

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

DATE:

September 24, 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.

APPROVAL OF MINUTES

- (1) Minutes of the Planning Commission meeting held on August 27, 2013 subject for approval.

NEW BUSINESS

- (2) Bishop 2014 – 2019 Housing Element Update Presentation by Sandra Bauer of Bauer Environmental Services.

STAFF AND COMMISSION REPORTS

ADJOURNMENT: The next regularly scheduled meeting of the Planning Commission will be October 29, 2013 at 7:00 P.M. in the Bishop City Council Chambers, 301 West Line Street, Bishop.

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

August 27, 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, Lowthorp, Heckman, Hardy, Garcia, Bhakta, and Malloy

COMMISSIONERS ABSENT:

None

OTHERS PRESENT:

Gary Schley, Public Services Officer
Keith Caldwell, City Administrator / Planning Director
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

None

(1) APPROVAL OF MINUTES

MOTION

Commissioner Huntley moved to approve the minutes of the June 25, 2013 meeting as written.

Ayes: Huntley, Lowthorp, Heckman, and Malloy
Abstain: Hardy, Bhakta, and Garcia

MOTION CARRIED: 4-0

PUBLIC HEARING

- (2) Request for a Conditional Use Permit to set aside the side yard setback from 5 feet to 10 inches and eliminate the requirement for curb, gutter, and sidewalks for a proposed residential construction project at 606 East Line Street.

The Public Hearing opened at 7:03 p.m.

Schley explained that the proposed project is a demolition of an existing single family residence to build a new single family residence at 606 East Line Street. The owners of the property are requesting to set aside the side yard setback to maintain an existing carport that they would like to attach to the newly constructed building. Schley stated he included in the staff report the municipal code for side yard setbacks and also all new construction requires curb, gutter, and sidewalks.

Malloy broke down the Conditional Use Permit requests into three separate parts. First, to set aside the side yard setback. Second is to eliminate sidewalks and planter strips. And third is to eliminate curb and gutter. Schley agreed that there are three requests to make decisions on.

John Harris, co-property owner, addressed first the subject regarding curb, gutter, and sidewalk. Currently the property does not have sidewalk nor does the property to the west. Harris stated that he and his wife do not want a sidewalk so to preserve the country-rural feel of the property. He also said that they feel a sidewalk would stand out because of no other sidewalks existing on either side of the property. Harris added that the street is several inches higher than his lot. To accommodate sidewalks it would be a huge cost because fill dirt would need to be brought in to make the property level with the asphalt.

Harris explained that the reason they would like to maintain the existing carport is so they can build the new house on the current foot print. If they build more to the east, a number of mature Elm trees would need to be removed.

Hardy asked Harris if he had an estimate for the sidewalks and Harris said he has received quotes from \$15,000 - \$50,000.

Carol Harris, co-owner, shared with the commission her love of the area and that she hopes to keep the same footprint of the house.

The Public Hearing closed at 7:28 p.m.

NEW BUSINESS

- (3) Request for a Conditional Use Permit set aside the side yard setback from 5 feet to 10 inches and eliminate the requirement for curb, gutter, and sidewalks for a proposed residential construction project at 606 East Line Street.

Malloy would like the commission to address the issues separately, the carport and then the sidewalks with curb and gutter.

Hardy said that he is not too concerned about the existing carport as much as he is regarding curb, gutter, and sidewalk. Heckman brought up that he believes the setback is for fire access. Schley stated that as long as there is fire separation, you may build on property lines. Malloy pointed out

that on the plans provided in the packet, it noted there will be a firewall built. And he also showed that the house to the west is also within the 5 feet setback. Huntley stated that as commissioners, they have the opportunity to make changes for the future instead of always granting the past as is. Lowthorp stated that with the existing house being demolished completely, the owners should look into another location for a covered parking space. Lowthorp also said that he feels this is a time to remedy a bad situation.

Malloy asked Schley if there would be a fire impediment with the submitted plans. Schley said that he cannot speak for the fire chief, but he doesn't feel there is a problem because there is access around the building from other sides, as well as for the house next door to the west. Bhakta verified that the firewall would bring the carport up to code and Schley confirmed.

Heckman commented that he doesn't think a sidewalk is necessary, but a curb and gutter would be appropriate. Heckman also believes there should be a 5 foot side yard setback. Garcia said that adding a curb, gutter, and sidewalk would add additional value to the property.

Malloy brought up the concern with future homeowners and neighbors. Although no one from the public commented on this project, approving the requests as presented could potentially have some negative impact in the future.

Lowthorp brought up the possibility of making the #3 parking space that is east of the house covered and then removing the cover of the existing covered parking space in question.

Huntley asked the contractor, Ken Carpenter, why the house footprint could not be moved 5 feet. Carpenter stated that in order to move the footprint of the house, various trees would need to be removed. The owner is hoping to not have to remove any of the trees on the property.

Lowthorp, Malloy, and Hardy do not have a problem with granting the portion of the CUP application to eliminate the requirement for curb, gutter, and sidewalk. But the three have concerns regarding the existing covered carport. Malloy confirmed with Schley that there would not be any drainage issues with water coming down Line Street onto the property. Schley doesn't anticipate any issues pertaining to drainage problems.

Hardy made a motion to grant the portion of the Conditional Use Permit eliminating the requirement for curb, gutter, and sidewalks for a proposed residential construction project at 606 East Line Street.

Ayes: Huntley, Lowthorp, Heckman, Garcia, Hardy, Bhakta and Malloy

MOTION CARRIED: 7-0

Malloy made a motion to grant the request for a Conditional Use Permit set aside the side yard setback from 5 feet to 10 inches.

Ayes: Malloy

Noes: Huntley, Lowthorp, Heckman, Garcia, Hardy, and Bhakta

MOTION DENIED WITHOUT PREJUDICE: 6-1

(4) Presentation of Inyo County 2013 General Plan and Zoning Code Update

Elaine Kabala and Josh Hart of Inyo County gave a presentation to provide highlights for the Inyo County General Plan and Zoning Code updates. Inyo County is in the process of updating its General Plan and Zoning Code, and is asking the community to provide input

to help shape the future of their community for the next 20 to 30 years. The General Plan is a policy document used to guide decisions affecting land use, public services and facilities, economic development, housing, circulation, open space conservation, natural resources, and public safety. The Zoning Code is used to implement the goals of the General Plan by regulating land use to preserve the character of the community, discourage incompatible uses from developing adjacent to each other and protect the health, safety and welfare of the community.

STAFF AND COMMISSION REPORTS:

Caldwell shared with the commission that the City is in the process of working on their General Plan as well. It is a five year update that begins 2014, and staff will be working with our consultant over the next several months. Schley added that it will be the Housing Element portion of the General Plan.

ADJOURNMENT:

Chairman Malloy adjourned the meeting at 8:29 P.M. The next scheduled meeting will be September 24, 2013 at 7:00 P.M. in the City Council Chambers.

Chairman Malloy

Michele Thomas, Secretary

MEMORANDUM

Date: September 18, 2013

To: Keith Caldwell, City Administrator

From: Gary Schley, Public Services Officer

Subject: 2014-2019 Draft Housing Element

Background: The City of Bishop preliminary Draft 2014-2019 Housing Element is nearing completion and Sandra Bauer of Bauer Environmental Services would like to make a presentation of the Draft Housing Element. We will be seeking input on the preliminary housing element from the Bishop Planning Commission and the public.

**BISHOP 2014-
2019 HOUSING
ELEMENT
UPDATE**

**PLANNING
COMMISSION
MEETING**

24 SEPTEMBER 2013

7:00 PM

WORKSHOP PURPOSE

- Review overall progress on Draft 2014-2019 Housing Element preparation
- Review accomplishments in meeting goals from the 2009-2014 HE
- Cover key elements of the proposed 2014-2019 HE Action Plan
- Answer questions and obtain input *before* HE is submitted to HCD for review and comment

PROGRESS & SCHEDULE

- Work began on the 2014 HE update during APRIL 2013
- State legislation requires that the update be completed by AUGUST 2014.
- We are currently ON SCHEDULE
- HCD will receive the draft HE for initial review in October-November
- Feedback from the Commission & the public tonight will be followed by refinements as needed before HE submittal to HCD.

PROGRESS ON 2009-2014 HE

City now in the final year of the 2009 - 2014 RHNA planning period. Over the past 4 years, 1 new unit was constructed and 56 units were rehabilitated. The State allows a 1:4 credit ratio for rehab units, thus the table shows credit for 14 housing units through rehabilitation.

To date, trends for 2013 indicate that the City will receive at least as many credits as in 2014, if not more. → This should enable Bishop to fully or near-fully meet the RHNA for the Low and Moderate income categories, and get closer to meeting need in the very low and above moderate categories.

| Income Level | RHNA Allocation | 2009 | 2010 | 2011 | 2012 | 2013 | Total to Date | Total Need Remaining |
|---------------|-----------------|----------|----------|----------|-----------|-------------|---------------|----------------------|
| Very Low | 26 | | | | 1 | In Progress | 1 | 25 |
| Low | 15 | 1.5 | 1 | 3 | 6 | | 11.5 | 3.5 |
| Moderate | 19 | 2.5 | 2 | 4 | 5 | | 13.5 | 5.5 |
| Above Mod. | 50 | | 1 | 1 | 3 | | 5 | 45 |
| TOTALS | 110 | 4 | 4 | 8 | 15 | | 31 | 79 |

GOALS FOR 2014-2019 HE

Numeric Goals

| Income Group | 2009-2014 | 2014-2019 | % Change |
|--------------|------------|-----------|--------------|
| Very Low | 26 | 15 | -42.4% |
| Low | 15 | 10 | -33% |
| Moderate | 19 | 12 | -26.8% |
| Above Mod. | 50 | 28 | -44% |
| | | | |
| TOTAL | 110 | 65 | 40.9% |

HCD Considerations

The 2014-2019 RHNA incorporated a 1-TIME ADJUSTMENT (statewide) to account for the long recession, widespread foreclosures and high unemployment.

Adjustment also reflects HCD ASSUMPTIONS about household & population growth, household size, vacancy rates, the relationship between jobs and housing, projected absorption of vacant sale and rental units and other factors.

Based on these adjustments & assumptions, HCD identified a need for 65 NEW UNITS in Bishop between 2014-2019, compared with 110 units between 2009 and 2014 (a 40%+ drop overall).

DRAFT ACTION PLAN

The Draft Action Plan outlines a total of 14 objectives. Most are goals and programs of prior years, but the current draft also contains several new. Your comments and suggestions on these new action items will be especially helpful at this stage of review:

- **EXPANDED MIXED USE RESIDENTIAL AREA:**
 - Consider expanding the boundaries and/or the range of residential uses permitted in the downtown mixed use overlay zone,
 - Consider zoning modifications to encourage higher density housing in the mixed use area if found to be supportive of the economic development strategy.
- **EXPANDED MIXED USE CONCEPT FOR WARREN ST IMPROVEMENT PROJECT:**
 - Consider ways in which the Warren Street Improvement Project can support expanded residential use of the downtown mixed use zone.
- **CONSIDER WHITNEY ALLEY FOR MIXED USE:**
 - Consider whether Whitney Alley may be suitable for an Improvement Project (like the Warren St Project) that can further enhance the mixed use residential area to support job growth and affordable housing goals.
- **CITY OF LOS ANGELES LANDS:**
 - Continue to work with City of Los Angeles towards purchase, transfer or long-term lease of vacant DWP land for residential development,
 - Establish a dialogue with the new Los Angeles Mayor & administration to facilitate renewed opportunities for this key housing element goal
- **ECONOMIC ELEMENT UPDATE.** As part of ED & LUE updates:
 - Consider residential areas suitable for mixed uses similar to downtown overlay zone.

PUBLIC OUTREACH

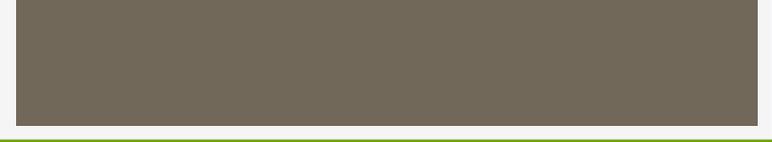
Public outreach and participation are important parts of the HE update as well as the CEQA review process. In addition to this workshop, opportunities for public contribution to the 2009 HE update will include:

- *Review and Comment on Draft Housing Element and Mitigated Negative Declaration (October-December)*
- *A Public Hearing when the final Housing Element and ND are presented to the Planning Commission (May 2014)*
- *A Public Hearing when the final HE and ND are presented to the City Council in June 2014*

Beyond these formal opportunities, we welcome your questions and comments at any stage of the process; please call or e-mail us at the numbers and addresses below:

Sandra Bauer (714.508.2522; Sandra@bpesinc.com)

Gary Schley (760. 873.8458; garyschley@ca-bishop.us)



DISCUSSION, COMMENTS, QUESTIONS AND SUGGESTIONS