



**CITY OF SAN FERNANDO  
PLANNING AND PRESERVATION COMMISSION**

**MINUTES OF THE SEPTEMBER 10, 2013 MEETING  
CITY HALL COUNCIL CHAMBER**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE PLANNING COMMISSION. AUDIO OF THE ACTUAL MEETING ARE AVAILABLE FOR LISTENING IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

**CALL TO ORDER**

The meeting was called to order by Chairperson Theale Haupt at 7:02 P.M.

**PLEDGE OF ALLEGIANCE**

Led by Chairperson Theale Haupt

**ROLL CALL**

The following persons were recorded as present:

**PRESENT:**

Chairperson Theale Haupt, Vice-chair Alvin Durham, and Commissioners Kevin Beaulieu

**ABSENT:**

Yvonne Mejia and Rudy Salinas

**ALSO PRESENT:**

Community Development Director Fred Ramirez, Assistant Planner Edgar Arroyo, and Community Development Secretary Michelle De Santiago

**APPROVAL OF AGENDA**

Vice-chair A. Durham moved to approve the agenda of September 10, 2013. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, K. Beaulieu, and T. Haupt
<b>NOES:</b>	None
<b>ABSENT:</b>	Y. Mejia and R. Salinas
<b>ABSTAIN:</b>	None

**CONSENT CALENDAR**

Vice-chair A. Durham moved to approve the minutes of August 6, 2013 Planning and Preservation Commission meeting. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

<b>AYES:</b>	A. Durham, K. Beaulieu, and T. Haupt
<b>NOES:</b>	None
<b>ABSENT:</b>	Y. Mejia and R. Salinas
<b>ABSTAIN:</b>	None

**UNFINISHED BUSINESS**

None

**PUBLIC HEARING 7A:**

**Draft Density Bonus and Reasonable Accommodation Ordinances and Draft Initial Study and Negative Declaration - Citywide, San Fernando, CA – City of San Fernando, 117 Macneil Street, San Fernando,**

**CA 91340 – The proposed project is an amendment of the San Fernando City Code through the adoption of the proposed Density Bonus and Reasonable Accommodation Ordinances to implement required state law. The proposed Density Bonus Ordinance would provide the required regulations to allow for the city to provide increase density for housing projects that incorporate the required percentage of affordable units. The proposed Reasonable Accommodation Ordinance would provide the appropriate regulations to allow deviation from the city’s development standards in order to ensure equal access to housing and facilitate the development of housing for individuals with disabilities.**

### **STAFF PRESENTATION**

Assistant Planner Edgar Arroyo gave the staff presentation recommending that the Planning and Preservation Commission:

1. Adopt Planning and Preservation Commission Resolutions 2013-08, recommending adoption of the Draft Initial Study and Negative Declaration to the City Council, determining that the proposed Density Bonus and Reasonable Accommodation Ordinance will not have significant adverse impact on the environment;
2. Adopt Planning and Preservation Commission Resolution 2013-09, recommending adoption of the proposed Density Bonus Ordinance (Zone Code Amendment 2013-01) to the City Council to implement State Density Bonus Law and Housing Implementing Program No. 9 (Affordable Housing Density Bonus) of the 2008-2014 General Plan Housing Element; and
3. Adopt Planning and Preservation Commission Resolution 2013-10, recommending adoption of the proposed Reasonable Accommodation Ordinance (Zone Code Amendment 2013-02) to the City Council to implement applicable Federal and State laws.

### **COMMISSION DISCUSSION**

F. Ramirez introduced Rick Brady the City’s consultant from Veronica Tam and Associates.

E. Arroyo gave the staff presentation for the Density Bonus Ordinance.

T. Haupt asked for clarifications on possible concessions.

K. Beaulieu asked if each item would require a vote, and if so he liked the idea of three individual votes. Additionally he asked if there was an exemption for cities that already have a high concentration of housing.

R. Brady stated that there are no exemptions it is a state law applicable to all cities and counties in the state of California.

F. Ramirez explained that any future project seeking a density bonus which results in a significant adverse environmental impact may be denied.

K. Beaulieu asked if rezoning can be made tougher.

F. Ramirez indicated that any request to rezone a property has to come to the Planning and Preservation Commission, but that “spot rezoning” is not allowed.

K. Beaulieu voiced his concern with allowing increased density in the city as well as allowing transitional housing and temporary shelters.

F. Ramirez reminded the commission about maintaining a level of objectivity when considering future projects in order to assess every project on its own merits.

A. Durham stated that as a general rule if the project qualifies for a density bonus it will be granted, and the commission is just assuring that there is language in the zoning code to clearly identify the concessions.

F. Ramirez confirmed that that was the intention of the proposed zoning code amendment and state density bonus law.

T. Haupt noted his concern with the state mandate to increase density with the city's residential zoning districts. He states he is concerned with the possibility of overwhelming the city's residential area with more housing units.

R. Brady explained why the ordinances are coming before the Planning and Preservation Commission. He stated that the State could withhold certification of the General Plan Housing Element and at that point the City could not issue any building permits, making the city vulnerable to a lawsuit.

E. Arroyo gave the staff presentation regarding the Reasonable Accommodation Ordinance. Specifically giving examples of what would be considered an allowable reasonable accommodations request.

T. Haupt inquired about what happens to the approved property modifications when the disabled person no longer needs the accommodation.

E. Arroyo explained that the abutting properties would have to be notified and that there would be a length of time given for written comments to be accepted. He indicated that the accommodations would not run with the land. He noted that the ordinance has provisions that would indicate the duration of the accommodations and if it is no longer needed staff would determine if it can be kept or removed to the comply with the city's development standards.

T. Haupt asked if the city would ask the property owner to demolish the structure if the reasonable accommodation is no longer justifiable.

E. Arroyo indicated that at that point in order for the property owner to keep the modifications they would have to request a variance from the commission.

K. Beaulieu asked whether future project that complied with the Reasonable Accommodations regulations would be approved at the city staff level.

E. Arroyo indicated that it would require formal submission to be considered by staff.

Subsequent to discussion, Vice-chair A. Durham moved to recommend adoption of the Draft Initial Study and Negative Declaration to the City Council for the proposed Density Bonus and Reasonable Accommodation Ordinance noting that the proposed zone code amendments will not have a significant adverse impact on the environment, pursuant to Planning and Preservation Commission Resolution 2013-08. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

**AYES:** A. Durham, K. Beaulieu, and T. Haupt  
**NOES:** None  
**ABSENT:** Y. Mejia and R. Salinas  
**ABSTAIN:** None

Vice-chair A. Durham move to recommend adoption of the proposed Density Bonus Ordinance (Zone Code Amendment 2013-01) to the City Council pursuant to Planning and Preservation Commission Resolution 2013-09. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

**AYES:** A. Durham, K. Beaulieu, and T. Haupt  
**NOES:** None  
**ABSENT:** Y. Mejia and R. Salinas  
**ABSTAIN:** None

Vice-chair A. Durham move to recommend approval of the Reasonable Accommodation Ordinance (Zone Code Amendment 2013-02) to the City Council pursuant to Planning and Preservation Commission Resolution 2013-10. Seconded by Chairperson T. Haupt, the motion carried with the following vote:

**AYES:** A. Durham, T. Haupt, and K. Beaulieu  
**NOES:** None  
**ABSENT:** Y. Mejia and R. Salinas  
**ABSTAIN:** None

#### **STAFF COMMUNICATIONS**

F. Ramirez invited with commission to the upcoming Housing Element Workshop at Recreation Park on Saturday, September 14, 2013 and at Las Palmas Park on Saturday, September 28, 2013. Additionally he asked the commission about their availability for a meeting on October 15, 2013.

#### **COMMISSION COMMENTS**

T. Haupt stated he would not be attending the October Planning and Preservation Commission because of prior travel plans.

#### **PUBLIC STATEMENTS**

None

#### **ADJOURNMENT**

Vice-chair A. Durham moved to adjourn to the next regularly scheduled meeting on October 1, 2013. Seconded by Commissioner K. Beaulieu, the motion carried with the following vote:

**AYES:** A. Durham, K. Beaulieu, and T. Haupt  
**NOES:** None  
**ABSENT:** Y. Mejia and R. Salinas  
**ABSTAIN:** None

8:37 P.M.  
Fred Ramirez  
Planning Commission Secretary