

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING COMMISSION OF
THE CITY OF LA MIRADA**

May 17, 2018

CALL TO ORDER The regular meeting of the Planning Commission was called to order at 6:30 p.m. by Chairman Lee Olsen in Council Chambers at City Hall, 13700 La Mirada Boulevard, La Mirada, California.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was recited.

ROLL CALL	Present:	Chairman Lee Olsen Vice Chairman Scott Anderson Commissioner Keith Chung Commissioner Michael Saenz Commissioner Steve Soto
	Staff:	Gabriel Bautista, Community Development Director D. Craig Fox, City Attorney Angel Leon-Martell, Planning Technician Norma Stein, Secretary

APPROVAL OF MINUTES

1. MINUTES OF THE REGULAR MEETING OF APRIL 19, 2018

Vice Chairman Anderson moved, and Commissioner Saenz seconded to approve the minutes of the April 19, 2018 Planning Commission meeting.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES:	Chairman Olsen, Vice Chairman Anderson, Commissioner Saenz, Commissioner Soto
NOES:	None
ABSENT:	None
ABSTAIN:	Commissioner Chung

PUBLIC HEARING

2. ZONING ORDINANCE AMENDMENT NO. 48:

Community Development Director Gabriel Bautista provided a brief review of the staff report via a PowerPoint presentation. Mr. Bautista stated that the item being considered was a Planning Commission resolution recommending to the City Council

the adoption of Zoning Ordinance Amendment No. 48 amending municipal code sections associated with "Accessory Dwelling Units," formerly, "Second Dwelling Units," and adopting related municipal code amendments to Title 21 of the La Mirada Municipal Code, consistent with state law.

Mr. Bautista explained that occasionally the state legislature will adopt certain rules and regulation that cities must abide by.

Mr. Bautista provided a brief review of Senate Bill 1069; and Assembly Bill 2299 & 2409. He stated that all bills were adopted in 2016, and that all became effective January 1, 2017.

Mr. Bautista explained that the Proposed Zoning Ordinance Amendments would amend the land use table within the residential section of the Zoning Ordinance to allow for "Accessory Dwelling Unit" within Single-Family Residential Zoning Districts and refer users to Chapter 21.54 of the Zoning Ordinance. He further explained that "Second Dwelling Unit" and the associated reference would be removed from the land use table as part of the proposed amendments.

Mr. Bautista mentioned that the current Chapter 21.54, "Second Dwelling Units" would be repealed in its entirety and replaced with a new Chapter 21.54, "Accessory Dwelling Units." He added that the new chapter will establish Accessory Dwelling Units as being permitted by right when developed in compliance with certain standards.

Mr. Bautista stated that the Accessory Dwelling Units would be allowed in the single-family residential zoning districts in conjunction with an existing primary residents for a total of two units. Mr. Bautista stated that an Accessory Dwelling Unit could also be permitted on vacant parcel when developed in conjunction with the primary residence.

Mr. Bautista reviewed the restrictions for the development of an Accessory Dwelling Unit and mentioned that the maximum number of Accessory Dwelling Units on any one property is limited to one, and that they would not be allowed on historically designated properties. He also mentioned that developers will be required to record a restrictive covenant on the property stating that the current and future property owner will live on site for as long as the Accessory Dwelling Unit exists.

Mr. Bautista stated that an Accessory Dwelling Unit will only be provided with a separate address if it is provided with an independent exterior entrance and does not include interior access to the interior living area of the primary residence.

Mr. Bautista mentioned that the height of attached and detached Accessory Dwelling Units will not be permitted to exceed one story and 15 feet at the peak of the roof or 12 feet for a flat-roofed structure. He added that the roof pitch will be required to match the existing single-family residence. He also noted that the one-story height restriction

would not apply to an Accessory Dwelling Units constructed above an existing garage, which would be limited to a maximum height of 35 feet.

Mr. Bautista stated that if attached to the primary residence, an Accessory Dwelling Unit will need to comply with all the setback requirements of the applicable zone in which the primary residence and ADU are located and will be required to maintain a minimum distance of six feet from other on-site structures.

Mr. Bautista mentioned that if detached from the primary residence, the minimum side and rear yard setbacks for an Accessory Dwelling Unit will be five feet; the front yard setback will need to comply with the requirement of the applicable zone; and the Accessory Dwelling Unit will need to maintain a minimum distance of six feet from other on-site structures.

Mr. Bautista stated that if an Accessory Dwelling Unit is constructed above an existing garage, the unit will need to maintain the same setbacks as the existing garage. He also stated that when an existing garage is converted into an Accessory Dwelling Unit, no additional setbacks beyond the existing setback will be required.

Mr. Bautista mentioned that the maximum lot coverage for a property with a primary residence and Accessory Dwelling Unit will not be increased to accommodate the Accessory Dwelling Unit. He added that the maximum total lot coverage for both the primary residence and Accessory Dwelling Unit will be 40%.

Mr. Bautista stated that the design, materials, colors, architectural details and finish of the Accessory Dwelling Unit will be required to match the primary residence.

Mr. Bautista mentioned that the maximum living area for an Accessory Dwelling Unit will be limited to 800 square feet and the minimum will be 150 square feet. He also mentioned that the minimum living/bedroom area will be 70 square feet; the minimum bathroom area will be 30 square feet and that the bathroom will need to include a toilet, lavatory, and bathtub or shower. He also noted that the required kitchen will need to include a sink, stove and refrigerator.

Mr. Bautista stated that two parking spaces would need to be provided for the primary residence and one (1) for the Accessory Dwelling Unit. Mr. Bautista also reviewed the exemptions for the provision of parking for the Accessory Dwelling Unit which include half-mile proximity to public transit, within one block of carshare vehicle or if the unit is isolated within the interior of a historic structure or the primary residence, without expansion.

Mr. Bautista mentioned that utilities for the Accessory Dwelling Unit will need to be part of the primary dwelling systems.

Mr. Bautista stated that if an automatic sprinkler system is required for the primary residence, then the Accessory Dwelling Unit will also be required to provide an automatic sprinkler system.

Mr. Bautista stated that as part of the proposed amendment, a correction will be made to the Zoning Ordinance to amend the "Design Review" process to "Site Plan Review" process. He also mentioned that the definition section of the Zoning Ordinance will be amended to include a definition for "Accessory Dwelling Unit or ADU" and delete the definition for "Second Dwelling Unit."

Mr. Bautista concluded by recommending that the Planning Commission conduct a public hearing, adopt the Categorical Exemption, and adopt Resolution No. P-04-18 recommending to the City Council the adoption of Zoning Ordinance Amendment No. 48.

Chairman Olsen opened the public hearing and asked if anyone wished to speak in support of the matter.

No one spoke

Chairman Olsen asked if anyone wished to speak in opposition.

No one spoke.

Chairman Olsen closed the public hearing and opened the item for discussion.

Chairman Olsen mentioned and wanted to verify that this was not the first time discussing the "second dwelling units"

Mr. Bautista responded and stated that we have had standard in our code regarding "second dwelling units" for some time. He also mentioned that the development of second units was previously streamlined by the state legislature which is now being further streamlined and the units are being called "Accessory Dwelling Units" (ADUs).

Chairman Olsen wanted verification that utilities would be limited to one per property.

Mr. Bautista responded and stated that there would only be one utility meter permitted per property for each utility resulting in one utility bill. He added that payment of the bill will need to be arranged between the occupants of the units.

Commissioner Saenz asked, if the property had separate addresses how will the utilities work.

Mr. Bautista responded and stated that two addresses would be for mailing purposes.

He also stated that there would only be one meter for each utility on the property.

Commissioner Saenz asked if the 40% lot coverage limit would make it difficult to add an Accessory Dwelling Unit to a property currently developed with a single-family dwelling.

Mr. Bautista responded and stated that the 40% lot coverage would have limited effect on the development of Accessory Dwelling Unit within the City. He also stated that staff has already accepted application for the Accessory Dwelling Units and that for the most part, applicants are seeking to convert their existing garage area into an Accessory Dwelling Unit which is not affected in any way by lot coverage limitations. Mr. Bautista added that the size of an Accessory Dwelling Unit can be reduced if the maximum lot coverage is exceeded.

Commissioner Saenz mentioned that he assumed that most people would probably want to convert their garage or build a second story.

Mr. Bautista responded and stated that converting a garage to an Accessory Dwelling Unit would be the easiest way to construct one.

Commissioner Soto asked if the change to Accessory Dwelling Units had anything to do with the current homelessness situation.

City Attorney D. Craig Fox responded and stated that it is providing the ability for cities to meet their Regional Housing Needs Assessment by addressing general housing needs. He also stated that while there is a recognized shortage in housing statewide, he is not aware of the current changes being connected to the homeless situation.

Commissioner Soto expressed that it seemed like they were just amending the code language to "Accessory Dwelling Unit."

Mr. Fox responded and stated that the change creates preemption so that Accessory Dwelling Units are approved administratively.

Chairman Olsen asked if the city gets any credit for housing units.

Mr. Bautista responded and stated that staff had sat through a webinar which clearly stated that the Accessory Dwelling Units could be counted toward the Regional Housing Needs Assessment but that during a recent meeting with SCAG representatives, they were not willing to confirm the webinar information.

Commissioner Chung expressed that he would like to see more trees and greenery per property. He also brought attention in regard to Section 15(c) of the ordinance regarding a 30-foot wide driveway. Mr. Chung stated he is concerned there will be too much

driveway and not enough landscaping.

Mr. Bautista responded and explained that the average width of single family residential property is 60 feet. He stated that a 30-foot wide driveway would only be allowed for an Accessory Dwelling Unit or a home with a three-car garage.

Commissioner Saenz asked if the parking is standard in every city.

Mr. Bautista responded and stated that the required parking for a single-family home is two covered spaces within an enclosed building/garage and that a typical standard garage is 20 feet x 20 feet.

Chairman Olsen requested a motion.

Commissioner Saenz moved, and Commissioner Anderson seconded to adopt the Categorical Exemption; and adopt Resolution P-04-18 recommending that the City Council approve Zoning Ordinance Amendment No. 48 amending municipal code sections associated with “Accessory Dwelling Units,” formerly, “Second Dwelling Units,” and adopting related municipal code amendments to Title 21 of the La Mirada Municipal Code, consistent with state law.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**AYES: Chairman Olsen, Vice Chairman Anderson,
Commissioner Chung, Commissioner Saenz, Commissioner Soto**
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC COMMENT PERIOD

There were no public comments.

COMMISSION ANNOUNCEMENTS

Chairman Olsen announced that he attended last City Council meeting where Mr. Bautista received his 10-year service pin and congratulated Mr. Bautista.

Commissioner Anderson announced that he attended that same meeting and he attended the local baseball championship baseball game.

Commissioner Soto announced that he will be on vacation in June but will be back before the next meeting.

STAFF ANNOUNCEMENTS

Chairman Olsen asked if there was any update on the Ocaso Avenue property from last meeting.

Mr. Bautista responded and stated that the only thing he had to report is that they called in for an inspection for a portion of the retaining wall and that they continue to move slowly on the project.

Commissioner Saenz asked about the falling wall.

Mr. Bautista responded and stated that staff has not received an update on the pending litigation. He also stated that he would provide a more comprehensive update at the next meeting.

Mr. Bautista provided a brief update on the status of various projects.

ADJOURNMENT

There being no further business to come before the Commission, the Planning Commission adjourned the meeting at 7:03 p.m. to the next regular meeting to be held on Thursday, June 21, 2018.

Submitted:



Norma Stein, Secretary

Attest:



Scott Anderson, Chairman