



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING
Monday, August 11, 2014

COUNCIL CHAMBER
5111 Benito Street, Montclair, California 91763

CALL TO ORDER

Chair Johnson called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Flores led those present in the salute to the flag.

ROLL CALL

Present: Chair Johnson, Vice Chair Flores, Commissioners Martinez, Sahagun and Vodvarka, Community Development Director Lustro, and Deputy City Attorney Holdaway

Excused: City Planner Diaz and Associate Planner Gutiérrez

MINUTES

The minutes of the June 23, 2014 regular meeting were presented for approval. Commissioner Vodvarka moved, Vice Chair Flores seconded, and the minutes were approved 5-0.

The minutes of the July 14, 2014 regular meeting were presented for approval. Vice Chair Flores moved, Commissioner Vodvarka seconded, and the minutes were approved 5-0.

ORAL AND WRITTEN COMMUNICATIONS

Diana Vodvarka, 10202 Columbine Avenue, commented there is a huge tree at 10290 Saratoga Avenue that is overhanging the public right-of-way creating visibility issues for motorists. Chair Johnson thanked her for her comments and advised that staff would forward it on as appropriate. Director Lustro replied that there is an open Code Enforcement case for appearance violations for that property and one of the violations was to raise the canopy of the tree to improve sight distance.

AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2014-18
 - Project Address: Citywide
 - Project Applicant: City of Montclair
 - Project Planner: Steve Lustro, AICP,
Community Development Director
 - Request: Code Amendment adding Chapter 11.37 to the
Montclair Municipal Code related to emergency
shelters and SROs
 - CEQA Assessment: Categorically Exempt (Section 15301)

Director Lustro reviewed the staff report.

Commissioner Sahagun asked if this would allow shelters within existing buildings or was it for new developments only. Director Lustro stated it could be either. A permanent emergency shelter could be established in an existing building provided that all building code regulations and development standards are met. Commissioner Sahagun commented it was a good thing to have because of the homeless situation. Director Lustro clarified that emergency shelters are not necessarily for the chronically homeless. Emergency shelters are generally available to people who have become homeless through unexpected tragedies, such as fire, flood, or earthquake. Another situation we have seen from time to time is individuals, couples or families living on a shoestring in a house or apartment and one or both of the wage earners lose their job. If they have no savings, it is tough to find other traditional housing. Shelters can provide temporary housing for these folks. It's not a permanent place to live, but provides interim housing until they can get back on their feet again and back into traditional housing. Single-room occupancy units, on the other hand, is a more permanent type housing for people who may be chronically homeless or not able to secure other types of housing. SROs are more like a studio apartment, but usually with communal kitchen and/or sanitary facilities. For people who are not of the means to live in traditional housing, sometimes this is their last resort. It's the state's opinion and direction that cities, through their housing elements, need to make provisions for these types of housing. That's not to say that next month, year or five years, that someone may come in or develop or open an emergency shelter or SRO, but very much like affordable housing, the City's obligation is to make provisions to allow it so if

someone wants to come in and develop either of those types of housing, they can do it in Montclair.

Chair Johnson commented when she thought of single-room occupancy, she thought of housing for the developmentally disabled people or for people who have rehab needs and she knew we have some of those in the City already. She inquired if adoption of this ordinance would impact any alternative housing currently operating in the City. Director Lustro replied that congregate care facilities or housing for the developmentally disabled, such as the San Emi Apartments that recently opened on Kingsley Street, would not be affected by the ordinance as state law allows those types of facilities in residential zones.

Chair Johnson opened the public hearing.

Diana Vodvarka, 10202 Columbine Avenue, spoke about her personal experiences with the difficulty of trying to help her son seek shelter and a friend who is seeking shelter for herself, her teenage son and granddaughter and because of job loss and health problems. She believed that there needs to be adequate supervision at these types of housing developments (emergency shelters and SROs).

Hearing no other comments and no one else being present, Chair Johnson closed the public hearing.

Commissioner Martinez moved that, based upon evidence submitted, the Planning Commission has reviewed the Planning Division's determination of exemption, and based on its own independent judgment, concurs with the staff's determination of exemption and directs staff to prepare a Notice of Exemption and a DeMinimis finding of no effect on fish and wildlife, seconded by Commissioner Vodvarka, there being no opposition, the motion passed 5-0.

Vice Chair Flores moved to recommend the City Council adopt proposed Ordinance No. 14-944, adding Chapter 11.37 to the Montclair Municipal Code to define and establish development standards for emergency shelters and single-room occupancy lodging facilities as set forth in Planning Commission Resolution No. 14-1812, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

Chair Johnson suggested that something the Commission may want to think about for the future is establishing the same kind of relationship as the City has with National CORE to address the management issues that Mrs. Vodvarka brought up.

Commissioner Martinez thanked Mrs. Vodvarka for bringing the issue up. He agreed that sometimes people in these circumstances get lost in the cracks and the positive thing about doing this is at least we are planning for the facilities and the related administration and management needs.

- b. PUBLIC HEARING - CASE NUMBER 2014-19
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| Project Address: | Citywide |
| Project Applicant: | City of Montclair |
| Project Planner: | Steve Lustro, AICP,
Community Development Director |
| Request: | Code Amendment amending Chapters 11.02 and
11.18 of the Montclair Municipal Code related to
manufactured homes |
| CEQA Assessment: | Categorically Exempt (Section 15301) |

Director Lustro reviewed the staff report.

Commissioner Sahagun asked if this was part of the Housing Element and requirements by the State. Director Lustro affirmed. Commissioner Sahagun commented that he was not against mobile homes or manufactured homes but asked if this was for brand new modular homes being brought onto residential properties. The first thought he had was someone bringing a 1950s-era mobile home onto a residential lot and there is nothing we can do about it because it is a state mandate and that's not what this is. Director Lustro stated that there is the possibility if someone owned a manufactured home at another location and wanted to move it to a vacant lot in Montclair, it would likely have to have been manufactured in the last 10 to 15 years. The look and appearance of modular homes has changed significantly, just in the past 30 to 40 years. A mobile home or modular unit constructed earlier would likely not be able to be modified or fit the character of an R-1 zone, whereas a more contemporary modular home can be enhanced to make it compatible enough so that at first blush, someone may not be able to tell it's a manufactured home. There are many traditionally-built homes constructed on raised foundations and that is exactly what a manufactured home is, it is built on a raised foundation so it can be moved from place to place. So long as certain enhancements or improvements are made to make it appear that it is a conventionally built home, we would not have any problem with it. It is has to meet all the requirements, setbacks, height, etc. Commissioner Sahagun stated he was not against them; he just wanted to make sure we kept our standards in place.

Vice Chair Flores asked if we have ever had anyone desiring to move a mobile home onto a residential property. Director Lustro stated that he recalled only one time having a discussion with someone about moving a modular home onto the vacant lot at the northwest corner of Poulsen Avenue and El Morado Street. The previous owner had approached staff about moving in a manufactured home. We indicated to him that it would be permissible to do that, but all R-1 development standards would need to be met. He seemed accepting of that but never pursued the project. The lot was eventually sold and a conventionally-built home was recently constructed there. Vice Chair Flores stated the reason he was asking is because all the cities around here were bringing in nice manufactured homes and he wondered why it took us so long to say that it was okay.

Commissioner Vodvarka stated that the First Financial Credit Union building (on Central Avenue) is a modular building and he remembered the day it was brought in and

assembled on the premises. Director Lustro stated he felt this is something the City has been open to for quite some time. Staff is often approached about placing modular buildings in our industrial areas. Our position has been, particularly when they are visible to the street, is that the portion of the building visible to the public needs to be enhanced sufficiently to give it the appearance of a conventionally-built building. So, if it is a modular building, generally speaking, we are not going to lower our development standards just because it is built elsewhere and brought into the City.

Chair Johnson opened the public hearing.

Hearing no other comments and no one else being present, Chair Johnson closed the public hearing.

Vice Chair Flores moved that, based upon evidence submitted, the Planning Commission has reviewed the Planning Division's determination of exemption, and based on its own independent judgment, concurs with the staff's determination of exemption and directs staff to prepare a Notice of Exemption and a DeMinimis finding of no effect on fish and wildlife, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0; and

Commissioner Vodvarka moved to recommend the City Council adopt proposed Ordinance No. 14-945, amending Chapters 11.02 and 11.18 of the Montclair Municipal Code defining and establishing standards for allowing manufactured housing in the R-1 (Single-Family Residential) zone as set forth in Planning Commission Resolution No. 14-1813, seconded by Vice Chair Flores, there being no opposition to the motion, the motion passed 5-0.

INFORMATION ITEMS

Director Lustro commented that Pomona Valley Habitat for Humanity will again be constructing a home at the Los Angeles County Fair, which starts August 29. It is always interesting to watch the "Fair Build" take place as the walls go up and all the improvements progress. This particular house will be moved to a vacant lot in La Verne at the corner of First Street and Wheeler Avenue.

Commissioner Sahagun commented that he drove through Commissioner Vodvarka's neighborhood and now has a feel for the scope of unmaintained properties in the area, including brown lawns, overgrown vegetation, and weeds growing out of the curb and gutters.

Chair Johnson and Vice Chair Flores both commented that they have noticed many construction activities taking place on the weekends. Vice Chair Flores said a house in his neighborhood is being rehabilitated and he hoped the owners have all the proper permits. Director Lustro knew of the property Vice Chair Flores mentioned and assured him that after work commenced on the property, Building and Planning made contact with the people doing work to make sure that whatever they're doing is compliant with code. Work without permits is common in the City. When staff discovers work that has commenced or

been completed without permits, we do have recourse, including imposing penalty fees and requiring demolition of structures that cannot be permitted because they do not comply with code. With respect to Code Enforcement, which is always a convenient target for criticism, the division has been short-staffed for the better part of one and one-half years. We hired a half-time person back in July to handle commercial and industrial properties to take some of the load off of our two full time Code Enforcement officers. This issue was discussed at the Code Enforcement Committee meeting two weeks ago and the City Manager has offered to find funding to hire at least one and possibly two more part-time Code Enforcement officers to help shoulder the workload and allow us to get caught up on neighborhoods that are not getting inspected as often as they should. In addition, staff recently conducted a recruitment for two additional reserve officers in order to bring our complement back up to four people. We're hopefully going to get back up to full speed in the very near future and will try to stay caught up as best we can.

Chair Johnson adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Laura Embree
Recording Secretary