

CITY OF SOLVANG  
**PLANNING COMMISSION**

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**APPROVED**  
**MEETING MINUTES**

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Monday, February 4, 2019 6:00 P.M.  
Regular Hearing of the Planning Commission  
Council Chambers – Solvang Municipal Center – 1644 Oak Street

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**Commissioners Present:** Gay Infanti, Vice-Chair; Jack Williams, Aaron Petersen

**Staff Present:** Holly Owen, Planning & Economic Development Director  
Roy Hanley, Assistant City Attorney  
Brynda Messer, Assistant Planner

CALL TO ORDER: Vice-Chair Infanti called the meeting to order at 6:00 p.m.

PLEDGE TO THE FLAG

**1. PRELIMINARY MATTERS:**

**A. Public Comment:** Requests from the public to speak to the Commission on matters not on the agenda

None

**B. Requests for Continuance, Withdrawals, or Additions of Ex-Agenda items**

None.

**C. Conflicts and/or Ex-Parte Communications**

None

**D. Approval of Minutes**  
January 7, 2019

**Motion to approve the minutes made by Commissioner Petersen and seconded by Commissioner Williams. Vote is 3-0.**

## **2. PUBLIC HEARING ON NEW DEVELOPMENT AND CITY PROJECTS**

### **A. Discussion by the Planning Commission regarding twenty-four (24) hour operations/businesses within the City of Solvang.**

Holly Owen, Planning Director, presented staff report, stating the topic of this discussion had come up due to neighborhood concerns regarding a possible 24-hour CVS coming to Solvang. Ms. Owen stated that plans have yet to be submitted for a CVS, but the use is allowed in the C-2 zone. She followed up stating that the commission could recommend that 24-hour businesses be restricted by zone or it could be a citywide restriction.

Commissioner Williams asked if it was possible to restrict the hours without an ordinance. Assistant City Attorney Roy Hanley answered no, as there has to be an ordinance for a legal mechanism.

Vice-Chair Infanti opened public comment at 6:08

Hank Homberg:

Thanked the commission for their time. Realizes there is already a 24 hour gas station, but the CVS is more retail. Has concerns about light pollution and losing the night sky from the lights. Thinks it is ridiculous to have two drug stores so close to each other. Thinks there will be more traffic. Has concerns about alcohol sales.

Stefanie Stattom:

Is a Solvang resident. Merkantile used to look “groovy.” She does not get excited to go there to shop. Believes parking is too tight. She would hate to see it bright. She will continue to shop at Rite-Aid. Has concerns about traffic.

Joan Jameson:

Recalled that the Buellton CVS and Albertsons started out as 24 hour, but they changed as they didn’t have the amount of customers they thought they would. 24 hour businesses don’t work in the valley.

Vice-Chair Infanti closed public comment at 6:18.

Commissioner Petersen stated it is not a CVS issue, it’s a City issue. He does not want to see 24 hour businesses, and believes an ordinance should be passed.

Vice-Chair Infanti asked if there is a way to alter the business license applications to add their hours of operations. Mr. Hanley answered that we cannot do that. Ms. Infanti stated that she would like an ordinance passed.

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Commissioner Williams stated there are a number of exemptions called out. He believes there should be an ordinance but word it so the list of exemptions isn't an endless list. He asked Mr. Hanley if there is any control over the ABC licenses, and Mr. Hanley answered no, it's the state.

Discussion followed regarding current businesses that are open 24 hours.

Commissioner Petersen stated there will be a list of exemptions in the ordinance. He asked if delivery times could be restricted with this ordinance. He also stated that in the draft ordinance that the power to approve exemptions is done by the City Manager, but there is not a way to appeal it. He suggested that exceptions be reviewed and approved by Planning Commission and appeals to City Council.

Discussion followed regarding whether to restrict the businesses by zone, followed by discussion regarding businesses with ABC licenses.

The recommendation of Planning Commission to Council is as follows:

1. Adopt an ordinance regulating hours of operations for businesses;
2. Exemptions to the ordinance will include the C-3 zone and businesses involved with Fire, Life, and Safety including the hospital and AMR;
3. Approval of other exemptions to be reviewed and approved by Planning Commission and appeals to Council on those decisions;
4. Hours of operations to be from 6AM – 10PM, with exemptions to hotels, service stations, ATMs, and businesses that have a current ABC license to have on-site consumption of alcohol.

**B. Discussion by the Planning Commission regarding potential combination of Planning Commission and Board of Architectural Review.**

Holly Owen presented staff report. She stated that two councilmembers were supposed to be present but instead one Planning Commissioner will bring the recommendation to Council. She gave a brief explanation of the two boards and their functions.

Commissioner Petersen asked if the Design Element called out the BAR specifically. Ms. Owen answered affirmatively. Mr. Petersen asked if a General Plan amendment will be necessary if the boards are combined. Mr. Hanley said legally it would be ok to combine them. Ms. Infanti stated there are several code sections that would have to be updated if the boards are combined.

Vice-Chair Infanti opened public comment at 7:09

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Brian Nelson:

Is a local architect. Asked who thought of this idea (to which Ms. Infanti answered it was Council). Mr. Nelson believes the two boards do two different things. Believes that concept reviews would now be a noticed meeting. Having two separate boards is good.

Joan Jameson:

Believes combining the boards is a major mistake and will not save money.

David Rassmussen:

Keep the boards separate. It has worked well. They have different functions. What needs to be reviewed is California Code Check.

Brian Schnieder:

Owner of 805 Signs. Works with planning for sign applications and it is very efficient already. Likes the sign ordinance and explains it to clients. If they now have to go to PC for a sign, it will take longer for the client. They do not want to wait for their sign.

Susan Bott:

Opposed to the combination of the boards.

Lorraine Thompson:

Owner of Valley Sign Company. Not in favor of combining the boards. It will not be efficient. To the lay-person, the BAR is very friendly, as is the ordinance. Will be hard to explain the process to customers. She feels like the BAR has a “workshop” feeling, and then members and applicants can hammer out the details at the BAR meeting to get to an approval.

Vice-Chair Infanti closed public comment at 7:23.

Commissioner Williams stated he is opposed to combining the boards. He stated he doesn't feel like he has been given a good reason as to why the council wants them combined. He thinks the customers will be impacted negatively and meetings will take longer.

Commissioner Petersen stated that efficiency came up as a reason for the combo. He stated he thinks that Staff should have the power to approve certain signs at the counter (staff level). He does like ten sets of eyes on a project to make sure nothing is missed. He thinks it works fine as it is.

Vice-Chair Infanti stated she agrees with all the comments made by the public and commissioners. She stated that joint sessions of Planning Commission and

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BAR could be held for larger projects. She followed stating she doesn't see any cost savings, as more attorney and staff time would be required, along with training of the new members.

Ms. Owen stated that the commissioners need to nominate a spokesperson. Ms. Infanti was nominated as the spokesperson.

Discussion followed regarding updating the design guidelines and sign ordinance.

The recommendation from PC to Council is to not combine the boards, but to start the process to update the Design Guidelines (which would include the sign ordinance).

**1. DISCUSSION ITEMS - None**

**2. PLANNING COMMISSIONER'S COMMENTS**

**3. PLANNING/COMMUNITY DEVELOPMENT DIRECTOR'S  
COMMENTS**

None

Co-Chair Infanti adjourned the meeting at 7:40.