

City of Bishop
PLANNING COMMISSION MINUTES
City Council Chambers – 301 West Line Street
Bishop, California 93514

March 26, 2013

CALL TO ORDER:

Chairman Malloy called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Malloy.

COMMISSIONERS PRESENT:

Huntley, Hardy, Crom and Malloy

COMMISSIONERS ABSENT:

Lowthorp and Bhakta

OTHERS PRESENT:

Gary Schley, Public Services Officer
Keith Caldwell, City Administrator / Planning Director
Peter Tracy, City Attorney
Michele Thomas, Secretary

PUBLIC COMMENT

Chairman Malloy asked if anyone wished to speak on a subject not calendared on the agenda. There was no public comment.

CORRESPONDENCE

Two letters were included in the packet from David Grah, Director of Public Works to Thomas Hallenbeck of Caltrans and Don McGhie of Los Angeles DWP. Both letters were in regards to the Caltrans Maintenance Facility expansion on Spruce Street.

(1) APPROVAL OF MINUTES

MOTION

Commissioner Crom moved to approve the minutes of the February 26, 2013 meeting with the correction on page 4 to change the motion vote from 1-4 to a vote of 1-3.

Ayes: Crom, Hardy, and Malloy
Abstain: Hardy

MOTION CARRIED: 3-0

PUBLIC HEARING

- (2) Proposed Amendment of Zoning Ordinance – ES Emergency Shelter Combining District.

This matter is continued over from the February 26th meeting.

Schley reviewed the ordinance expressing that the City of Bishop is proposing to amend Ordinance Title 17 Chapter 17.38 ES Emergency Shelter Combining District, to include Transitional and Supportive Housing as a permitted use. At the February 26th meeting, the commission asked staff to research in more detail the rules and laws that regulate the licensing and operation of transitional and supportive housing. Schley stated that transitional and supportive housing are regulated by Title 22 of California Code of Regulations and may be viewed at <http://www.dss.cahwnet.gov/ord/PG240.htm>.

Malloy asked staff why the city is proposing this zone change. Schley stated that it is written into the city's 2009 Housing Element as a goal to comply with Senate Bill 2. Senate Bill 2 requires the city to provide a zone for emergency shelters, transitional and supportive housing, by right which means a Conditional Use Permit is not required to be allowed. Tracy confirmed this statement.

Mark Heckman, resident at 185 Mac Iver Street, passed out a map illustrating the area in question along Mac Iver Street where the ES zone exists. Heckman thinks that the area on the other side of Spruce Street would be a better location for the emergency shelter zoning. He added that this location would be further away from existing residential housing. Heckman also feels his residence is incorrectly zoned at C-1 and should be R-1.

Huntley clarified that the current public hearing is in regard to an amendment to the emergency shelter zone and not to discuss whether the zoning on Mac Iver Street should be changed to R-1.

Heckman continued to discuss the concern he has regarding a house next door that is for sale and the possibility of someone turning it into an emergency shelter.

Huntley stated that in order for someone to propose an emergency shelter, the owner would need to comply with the current zoning requirements along with the rules and laws that regulate such a facility. Schley also included that the mobile home park in question, which is regulated by the state, has its own rules and regulations to follow in addition.

The public hearing was closed at 7:25 P.M.

NEW BUSINESS

- (4) Proposed Amendment of Zoning Ordinance – ES Emergency Shelter Combining District.

Hardy referred to section 17.38.060 Standards and Requirements and asked staff if it would be possible to revise the ordinance so that compliance with federal, state, or local

rules was part of the zoning ordinance. Tracy stated that if there is a state or federal law or rule prohibiting something, we cannot have an ordinance prohibiting the same thing that is already in effect. Tracy added that the city is able to inform the business they are in violation of state law.

Huntley referred to section 17.38.060 Management and asked staff about the management staff being onsite and if that is part of the state or federal law. Schley stated that it is part of the city's ordinance and already approved in the Emergency Shelter Overlay zone. Continued discussion explained that emergency shelter and transitional housing require onsite management at all times of operation and supportive housing management may be located onsite or offsite.

Huntley also referred to signs and why the size requirement is up to a maximum of 9 square feet when the city ordinance allows for up to 80 square feet. Schley explained that in residential zones, signage is only allowed for real estate or for-sale signs up to 9 square feet and because this is in a residential zone, it will follow residential zoning requirements.

Hardy made a motion to recommend to the City Council that they adopt an amendment to the Bishop Municipal Code Chapter 17 Zoning by adding Section 17.08.116 and Section 17.08.117 to provide a definition for Transitional Housing and Supportive Housing and amending Chapter 17.38 ES Emergency Shelter Combining District as proposed and submitted.

Ayes: Crom, Hardy, Huntley, and Malloy

MOTION APPROVED: 4-0

PUBLIC HEARING

- (3) Request for a Conditional Use Permit to set aside the two way driveway requirement of 24 feet at 212 Sneden Street which is located in an R-2000-P district (Medium High Density Residential and/or Professional and Administrative Offices).

Schley excused himself from discussion on the proposed matter due to a financial conflict of interest.

Anna Scott, on behalf of Patsy Schley the owner of 212 Sneden Street, explained to the commission the Mrs. Schley is seeking a conditional use permit to set aside the two-way driveway requirements. Currently on the property is a unit in the back. In 1989 a fire destroyed a larger unit in the front. Mrs. Schley is looking to rebuild the unit as a single story rental property. Due to the small lot size, there is not enough room for a 24 feet driveway and it is proposed to add a 16 feet driveway along the side of the property.

The public hearing was closed at 7:40 P.M.

NEW BUSINESS

- (5) Request for a Conditional Use Permit to set aside the two way driveway requirement of 24 feet at 212 Sneden Street which is located in an R-2000-P district (Medium High Density Residential and/or Professional and Administrative Offices).

It was clarified that the driveway would be paved and the required parking area in the back will be a pervious surface.

Hardy made a motion to approve the Conditional Use Permit at 212 Sneden Street to set aside the two way driveway requirement of 24 feet by allowing for a 16 feet paved driveway and a pervious surface parking area as requested in the application.

Ayes: Crom, Hardy, Huntley, and Malloy

MOTION APPROVED: 4-0

Schley returned to the meeting in progress.

STAFF AND COMMISSION REPORTS:

Caldwell recognized Jose Garcia in the audience who has been nominated by the interview committee for the recent planning commission vacancy. The recommendation will go in front of the City Council for approval on April 9th.

Crom asked for an update on the Cottonwood Plaza property. Schley stated that plans have been submitted for rebuilding the stairways; work will begin on a sewer line for a grease interceptor through Building B anticipating restaurants going in; and there will be drainage system work to put in an oil-water separator and for cleaning storm waters before leaving the site. Crom asked what the time line is to finish construction and to open businesses. Schley stated the work is going slowly but there has been recent progress.

ADJOURNMENT:

Chairman Malloy adjourned the meeting at 7:51 P.M. The next scheduled meeting will be April 30, 2013 at 7:00 P.M. in the City Council Chambers.

Chairman Malloy

Michele Thomas, Secretary