

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

DATE:

March 26, 2013

7:00 P.M.

NOTICE TO THE PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (760) 873-5863. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35.104 ADA Title II).

Any writing that is a public record that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at City Hall, 377 West Line Street, Bishop, California.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT: NOTICE TO THE PUBLIC: This time is set aside to receive public comment on matters not calendared on the agenda.

CORRESPONDENCE:

Copies of two letters from David Grah, City of Bishop Director of Public Works, to Thomas Hallenbeck, Caltrans District Director, and Don McGhie, Los Angeles DWP, regarding the Caltrans Maintenance Facility expansion on Spruce Street.

APPROVAL OF MINUTES

- (1) Minutes of the Planning Commission meeting held on February 26, 2013 subject for approval.

PUBLIC HEARING

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

- (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).

NEW BUSINESS

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

STAFF AND COMMISSION REPORTS

ADJOURNMENT: The next regularly scheduled meeting of the Planning Commission will be April 30, 2013 at 7:00 P.M. in the Bishop City Council Chambers, 301 West Line Street, Bishop.



CITY OF BISHOP

377 West Line Street - Bishop, California 93514

Post Office Box 1236 - Bishop, California 93515

760-873-8458 publicworks@ca-bishop.us

www.ca-bishop.us

15 March 2013

Thomas P. Hallenbeck
District Director
Caltrans District 9
500 South Main Street
Bishop, California 93514

Thomas:

This is to confirm recent discussions with your staff concerning expansion of the Caltrans maintenance station on Spruce Street in the City of Bishop. An earlier letter on this subject was sent to you in January 2011.

The city continues to be receptive to the expansion as long as the expanded station is as compact as possible, the use of frontage on Spruce Street is minimized, and access to undeveloped parts of the city is not restricted. This has been shared with your staff by city staff and by the City of Bishop Planning Commission.

In October 2012, Caltrans staff presented the proposed expansion to the Planning Commission. The presentation included several alternative configurations for the expansion. As reflected in the approved minutes from that meeting, the Commission asked Caltrans to pursue a hybrid alternative that minimized the use of street frontage, made use of space behind existing station and the expansion, and still avoided the areas where Caltrans has identified environmental issues.

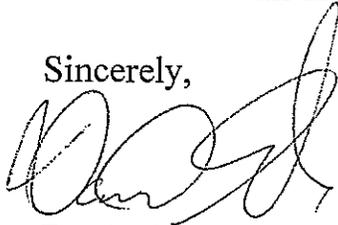
We were disappointed to learn at a recent meeting with your staff that Caltrans has selected an alternative that does not effectively respond to the Commission's request. The selected alternative does not make use of space behind the station and so uses more street frontage than is necessary.

Hallenbeck
15 March 2013

The project is expected to be on the agenda for the April 2013 Planning Commission meeting. It could be helpful if Caltrans staff could be present at this meeting. The meeting will be at 7pm, 30 April 2013 in the Bishop City Council Chambers at 301 West Line Street.

As development of the project moves forward, it will be important to continue discussions about water and sewer service, driveway access, and drainage of the facility. We look forward to working with your staff to make the project a success for both Caltrans and the City of Bishop.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Grah', written over a light blue horizontal line.

David Grah
Director of Public Works



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19 March 2013

Don McGhie
Los Angeles Department of Water and Power (DWP),
500 Mandich Street
Bishop, California 93514

Don:

This is to make you aware of discussion between the City of Bishop and Caltrans concerning proposed expansion of their maintenance station on Spruce Street in Bishop.

As you know, Caltrans proposes to double the size of their maintenance station on Spruce Street. The land needed for the expansion would be acquired from DWP. Caltrans initial proposal was to expand the station entirely to the south effectively doubling the street frontage taken up by the facility. The city is concerned that expanding the station in this way would prevent access to the developable land between Spruce Street and the Bishop Creek Canal. (It is worth noting we are aware of no plans to develop this land but still we are bound to protect the possibility of its development in the future.)

We asked Caltrans to look at alternatives that reduced the use of frontage on Spruce Street and maximized the use of land east of the existing station and east of the proposed expansion. Although they now propose to expand the maintenance station using less street frontage than originally proposed, we believe there is substantial opportunity to further reduce the use of street frontage while still avoiding environmentally sensitive areas and providing the additional area they desire. The topic has been discussed at two past Planning Commission meetings and is on the agenda for the April meeting. A letter to Caltrans from the Commission reiterating the city's position is expected after that meeting.

Although the issues the City of Bishop have identified with the proposed expansion have no direct bearing on negotiations between Caltrans and DWP for the acquisition of property necessary for the expansion, we wanted you to be aware of our continued concerns. If you need additional information, please let me know.

Sincerely,

David Grah
Director of Public Works

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

February 26, 2013

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Bhakta.

COMMISSIONERS PRESENT:

Bhakta, Lowthorp, Crom and Malloy

COMMISSIONERS ABSENT:

Hardy and Huntley

OTHERS PRESENT:

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

PUBLIC COMMENT

Chairman Bhakta asked if anyone wished to speak on a subject not calendared on the agenda.

David Grah, Director of Public Works, provided an update on the proposed Caltrans Maintenance Yard Expansion project on Spruce Street. The proposal was previously discussed at the October Planning Commission meeting. The expansion is proposed to double the size of the Caltrans maintenance facility. Because it is a state project, the city has no discretionary land use authority. On the other hand, Caltrans has a duty to work with the community. It was noted that Caltrans also depends on the city for water and sewer service, access to the property, and drainage. The main concern regarding the project is that the original proposed expansion configuration severed access to most of the M-1, General Industrial, land within the city limits. At the October meeting, Caltrans presented five expansion alternatives. At that meeting the commission and staff suggested a hybrid of their Alternatives C and E which expanded the facility to the south but still used space behind the facility and avoided sensitive areas identified by Caltrans.

At a meeting last week with Caltrans, Grah learned that Caltrans has completed their environmental process and have selected Alternative C. Alternative C occupies an additional 300 feet of frontage on Spruce Street and does not use usable space behind the facility. Grah stated that he is disappointed that there doesn't seem to be any accommodations for the city's recommendations on the project.

Bhakta asked if Caltrans had given any comment of the alternative proposed by city staff and the commission. Grah stated that Caltrans said they considered the recommendation from the city, the environmental has been completed, and the Alternative C is what they deemed to be best.

Crom feels staff and the commission, along with LADWP, should meet with Caltrans to discuss the project. Bhakta agrees to include LADWP with any future discussion on the matter.

Staff and commission agree to place the subject on the next agenda for discussion and action.

CORRESPONDENCE

A letter of resignation from Planning Commissioner Ted Gardner was received January 7th.

(1) APPROVAL OF MINUTES

MOTION

Commissioner Malloy moved to approve the minutes of the October 30, 2012 meeting as written.

Ayes: Bhakta, Malloy, Crom, and Lowthorp

Abstain: None

MOTION CARRIED: 4-0

PUBLIC HEARING

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

Schley explained to the commission that the city is proposing an amendment to the zoning ordinance and the Bishop Municipal Code Title 17 to include a definition for transitional housing and supportive housing. The amendment is necessary for compliance with Senate Bill 2, Government code section 65583, and the City of Bishop's 2009 Housing Element.

Shirley Beery, owner of Our Water Works Car Wash at 989 North Main Street, questioned where an emergency shelter would be located. Schley explained that the ordinance is not for an actual emergency shelter but an area zoned where a shelter would be permitted by law. Tracy added that the law requires cities to create an area where emergency shelters can be created as a matter of right. We are only creating an area

where someone could put one in if they chose to. There is no knowledge of interest in building a shelter at this time. Beery asked about the Salvation Army and their proposed project on Mac Iver Street. Schley said that their proposal is for a store and chapel, not an overnight facility. Bhakta asked staff to clarify the location of the zoning for Ms. Beery. Schley explained that the emergency shelter overlay zone is on each side of Mac Iver Street to Spruce Street and east of Spruce Street to the city limit.

Mark Heckman, resident at 185 Mac Iver Street, asked the commission to oppose the ordinance as it is written. Heckman states he is concerned about the possibility of the shelter being right next door to his house and the character of clients that may utilize a shelter in his neighborhood. Heckman also asked why the Mac Iver Street area was chosen as an emergency shelter zone instead of other areas within the city limits further away from residents and children. Heckman would also like a clarification of the requirements for an emergency shelter.

Schley explained that the emergency shelter zone ordinance has been in place for the past 2 years. The city is currently adding transitional housing and supportive housing into the emergency shelter overlay zone.

Bhakta asked if there was a minimum acreage requirement or a size requirement when the zone was first passed. Schley stated that there was not a requirement for either. Bhakta also asked if existing structures could have been excluded from the zone overlay. Schley said that the City Council has the ability to choose any C-1, R-3, and R-3-P to be overlaid with the emergency shelter zone. This area was chosen 2 years ago and it may be difficult to now exclude any of the area already zoned. Bhakta then asked what the requirements would be if someone in an existing structure within the zone applied to become a shelter. Schley stated that the requirements are established in the City's Municipal Code, Chapter 17, ES Emergency Shelter Combining District, Section 17.38.060 Standards and Requirements.

Crom asked for a clarification of the requirements pertaining to the character of the individuals that may be allowed to stay in a shelter. Crom would like to know the information prior to approving amending the zone. Schley read requirements from the 17.38.050 - Standards and requirements, section B-5b regarding client restrictions.

Schley stated that language could be added into the ordinance that supportive and transitional housing is only approved in the overlay zone area east of Spruce Street.

The public hearing was closed at 7:52 P.M.

NEW BUSINESS

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

Malloy read from Chapter 17.38.010-Purpose Section B explaining the location of the emergency shelter combining district. He stated that the language from this section is a guiding point necessary when looking at the zone and talking about the more distant zones in the city limits. Schley added that this is why the zone was originally laid out where it is located. Malloy then stated that any restrictions already in place for the zone

in which the overlay zone is part of would be in effect. Malloy feels that the commission needs more clarification regarding the federal, state or local laws, rules, regulations, ordinances or policies part of the requirements listed in Section 17.38.060-Standards and requirements part B. He also added that with the requirements for an emergency shelter someone would not be able to take an existing home and convert it into a shelter; there are too many restrictions. Malloy would like an outline to help everyone understand what is required for these centers to be in operation. Malloy ended by explaining that the main purpose of an emergency shelter is to assist families and individuals who may come into a situation of losing their home or being evicted and not having a place to stay. And the city needs to organize these services in ways that businesses and residences don't have their quality of life and ability to do business unfairly or negatively impacted by a shelter. At the same time, keep in mind that there are people in our community that we would all like to help, and without these sorts of facilities, we don't have the opportunity to help.

Crom made a motion to recommend the adoption of the ordinance as presented with the recommendation that the transitional and supportive housing portions only be allowed in the area of the overlay zone located east of Spruce Street.

Ayes: Crom

Noes: Malloy, Lowthorp, and Bhakta

MOTION DENIED: 1-4

The commission asked staff to research federal and state rules and regulations in regards to development and use of supportive and transitional housing.

Malloy made a motion to continue discussion for further consideration to the next Planning Commission meeting in March.

Ayes: Malloy, Lowthorp, Bhakta, and Crom

MOTION CARRIED: 4-0

PUBLIC HEARING

(3) Proposed Amendment of Zoning Ordinance – Reasonable Accommodation Ordinance.

Schley explained that the Reasonable Accommodation Ordinance provides reasonable accommodation for individuals with disabilities. The ordinance sets aside land use and building requirements that may hinder a reasonable accommodation. A reasonable accommodation could be a ramp going to a front door or a porch in a side or front yard setback which normally would not allowed per municipal code. With the amendment, these sorts of accommodations can be approved by staff without having the individual request approval of a Conditional Use Permit.

The public hearing was closed at 8:11 P.M.

NEW BUSINESS

- (5) Proposed Amendment of Zoning Ordinance – Reasonable Accommodation Ordinance.

Lowthorp made a motion to recommend to the City Council they approve the ordinance as presented.

Ayes: Lowthorp, Crom, Malloy, and Bhakta

MOTION APPROVED: 4-0

Chairman Bhakta will sign the letter to the City Council from the Planning Commission recommending the council adopt an amendment to Land Use Ordinance No. 424 of the City of Bishop, adding chapter 17.82 Reasonable Accommodation to Title 17 Zoning of the Bishop Municipal Code and will represent the commission at the March 11th council meeting.

- (6) Reorganization

Chairman Bhakta turned the nominations over to the Keith Caldwell, City Administrator / Planning Director. A call for nominations for the position of chairman was made. Commissioner Crom nominated Darren Malloy. No further nominations were received. Roll call was taken to close the nominations for chairman and passed unanimously.

A roll call vote was taken for the election of Darren Malloy for Chairman. Ayes: Lowthorp, Crom, Bhakta, and Malloy. Darren Malloy will serve a one-year term as Chairman.

Newly elected Chairman Malloy opened nominations for the position of Vice-Chairman and Commissioner Lowthorp nominated David Bhakta. No further nominations were received. Roll call was taken to close the nominations for vice chairman and passed unanimously.

A roll call vote was taken for the election of David Bhakta for Vice-Chairman. Ayes: Lowthorp, Crom, Malloy, and Bhakta. David Bhakta will serve a one-year term as Vice-Chairman.

- (7) Select two commissioners to sit on panel for commission opening.

Caldwell stated that at the last council meeting it was determined that there will be two council members to serve as part of a committee along with two commissioners selected tonight to chose who will fill the vacancy on the commission. At this point, we do not have any applications for the vacancy but we do know of two people who are interested. The closing date for applications is this Thursday, February 28.

Crom said that he is available and Thomas will call the two commissioners absent this evening to ask if one of them could sit on the panel.

STAFF AND COMMISSION REPORTS:

Crom suggested that the Planning Commission meet more often to be updated on any projects and future business ideas that staff may become aware of within city limits. Staff will make sure to update the commission during months nothing is calendared on the agenda.

ADJOURNMENT:

Chairman Bhakta adjourned the meeting at 8:21 P.M. The next scheduled meeting will be March 26, 2013 at 7:00 P.M. in the City Council Chambers.

Chairman Malloy

Michele Thomas, Secretary

MEMORANDUM

TO: Planning Commission

FROM: Keith Caldwell, Planning Director

SUBJECT: PUBLIC HEARING – Proposed Amendment of Zoning Ordinance –
ES Emergency Shelter Combining District

DATE: March 21, 2013

A Public Hearing has been scheduled to accept input regarding a request to review the draft amended zoning ordinance for ES Emergency Shelter Combining District and provide a recommendation to the City Council. To comply with SB2 (Planning Government Code Sec. 65583) and the City of Bishop 2009 Housing Element, an amendment is necessary.

RECOMMENDATION:

Hold Public Hearing.

MEMORANDUM

TO: Planning Commission

FROM: Keith Caldwell, Director of Planning

SUBJECT: PUBLIC HEARING – Conditional Use Permit –
212 Sneden Street

DATE: March 21, 2013

A Public Hearing has been scheduled to hear and consider public input on the 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 a R-2000-P district (Medium High Density Residential and/or Professional and Administrative Offices).

RECOMMENDATION:

Hold Public Hearing

MEMORANDUM

TO: Planning Commission

FROM: Keith Caldwell, City Administrator

SUBJECT: NEW BUSINESS – Proposed Amendment of Zoning Ordinance – ES
Emergency Shelter Combining District

DATE: March 21, 2013

The City of Bishop is proposing an amendment to the Zoning Ordinance and Bishop Municipal Code Title 17 to include a definition for “Transitional Housing and Supportive Housing,” and amend chapter 17.38 ES Emergency Shelter Combining District to include transitional and supportive housing as permitted uses. The amendment is necessary for compliance with SB2 (Planning Government Code Sec. 65583) and the City of Bishop 2009 Housing Element.

RECOMMENDATION:

Review the draft amended zoning ordinance for ES Emergency Shelter Combining District and make a recommendation for approval of the Final amended ordinance for ES Emergency Shelter Combining District to the City Council.

MEMORANDUM

Date: March 20, 2013

To: Keith Caldwell, Planning Director

From: Gary Schley, Public Services Officer

Subject: Amendment to the City of Bishop Zoning Ordinance

Background: The City of Bishop is proposing an amendment to the Zoning Ordinance and Bishop Municipal Code Title 17 to include a definition for “Transitional Housing and Supportive Housing,” and amend chapter 17.38 ES Emergency Shelter Combining District to include transitional and supportive housing as permitted uses. The amendment is necessary for compliance with SB2 (Planning Government Code Sec. 65583) and the City of Bishop 2009 Housing Element.

Generally, SB 2 strengthens planning requirements to identify zones where emergency shelters, transitional and supportive housing will be allowed without requiring a conditional use permit. If such zoning does not exist, a local government is required to designate zoning within one year of the adoption of the housing element.

Transitional housing is a type of supportive housing used to facilitate the movement of homeless individuals and families to permanent housing. A homeless person may live in a transitional apartment for up to two-years while receiving supportive services that enable independent living. Every locality must identify zones that will allow the development of transitional housing. Appropriate sites for transitional housing have the following characteristics:

Zoning: Transitional housing should be subject to the same permitting processes as other housing in the zone without undue special regulatory requirements.

Location: The zoning should include sites located within the boundaries of the jurisdiction and close to public services and facilities, including transportation.

Development Standards: Parking requirements, fire regulations, and design standards should not impede the efficient use of the site as transitional housing.

Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives.

Typically, a portion of the housing is targeted to people who have risk factors such as homelessness, or health challenges such as mental illness or substance addiction. Study after study attest to the cost effectiveness of supportive housing. Not only is it significantly less expensive than the institutional alternatives that homeless and disabled people often cycle through – including shelters, institutions and hospitals – it ends tenants’ dependence on emergency services for healthcare and treatment. The types of support services that can be provided include medical and mental health care, vocational and employment services, substance abuse treatment, childcare, and independent living skills training.

Most supportive housing is built and managed by non-profit housing developers in partnership with non-profit service providers. However, local governments must play a proactive role in assuring

support and providing necessary approvals. The housing element should identify zones that allow supportive housing development and demonstrate that zoning, local regulations (standards and the permit process) encourage and facilitate supportive housing.

The Planning Commission at its scheduled meeting on February 26, 2013 requested staff to research rules and laws that regulate the licensing and operation of transitional and supportive housing. Emergency shelters, transitional and supportive housing are regulated by Title 22 of California Code of Regulations. Title 22 may be viewed at <http://www.dss.cahwnet.gov/ord/PG240.htm>. Title 22 California Code of Regulations is administered by California Department of Social Services and addresses general licensing requirements, provides manuals of policies and procedures (operational requirements) for group homes, adult residential facilities, social rehabilitation facilities, transitional housing placement programs and other types of housing programs. The manuals address basic services, administrator qualifications and duties, personnel requirements, records, acceptance and retention limitations, eviction procedures, mental health intake assessment, client records, personal rights, buildings and grounds and much more.

Based upon a review of the proposed amendment to the Emergency Shelter Combining District Ordinance, an addendum to the Emergency Shelter Combining District Initial Study / Negative Declaration is appropriate because the amendment is minor (pursuant to CEQA Section 15162). The City Council shall consider the addendum with the adopted negative declaration prior to making a decision on the project.

Proposed zoning ordinance amendments must be submitted to the planning commission and given a noticed public hearing. After the hearing, the planning commission must render its decision in the form of a written recommendation to the City Council.

Recommendation: Hold a public hearing and review the draft amended zoning ordinance for ES Emergency Shelter Combining District and provide a recommendation to the City Council.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, ADDING SECTION 17.08.116 AND 17.08.117 TO CHAPTER 17.08 DEFINITIONS OF TITLE 17 ZONING OF THE BISHOP MUNICIPAL CODE; AND AMENDING CHAPTER 17.38 ES EMERGENCY SHELTER COMBINING DISTRICT AND ORDINANCE NO. 534 RESPECTING SUPPORTIVE AND TRANSITIONAL HOUSING

THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Bishop Municipal Code Title 17 ZONING, Chapter 17.08 DEFINITIONS is hereby amended to add new section titles as follows:

Chapter 17.08

DEFINITIONS

“Sections:

17.08.116 Supportive housing

17.08.117 Transitional housing”

SECTION 2. Bishop Municipal Code Chapter 17.08 DEFINITIONS is hereby amended to add new sections 17.08.116 Supportive Housing and 17.08.117 Transitional Housing which read in their entirety as follows:

“17.08.116 Supportive Housing. ‘Supportive housing’ means permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives and typically linked to onsite or offsite services that support residents in maintaining the housing, improving their health and maximizing their ability to live independently and, when possible, to work within the community.

17.08.117 Transitional Housing. ‘Transitional housing’ means a type of supportive housing used to facilitate the movement of homeless individuals and families to permanent housing.”

SECTION 3. Chapter 17.38 ES Emergency Shelter Combining District is hereby amended to read in its entirety as follows:

“Chapter 17.38

ES EMERGENCY SHELTER COMBINING DISTRICT

Sections:

- 17.38.010 Purpose.
- 17.38.020 Client.
- 17.38.030 Applicability.
- 17.38.040 Permitted uses.
- 17.38.050 Uses expressly prohibited.
- 17.38.060 Standards and requirements.

17.38.010 Purpose. The purpose of this chapter is to comply with the housing element requirements of the State of California.

A. The ES emergency shelter combining district is intended to be combined with C-1, R-3 and/or R-3-P districts to permit a specified area in which emergency shelters, supportive housing and transitional housing developments will be allowed by right.

B. The location of the ES emergency shelter combining district reflects a close association with, provides convenience to and/or is compatible with surrounding uses with a range of complementary services, including the availability of public transportation, basic goods and grocery stores, and social welfare facilities.

17.38.020 Client. For purposes of this chapter ‘client’ means individuals and/or families using emergency shelter, Supportive housing or transitional housing facilities.

17.38.030 Applicability.

A. The ES emergency shelter combining district may be combined with any C-1, R-3 and/or R-3-P district which in the judgment of the city council possesses the desired locational and site design characteristics as set forth in Section 17.38.060A.

B. All operators of emergency shelters, supportive housing and transitional housing development prior to commencing such operation, shall apply to the city planning department to assure that all standards and requirements set forth in Section 17.38.060 will be met.

17.38.040 Permitted uses.

A. The permitted uses in an ES emergency shelter combining district include emergency shelters, supportive housing and transitional housing developments that comply with the standards and requirements set forth in Section 17.38.050, and associated supportive services. Such permitted uses shall be in addition to the permitted uses allowed by the underlying district with which the ES emergency shelter combining district is combined.

B. If an ES emergency shelter combining district overlies more than one type of district, C-1, R-3 and/or R-3-P, then such additional permitted uses shall only be those which are permitted in the district which underlies the proposed project.

17.38.050 Uses expressly prohibited. Prohibited uses shall be those set forth in Section 17.48.030 for C-1 districts; those set forth in Section 17.36.030 for R-3 district; for those set forth in Section 17.40.030 for R-3-P districts.

17.38.060 Standards and requirements.

A. Standards. Except as provided hereafter, standards shall be as provided in the underlying district.

B. Requirements. Any proposed emergency shelter, supportive housing and/or transitional housing development located in an ES emergency shelter combining district shall operate under the requirements set forth below. Such requirements are in addition to any other requirements set forth in federal, state or local laws, rules, regulations, ordinances or policies.

1. Capacity. The maximum number of clients permitted in any emergency shelter, supportive housing and/or transitional housing development is ten.

2. Vehicle parking. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide onsite vehicle parking as follows: one parking space for each two client beds.

3. Bicycle parking. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide bicycle racks that allow for the secure storage of bicycles. Bicycle racks shall accommodate at least one bicycle storage space for every five client beds. All bicycle racks shall be on site and located in an area that is not visible from a public right-of-way.

4. Intake areas. If the intake area of an emergency shelter, supportive housing and/or transitional housing development is located onsite, the operator shall provide an enclosed interior waiting area. There shall be no outdoor queuing of potential clients.

5. Management.

a. Onsite management. The operator of an emergency shelter or transitional housing development shall provide an onsite management or support employee during all hours of operation. Only persons who are not residential emergency shelter or transitional housing clients may serve as onsite management or support employees. Supportive housing developments shall be required to provide management and/or support employees that may be located onsite or offsite.

b. Client restriction. The operator of an emergency shelter, supportive housing and/or transitional housing development may conduct a background check on all prospective clients using all means allowed by law, and may restrict client intake in accordance with state and local registered sex offender residency restrictions and comply with any applicable parolee obligations. An operator of an emergency shelter supportive housing and/or transitional housing development shall not intake any person as a client who that operator knows is a fugitive from justice, nor any person known by such operator to be a threat to the safety of other clients.

c. Personal storage. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide a private storage area or closet for each onsite bed or unit. At no time shall any client keep on site any alcoholic beverages, or any type of illegal drugs or other illegal or dangerous substances, or deadly weapons, unless otherwise permitted by state or federal law. An emergency shelter manager and a transitional housing development manager shall conduct routine inspections of each onsite client's assigned personal space or unit to verify compliance with the foregoing, and shall report to the police any client violation of this subparagraph. A manager of a supportive housing development may conduct routine inspections of each onsite client's assigned personal space or unit to verify compliance with the foregoing, and shall report to the police any client violation of this subparagraph.

d. Shower and toilet facilities. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide toilets, sinks and showers onsite. The manager shall be responsible for ensuring that all restroom and shower facilities comply with city building code requirements. Emergency shelter facilities shall be provided with secure restroom and shower facilities.

e. Food service areas. The operator of an emergency shelter, supportive housing and/or transitional housing development shall be responsible for ensuring that any food service or onsite meal preparation areas comply with all applicable requirements of the county health department.

f. Outdoor storage. The operator of an emergency shelter, supportive housing and/or transitional housing development shall screen any and all outdoor storage areas from view from all public rights-of-way and onsite parking lots. The manager shall ensure that all outside storage areas be maintained in a neat, clean and orderly manner at all times.

6. Length of stay. The operator of an emergency shelter shall not allow any emergency shelter client to stay for a period longer than six months in any consecutive twelve month period. The operator of a transitional housing development shall not allow any client to stay for a period longer than two years in any consecutive five year period. There shall be no limit on the length of stay at a supportive housing development.

7. Hours of operation. The operator of an emergency shelter and/or transitional housing development shall establish and maintain set days and hours of operation for client intake and discharge. These hours shall be clearly displayed at the entrance to the emergency shelter and/or transitional housing development at all times.

8. Disruptive clients. In the event that a client of an emergency shelter, supportive housing and/or transitional housing development is socially disruptive, a threat to the safety of others, or in violation of housing facility rules the manager may proceed to discharge that client immediately.

9. Lighting. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide night-time lighting in all exterior parking areas and along the periphery of the building(s). All such lighting shall be screened from adjoining properties by down lights, hoods or similar means.

10. Security. The operator of an emergency shelter, supportive housing and/or transitional housing development shall submit an onsite security plan to the city planning department and to the city police department. The operator shall be responsible for ensuring that the approved security plan is implemented at all times during the operation of the emergency shelter, supportive housing and/or transitional housing developments.

11. Inability to pay. No individual or household may be denied emergency shelter or access to supportive and/or transitional housing development because of an inability to pay.

12. Signs.

a. Exterior signs C-1 district. Exterior signs in the portion of an ES emergency shelter combining district that overlays a C-1 district shall comply with standards for the C-1 district as set forth in Section 17.48.060.

b. Exterior signs R-3 and R-3-P district. Notwithstanding Sections 17.36.070, and 17.40.070, exterior signs in the portion of an ES emergency shelter combining district that overlays an R-3, R-3-P and/or R-2000 district shall be permitted, solely for purposes of identifying the emergency shelter, supportive housing and/or transitional housing development up to a maximum area of nine square feet.”

SECTION 4. Except as hereby specifically amended, all other terms and provisions of Chapters 17.08 and 17.38 of Title 17 of the Bishop Municipal Code shall remain in full force and effect. Ordinance No. 534 of the City of Bishop is hereby amended to the extent that it is inconsistent herewith; however except as hereby specifically amended, all other terms and provisions or Ordinance No. 534 shall remain in full force and effect.

SECTION 5. This ordinance shall be in full force and effect thirty (30) days from and after its passage and adoption.

SECTION 6. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form provided by law in the Inyo Register, a newspaper of general circulation printed and published in the City of Bishop, State of California which said newspaper is hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

DRAFT



CITY OF BISHOP

377 West Line Street - Bishop, California 93514
Post Office Box 1236 - Bishop, California 93515
760-873-8458 publicworks@ca-bishop.us
www.ca-bishop.us

February 27, 2013

Bishop City Council
PO Box 1236
Bishop, CA 93515

Re: Proposed Amendment of Zoning Ordinance

Please be advised that the Bishop Planning Commission, at their February 26, 2013 meeting, voted ___ to recommend the City Council adopt an amendment to 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 and Ordinance No. 534 respecting supportive and transitional housing. The draft ordinance amendment is intended to allow permitting of supportive housing and transitional housing developments in the ES Emergency Shelter Combining District.

The Planning Commission found that the proposed zoning ordinance amendments are consistent with the policies of the State of California Department of Housing and Community Development, and the City of Bishop 2009 Housing Element.

Sincerely,

David Bhakta
Commissioner, Bishop Planning Commission

MEMORANDUM

TO: Planning Commission

FROM: Keith Caldwell, Planning Director

SUBJECT: NEW BUSINESS – Conditional Use Permit –
212 Sneden Street

DATE: March 21, 2013

A request for a Conditional Use Permit (CUP) at 212 Sneden Street is attached for Commissioner Review. The request is to set aside the two way driveway requirement of 24 feet as shown on the attached site plan.

RECOMMENDATION:

Review the request for a CUP to set aside the two way driveway requirement of 24 feet at 212 Sneden Street.

MEMORANDUM

Date: March 20, 2013

To: Planning Commission

From: Keith Caldwell, City Administrator *KJC*

Project Title: Schley 212 Sneden St. / Conditional Use Permit

Project Proponent: Patsy Schley
2607 Sunset Rd.
Bishop, CA 93514

Background: An application for a request of a Conditional Use Permit to allow the applicant Patsy Schley to set aside the two way driveway requirement of 24 feet, to a driveway width of 16 feet and the required paved parking surface to a pervious surface at 212 Sneden Street (APN 01-184-11). The proposed project is in an R-2000-P zone (Medium High Density Residential District and/or Professional and Administrative Offices). Land use to the west of the proposed project is C-1 (General Commercial and Retail), to the north R-2000-P, to the south and east R-2000-P. Setting to the west of the proposed project are several commercial businesses, a hotel, one single family resident and an apartment building. To the north the settings are several single family residences, a church and several office/professional buildings. To the east and south are single and multi-family residences.

The project parcel has an existing dwelling unit and is proposing the placement of an additional dwelling unit. The parcel was previously developed with two residential dwelling units. The main dwelling unit was destroyed by fire in 1989. The parcel is within an R-2000-P zone which would allow the placement of three dwelling units on the site.

The proposed pervious surface parking area would provide onsite drainage saturation which would improve impacts to street drainage.

Approval of the request would permit access to a proposed four space parking area which will serve the two dwelling units.

The City of Bishop Housing Element has set several goals, policies and action items which encourages residential development and relates with the proposed project. They are quoted as:

- "To encourage development of higher density development within walking or bicycling distance to the City's business and commercial areas."
- "To provide adequate housing opportunities for low and moderate income households as required by the State of California."
- "As a high priority for residential development, the City will encourage

in-fill and redevelopment of existing private land into residential densities specified on the land use map.”

- “The City encourages maintenance of all residential uses, even if new or non-conforming, and upgrades to new, existing and proposed residential units.”
- “The City encourages in-fill & redevelopment of existing private land into residential densities specified on the land use map.”

Encouraging residential development as outlined in our housing element along with compliance with the Bishop Municipal Code is a fairly hard task. A typical residential lot within the city have a fifty ft. width. Fitting a dwelling unit, a compliant driveway, parking and yards within fifty ft. dimension is difficult without exceptions.

Bishop Municipal Code, Chapter 17.32, R-2000-P District:

Section 17.32.100 Driveways. When a driveway is provided, it shall not be less than twelve feet in width and shall not be encumbered by any projection less than eight feet above the driveway. Driveways to be utilized for two way traffic shall be a minimum of twenty-four feet wide.

17.32.080 - Parking requirements. In all residential zones, whether now existing or concurrently or hereafter enacted, the following parking space requirements shall apply:

- A. In all zones, there shall be at least two spaces for every dwelling unit.
- B. All required parking spaces shall be on the same parcel as the main building and shall be located to the rear of the front setback line.
- C. Provisions with respect to the location of garages or carports shall be as specifically required in this chapter.
- D. Each parking space shall be not less than nine feet in width and twenty feet in depth and shall be paved and, in all residential districts, shall be accessible with a minimum of twenty-four feet of unobstructed space provided for the maneuvering of vehicles.
- E. Notwithstanding the foregoing, parking spaces shall not be in tandem and one space shall be within a garage or carport. The other shall be paved and may be covered or uncovered.

Recommendation: Review the request for a Conditional Use Permit to set aside the two way driveway from 24 feet to a 16 ft. driveway and the paved parking surface requirement to a pervious surface at 212 Snedon Street.

City of Bishop

Use Permit and Zoning Variance Application Form
(To be completed by applicant)

Date Filed March 11, 2013

This application is for a (circle one) Conditional Use Permit Zoning Variance

Name and address of applicant:

Patsy Schley, 2607 Sunset Drive, Bishop, CA 93514

Name and address of property owner:

Patsy Schley, 2607 Sunset Drive, Bishop, CA 93514

Legal description of property:

Clarke Addition Block CE Lot 17 - Bishop

Location (address, section, township, range, parcel number):

212 Snedon Street, Bishop, CA, APN 001-184-11

Present zoning:

R-2000-P Medium High Density Residential and/or Professional and Administrative Offices

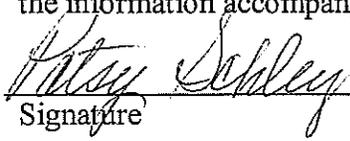
General Plan designation:

Residential

Proposed use of property:

Multi-family, 2 dwelling units. Propose to redevelop a previous developed multi-unit site and request to set aside of the two-way driveway and solid paved parking surface requirements per Municipal Code Section 17.32.100.

Consent of Owner: The following must be signed by at least one owner of record. I consent to the information accompanying this statement.



Signature

03/08/2013

Date

Patsy Schley

Name

760-873-3622

Phone or email

Applicant Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature

03/08/2013

Date

Patsy Schley

Name

760-873-3622

Phone or email

This Section For City Use

Filing Fee:

Receipt/application number:

Accepted for processing (signature and date):

Staff action:

Planning Commission Action:

Remarks

March 8, 2013

City of Bishop Planning Commission
P.O. Box 1236
Bishop, CA 93515

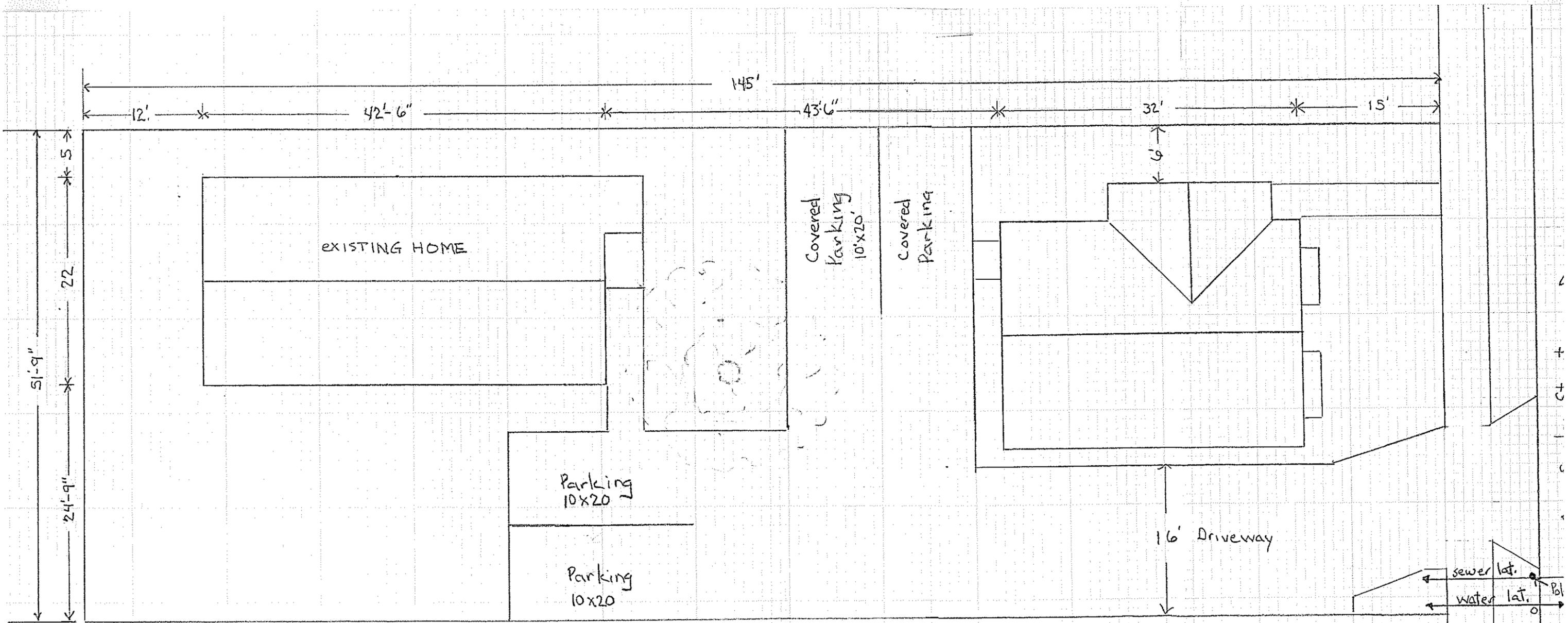
I plan to redevelop a dwelling unit that was destroyed by fire at 212 Sneden Street. The previously developed site contained two dwelling units, an approximate 1800 sq. ft. two story dwelling with a 935 sq. ft. second dwelling. The second dwelling remains on the site. The site as previously developed had a 16 ft. wide driveway with one legal parking space.

The proposed development will provide a new 824 sq. ft. dwelling, a 16 ft wide driveway, four legal pervious surface parking spaces, two being covered, rehabilitation of the existing dwelling and landscape. The reason I am proposing pervious surface parking is to manage drainage on site with less impact to street drainage. The driveway will provide two 8 ft. drive lanes which is tight for a full sized vehicle but adequate for smaller vehicles. The driveway is not anticipated to cause traffic congestion on or off site.

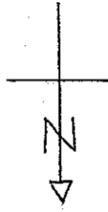
I am requesting the Planning Commission to grant a conditional use permit for the proposed project setting aside the two way driveway and the paved parking area requirements.

Sincerely,


Patsy Sehley



212 Snedon Street
 APN 001-184-11
 SCALE 1"=10'



180A

180 Sneden St

192 Sneden St

APN 001-184-11

215A

212 Sneden St

224 Sneden St

250 Sneden St

Sneden Street

