

**A REGULAR MEETING OF THE CITY OF SIGNAL HILL  
PLANNING COMMISSION  
September 10, 2013  
7:00 P.M.**

**CALL TO ORDER**

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

**ROLL CALL**

The Commission Secretary conducted roll call.

Present:      Chair Rose Richárd  
                 Vice-Chair Tom Benson  
                 Commissioner Devon Austin  
                 Commissioner Jane Fallon  
                 Commissioner Shannon Murphy

Staff present:

- 1)      Community Development Director Scott Charney
- 2)      Associate Planner Colleen Doan
- 3)      Assistant Planner Selena Alanis
- 4)      Assistant City Attorney Jeff Malawy
- 5)      Sr. Engineering Technician II Anthony Caraveo

In addition, there were 3 people in attendance.

**PLEDGE OF ALLEGIANCE**

Chair Richárd led the audience in reciting the Pledge of Allegiance.

**PUBLIC BUSINESS FROM THE FLOOR**

There was no public business from the floor.

**PRESENTATIONS**

- a) Terri Marsh provided a presentation of the 2013-14 Budget in Brief snapshot and overview of anticipated technology upgrades including payments via internet or credit cards, a Community Development Department module, and establishing a two year budget preparation process.
- b) The Beautification Award was presented for the residence at 2059 Stanley Avenue, however, the recipient was unable to attend the meeting and the award will be forwarded to them.

## WORKSHOP

### 1. Housing Element Update

Community Development Director Scott Charney read the form of notice, and Associate Planner Colleen Doan, Assistant Planner Selena Alanis and Community Development Director Scott Charney provided a report.

Chair Richárd asked for any questions from the Commission.

Commissioner Murphy asked about our Department of Housing and Community Development reviewer and timing for submittals of the Housing Element Update, and staff clarified the process.

Vice-Chair Benson asked about joining with other cities in providing emergency shelters. Staff clarified that while that is possible, it would mean the shelter would be required to be built.

Vice-Chair Benson commented on the in depth work that has gone into preparing the Housing Element Update and commended staff, however, he noted the State's extensive requirements even for small communities like Signal Hill.

Chair Richárd opened the workshop and asked if there were any members of the public who would like to speak.

The following members of the public spoke regarding the project.

- 1) Bozena Jaworski, architect, had attended the Housing Element Update Workshop and commended the work of the Planning Department. She was surprised at the amount of effort required, which was as great for a small city with fewer staff as it would be for a larger city with greater resources. She asked if there might be some discussion on the State level of how to help smaller cities the size of Signal Hill to go through this approval process on a more efficient basis.

It was her hope that the Housing Element would contain provisions for future city growth and development, not just housing for under-privileged or special needs people. She acknowledged the efforts of planning over long periods of time for projects like the Town Center. She had searched the Housing Element Update for ways to handle density issues and future growth to utilize lands to their full potential such as including mixed-use development. She was not sure if this was appropriate to address in the Housing Element.

Staff clarified that it is the Land Use Element that addresses issues such as mixed-use development and long-term planning, and when that is updated staff will certainly be looking at future development strategies.

Chair Richárd asked for any further questions or comments from the Commission.

Commissioner Austin discussed that community awareness and persistence in applying pressure at the State level might bring about change in dealing with smaller communities.

Vice-Chair Benson added that the city can decide its own vision for the future. While we might differ with the goals of the State regarding managed density and the reduction of garages to encourage public transportation, we still formulate our own strategies to ensure success for our community.

It was moved by Vice-Chair Benson and seconded by Commissioner Fallon to authorize staff to forward the draft document to HCD for the 60 day review.

The motion carried.

## DIRECTOR'S REPORTS

### **2. Development Impact Fee Protest for 1866/68 Stanley Avenue**

Community Development Director Scott Charney read the staff report.

Chair Richard invited anyone wishing to speak on the matter to come forward.

Commissioner Austin recused herself and took a seat as a member of the community due to her residence being across the street from the subject property.

The following member of the public spoke regarding the project.

- 1) Mike Bailey, a 28 year Signal Hill resident, is seeking relief from the water impact fees that were assessed on his project. He stated that he began his project with 2 units, and ended with 2 units. Mr. Bailey's opinion was that the impact fee was excessive and not reasonably proportional to the cost of the improvements. He did not believe the findings regarding the fees were presented to him in a manner which he could understand and that he had not received evidence supporting the findings. His facility was connected in 1986 with a ¾" meter. The City is requiring a 1" meter. Mr. Bailey referred to a statement at the 8/21/12 City Council meeting when Deputy Director of Public Works Rick Olson stated a small 4-5 unit complex could operate on a ¾" meter. His request for relief of water impact fees is based on the fact that nothing has changed on his property. His expectation was that he would meet with the City Attorney to review his concerns, and asked if he should leave the meeting now and expect to receive notification at a later time.

Staff encouraged Mr. Bailey to stay for the Commission's discussion. To confirm the status of the project, the Community Development Director asked for confirmation that someone is living in the rear unit at this time while Mr. Bailey is finishing the work in the front unit. Mr. Bailey concurred. Staff advised the reason the meter has not been upgraded is that the meter is currently serving only one unit and the calculations set forth in the impact fees are for service to both units.

Vice-Chair Benson asked for clarification and staff confirmed the default fee structure is appropriate with the fees are based on the water master plan as is the case in all in-fill development.

Vice-Chair Benson reminded the applicant that he had signed the Conditions of Approval on 10/27/11 which details all fees. He explained the fees are just the incremental cost between the two sizes of meters. Chair Richárd and staff confirmed a credit had already been issued to the applicant.

There being no further testimony, Chair Richárd brought discussion back to the Commission.

Commissioner Fallon asked for further explanation about the reason for the meter change out. Staff pointed out the fixture count which was prepared by Mr. Bailey's contractor was used to determine the fee and referenced the Conditions of Approval from 2011. Mr. Bailey contended that some of those numbers are counted for both of the units and he had already paid for the first unit when it was built. Staff and the Chair reiterated that was the reason for the previously applied credit.

Staff advised Mr. Bailey that his plumber/contractor can provide a new set of calculations which would be reviewed to ensure consistency with the State standards. If the calculations indicate he can remain at a ¾" meter, the City may accept that.

It was moved by Vice-Chair Benson and seconded by Commissioner Murphy to sustain the fee.

The motion carried 4/0.

Commissioner Austin returned to her seat.

### **3. Study Session Regarding Discontinuance Time Frames**

Assistant Planner Selena Alanis read the staff report.

Vice-Chair Benson asked if there was a distinction between residential and commercial uses. Staff acknowledged that other sections of Chapter 20.82 may need clarifications/refinements and advised of the difficulty of determining residential conformity without having a physical survey of the site. Examples of nonconforming residential structures in the city were noted. Another study session may be done in the future regarding residential non-conforming properties.

Staff noted that Code Enforcement investigates concerns of nonconforming uses and structures on a complaint driven basis and clarified that in order for a discontinuance time frame to begin, it is required that staff send a notification letter to initiate the process. In most cases, the 180 day time frame noted in the letter is more than enough time for a use to be reactivated.

The City Attorney advised that the reason for the study was due to a concern about selecting a shorter period of discontinuance for one particular type of use and wanted to ensure there was no discrimination against that use.

Staff was directed to explore alternatives to address residential discontinuance issues separately from commercial uses. In addition, the Commission is open to shorter discontinuance frames for all commercial uses.

There being no further questions from the Commission, Chair Richárd received and filed the report.

**4. Save the Date for the Mayor's Clean-up**

Assistant Planner Selena Alanis read the staff report.

Commissioner Benson asked for clarification about access to the North Slope property where a fence was recently installed. Staff advised that we are coordinating access for the event with the property owner which is Signal Hill Petroleum.

There being no questions from the Commission, Chair Richárd received and filed the report.

**CONSENT CALENDAR**

The Community Development Director stated the following items were on the Consent Calendar for approval.

**5. Minutes**

**Recommendation:** Approve.

**6. City Council Follow-up**

**Recommendation:** Receive and file.

**7. Development Status Report**

**Recommendation:** Receive and file.

**8. Code Enforcement Report**

**Recommendation:** Receive and file.

## 9. In the News

**Recommendation:** Receive and file.

Vice-Chair Benson requested that Item No. 5 be pulled for discussion.

### **Commission Received and Filed Consent Calendar Items 6 through 9**

It was moved by Commissioner Austin and seconded by Commissioner Fallon to receive and file Consent Calendar Item Nos. 6 through 9.

The motion carried.

### **Commission Receives and Files Consent Calendar Item No. 5.**

At the August meeting, Commissioner Murphy had recused herself for the Costco Gas Station item but Vice-Chair Benson commented that it was not clear in the minutes if she had returned before or after the vote. The City Attorney advised that the minutes were acceptable and would not require changes but staff could better format the recusal in future instances for the sake of clarity.

It was moved by Commissioner Fallon and seconded by Commissioner Murphy to approve Item No. 5.

The motion carried (Vice-Chair Benson abstained).

### **COMMISSION NEW BUSINESS**

Commissioner Austin reported that the *Los Angeles Times* received a tip that a business on Burnett between Walnut and Orange was doing something with hazardous materials. She will forward the address to staff, who confirmed they will investigate and alert the Fire Department.

Vice-Chair Benson reported that at 2360 19<sup>th</sup> Street there are materials stacked in the front yard and trucks blockading the area. Staff confirmed a correction notice was sent to them on 8/22/13 to clean up by 9/6/13. The owner had responded immediately, but had not acted on the request. Staff will follow up.

Vice-Chair Benson asked if a review process for signs might be implemented due to the great number of signs in the area, which are sometimes confusing. In response, it was suggested that the Community Services Director provide an update at the next Planning Commission meeting.

Chair Richard advised there is a Rock for Vets event from 3:00 p.m. to 5:00 p.m. on Saturday, September 28, 2013 at Signal Hill Park.

**ADJOURNMENT**

It was moved by Commissioner Austin and seconded by Commissioner Fallon to adjourn tonight's meeting in memory of Frank Virga, Signal Hill resident and Civil Service Commissioner. The next regular meeting of the Planning Commission will be held on October 8, 2013.

The motion carried.

Chair Richard adjourned the meeting at 9:15 p.m.

  
ROSE RICHARD  
CHAIR

ATTEST:

  
SCOTT CHARNEY  
COMMISSION SECRETARY