

INSTRUCTIONS FOR THE NOVEMBER 18, 2020 SPECIAL PLANNING COMMISSION MEETING

The Planning Commission meeting will be closed to the public in compliance with Governor Newsom's Executive Order to minimize the spread of the COVID-19 Virus. Additionally, the meeting will be conducted via teleconference with members participating remotely. Considering this, the customary meeting format has been modified. Even with this change in format, the City is still encouraging public participation and wishes to make residents aware of the following opportunities for participation:

- 1) View the meeting through the City's website at www.cityoflaverne.org/stream
- 2) Please submit your written comments via email at planning@cityoflaverne.org. They will be shared with the Commission Members prior to the meeting and will be made part of the permanent record. We ask that you provide those emails before 7:00 p.m. the day before the meeting.
- 3) For individuals that wish to share their comments during the live stream, you may email planning@cityoflaverne.org by 6:00 p.m. on the day of the meeting with a phone number and the item(s) you wish to speak on. We will call you back at the appropriate time during the meeting for your comment.

CITY OF LA VERNE SPECIAL PLANNING COMMISSION AGENDA

Jason Simison, Chairperson
Phil May, Commissioner
Jeff Allred, Commissioner
Jason Lorge, Commissioner
Thomas Allison, Commissioner



City Hall Council Chambers
3660 D Street
La Verne, CA 91750
(909) 596-8706
www.cityoflaverne.org

Wednesday, November 18, 2020 - 6:30 p.m.
Watch Live at www.cityoflaverne.org/stream
3660 "D" Street, La Verne, CA 91750

Attendance and participation at the City of La Verne Planning Commission meetings are welcomed and appreciated. As a result of the current stay-at-home orders, participation is limited to viewing the meeting online at www.cityoflaverne.org/stream with submittal of public comments to planning@cityoflaverne.org up to and during the public hearing. Community engagement provides the Planning Commission with valuable information. Regular Meetings are held on the 2nd Wednesday of every month. In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Office at (909) 596-8726 at least 48 hours prior to the meeting.

Materials related to an item on this agenda, submitted to the Planning Commission after distribution of the agenda packet, are available for public inspection on the city's website at www.cityoflaverne.org.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT

This is the time set aside for anyone wishing to address the Planning Commission on items not listed in any other place on this agenda.

California Law does not allow the Planning Commission to take action in response to your statements at this meeting. Your concerns may be referred to staff or set for hearing at a later date.

1. APPROVAL OF MINUTES

Approval of the minutes of the September 9, 2020 Planning Commission Meeting.

OTHER MATTERS/INFORMATION

2. PROJECT: METRO L LINE (GOLD) UPDATE PRESENTATION
STAFF: Candice Bowcock

3. PROJECT: HOUSING ELEMENT UPDATE & RHNA ALLOCATION
STAFF: Maia McCurley and Candice Bowcock

ADJOURNMENT

The next regular meeting of the Planning Commission is scheduled to be held on December 9, 2020 at 6:30 p.m. remotely at www.cityoflaverne.org/stream or in the Council Chambers, 3660 “D” Street, La Verne, CA 91750.

Proof of Posting I declare under penalty of perjury that I am employed by the City of La Verne in the Planning Department; and that I posted this agenda in the City Hall Council Chambers on November 12, 2020.

Date

Signature

**CITY OF LA VERNE
PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
HELD VIA TELECONFERENCE
Wednesday, September 9, 2020**

1. Chairperson Jason Simison called the regular meeting of the La Verne Planning Commission to order at 6:30 p.m. He stated that all comments should be sent to planning@cityoflaverne.org.

2. **PLEDGE OF ALLEGIANCE**

Chairperson Simison led the Pledge of Allegiance.

3. **ROLL CALL:** Planning Commissioners present: Thomas Allison, Jeff Allred, Jason Lorge, Phil May, and Jason Simison. Advisory personnel present: Community Development Director Eric Scherer, City Attorney Bob Kress, Principal Planner Candice Bowcock, Associate Planner Maia McCurley and Secretary Natalie Hiatt.

4. **PUBLIC COMMENT**

Mr. Scherer stated that one comment was received via email by Jackson Salinas.

Chairperson Simison closed Public Comment.

5. **APPROVAL OF MINUTES**

It was moved by Commissioner May seconded by Commissioner Lorge to approve the minutes of the July 8, 2020. Motion carried by a 5-0 vote.

PUBLIC HEARINGS

6. **CASE NO. 25-09CUP – DUE TO VIOLATIONS OF THE CALIFORNIA PENAL CODE, CALIFORNIA HEALTH AND SAFETY CODE, THE LOS ANGELES COUNTY HEALTH CODE, AND THE LA VERNE MUNICIPAL CODE, THE CONDITIONAL USE PERMIT (CASE NO. 25-09CUP) ALLOWING THE OPERATION OF A MASSAGE ESTABLISHMENT (555 RESOLUTIONS INC. DBA MY HEALTH) AT 1451 FOOTHILL BOULEVARD SHALL BE REVIEWED FOR REVOCATION.**

RESOLUTION NO. 1266

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, REVOKING THE CONDITIONAL USE PERMIT (CASE NO. 25-09CUP) ALLOWING THE OPERATION OF A MASSAGE ESTABLISHMENT (555 RESOLUTIONS INC. DBA MY HEALTH) AT 1451 FOOTHILL BOULEVARD.

Associate Planner Maia McCurley presented her staff report.

Chairperson Simison opened the public hearing.

Mr. Scherer stated that an email was received from Jackson Salinas asking for the length of time prostitution had taken place. Mr. Scherer stated that he was not sure but the arrest was made when it was discovered.

Chairperson Simison closed the public hearing.

Commissioner Lorge asked if the City would be taking a more proactive approach to investigate other massage establishments.

Ms. McCurley stated that the Police Department has officers specifically assigned to inspect and investigate the establishments.

Mr. Scherer stated that the operating permits allow City staff and the Police Department to make unannounced inspections.

Commissioner May asked how many establishments were currently in the City and if the other establishments were aware.

Ms. McCurley stated about 11-12 establishments.

Mr. Scherer stated that the Police Department did put out a press release and there was discussion in the community.

It was moved by Commissioner Lorge and seconded by Commissioner May to revoke 25-09CUP. Motion carried by a 5-0 vote.

7. **CASE NO. 73-20CUP – THE APPLICANT, RON ELY, REPRESENTATIVE OF TACO BELL REQUESTS A CONDITIONAL USE PERMIT TO OPERATE THE EXISTING TACO BELL DRIVE THROUGH RESTAURANT AS A LATE-NIGHT BUSINESS AT 1401 FOOTHILL BOULEVARD. THE FOOTHILL BOULEVARD SPECIFIC**

PLAN REQUIRES A CONDITIONAL USE PERMIT FOR LATE-NIGHT BUSINESSES LOCATED WITHIN 300 FEET OF RESIDENTIAL USES.

RESOLUTION NO. 1265

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO. 73-20CUP ALLOWING FOR A CONDITIONAL USE PERMIT TO OPERATE A LATE NIGHT BUSINESS AT 1401 FOOTHILL BOULEVARD (TACO BELL DRIVE THROUGH).

Principal Planner Candice Bowcock presented her staff report.

Chairperson Simison invited the applicant Ron Ely to speak.

Mr. Ely stated when he applied for the conditional use permit it was recommended that he apply for the 24 hour permit. Mr. Ely does not anticipate operating past 2:00 a.m. at this time.

Chairperson Simison opened the public hearing.

There were no comments received.

Chairperson Simison closed the public hearing.

Commissioner Allred asked why the Development Review Committee made the recommendation for 24 hour operation if the applicant did not apply.

Ms. Bowcock stated that the Committee did not want the applicant to go through the process of revising the conditional use permit if they decided to change their hours in the future.

Mr. Scherer stated that this happened in the past with another business.

Commissioner Allred asked if the Police Department was in support of 24 hour operation.

Ms. Bowcock stated that there were no concerns from the Police Department.

Commissioner Allison asked if there were any more administration costs incurred when granting a 24 hour permit.

Mr. Scherer stated that this type of project is a deposit project. Staff time associated with processing application is charged directly back to the applicant. The deposit is held for one year in case any compliance issues occur.

Chairperson Simison asked how far the Taco Bell is from housing.

Ms. Bowcock stated approximately 280 feet.

Mr. Allred asked if Mr. Scherer was in support.

Mr. Scherer is in support and was the Development Review Committee member that proposed it.

It was moved by Commissioner Allred and seconded by Mr. Lorge to approve Case No. 73-20CUP.

OTHER MATTERS/INFORMATION

Mr. Scherer stated that the City sent a request for proposal to consultants to help draft the Housing Element Update. The General Plan Update has been on pause due to COVID-19. The City was awarded LEAP Grant monies which are designed to help cities do these types of updates to help produce more housing in the state. It is expected that both the Housing Element Update and General Plan Update will be presented to Planning Commission and City Council at the same time in approximately one year.

ADJOURNMENT

The meeting was adjourned at 7:01 p.m. The next regular meeting of the Planning Commission will be held October 14, 2020 at 6:30 p.m.

Chairperson, Planning Commission

ATTEST:

Secretary, Planning Commission

ATTACHMENT:
PUBLIC COMMENT RECEIVED.

Planning Commission Minutes
September 9, 2020

From: Jackson Salinas <jaxsalinas@gmail.com>
Sent: Saturday, September 5, 2020 7:26:11 PM
To: planning@cityoflaverne.org <planning@cityoflaverne.org>
Subject: Planning Commission Public Comment 09/09/2020

Public Comment: I mentioned this at the August 17th City Council meeting during Public Comment but I think it should apply to comments for this commission as well as other committees in the city. I really love doing public comments through email. Is there a way if things go back to normal if we can keep it like this? That way if we go back to in-person meetings that can be an option for the public because let's say there is someone that can't attend the meeting for some reason and they want to speak on an item during the meeting. They can email the city clerk or what email they are using public comments for and it can be shared in advance with the commission like what you guys are doing right now. Correct me if I'm wrong but The Brown Act does not say anything about requiring the public to be in-person to speak at the meetings.

I mentioned this to the Old Town La Verne Business Improvement District Advisory Board on the D Street Closure for Restaurants but is there a way we can have this permanently every Friday, Saturday, and Sunday because I think if things go back to normal and we allow outdoor seating for the restaurants on those days it can bring more and more business to La Verne. While having indoor seating as well at 100% capacity.

Public Hearings

2: How long has the prostitution been going on at this establishment?

Agenda Report

CITY OF LA VERNE

Community Development Department

DATE: November 18, 2020

TO: Planning Commission

FROM: Maia McCurley, Associate Planner

SUBJECT: Informational Update on the Sixth Cycle of the Regional Housing Needs Assessment (RHNA) and the 2021-2029 Housing Element Update (HEU)

AGENDA SUMMARY

At their October 5, 2020 meeting the City Council authorized an amendment to an existing professional services agreement with De Novo Planning Group for the preparation of the 2021-2029 Housing Element Update (HEU) in compliance with the sixth cycle of the Regional Housing Needs Assessment (RHNA). Work on the HEU has recently begun and staff has prepared an informational report and presentation providing an overview of the RHNA and the HEU processes.

RECOMMENDATION

Staff recommends the Planning Commission receive and file the informational agenda report.

BACKGROUND

Since 1969, California has required that all local governments adequately plan to address the housing needs of everyone in the community. Local governments fulfill this requirement by adopting housing plans, or a Housing Element, as part of their state-mandated General Plan. In order to develop a Housing Element which demonstrates an ability to meet local housing needs, local governments must first know how much housing to plan for, and also estimate how much housing will be needed at a variety of affordability levels in order to match the needs of the people who will live there. The process to determine and quantify these housing needs is known as the Regional Housing Needs Assessment (RHNA).

DISCUSSION

Regional Housing Needs Assessment (RHNA)

The California Department of Housing and Community Development (HCD) utilizes a formula incorporating demographic population information from the California Department of Finance to calculate a RHNA figure that quantifies projected housing need for an eight (8) year period. Each projection period is referred to as a cycle of RHNA, during which the twenty-seven (27) regions within the state, which include Councils of Governments (COGs) and Metropolitan Planning Organizations (MPOs), are each assigned a RHNA figure identifying their particular region's projected housing need. Every region has the opportunity to utilize their own demographic figures and information, including clarification of census data, growth forecasts, and detailed site inventory mapping information, in order to calculate what they believe to be an accurate RHNA figure for their region. Regions may then present this information to the HCD, and after consultations and

consideration of any factors that may not have been captured in the calculations, the HCD arrives at a final RHNA figure identifying each region's overall projected housing need. The HCD segments each region's final RHNA figure into varying income-brackets identifying the projected number of housing units for very-low, low, moderate, and above-moderate income levels. Each region is responsible for developing a methodology to distribute and allocate their final RHNA figure amongst the local jurisdictions within the region. The RHNA allocation to the local jurisdictions is intended to ensure that regional housing growth is equitably distributed throughout the region and that every jurisdiction accommodates their fair share of the regional housing need.

An important distinction to note about RHNA figures and RHNA allocations is that regions and local jurisdictions are not required to provide or build the number of housing units identified by their RHNA figure or RHNA allocation, respectively; however, they must demonstrate that they have adequately planned to accommodate the projected housing need. Essentially, through planning policies and programs, and in particular, zoning practices, regions and local jurisdictions must demonstrate that there is potential for all of the projected housing need to be built.

Sixth Cycle of RHNA & Allocations

The Southern California Association of Governments (SCAG) is one of the twenty-seven (27) regions assigned a RHNA figure by the HCD. The SCAG, the nation's largest MPO, represents more than 19 million residents across six (6) counties and 191 cities, including the City of La Verne. For the SCAG, as well as all of the counties and cities represented by the SCAG, the sixth cycle of RHNA covers the eight (8) year projection period from 2021 to 2029.

For the sixth cycle of RHNA, the HCD determined the SCAG's RHNA to be 1,341,827 housing units distributed across four (4) income categories (very-low, low, moderate, and above-moderate). Following this determination, the SCAG conducted an extensive public input and review process throughout 2019 prior to adopting a final RHNA methodology in March 2020. The adopted RHNA methodology determines the RHNA allocations for all local jurisdictions, which is the distribution of the SCAG's overall RHNA figure (1,341,827 housing units for the sixth cycle of RHNA) amongst each jurisdiction. In September 2020, the SCAG notified staff of La Verne's draft sixth cycle RHNA allocation of 1,343 units consisting of: 413 very-low income units, 238 low income units, 223 moderate income units, and 469 above-moderate income units. The draft RHNA allocations are expected to be finalized by February 2021, though staff does not anticipate any changes to La Verne's RHNA allocation will occur.

2021-2029 Housing Element Update (HEU)

The City's current Housing Element is for the 2014 to 2021 planning period and was adopted in 2013 as part of the fifth cycle of RHNA, in which La Verne's RHNA allocation was 562 housing units. Based on the provided sixth cycle RHNA allocation for the 2021 to 2029 planning period, the City must update the Housing Element to demonstrate through planning programs, policies, and zoning practices, the ability to accommodate the potential construction of 1,343 new housing units of varying income levels.

Staff has enlisted the services of De Novo Planning Group (De Novo) for the preparation of the HEU. De Novo is currently contracted to complete the City's General Plan Update, of which the Housing Element is a mandatory component. De Novo will be able to leverage their existing knowledge of the City and the existing General Plan Update work that has been completed, to efficiently and effectively complete the many tasks and analyses required for the HEU process. Following City Council approval of staff's decision to contract with De Novo for the preparation of the HEU, an HEU kick-off meeting between staff and De Novo was held in October 2020. Since

then, De Novo has started reviewing and evaluating the current Housing Element, the current General Plan, and the draft General Plan Update, along with other supporting materials and documents, to determine the effectiveness of the existing Housing Element document and to identify the policies and programs that should be retained as well as those that should be revised or replaced. De Novo will also complete technical studies examining the existing housing needs and housing inventory; a site inventory analysis; and a constraints analysis. Due to the significant increase in La Verne's RHNA allocation, which was 562 housing units under the fifth cycle and is expected to be 1,343 units under the sixth cycle, both De Novo and staff will be focused on successfully demonstrating in the HEU the City's ability to accommodate its RHNA allocation. It is anticipated that the HEU process will require careful analysis and consideration of the proposed land use map of the General Plan Update and the existing Zoning Code to ensure sufficient land is dedicated to accommodating the City's share of regional housing growth.

In addition to technical studies and issues evaluation, the HEU process also requires focused and meaningful community engagement in order to ensure a document that fully reflects and addresses the housing needs and priorities of the community. To this end, De Novo will conduct stakeholder interviews and community workshops to gather community input. Due to the ongoing COVID-19 pandemic and Governor Newsom's Executive Order to minimize the spread of the COVID-19 virus, it is anticipated that the stakeholder interviews and community workshops will take place virtually. The first virtual community workshop will launch online at the City's General Plan Update website at www.laverne.generalplan.org starting on Monday, November 30, 2020 through Thursday, December 17, 2020.

The HEU process will be on-going for approximately the next 11 months, during which De Novo will prepare an administrative draft, public review draft, and eventually, a final draft of the HEU. Members of the public, along with the Planning Commission and the City Council, will have the opportunity to review and comment on the draft HEU prior to the final draft of the HEU being presented to the Planning Commission and ultimately, the City Council, for review and approval. Staff currently anticipates these public hearings will occur in September 2021 to ensure timely certification of the HEU by the HCD prior to the October 15, 2021 deadline.