CITY OF TEMPLE CITY

# PLANNING COMMISSION MINUTES

**REGULAR MEETING**
Tuesday November 9, 2021, 7:30 P.M.
Via Teleconference
www.templecity.us

## OPENING MATTERS:

- **Call to Order**

  Chair Cordes called the Planning Commission Regular Meeting to order at 7:33 p.m. telephonically using the GoToMeeting application.

- **Roll Call:**

  - PRESENT: Haddad, Lee, O'Leary, Vice-Chair Guan, Chair Cordes
  - ABSENT: None
  - ALSO PRESENT:Community Development Director Reimers, Deputy City Attorney Thuyen, and Planning Secretary Scott.

- **Pledge of Allegiance**

## ORAL COMMUNICATIONS / PUBLIC COMMENT:

## CONSENT CALENDAR:

1. Planning Commission Minutes of September 28, 2021.

Commissioner Haddad made a motion to approve the minutes of September 28, 2021, listed on the Consent Calendar with a correction. Seconded by Commissioner Lee and approved unanimously by the following votes:

AYES: Commissioner – Haddad, Lee, O'Leary, Vice-Chair Guan, Chair Cordes
ABSTAIN: Commissioner – None
NOES: Commissioner – None
ABSENT: Commissioner – None

## PUBLIC HEARING ITEM:

**2.** Ordinance 21-1059: An ordinance amending Title 3, Chapter 3, and Title 9, Chapters 1 and 2, of the Municipal Code in response to SB-9 (Atkins) by providing for urban dwellings and urban lot splits. The Planning Commission will review and make a recommendation to the City Council. The City Council will make the final decision on this project

Address: R1-1 Single-Family Zone, City of Temple City, County of Los Angeles

Recommendation: Approve the attached resolution, recommending that the City Council find that this project is exempt from CEQA and approve Ordinance 21-1059.

Project Planner: Scott Reimers, Community Development Director
sreimers@templecity.us

Community Development Director Reimers gave a brief presentation.

Chair Cordes thanked staff for the presentation and asked the Commissioners if they had any questions for staff.

Commissioner O'Leary asked if indeed the Ordinance would not allow any parking onsite. Mr. Reimers clarified that parking would not be allowed onsite or offsite. Commissioner O' Leary said this recommendation was good. He also asked if someone does an urban lot split, can they sell the back lot to another person. Mr. Reimers confirmed that this is allowed. Commissioner O' Leary said that this would really limit who would be interested in purchasing a lot with no parking.

Commissioner Haddad stated that parking was the most important part of this Ordinance, for him. He asked if all the R-1 zoned parcels in the City are within areas where the City could not require parking per SB-9. Mr. Reimers said that the areas within a half-mile of Santa Anita Ave. and Lower Azusa Rd. would not be required to having parking under State law. Commissioner Haddad stated that his preference is for the Ordinance to not allow parking.

Commissioner Lee had a question about low-income residents. He asked about the mechanism for ensuring that the residents will be low-income. Mr. Reimers stated that staff has some background on reviewing applications to ensure compliance with low-income requirements. The City will need to produce guidelines on how to implement the low-income housing requirements. Commissioner Lee also asked for clarification about limitations on subdividing adjacent lots. Mr. Reimers clarified that one owner cannot subdivide two lots that are next to each other, but two properties owned by two different entities or persons can be subdivided as an urban lot. Commissioner Lee stated that he appreciated this rule in SB-9.

Vice-Chair Guan asked staff to verify that someone can do multiple lot splits over time if they are not adjacent to each other. Staff stated this was true. She also asked if this ordinance only applies to urban dwellings and lot splits. Staff confirmed that these rules do not apply to any other projects. In reference to parking, she said that since the City cannot require parking in some areas at all then either

the tenants must park on the street, or they do not have a car. Mr. Reimers clarified that overnight parking permits would not be granted to residents of urban dwellings. Commissioner Guan asked what the intent of this was. Mr. Reimers said the intent was to create more open space, reduce congestion, decrease greenhouse gas emissions, and to further comply with State law which intends for these units to be in urban areas with good transit service. Commissioner Guan asked if staff has a system in place to ensure that permits would not be granted to residents of urban dwellings. Staff confirmed that the City can screen out urban dwelling units. Mr. Reimers said that similar rules exist in the Crossroad Specific Plan. Commissioner Guan asked about the architectural styles listed in the Ordinance and whether that would only apply to urban dwelling units. Mr. Reimers confirmed that the limitation on architectural styles would only apply to urban dwellings. She asked if staff has examples for the public to follow in relation to architectural styles. Mr. Reimers said that this was a good idea, and that staff could prepare a handbook for the public.

Chair Cordes wanted to confirm that all the lots involved in an urban lot split would need to comply with the no parking onsite and offsite rule. Mr. Reimers confirmed this was the case. Chair Cordes said he agreed with the approach as it would help alleviate traffic, reduce greenhouse gas emissions, and better utilize the lot toward open space.

Deputy City Attorney Thuyen clarified that the staff's plan is to have an urgency ordinance and a regular ordinance. This would ensure that local rules would be in place at the time SB-9 came into effect. Staff will clarify an effective date within the ordinances.

Chair Cordes highlighted that completion of this ordinance is just the first step. The City still needs to move forward on initiatives like impact fees. He asked if the staff could do a follow up with the Commission later next year, especially if technical corrections are necessary. Mr. Reimers said that staff can come back next year to report on the implementation of the ordinance.

Commissioner O'Leary said that the City should really strive to have an ordinance in place prior to January 1. Mr. Reimers said that his concern is that the State may continue to adjust laws related to urban lot splits and urban dwellings. If that does happen, then staff will be coming to the Commission with an update to the Zoning Code.

Vice-Chair Guan asked if floor area ratio (FAR) applies to urban dwellings. Mr. Reimers confirmed that FAR does apply to urban dwellings. The two spoke up about larger lots and how those property owners would benefit from building a single-family house with an ADU. In those cases, property owners could build 4,000 square feet. Otherwise, if they built urban dwellings, they would only build 1,600 square feet. On very small lots, if someone wants to build a single-family house, they will max out their living area and FAR very quickly. So, it may be more financially advantageous to build urban dwellings on these lots rather than a single-family house and ADU.

Chair Cordes opened the public comments.

Yu Wen Taylor stated that she was opposed to the prohibition of on-site and off-site parking.

Min asked about the maximum square footage allowed, the maximum height, whether a public hearing is required. She also asked for more information about tree preservation.

Bob Chen e-mailed asking for more information about the height limitation, whether a detached ADU was also allowed, LEED requirements, selling a property after it has been split, and removing trees.

Chair Cordes asked Mr. Reimers to respond to the public comments. Mr. Reimers answered the public's questions. He stated that:

- There is no requirement to have a public hearing to subdivide the lot.
- Trees can be removed if they keep someone from reaching the minimum 800 square feet.
- State law allows for units to be detached or attached.
- LEED, is a national organization that specializes in determining if a structure is environmentally sustainable.
- There is nothing in the code about the size of easements because staff is waiting for Los Angeles County Fire Department to set those requirements.
- The maximum height is 18 feet.
- Owners cannot build more than 800 square feet urban dwellings.
- The property can be sold.

Commissioner Haddad moved to close the public comments. The motion was seconded by Vice-Chair Guan.

Chair Cordes highlighted that there are other options, besides an urban lot split and urban dwelling. It is also possible to build an ADU or JADU. He also highlighted that this ordinance does not change the existing regulations on existing residents. It only sets up rules for urban dwellings, urban lot splits, and the inhabitants of both. He then asked the Commissioners for their comments.

Commissioner O'Leary thanked staff for their work on the ordinance and stated that it was comprehensive. He said that in relation to impact fees, about 30 years ago the fee was $300. Now it is $500. He said that the impact fee needs to be higher and that we need to have a fee on sewer impacts. He said that future residents can get around using Uber. He said he supported the ordinance as presented.

Commissioner Haddad said he could make the findings to approve the resolution. He stated that he heard the public's input. He said he supports the SB-9 lots not to have parking. He said that over time this will increase the number of people using transit, walking, and biking. This in turn will hopefully result in better infrastructure and services for transit, walking, and biking which will help all residents help improve sustainability. He thanked staff for their efforts.

Commissioner Lee said he could make the findings, as well.

Vice-Chair Guan said she heard the public and understands why staff has made its recommendations and agrees with the staff recommended ordinance. She also stated that it would be beneficial if the ADU laws were relaxed to provide an alternative to urban dwellings and urban lot splits. Specifically,

she recommended that the first 800 square feet of ADUs be exempt from the City's FAR rules. Deputy City Attorney Thuyen said that any changes to ADU law was outside the scope of the public hearing and would need to be brought back under a different Ordinance. Mr. Reimers stated that staff is expecting to return to the Commission in 2022 with another ADU clean up ordinance.

Chair Cordes thanked staff and the City Attorney's Office for getting the Ordinance prepared in only six weeks. He also thanked City Council for their direction at the Joint Session. He also thanked the other Commissioners for their insights. He stated that California cities have had a major problem with homelessness and a housing shortage. While SB-9 may benefit to some degree it will drastically change the character of cities. As Planning Commissioners, it is their job to implement SB-9 the best they can while still maintaining the character of the City. He said it improves the prospect of homeownership at affordable rates. He said the Ordinance weeds out businesses that are trying to buy up properties and drive-up prices. He said that the City should be trying to provide housing for the needy, not the greedy. He appreciated requiring projects to meet LEED standards, to improve the environment. He said he appreciates the desire to keep the City's community character and minimize blight.

Commissioner Haddad made a motion to approve the attached resolution, recommending that the City Council find this project exempt from CEQA and approve Ordinance 21-1059. Seconded by Commissioner O'Leary and carried by the following roll call vote:

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| AYES: | Commissioner – Haddad, Lee, O'Leary, Vice-Chair Guan, Chair Cordes |
| ABSTAIN: | Commissioner – None |
| NOES: | Commissioner – None |
| ABSENT: | Commissioner – None |

## FUTURE AGENDA ITEMS AND REPORTS:

3. **Community Development Director**

   Community Development Director Reimers gave an update on the housing element changes and stated the mixed use project on Rosemead Blvd had their ground breaking ceremony. He also thanked veterans for their service.

4. **Comments from Commissioners**

   Commissioner Haddad – Commented on the street light pole repair being done in the city and wished everyone a happy Veteran's Day and Thanksgiving.
   Commissioner O'Leary – Thanked everyone and wished all a happy Veteran's Day.
   Vice-Chair Guan – Wished everyone a happy Veteran's Day and Thanksgiving and said she is looking forward to the ordinance modifying rules on ADUs.
   Chair Cordes- Wished everyone a happy Veteran's Day and Thanksgiving.
   Commissioner Lee – Thanked Director Reimers and Chair Cordes for their service.

**ADJOURNMENT:**

**5.** The Planning Commission Meeting was adjourned at 9:12 p.m.

John Cordes
Chair

Sandra Scott
Secretary