

**MINUTES OF A REGULAR MEETING OF THE
PLANNING COMMISSION OF THE CITY OF BRADBURY,
HELD ON OCTOBER 28, 2009 AT 7:00 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 7:15 p.m.
- Pledge of Allegiance:** Chairman Hernandez led the pledge of Allegiance.
- Roll Call:** PRESENT: Chairman Hernandez, Commissioners Kuba and Ryan
ABSENT: Vice-Chairman Dunst and Commissioner Gifford
STAFF: City Planner Meyer, City Manager Keith and City Clerk Saldana
- Commissioners Excused:** Chairman Hernandez moved to excuse Vice-Chairman Dunst and Commissioner Gifford from the meeting. Commissioner Kuba seconded the motion, which carried.
- Approval of Agenda:** Commissioner Ryan move to approve the agenda as presented. Commissioner Kuba seconded the motion, which carried.
- Approval of September Minutes Tabled:** Because Commissioner Kuba was absent from the September 23 Planning Commission Meeting and therefore has to abstain from the approval of the minutes. The Planning Commission tabled the approval of the September Minutes to the November meeting.
- 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:** Historic Building Preservation Policy:
Citywide

Zone Code Amendment No. ZCA 09-15:
Citywide
- Motion to Receive and File Staff Memo:** Commissioner Ryan made a motion to receive and file the staff memorandum dated October 28, 2009. Commissioner Kuba seconded the motion, which carried.

Historic Building Preservation Policy:	City Planner Meyer stated that the Planning Commission has been directed by the City Council to examine methods of protecting and preserving buildings and structures of historical significance.
General Plan:	The City's adopted General Plan contains a Conservation Element that is designed to protect and maintain the City's natural and cultural resources, and to prevent their wasteful exploitation and destruction. Regulations and policies adopted by the City to preserve buildings and structures of historical significance are in keeping with the goals and objectives of the City's General Plan.
Zone:	The subject development policy that would act to preserve buildings and structures of historical significance would be applicable to all zones.
Environmental Assessment:	The proposed project is Categorically Exempt from the provisions of the California Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation).
Potential Historical Locations:	Staff tentatively identified four parcels of land that may contain buildings or structures of historical significance to the community: <ol style="list-style-type: none"> 1. 2001 Royal Oaks/2010 Gardi Street (Rohan) 2. 1775 Royal Oaks Drive North (Armstrong) 3. 5 Bradbury Hills Lane (Pearce) 4. 555 Deodar Lane (Dr. Anne)
Background:	The Planning Commission conducted a public hearing on June 24 and August 26, 2009. The owners of the four parcels of land were invited to provide input. The public hearing was continued to September 23, 2009 to allow sufficient time for the property owners to address the Commission in person.
Recommendation:	It is recommended that the Planning Commission adopt a resolution recommending that the City Council adopt a policy directing staff not to issue demolition or building permits for property of historical significance to the community until such building activity is first presented to the Planning Commission at a duly noticed public hearing. City Manager Keith added that there would be no Public Hearing fee for the applicant.
Public Hearing Opened:	Chairman Hernandez opened the public hearing and asked those wishing to testify to come forward and be heard.

Public Testimony: Dr. Stephen Rohan, property owner, started by clarifying that his property has two addresses: 2001 Royal Oaks Drive North and 2010 Gardi Street. 2001 Royal Oaks is the legal address. 2010 Gardi Street is where the entrance to the property is located and it is also the mailing address.

Dr. Rohan stated that he has lived in the building, which was built in 1890, since the mid 1970's. He also stated that the City made him take down the barn 20 years ago. Dr. Rohan felt that is was unfair of the City to impose restrictions on his property, which he is trying to sell. Dr. Rohan stated that he does not want his property to be included on the list of Potential Historical Locations.

Ann Armstrong, 1775 Royal Oaks Drive, inquired if the preservation ordinance would apply to the building exterior only. Staff confirmed that it applies to the exterior only.

Discussion: City Planner Meyer stated that the City's intent is not necessarily to prevent property owners from getting a demolition permit, but for example to give the City an opportunity to take pictures of structures to have a historical record or to allow interested parties to move these structures to a different location.

Chairman Hernandez stated that there may be one or two more structures in the Bradbury Estates that could be added to the list.

Chairman Hernandez stated that the Commission needed more clarification and suggested to hold the Public Hearing over for one more month also because only three Planning Commissioners were present tonight.

Motion to Continue Public Hearing: Commissioner Kuba made a motion to continue the public hearing regarding Historic Building Preservation to the November 18, 2009 Planning Commission meeting. Commissioner Ryan seconded the motion, which carried.

Zone Code Amendment No. ZCA 09-15: City Planner Meyer stated that each 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.

State Department of Housing and Community Development:

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. HCD provided the City of Bradbury with comments on its recent draft Housing Element 2008 (August 2008). Staff modified the draft Housing Element in an effort to comply with the direction given by HCD. On September 23, 2009 the Planning Commission adopted Resolution No. 09-198 recommending that the City Council adopt the revised Housing Element 2008. On October 7, 2009 HCD approved the draft Housing Element 2008 with a few minor modifications. The modified Housing Element was presented to the City Council for review and adoption in accordance with the Planning Commission's recommendation.

Modifications to Comply with State Law (SB 2):

In order to comply with State Law (SB 2) and as directed by HCD, the City must consider modifying its Zone Code in an effort to implement the policies set forth in the Housing Element 2008. The modifications of the Zone Code are to provide for the following:

1. The construction of a variety of residential dwelling units that include mobile homes, manufactured housing, multi-family rental dwellings, and accessory dwelling units to include Single Room Occupancy (SRO's); and
2. Emergency Shelters, Transitional Housing and Supportive Housing; and
3. Provide incentives to developers to construct dwellings that will accommodate the housing needs of low and very low income households; and
4. Remove constraints that impact housing for persons with disabilities; and
5. Create a density bonus in accordance with the provisions of State Law.

General Plan:

The City's adopted General Plan provides that the Zone Code shall implement the goals and objectives of the General Plan to include the policies set forth in the Housing Element. The proposed modifications of the Zone Code (aka Development Code) are consistent with the goals and objectives of the adopted General Plan and the Housing Element 2008 (August 2008 iteration).

Zone:

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

Environmental Assessment:	Staff prepared an environmental Negative Declaration for the Housing Element 2008. The proposed modifications of the Zone Code will implement the goals and objectives set forth in the Housing Element 2008. Therefore, no additional environmental review would be required.
Background:	<p>The Planning Commission held public hearings on February 25, June 24, and August 26, 2009 regarding potential amendments of the City's Zone Code that would implement the requirements of the Updated Housing Element 2009 as required by State Law.</p> <p>The next step in the process of providing affordable housing in the City of Bradbury is to amend the Zone Code to implement the goals and objectives contained in the Housing Element 2008.</p>
Recommendation:	City Manager Keith informed the Commission that at its regular meeting held on October 20, 2009 the City Council adopted Resolution No. 05-25 by a 3:2 vote. The City Council has scheduled a Study Session for Tuesday, November 10, to discuss the adopted Housing Element and provide suggestions and direction for implementation. Therefore staff recommends that the Planning Commission continue this item to the January 2010 Planning Commission meeting.
Motion to Continue Public Hearing to January:	Commissioner Kuba made a motion to continue the Public Hearing for Zone Code Amendment No. ZCA 09-15 (Housing Element 2008) to January 2010. Commissioner Ryan seconded the motion, which carried.
Public Comment:	None
Reports and Items for Future Agendas:	<p><u>Commission Members:</u> Commissioner Ryan inquired if there was an update on the bear shooting that occurred on Woodlyn Lane. City Manger Keith replied that the incident is still being investigated and that there was no news to report.</p> <p><u>City Manager:</u> City Manager Keith reminded the Commissioners that Management Analyst Paddy Taber's last day in Bradbury will be Friday, November 6, 2009, and that the City is hosting a lunch for Paddy on Wednesday, November 4 at City Hall.</p> <p><u>City Planner:</u> City Planner Meyer distributed the Department Status Report Update dated October 21, 2009 and recommended that the Planning Commission adjourn to November 18 instead of November 26 because of the Thanksgiving Holiday.</p>

Adjournment: At 7:50 p.m., Chairman Hernandez adjourned the meeting to Wednesday, November 18, 2009, at 7:00 p.m.

Frank Hernandez - Chairman

ATTEST:

Claudia Saldana - City Clerk