

**MINUTES OF A REGULAR MEETING OF THE
PLANNING COMMISSION OF THE CITY OF BRADBURY,
HELD ON JUNE 24, 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, Gifford and Ryan

ABSENT: None

STAFF: City Planner Meyer, City Manager Keith and Management Analyst Taber

Approval of Agenda: Commissioner Gifford move to approve the agenda as presented. Commissioner Kuba seconded the motion, which carried.

Minutes of April 22, 2009 Approved: Commissioner Kuba moved to approve the Planning Commission Meeting Minutes of April 22, 2009. Commissioner Gifford 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: Architectural Review Application No. AR -09-242
Historic Preservation – *Citywide*
Zone Code Amendment No. ZCA 09-15 - *Citywide*

Motion to Receive and File Staff Memo: Commissioner Gifford made a motion to receive and file the staff memorandum dated June 24, 2009. Commissioner Kuba seconded the motion, which carried.

**New Public
Hearings:
A. Architectural
Review
Application No.
AR 09-242**

City Planner Meyer stated this project has been prepared by the City and they are requesting the approval of plans to remodel the existing 1,167 square foot City Hall and to add 1,270 feet of new floor area. The building will remain single story, and all the existing setbacks will be respected. The proposed project complies with all of the neighborhood and zone development standards. It is an infill project, therefore it is categorically exempt. City Planner Meyer stated that all of the Commissioners have received a copy of the plans for review. Staff is recommending approval of the project subject to compliance with the 16 conditions included in the staff report.

Chairman Hernandez opened the item up for public comment.

Mr. Steve Collins, 612 Winston Avenue, requested a ridge board be placed on the property so that the neighbors could see the height of the proposed addition. Mr. Collins stated that he was concerned about the increase of parking from one row of vehicles to two and what impact it may have on the front landscaping. Mr. Collins suggested a more suitable location for vehicles would be to the rear of the facility. Mr. Collins stated the landscaping has not been well defined and requested that be discussed at future community meetings on the project.

Mr. Bob Moore, 529 Winston Avenue, stated that his preference would be to leave the front of City Hall as it is currently with one row of parking.

Mr. Dick Hale, 564 Deodar Lane, stated the fence stays were it is at in the front, only part of the landscaping (grass area) would be reduced to allow for onsite parking in front of the building rather than the rear.

Mr. Steve Collins, 612 Winston Avenue, inquired about the height of the structure and asked if had been raised an additional 18 inches on the south facing side.

Mr. Dick Hale, 564 Deodar Lane, stated the height of the building was the same but the grade was raised 18 inches on the driveway below.

Chairman Hernandez closed the public comment.

Vice-Chairman Dunst requested clarification on the width distance of the driveway.

City Manager Keith stated the driveway will increase in size to twenty feet to allow access for fire trucks.

Vice-Chairman Dunst hoped this increase would help with the visibility issues when exiting the parking lot.

Commissioner Kuba inquired about the time frame for completion of the project.

Chairman Hernandez stated the estimate for completion is approximately 18 months.

Commissioner Kuba made a motion to approve Architectural Review Application No. AR 09-242. Commissioner Gifford seconded the motion, which carried unanimously.

**New Public Hearings:
B. Historical Building Preservation Policy:**

City Planner Meyer stated that the City Council has requested that the Planning Commission examine the Historical Preservation Policy of the City and to provide recommendations on types of policies that should be implemented by the City. Staff was directed to identify structures that had historical significance to the community. City Planner Meyer stated staff has identified four properties (2001 Gardi Street, 1775 Royal Oaks Drive North, 5 Bradbury Hills Road, 555 Deodar Lane) and distributed photographs of the properties. City Planner Meyer posed two questions to the Commissioners:

1. Are there more buildings in the community in your judgment that should be added to proposed list; and
2. Staff requested the Commission provide direction on how to proceed with the Historical Preservation Policy.

City Planner Meyer provided examples of Historical Preservation Policies from the City of Ontario and Pasadena.

City Manager Keith stated that based on previous discussions by the Commission CEQA provisions were the least obtrusive approach to the property owner but still provided some amount of protection for the property should it be deemed historic. If one of the identified properties applied for a demolition permit, have an extended period of time to allow for an appropriate environmental review.

**New Public Hearings:
B. Historical Building Preservation Policy:**

City Planner Meyer stated that currently demolition permits do not require public hearings; they are issued by the building department without notification to the surrounding property owners. Staff's recommendation would be to adopt a policy that directs staff not to issue a demolition permit for these four properties unless the surrounding neighbors have been notified and been given an opportunity to comment on the demolition of the structure. The recommended policy could be adopted by a resolution of the City Council and could be included in the guidelines. Prior to taking the policy recommendation to the City Council the Planning Commission may want to contact the property owners and ask them of their opinion and find out if they want this kind of special consideration on their property.

Commissioner Ryan inquired what the parameters were used to identify these four properties.

City Planner Meyer stated that he just used his personal judgment.

Commissioner Ryan stated that there could be more buildings added to the list.

City Manager Keith stated that these four properties were also the ones identified by the City Council.

Chairman Hernandez inquired what prompted the City Council to act on this matter.

City Manager Keith stated that one of the properties identified in the report is currently on the market and secondly that the City failed a State Historic Preservation survey.

Chairman Hernandez opened the item to public comment.

Ms. Ann Armstrong, 1775 Royal Oaks Drive North, inquired if this policy would only apply to demolition permits or if any type of remodel to the existing structure would trigger further review.

City Planner Meyer stated that was a policy decision that would be left up to the Commission do decide as they direct staff to draft the parameters of the policy. City Planner Meyer added that any architectural plans in excess of 1,000 feet currently come before the planning commission for review.

Vice Chairman Dunst expressed her fear of what limits designating a property as historical might place on a property.

Chairman Hernandez closed the public comment.

Staff was directed to provide more information on Historical Preservation using compatible cities to Bradbury for comparison and to notify the property owners whose properties have been identified as potential candidates for Historical Preservation.

Commissioner Kuba made a motion to continue the item until the August 26, 2009 Planning Commission meeting, Commissioner Gifford seconded the motion, which carried unanimously.

**Zone Code
Amendment No.
ZCA 09-15:**

City Planner Meyer stated that the next item on the agenda is a recommendation to amend the City's zoning code with respect to accessory dwelling units to comply with a mandate of the State to provide affordable housing accommodations to all economic segments of the community. The state law has been amended to become extremely restrictive and now require every City to have multi family rental properties. The City of Bradbury does provide affordable housing by way of the properties that have domestic help, equestrian caretakers, and second units that are occupied by retired members of the family. The state has come up with a default density of 20 units per acre for Bradbury. City Planner Meyer stated that given the area's high fire severity zone designation and low water fire hydrant pressure along with narrow streets, in his opinion, it was not an area that would be well suited for 20 units per acre. In order to meet the State's mandate we are require amendments to our Zoning Code.

**Zone Code
Amendment No.
ZCA 09-15:**

Vice-Chair Dunst inquired if there are ordinances that can prohibit growth.

City Manager Keith stated there have been communities that have tried that approach with no affect on the State's mandates.

City Planner Meyer stated that by applying these nontraditional methods to meet our low income housing needs the City will be able to meet the State's housing requirements.

City Manager Keith stated that she and Dave are waiting to hear back from the State if these alternative forms of affordable housing will be accepted. In addition, staff will be surveying the occupants of the second units in order to substantiate the number of people that reside in the City.

City Planner Meyer stated that in order for the staff to use this method the zoning code will have to be amended.

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

**Amend Title 9.06
Off-Street Parking
Modifications**

1. Off-Street Parking - Hillside- Amend Section 9.06.020.170 (B) to read as follows:

Any development subject to the City's Hillside Development Standards shall provide and maintain, in addition to the minimum off-street parking required by Section 9.06.040.030, a minimum of two (2) uncovered off-street parking spaces readily accessible from the street from which access to the side is derived. These off-street parking spaces may not be developed in tandem with the required parking spaces. The intent of this requirement is to relieve parking congestion along narrow hillside streets to allow for adequate traffic circulation and access by emergency vehicles.

2. Off-Street Parking - Minimum Number - Amend Section 9.06.040.030 to read as follows:

- A. The number of off-street parking spaces required for each single family dwelling unit containing not more than four bedrooms, shall be two parking spaces, located in a garage. Dwelling units containing more than four bedrooms shall provide one additional off-street parking space in a garage for each increment of two additional bedrooms or rooms used for sleeping purposes.
- B. Development project subject to the Hillside Development Standards shall require an additional two (2) uncovered off-street parking spaces.
- C. Accessory dwelling units require an additional uncovered off-street parking space or spaces may not be developed in a tandem configuration unless otherwise provided for in this code.

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
3. Continue the Public Hearing for Zone Code Amendment No. ZCA 09-15 to Wednesday, August 26, 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

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 August 26, 2009 Planning Commission meeting. Commissioner Gifford seconded the motion, which carried.

Public Comment: Ann Armstrong, 1775 Royal Oaks Drive North, inquired if Vice-Chair Dunst had made any progress on researching the California American Water rate case increase.

Vice-Chair Dunst stated she was going to request that it be placed on a future agenda for discussion.

City Manager Keith stated that the City Council has taken legal action against California American Water Company so they can no longer speak about the issue in a public setting i.e. at a City Council meeting. City Manager Keith stated that staff is encouraging residents to send letters to the Public Utilities Commission who is reviewing the rate change request and informed the Planning Commission of the sample letter that was posted on the City's website.

Bob Moore, 529 Winston Ave, stated that the previous overlay seems to benefit those who live in the private communities, where there are narrower streets, and offers little protection for the public areas.

City Planner Meyer stated that the overlay zone does not replace any criteria for density which is established by land use pattern and the general plan. The overlay zone is only referring to land uses.

City Manager: City Manager Keith stated the Royal Oaks Drive North/Lemon Ave equestrian trail is complete, however it can not be opened to the public until some additional work is done to repair a wall on the Northern side.

**Reports and
Items for Future
Agendas:**

City Planner: City Planner Meyer distributed the Department Status Report Update dated June 18, 2009.

Adjournment:

At 9:20 PM, Chairman Hernandez adjourned the meeting to Wednesday, July 22, 2009.

Frank Hernandez - Chairman

ATTEST:

Paddy Taber – Deputy City Clerk