



Monday, August 5, 2013

A regular meeting of the Planning Commission was called to order by Chairperson Elisaldez at 6:00 p.m., in the City Hall Council Chambers, 6615 Passons Boulevard, Pico Rivera, CA.

STAFF PRESENT:

Ben Martinez, Director
Julia Gonzalez, Deputy Director
Guille Aguilar, Senior Planner
John Lam, Assistant City Attorney

ROLL CALL:

PRESENT: Commissioners Celiz, Elisaldez, Garcia, Martinez, Zermeno

ABSENT: None.

FLAG SALUTE: Led by Commissioner Martinez

APPROVAL OF MINUTES:

July 15, 2013

Motion to approve with amendments was made by Commissioner Martinez and seconded by Commissioner Garcia:

AYES: Celiz, Elisaldez, Garcia, Martinez, Zermeno

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARING:

2014-2021 Housing Element-General Plan Amendment No. 50

Project Location: City Wide

Deputy Director Julia Gonzalez made a brief announcement that several residents whom received the notice in the mail called in questioning if the adoption of the

Housing Element would involve the use of eminent domain. She stated that the City is not proposing to take any properties, and this would not involve the use of eminent domain. Deputy Director Gonzalez then turned the meeting over to Alexa Washburn, Principal for ESA consulting who presented the Housing Element report.

Ms. Washburn, greeted the Commissioners and introduced Arlene Granadosin, the Senior Associate Project Manager. Ms. Washburn mentioned that ESA has been quite busy since the first workshop in March and the second workshop in April. The document has been completed per state requirements and was sent to the state California Department of Housing and Community Development for review. The City received a pre-certification letter which states that the Housing Element is in compliance with state law, and the City may now move forward with the adoption process.

Ms. Washburn stated that every jurisdiction in California is required to have a General Plan. The Housing Element is one of seven state mandated elements of the General Plan. It is the only element that requires review and certification by the California Department of Housing and Community Development. The City is undergoing a comprehensive update to the General Plan which coincides with the 2014-2021 Housing Element. There will be two additional non-mandatory elements added to the seven elements required by the state.

Ms. Washburn specified that the State does not require the City to build or construct housing. It creates opportunities through land use zoning and facilitates development through its policies.

Ms. Washburn stated that this meeting will be the first reading of the Housing Element where staff is recommending that the Planning Commission recommend adoption of the Housing Element to the City Council and then staff will move the approval process to the City Council and finally back to the state for their final certification process.

Ms. Washburn explained that as work is done on the Housing Element, it is divided into two main work efforts, which are the background technical report which informs the housing plan. The following sections are included in the Housing Element:

1. Introduction- document overview. To provide context, a historical perspective and housing issues and opportunities.
2. Housing plan- the goals, policies and programs to facilitate housing opportunities.
3. Quantitative objectives- projection of how many units might realistically be constructed, as well as units assisted through programs such as rehabbed units.

4. Housing profile- look at population and employment trends, household characteristics, housing stock characteristics, housing need for all income groups, and housing need for special needs residents.
5. Housing Constraints Analysis- governmental and non-governmental constraints (environmental constraints).
6. Analysis of housing resources including a detail sites inventory.
7. Progress Report- evaluating the progress of the 2008 Housing Element implementation and City achievements from 2008 to 2014.

Ms. Washburn explained that the Housing Needs Assessment is driven by the Regional Housing Needs Assessment, which is referred to as the RHNA. The RHNA begins at the state where the State of California Department of Housing and Community Development (HCD) allocates units to the regional association of governments, which for Southern California is the Southern California Association of Governments (SCAG). SCAG is responsible for allocating to the local jurisdictions. The total allocation for Pico Rivera is 1,639 units. That is broken down to the following income groups as follows: very low, 428 units, low, 265 units, moderate, 283, and above moderate, 663 units. It is not the responsibility of the City to build or construct these units, but to create opportunities to build them.

The 2008-2014 Housing Element was certified by the HCD in June 2012. Since Pico Rivera was not able to complete the required rezoning due to the General Plan Update being developed at the time, the City must meet the shortfall from the City's 2008-2014 RHNA in addition to the current 2014-2021 RHNA. This must be completed due to the passing of Assembly Bill 1233 which states that communities that failed to comply with requirements to make available sufficient sites to meet their regional housing need in the previous planning period must carry forward those units and identify enough sites to accommodate both the previous and current planning periods.

Commissioner Elisaldez asked if the 1,639 included the number of sites from the previous Housing Element that were not rezoned.

Ms. Washburn answered that this number does include the number of sites that were carried over from the 2008-2014 Housing Element.

In the previous planning cycle, City's were allowed to credit units from 2006 on, which included 66 market rate units for Pico Rivera.

The total of carried forward units includes 211 very low income, 134 low income, 143 moderate income, and 301 above moderate units.

Another section of the Housing Element is the Housing Plan, which sets goals, policies and programs to meet the housing needs of the community. The first goal of the Housing Plan is to preserve and improve the existing housing stock. This goal includes programs focused on code enforcement, assistance programs for residents to improve their properties and implementing energy efficient design.

The second goal is to encourage access to opportunities for affordable housing. This goal includes programs offered through partnering agencies, including the Section 8 and Mortgage Credit Certificate (MCC) program offered through the County of Los Angeles.

The City's third goal is to ensure adequate supply of housing for households with special needs. This goal includes programs allowing second unit development and encouraging units to meet the needs of special resident groups, such as the elderly, persons with disabilities, large households, and the homeless.

The City's fourth goal to provide adequate sites to meet the existing and future housing needs of the City. This goal includes programs focused on monitoring sites available for new housing development and providing incentives for lot consolidation.

The city's fifth goal in the Housing Plan is to remove governmental constraints. This program is intended to ensure that all types of housing can be built and that the City does not have policies or ordinances in place that hinder development in an unreasonable way.

The sixth and final goal in the Housing Plan is to promote equal housing opportunities. This goal is achieved through programs that provide reasonable accommodation for residents with disabilities and by partnering with the fair housing foundation to provide information and services to specific resident groups.

The Housing Element will be sent to the City Council for approval, then will be sent to the State for final certification. The state has 90 days to certify the final element. Following the final certification of the Element, the City is responsible for ensuring that the Element is properly implemented and reviewed on an annual basis.

Commissioner Elisaldez asked about the timeframe needed for completing the Housing Element rezoning process.

Ms. Washburn stated that there are different deadlines for the programs and that for some, such as the Housing Rehabilitation programs are continuing programs.

Commissioner Elisaldez asked Ms. Washburn to go through the different site locations.

Area 1 is located at the intersection of Kruse Road and Narrows Drive. The area totals 1.13 acres and is occupied by a small convenience store surrounded by a parking lot. The site is currently zoned Single-Family Residential. Future rezoning is to Medium Density Residential to be compatible with surrounding neighborhood.

Area 2 is located at the intersection of Rosemead Boulevard and Olympic Way and totals 5.83 acres. The sites within this area are currently zoned General Commercial, Parking, and Multiple Family Residential. Future rezoning is to High Density Residential will allow 30 units.

Commissioner Elisaldez asked if everyone could hold their questions and comments until the end of the presentation and all concerns would be addressed at that time.

Ms. Washburn continued with the explanation of the areas.

Area 3 is located at the intersection of Beverly Boulevard and San Gabriel River Parkway and totals 2.03 acres. This parcel is currently occupied by a County public works yard. The site is currently zoned Public Facilities, with future rezoning to Mixed-Use.

Area 4 is located along Durfee Avenue and totals 21.94 acres. The majority of the parcels to the north are occupied by a truck distribution center and truck yard. The sites in this area are currently zoned General Commercial, Limited Industrial, and Multiple Family Residential, with future rezoning to Mixed-Use and High Density Residential. This is consistent with Durfee Grade Separation Project underway.

Area 5 is located along Rosemead Boulevard at the intersections of Beverly Boulevard and Beverly Road and totals 8.16 acres. The parcels within Area 5 are occupied by various uses including, an old motel, gas station, a small retail building, U-Haul, and an auto center. The sites within this area are currently zoned General Commercial and Single Family Residential, with future rezoning to Mixed-Use.

Area 6 is located at the intersection of Rosemead Boulevard and Mines Avenue and totals 5.68 acres. The sites within this area are currently zoned General Commercial and Parking, with future rezoning to Mixed-Use (possible senior housing).

Area 7 is located along Telegraph Road, close to the intersection of Rosemead Boulevard and totals 12.44 acres. The sites within this area are currently zoned General

Commercial, Parking, Professional and Administrative, and Multiple Family Residential, with future rezoning to mixed-use.

Area 8 is located along Rosemead Boulevard between Isora Street and Ibsen Street and totals 2.8 acres. The sites within this area are currently zoned General Commercial, with future rezoning to mixed-use.

Area 9 is located at the intersection of Paramount Boulevard and East Slauson Avenue and totals 6.93 acres. The site is currently zoned General Industrial, with future rezoning to mixed-use.

Area 10 is located along Rosemead Boulevard, close to the intersection of Washington Boulevard and totals 9.82. The sites within this area are currently zoned General Commercial and Professional and Administrative, with future mixed-use overlay.

Area 11 is located along Washington Boulevard, on the east and west side as it intersects Rosemead Boulevard and totals 9.27 acres. This area was identified in the Washington Boulevard Light Rail Corridor study funded by SCAG's Compass Blueprint Program. The sites within this area are currently zoned General Commercial, with future mixed-use overlay.

Area 12 is located on Rosemead Boulevard and Telegraph Road, and totals 1.67 acres. This area is also future mixed-use zoning.

Area 13 is located on Washington Boulevard and Crossway Drive, and totals 0.97 acres. This area is also future mixed-use zoning.

Per Senate Bill 2, the City is required to designate an area for emergency shelter, and an industrial area has been marked as the Emergency Shelter Overlay Zone.

Ms. Washburn concluded her presentation on the sites.

Commissioner Elisaldez asked how many of the 13 sites were identified in the 2008-2014 Housing Element.

Ms. Washburn replied that eight areas were in the previous Housing Element.

Commissioner Garcia clarified that eight areas went through the previous Housing Element, and there are five new areas.

Commissioner Zermeno asked if the 1,639 number is realistic.

Ms. Washburn stated that realistically we are not required to construct this number of units, but are required to facilitate by allowing the zoning for this.

Commissioner Garcia wanted to clarify that none of this will take place, unless the land owner chooses to. This is creating an opportunity to change the land-use.

Commissioner Martinez asked if eminent domain exists.

City Attorney John Lam answered that eminent domain does exist. Certain cities do not authorize themselves to use it, others do. He stated that the Housing Element does not involve eminent domain.

Commissioner Martinez wanted to clarify if the City could require a landowner to sell their properties.

City Attorney John Lam answered that other than eminent domain, a City could not force an owner to sell against their wishes. What the Housing Element is doing is adding commercial and monetary value to their property.

Commissioner Garcia asked if the Planning Commission would need to approve the zone changes and developments before the adoption of the Housing Element.

City Attorney John Lam answered that there would still be many layers of review in effect. We are offering the opportunity for potential development. Any development cannot be done without the owner's consent.

There being no further discussion, it was motioned to open the public hearing by Commissioner Martinez, seconded by Commissioner Garcia.

Motioned carried by the following roll call vote:

AYES: Commissioners Celiz, Elisaldez, Garcia, Martinez, Zermeno
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC COMMENTS:

Michael Barba, resident spoke that he is against this because most of the property owners do not live in the City and want to make more money so they will build on their

sites. Mr. Barba believes this will create higher density, which will put more pressure on schools and roads.

Rodi Rodriguez, resident for 53 years and President for the Pico Rivera Concerned Citizens, spoke in opposition of the Housing Element. She brought in over 400 signatures opposing the Housing Element.

John Belmonte, Vice President for the Pico Rivera Concerned Citizens spoke in opposition of the Housing Element. He stated that the City does not need eminent domain in the City.

John Walker, a retired Planning Director from the City of Pico Rivera, questioned why the public hearing notice went to his residence addressed to a different name. He also stated that the notice was unclear.

Lenny Rodriguez, resident of 9139 Olympic Avenue, spoke in opposition of the Housing Element due to fears of eminent domain.

Jose Carcedo, resident of Pico Rivera, spoke in opposition of the possible increase in population due to the Housing Element.

Commissioner Elisaldez stated that this is creating opportunity for housing, and the City is not required to build any units nor is there eminent domain.

Ms. Washburn reiterated that per Government Code Section 65588 the Housing Element is one of seven State mandated documents. Every city and county is required to provide affordable housing. The environmental impacts have been analyzed regarding implementation of the document.

Commissioner Elisaldez clarified that every element must be approved by the Planning Commission.

City Attorney John Lam answered that any entitlements, actions, would come before the Planning Commission for approval. The City is not in any way considering eminent domain. Every city and every county at this time is required to comply with this state law.

Ms. Washburn stated that if the City misses the deadline of October 15, the City will have to revert back to the four year cycle instead of eight. The City will get assigned a new RHNA number in addition to the 1,639 currently assigned.

City Attorney John Lam stated that the Housing Element allows the City to comply with state law.

Michael Barba spoke again opposing the property developments within the City.

Stephen Bluford, resident spoke opposing development of apartment buildings within the City.

Frank McNemar asked if eminent domain had anything to do with this project.

City Attorney John Lam answered that is not a project and the city is not building any housing. The City is allowing opportunity for property owners to build if they choose. The City has no money to build new properties.

Yolanda Martinez, resident who lives around Area 7 asked if her neighbor decided to build an apartment building next door to her, if she would have any say against this.

Deputy Director Julia Gonzalez informed Ms. Martinez that she was not within the designated area. She also clarified that the development of future housing units would not require approval of the Planning Commission but rather would need to conform with development standards set in the zoning ordinance. Inclusive, each development would need to go through the CEQA process where an environmental review would be conducted to check for impacts such as traffic, public services and noise.

There being no further discussion, it was motioned to continue public hearing to the Planning Commission meeting of September 3 by Commissioner Zermeno to continue the public hearing, seconded by Commissioner Garcia.

AYES: Commissioners Celiz, Elisaldez, Garcia, Martinez, Zermeno
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC COMMENTS – NON-AGENDA ITEMS:

Michael Barba, resident spoke in regards to Montebello Bus Route 60 Northbound. Mr. Barba is requesting a change in the Montebello Bus Route.

John Belmonte, resident spoke about a local bus route in his area.

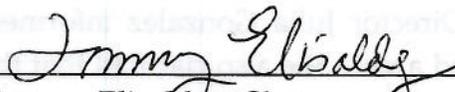
NEW BUSINESS: None.

CONTINUED/OLD BUSINESS: None.

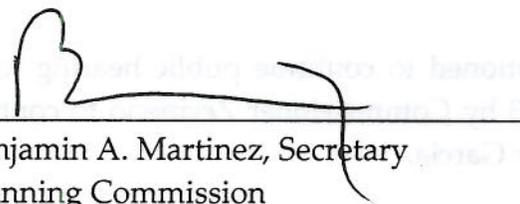
PLANNING COMMISSION REPORTS:

- a) CITY COUNCIL MEETING OF July 23, 2013 – Commissioner Garcia attended this meeting.
- b) PLANNING COMMISSION REPRESENTATIVE TO THE CITY COUNCIL MEETING OF Tuesday, August 27, 2013.
Commissioner Martinez to attend.

There being no further business the Planning Commission meeting was adjourned at 7:55 p.m.


Tommy Elisalde, Chairperson

ATTEST:


Benjamin A. Martinez, Secretary
Planning Commission
Director of Community and Economic Development