

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, January 6, 2010 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Jim Schoonover
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Director of Development Services Dan Coleman
Associate Planner Marco Espinoza
Administrative Aide Kevin Frey

Absent

Commissioner David Bratt
Commissioner John Davis

CALL TO ORDER AND FLAG SALUTE

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Rahi led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes: December 16, 2009 (Davis absent)

MOTION: Moved by Ensberg, seconded by Rahi to approve the Consent Calendar. Motion carried 3-0-2 (Bratt, Davis absent).

PUBLIC HEARINGS

2. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 09-04** – A Request to amend the City's Municipal Code as required by Senate Bill No. 2, to allow by right Emergency and Year-Round Emergency Shelters, as well as Transitional and Supportive Housing as conditional uses.

Staff report presented by *Associate Planner Marco Espinoza*, who stated Senate Bill No. 2 was passed in 2007 requiring all cities to allow emergency shelters by right, as well as allowing transitional housing as a residential use. This was considered a state-wide problem and the intent of the legislation was to encourage shelters and supportive housing at the local level. The bill does not require that anything be built, but that zoning is in place to allow such housing. The

City incorporated the requirements of SB2 into the General Plan's Housing Element during its 2008 update and identified the Public/Semi-Public zone for these types of facilities. He outlined the standards the City would apply to such facilities, and the data gathered in the LAHSA count for homeless and transitional housed persons.

During the Housing Element process, five parcels of land were identified for possible emergency and year-round shelters, and it was indicated that transitional and support housing would be allowed in multi-family zones. Currently multi-family projects require a Conditional Use Permit; thus, transitional and support housing would also require a Conditional Use Permit. Parking standards were also reduced since tenants may not always own vehicles. Staff feels Municipal Code Text Amendment 09-04 implements the 2008-2014 Housing Element and SB2 requirements, and recommends the Commission adopt Resolution PC-1409.

Commissioner Ensberg asked how this legislation impacts faith based facilities. He also asked about people that want to open half-way houses in an existing home and if that is covered in this amendment.

Associate Planner Espinoza stated this would not impact churches or other providers of shelter services. The legislation was put into place because some cities did not allow shelters, or required a Conditional Use Permit, and the state felt they needed to be allowed by right. The City is not required to build any shelter facilities; they just need to provide a zone that would allow for them. A half-way house might fall under the category of support or transitional housing.

Commissioner Ensberg asked about the requirement for security guards called out in Exhibit C, and if a church providing an emergency shelter would have to hire a security company.

Associate Planner Espinoza explained that in discussions with Los Angeles County and the City of Los Angeles, a shelter is a place where people come in from the streets and you do not know what type of addictions or mental health issues they may have. The need for security is more to protect the staff members running the shelter or other sheltered persons.

Director of Development Services Dan Coleman stated it did not necessarily have to be a licensed security guard, it could be an on-site manager such as is used at the two transitional housing locations currently operating in San Dimas.

Commissioner Rahi asked why there were two different zones identified. He also wanted to be sure he could comment about the McKinley Center since he lived within 300 feet of it.

Associate Planner Espinoza stated when the Housing Element was prepared, it was felt the institutional types of uses already allowed in the Public/Semi-Public zone were compatible with emergency and year-round shelters. Supportive and transitional housing is more residential in nature so it seemed a better fit in a residential zone.

Director Coleman stated Commissioner Rahi could comment regarding the McKinley Center because the City Council would give the final approval on this item, and his involvement in the discussion would not bring him any financial gain.

Commissioner Rahi asked if the owners of the McKinley Center were consulted about this code amendment. He also asked if five sites were required.

Associate Planner Espinoza stated this action is to just identify possible locations; it is not bringing a specific project forward. The McKinley Center site is a very large, underutilized parcel in the Public/Semi-Public Zone; thus it was identified as a possible location for this type of use. He stated a minimum of two sites are required, and these five sites were chosen as the most feasible locations, but you could actually look to construct a shelter on any parcel that is zoned Public/Semi-Public.

Chairman Schoonover asked about the definitions contained in sections 18.08.215 and 18.08.565 and the difference in the timeframes. He felt there should be more consistency, unless these timeframes were mandated by the State.

Associate Planner Espinoza stated the definitions were from the State, and it is possible that since emergency shelters were usually open during the winter months, that could be why six months was chosen for them.

Chairman Schoonover opened the meeting for public hearing. Address the Commission was:

Meredith Bailey, 237 W. Bonita Avenue, Suite A, San Dimas, felt that San Dimas did have a homeless problem that was not reflected in the numbers presented in the survey, and that the people she sees are not homeless because of job loss but because of mental health problems. If shelter is only provided for them temporarily, then they will just be back out on the streets and the problem will continue. She felt the State has not done an adequate job of caring for these people and that the City needed to step up and actively attempt to get a shelter built to serve them.

Commissioner Ensberg stated he felt the action tonight was to set up a structure that would allow someone to create a homeless shelter and to remove any perceived barriers to doing so. The City isn't considering going into the mental health business, they are just trying to make the process easier for someone that might want to establish such a shelter.

Meredith Bailey wanted to see this problem addressed and would like to see the Commission make a recommendation to the City Council to establish some type of private/public entity to look into this problem.

There being no further comments, the public hearing was closed.

RESOLUTION PC-1409

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 09-04, TO ALLOW, AS REQUIRED BY SENATE BILL NO. 2 (SB2), EMERGENCY AND YEAR-ROUND EMERGENCY SHELTERS BY RIGHT, AS WELL AS TRANSITIONAL AND SUPPORTIVE HOUSING AS CONDITIONAL USES

MOTION: Moved by Ensberg, seconded by Rahi to adopt Resolution PC-1409 recommending the City Council approve Municipal Code Text Amendment 09-04. Motion carried 3-0-2 (Bratt, Davis absent).

3. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 09-05** – Revisions to the Zoning Code pertaining to Collocation of Wireless Communication Facilities (18.150)

Staff report presented by *Administrative Aide Kevin Frey*, who stated the intent of Senate Bill 1627 was to streamline the local permitting process for collocation of wireless facilities by removing discretionary authority for existing mounted cell phone towers and structures. It does not take away the City's discretionary land use powers for new towers, and wireless facilities are still subject to environmental review and aesthetic requirements. Staff recommends adoption of Resolution PC-1410 recommending the City Council approval Municipal Code Text Amendment 09-05.

Commissioner Ensberg stated recently the City Council considered a request to locate a cell tower in Via Verde Park and asked what the outcome of that discussion was and how this legislation would impact a similar request in the future.

Director Coleman stated the Council did not want to see new wireless facilities constructed in either Via Verde or Marchant parks.

Commissioner Ensberg clarified that this amendment was to make it more efficient for carriers to utilize one location instead of building multiple towers. He asked if this action was granting approval authority through the permit process only and there would not be any design review.

Director Coleman stated that is correct, but that Condition No. 3 sets some limitations because if a change is made to the exterior of an existing wireless facility, then they will still need to go to DPRB.

Chairman Schoonover opened the meeting for public hearing. There being no response, the public hearing was closed.

RESOLUTION PC-1410

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 09-05, A REQUEST TO AMEND TITLE 18 CHAPTER 150 OF THE SAN DIMAS MUNICIPAL ZONING CODE

MOTION: Moved by Ensberg, seconded by Rahi to approve Resolution PC-1410 recommending that the City Council approve Municipal Code Text Amendment 09-05. Motion carried 3-0-2 (Bratt, Davis absent).

ORAL COMMUNICATION

4. **Planning Manager**
No communications were made.

5. **Members of the Audience**
No communications were made.

6. Planning Commission

In response to Chairman Schoonover, Director Coleman stated the Fresh and Easy store was currently in Plan Check.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Rahi to adjourn. Motion carried 3-0-2 (Bratt, Davis absent). The meeting adjourned at 7:39 p.m. to the regular Planning Commission meeting scheduled for January 20, 2010, at 7:00 p.m.

James Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Dan Coleman, Director of Development of Services

Approved: March 3, 2010