Approved as submitted
January 6, 2014

PLANNING COMMISSION | MINUTES

Monday, December 2, 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

ROLL CALL:

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

ABSENT: None.

FLAG SALUTE: Led by Commissioner Zermeno

APPROVAL OF MINUTES:

November 18, 2013

Motion to approve the minutes was made by Commissioner Martinez and seconded by Commissioner Garcia:

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

PUBLIC HEARING:

CONTINUED PUBLIC HEARING - ZONE CODE AMENDMENT NO. 165 AMENDING TITLE 18 (ZONING) OF THE PICO RIVERA MUNICIPAL CODE PERTAINING TO THE REGULATION OF PORTE-COCHERES, DRIVEWAY EXPANSIONS, WALKWAYS AND LOT COVERAGE

Senior Planner Aguilar presented the staff report. She reported that the zone code amendment includes changes to the regulations for walkways and driveway expansions, providing flexibility for residents who wish to expand their driveways and walkways. It includes changes to allow porte-cochere structures. Staff omitted the portions of the draft ordinance that pertain to lot coverage in order to provide additional time to appropriately study and research the issues.

Staff presented two draft ordinances for the Planning Commission's consideration. The first ordinance follows the Planning Commission's direction from the October 14, 2013 meeting. It requires porte-cocheres flush with the front building line of the residence with two minor exceptions. Staff included an exception for the porte-cochere to extend six feet from the front of the home for a residence with an attached garage where a full length porte-cochere cannot be constructed. The second exception allows for the porte-cochere to match the setback of the home's front porch instead of the front building line of the residence so long as both the porte-cochere and the front porch do not project more than six feet into the front-yard setback.

The second version of the ordinance follows the City Council's direction. Senior Planner Aguilar stated that the ordinance allows a projection based on the distance of the home to the front property line. The ordinance provides a scale so that all homes large or small, depending on the size of the lot and the existing front setback may be allowed to build a porte-cochere towards the front of the home. Staff determined that the larger the lot, the greater the distance between the residence and the front property line. Because of this determination, staff presented an ordinance based on a scale. This approach was discussed and rejected by the Planning Commission during the October 14, 2013 Planning Commission meeting.

Senior Planner Aguilar stated that staff conducted a survey of surrounding cities and found that all cities that have design standards do not allow a porte-cochere to extend beyond the front building line of the residence. She stated that some cities do allow porte-cocheres to project beyond the front building line of the residence due to a lack of design guidelines. Most of the staff members of these cities stated that they discourage such projections and that these requests were unusual. She advised that staff also conducted a windshield survey of existing porte-cocheres throughout the city and found that only one porte-cochere out of twenty-eight projected beyond the front building line of the residence.

Commissioner Garcia asked Senior Planner Aguilar if the examples of porte-cocheres in the presentation were actual porte-cocheres located in the City.

Senior Planner Aguilar responded that the photos are examples of porte-cocheres and are not actual structures in Pico Rivera.

Senior Planner Aguilar briefly discussed lot and building coverage and said staff would present a lot coverage ordinance at a later date. She stated that the current definitions in the zoning ordinance exempt any type of patio covering to be counted towards lot coverage. Most properties in the City are limited to a maximum lot coverage of forty percent that is intended to create uniformity of the building form of neighborhoods, as well as to allow storm water drainage and for aesthetic purposes. Five of the fourteen surrounding cities surveyed do not include patios in their lot coverage. The cities have more stringent open space and setbacks requirements than Pico Rivera. Senior Planner Aguilar stated that the cities require a certain amount of yard area, and/or they do not allow residents to build as close to property lines as Pico Rivera.

Senior Planner Aguilar stated that staff's recommendation is to adopt the first ordinance option which follows the Planning Commission's recommendation from the October 14, 2013 meeting, and which allow minor exemptions for certain porte-cocheres to project slightly beyond the front building line of the residence, but eliminating the portions or the ordinance that pertain to lot coverage.

Chairperson Elisaldez asked if two properties in the presentation with the large patio additions are allowed and/or grandfathered in.

Senior Planner Aguilar responded that one of the properties has legal building permits and is permitted. The second property does not have permits for the expansive patio additions.

Chairperson Elisaldez recommended to open the public hearing. There being no one to speak on the public hearing, it was recommended to open the public hearing by Commissioner Zermeno, 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

Chairperson Elisaldez opened the public hearing for Commission discussion.

Commissioner Garcia asked if the porte-cocheres that project far beyond the front

building line of a residence fall under the porte-cochere guidelines.

Senior Planner Aguilar responded that they did not.

Commissioner Garcia asked if staff could limit the porte-cohere to the length of one vehicle towards the front to satisfy City Council direction.

Senior Planner Aguilar responded that the recommended ordinance limits porte-cocheres to a maximum length of forty feet, which allows for coverage of two vehicles in tandem under the structure. The recommended ordinance will limit the projection of the porte-cochere towards the front, but will not limit the projection of the porte-cochere towards the rear of the property as long as the structure does not exceed the forty foot length or encroach into any setback requirements.

Chairperson Elisaldez stated that the first ordinance draft allows flexibility to the City residents because they can build the porte-cochere towards the rear and would also allow a resident with a smaller property to utilize a porte-cochere for the proper use. He stated that the Planning Commission has discussed several options in regards to porte-cocheres and prefers the first draft ordinance.

Commissioner Celiz asked if staff is proposing to allow the projection only with certain types of properties.

Senior Planner Aguilar responded that the first draft ordinance follows the Planning Commission direction from the October 14 meeting. The ordinance prohibits projections with two minor exceptions. One exception allows a projection into the setback if the projection is flush with the front porch. A second six foot projection is allowed if the garage is attached to the residence. The six foot projection was chosen because it is consistent with projections currently allowed by the zoning code for front porches.

Commissioner Zermeno suggested staff stay with the first draft ordinance. He stated that there are insufficient homes in the City which could or would build a porte-cochere under the concessions listed in the second draft ordinance. Commissioner Zermeno commented that the twenty foot tunnel effect in front of homes will look terrible and that the homeowner has the option of building the twenty foot porte-cohere towards the rear under the first draft ordinance.

There being no further discussion, Commissioner Zermeno recommended approval for the first ordinance draft, which would not allow for a projection, except for two minor exceptions. The motion was seconded by Commissioner Celiz.

Motioned carried by the following roll call vote:

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

City Attorney John Lam clarified for the record that Commissioners approved the ordinance with the removal of Sections 10 and section 11 of the ordinance related to lot coverage.

Deputy Director Gonzalez asked City Attorney Lam to confirm that the City Council may or may not choose to adopt the ordinance recommended by the Planning Commission.

City Attorney Lam stated the City Council can approve any variation or combination of the two ordinances.

Commissioner Zermeno asked if there was an overwhelming consensus from the City Council that the draft ordinance be brought back to the Planning Commission for further review to discuss additional projections beyond the twenty foot projection which was proposed in the previous recommended ordinance.

Director Martinez responded that it was not overwhelming, but there was a consensus from the City Council to again present the ordinance for Planning Commission consideration to provide additional flexibility for larger lots to construct porte-cocheres that project from the front building line of the residence.

PUBLIC COMMENTS – NON-AGENDA ITEMS: None.

NEW BUSINESS: None.

CONTINUED/OLD BUSINESS:

Commissioner Garcia stated that someone driving north on the Passons Underpass drove through a fence onto Maizeland. He requested that something be placed to clearly divide opposing traffic. He stated that this issue was previously mentioned by Chairperson Elisaldez.

PLANNING COMMISSION REPORTS: None

Director Martinez reminded the Planning Commissioners to turn in their Planning Commission applications if they haven't done so.

Commissioner Garcia asked if City Council will meet in December before the Planning Commission meets.

Deputy Director Gonzalez replied that the City Council will meet in December and that the Planning Commission must reorganize thirty days thereafter.

Commissioner Martinez asked if commissioners would be granted any funds to attend any conferences.

Director Martinez will look into any local events and into the budget availability.

Commissioner Zermeno responded that there is the Las Vegas ICSC conference.

Director Martinez responded staff would look for funds primarily for city planning type training conferences.

Chairperson Elisaldez thanked staff and fellow Commissioners for all their assistance.

There being no further business the Planning Commission meeting was adjourned at 6:37 p.m.

Tommy Elisaldez, Chairperson

ATTEST:

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