporary displays."

Vice-Chairman Park asked how and who will enforce the banner displays and the length of time they are displayed.

Senior Planner Signo explained that staff from various departments are able to share the case logs wherein this information is maintained; and noted there is discussion about having the businesses display the banner permits either on the business window or on the backside of the banners.

Code Enforcement Supervisor Tupuola explained that the officers are assigned to specific areas within the city and typically observe how long banners have been displayed; and that the businesses are contacted when it is discovered they are displaying banners without the benefit of a permit and that they are directed to pull a permit or remove the banners. She added that the officers can call into the office for clerical staff to check the case logs and determine if/when a business has pulled a banner permit. She noted that if there is no permit, the business is given a warning notice, and the officer is then responsible for following up on that notice. She added that the banner applications note which dates the banners will be displayed and when they expire.

Commissioner Verrett noted that the City Council Signage Subcommittee expressed to the Planning Commission their interest to see the banners displayed for a longer period of time than what staff is suggesting, noting the Signage Subcommittee's interest to help out these struggling businesses during these difficult economic times. She stated that she concurs with the subcommittee's recommendation to further extend the period for banner displays as long as the banners remain in good condition.

Planning Officer Repp explained the need for a more comprehensive review of the signage as it relates to the entire city and not just the two businesses requesting longer displays (3 Men's Suits and True Value Hardware); and stated it is not staff's recommendation to allow the banners to be displayed any longer than 90 days, noting a large number of banner displays can tend to look blighted and not be effective.

Commissioner Verrett expressed her belief it could be a workable situation if making some exceptions as long as the size, condition, and location are considered; pointed out the Signage Subcommittee's intent and her interest in helping these struggling businesses during this poor economy; and stated that once the economy improves, the former banner display limitations can be reinstated. She pointed out that IKEA has a permanent banner display and expressed her belief this would be more equitable to the smaller businesses.

Michael Coyne, Carson Street Midas owner, applauded the effort for lengthening banner displays. He stated that he was required to remove his interior banners in January; explained that it is typical for automotive repair businesses to display promotional banners in their work bays to advertize services provided; and stated that these banners should be permitted as long as they are inside the bays and in good condition. He added that many automotive repair businesses have since taken their interior banners down with the exception of the Chevron station across the street from City Hall and a few other automotive businesses displaying banners on the exterior of their businesses. He added that of great concern to him is that several automotive repair businesses are working on cars outside of the bays and into their parking lots, noting he has contacted the City three times to advise which automotive repair businesses are doing this work outside of their bays; and pointed out that one of those businesses doing work in their parking lot is the station across the street from City Hall. He urged the City to do its enforcement in an equitable fashion.

Planning Officer Repp explained for Commissioner Gordon that if the interior banners are intended to be seen from outside, the public right-of-way, those would be considered signage and not be permitted. She stated that a business can display interior signage as long as it is intended for those shopping inside their establishments.

Commissioner Verrett stated that the Planning Commission had previously agreed to consider long-term banner displays on a case-by-case basis.

Planning Commission Decision:

Commissioner Verrett moved to deny staff's recommendation and to seek a longer period of time for banner displays and to consider this on a case-by-case basis. This motion died due to the lack of a second.

Commissioner Gordon moved, seconded by Commissioner Saenz, to approve staff recommendation, allowing 90 calendar days to display banners; and moved to adopt Resolution No. 11-2394. This motion carried as follows:

AYES: Brimmer, Diaz, Faletogo, Goolsby, Gordon, Saenz, Schaefer  
NOES: Park, Verrett  
ABSTAIN: None  
ABSENT: None

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**13. NEW BUSINESS DISCUSSION**                      None.

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**14. WRITTEN COMMUNICATIONS**                      None.

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**15. MANAGER'S REPORT**

Planning Officer Repp distributed to the Commission correspondence just delivered from Watson Land Company regarding the Don Dominquez Apartments, noting a public hearing is scheduled for July 12<sup>th</sup> regarding the closure of these apartments.

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**16. COMMISSIONERS' REPORTS**

Commissioner Saenz commented on his efforts to get oversized vehicle/RV parking off the City's streets, asking this issue be placed on the Planning Commission's next agenda.

Planning Officer Repp advised that City Council has already addressed this issue and stated that because of significant opposition to regulating the parking of these vehicles on the streets, City Council is not going forward with this issue at this time.

Commissioner Brimmer noted she enjoyed attending the City's Memorial Day tribute put on by the Veteran's Commission.

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**17. ADJOURNMENT**

At 10:36 P.M., the meeting was formally adjourned to Tuesday, June 28, 2011, 6:30 P.M., City Council Chambers.

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Chairman

*Attest By:*

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*Secretary*