

**MINUTES OF A REGULAR MEETING OF THE
PLANNING COMMISSION OF THE CITY OF BRADBURY,
HELD ON APRIL 22, 2009 AT 7:30 PM
IN THE COUNCIL CHAMBERS AT CITY HALL**

Meeting Called to Order: The meeting of the Planning Commission of the City of Bradbury was called to order by Chairman Hernandez at 7:30 PM.

Pledge of Allegiance: Chairman Hernandez led the pledge of Allegiance.

Roll Call: PRESENT: Chairman Hernandez, Vice-Chairman Dunst, Commissioners Kuba and Gifford
ABSENT: Commissioner Ryan
STAFF: City Planner Meyer, City Manager Keith and City Clerk Saldana

Commissioner Ryan Excused: Commissioner Gifford made a motion to excuse Commissioner Ryan from the meeting. Chairman Hernandez seconded the motion, which carried.

Approval of Agenda: Vice-Chairman Dunst move to approve the agenda as presented. Commissioner Kuba seconded the motion, which carried.

Minutes of February 25, 2009 Approved: Commissioner Gifford moved to approve the Planning Commission Meeting Minutes of February 25, 2009. Commissioner Kuba seconded the motion, which carried.

Compliance with California Political Reform Act: In compliance with the California Political Reform Act, each Commissioner has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision making process concerning development applications. The Commissioners disclosed the following information relative to the items contained on the agenda:

Agenda Items: Zone Code Amendment No. ZCA 09-15 - *Citywide*
Historic Preservation – *Citywide*

Motion to Receive and File Staff Memo: Commissioner Gifford made a motion to receive and file the staff memorandum dated April 22, 2009. Commissioner Kuba seconded the motion, which carried.

**Zone Code
Amendment No.
ZCA 09-15 -
Continued from
Feb. 25, 2009
PC Meeting:**

City Planner Meyer stated every city in the State of California is required to adopt a General Plan. Each General Plan must contain a Housing Element. The Housing Element must be updated every five years. The planning period for the current Housing Element Update is 2008-2014. Each Housing Element must be submitted to the State Department of Housing and Community Development (HCD) for review and critique to ensure that the proposed Housing Element complies with State Law. The State Department of HCD has provided the City of Bradbury with comments on its most recent draft Housing Element 2008. In order to comply with State Law as directed by HCD the community must consider modifying its Zoning Code to provide for the following:

- A variety of residential dwelling units that include mobile homes, manufactured housing, multi-family dwellings, second dwelling units and Single Room Occupancy (SRO's)
- Emergency Shelters, Transitional Housing and Supportive Housing
- Incentives for Developers to construct dwellings that will accommodate the housing needs of low and very low income households
- Remove constraints for the housing of persons with disabilities
- Create a density bonus ordinance in accordance with the provisions of State Law.

General Plan:

The City's adopted General Plan provides that the Zoning Code implement the goals and objectives set forth in the General Plan to include the requirements of the Housing Element. The proposed modifications of the Zoning Code are consistent with the goals and objectives of the adopted General Plan and the proposed draft of the Housing Element 2008.

Zone:

The proposed modifications of the Zoning Code would be applicable to all of the City's zone districts as specified.

**Environmental
Assessment:**

Staff will prepare an environmental Negative Declaration for the proposed project.

Analysis:

Recent changes to State Law regarding the requirements for the preparation of the required Housing Element have a substantial impact on the City of Bradbury. Senate Bill 2 (Gilbert Cedillo – Los Angeles) requires Local Governments to identify the local need for emergency shelters and identify zoning districts adequate to meet the need. Cities must modify their zoning code or rezone property within one year of adoption of the housing element. The identified zone must permit a sufficient number of year-round emergency shelters to adequately accommodate the unsheltered need without a conditional use permit or other discretionary permit.

In order to meet the State requirements regarding the preparation of the current housing element, the following modifications to the Zoning Code are offered for consideration:

**Amend Title 9.03
(Definitions) of
the Bradbury
Zoning Code:**

1. **Single Room Occupancy Residential Dwelling Units (SRO's)** – to be defined as living accommodations that may be provided to house personnel involved in the care and maintenance of the primary dwelling or the associated on-site farming activity. SRO's are also known as servant or domestic quarters, groom's quarters or pool houses.
2. **Emergency Shelter** – is defined in Section 50801 of the Health & Safety Code as housing with minimal supportive services for homeless persons that is limited to occupancy of six month or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.
3. **Transitional Housing** – is defined in Section 50675.2 of the Health & Safety Code as buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some pre-determined future point in time, which shall be no less than six months.
4. **Supporting Housing** – is defined in Section 50675.14 of the Health & Safety Code as housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
5. **Affordable Housing Target Population** – is defined in Section 50675.14(b)(2) of the Health & Safety Code as persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care systems, individuals exiting from institutional settings, veterans, and homeless people.

**Amend Title 9.03
(Definitions) of
the Bradbury
Zoning Code:**

6. Modify existing definition of Guest Houses or Accessory Living Quarters to define **Accessory Living Quarters** to include:
 - a) Single Room Occupancy Units (SRO's)
 - b) Second Dwelling Units
 - c) Guesthouse
 - d) Bunk Houses
 - e) Groom's Quarters
 - f) Servant or Domestic Quarters
 - g) Pool Houses Granny Houses

**Amend Title 9.05
of the Bradbury
Zoning Code:**

- Section 9.05.010.020 shall be amended to add the **Affordable Housing Overlay Zone**, to include:
1. R-75,00 Zone
 2. R-20,000 Zone
 3. A-1 Zone
 4. A-2 Zone
 5. A-5 Zone

Recommendation:

The Planning Department recommends that the Planning Commission consider the following:

1. Review the recommendations made by the State Department of Housing and Community Development (HCD) that will be required in order for the City's Housing Element 2008 to be in compliance with State Law (i.e. SB2);
2. Review the suggested modifications to the City's Zoning Code and modify as needed; and
3. Continue the Public Hearing for Zone Code Amendment No. ZCA 09-15 to Wednesday, June 24, 2009

**Public Hearing
Opened:**

Chairman Hernandez opened the Public Hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

Public Input:

None

Discussion:

City Manager Keith stated that the City has no recourse but to comply with State Law.

The City Planner has hired Beth Stochl, an expert in the Housing Element arena. Mr. Meyer stated that Mr. Stochl has credibility with the HCD and speaks their "language."

**Motion to
Continue Public
Hearing to June:**

Commissioner Kuba made a motion to continue the Public Hearing for Zone Code Amendment No. ZCA 09-15 to the June 24, 2009 Planning Commission meeting. Commissioner Gifford seconded the motion, which carried.

**Historic
Preservation:**

City Manager Keith stated that the City Council has requested General Information on options the City might consider for preservation of historic properties. The City Council reviewed this item at its March 17, 2009 meeting and directed staff to bring this item before the Planning Commission for consideration. Cities often search for effective ways to protect historic resources, whether they are rural landscapes, historic neighborhoods or irreplaceable buildings that define a community's past. Ms. Keith said that there are several levels of historic preservation from the Federal, State and local authorities and that the City has probably no more than five (5) properties that could be considered "historic." City Planner Meyer is going to create a list of Historic Properties, including the Stone House on Deodar Lane, the Frank Lloyd Wright house on Bradbury Hills Road, the Farm House at 2010 Gardi Street, and the Milk Parlor at Ann Armstrong's House at 1775 Royal Oaks Drive North. Vice-Chairman Karen Dunst stated that she was against the City enforcing Historic Preservation. City Manager Keith stated that the City is not proposing a Historic Preservation Ordinance. The City Manager also stated that the Planning Commission did not need to take action tonight, just begin to think about it as we bring something more formal back in the future.

Public Comment: None.

**Reports and
Items for Future
Agendas:**

Commission Members: Chairman Frank Hernandez brought up the construction at 388 Long Canyon Road questioning whether they are building what was approved. Mr. Hernandez stated that the contractor is changing the material and color for the side walls. City Manager Keith replied that the City doesn't have jurisdiction over color and materials, but maybe the HOA does.

City Manager: City Manager Keith gave a status report on the Lemon/Royal Oaks Equestrian Trail Improvements and stated that the anticipated finish date is May 11, 2009. Commissioner Kuba reported that people are jumping over the fence and that Mur-Sol Construction damaged her back-flow device. The City Manager stated that she would look into it.

City Manger Keith stated that the City Council adopted Ordinance No. 306 re: Sexual Offenders on April 21, 2009.

Ms. Keith also reminded the Commissioners of the Mayday Emergency Expo to be held on Saturday, May 9 from 10 AM to 2 PM at Royal Oaks School and the City Council Budget Study Session on Thursday, May 14 at 6 PM.

**Reports and
Items for Future
Agendas:**

City Planner: City Planner Meyer distributed the Department Status Report Update dated April 22, 2009.

Adjournment:

At 9:00 PM, Chairman Hernandez adjourned the meeting to Wednesday, June 24, 2009.

ATTEST:

Frank Hernandez - Chairman

Claudia Saldana - City Clerk