

Krystal Markovich, Chair
Yessica Alvarez, Vice-Chair
Richard Corvera-Hernandez, Commissioner
Gustavo Mendez, Commissioner



**A REGULAR MEETING
OF THE CUDAHY PLANNING COMMISSION
October 16, 2023 – 6:30 P.M.
5220 Santa Ana St. – Bedwell Hall, Cudahy CA 90201**

"Members of the Public are Advised that all PAGERS, CELLULAR TELEPHONES and any OTHER COMMUNICATION DEVICES are to be turned off upon entering the City Council Chambers." If you need to have a discussion with someone in the audience, kindly step out into the lobby.

Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the City Clerk's Office at City Hall located at 5220 Santa Ana Street, Cudahy, CA 90201.

In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, you should contact the City Clerk's Office at (323) 773-5143 at least 72 hours in advance of the meeting.

1. CALL TO ORDER

2. ROLL CALL

Corvera-Hernandez, Commissioner
Mendez, Commissioner
Alvarez, Vice-Chair
Markovich, Chair

3. PLEDGE OF ALLEGIANCE

4. INFORMATIONAL ITEMS, PROJECT UPDATES AND PRESENTATIONS.

- A. Update on the Economic Development Strategic Plan (Presented by: Cecilia Madrigal-Gonzalez, Senior Planner)
- B. Major Project Updates (Presented by: Jessica Guillen, Assistant Planner)

5. PUBLIC COMMENTS

(Chairperson: This is the time set aside for citizens to address the Planning Commission on matters relating to Commission business. When addressing the Commission please speak into the microphone and voluntarily state your name and address. **Each person will be allowed to speak only once and will be limited to five (5) minutes.** The proceedings of this meeting are recorded on audio/video.

6. WAIVE FULL READINGS

- A. Approval to waive the full reading of all resolutions on the agenda and declare that said titles that appear on the public agenda shall be determined to have been read by title only.

Recommendation: To waive the full-text reading of all resolutions on the agenda.

7. PUBLIC HEARING

- A. NONE.

8. BUSINESS SESSION

- A. Consideration to review and approve the draft minutes of the August 7, 2023, Special Planning Commission Meeting.

Recommendation: Staff recommends the Planning Commission of the City of Cudahy approve the minutes of the August 7, 2023, special planning commission meeting.

- B. Discussion on Various Code Updates Amending Various Chapters of Chapter 20 (Zoning Code) of the Cudahy Municipal.

Recommendation: Staff recommends the Planning Commission of the City of Cudahy take the following action(s):

1. Review, discuss, and provide feedback on the proposed zoning ordinance text amendments; and
2. Direct staff to bring back the recommended zoning code updates at a future Planning Commission meeting.

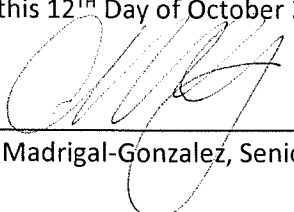
9. COMMISSION BUSINESS

- A. Update on the Planning Commission & Youth Collaboration (Presented by: Jessica Guillen, Assistant Planner).

10. ADJOURNMENT

I, Cecilia Madrigal-Gonzalez, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at Cudahy City Hall, Clara Park, Lugo Park, and the City's Website not less than 72 hours prior to the meeting. A copy of said Agenda is on file in the Community Development Department.

Dated this 12TH Day of October 2023



Cecilia Madrigal-Gonzalez, Senior Planner

DRAFT MINUTES

A SPECIAL MEETING OF THE CUDAHY PLANNING COMMISSION

August 7, 2023, 6:30 P.M.

1. CALL TO ORDER

Chair Markovich called the meeting to order at 6:32 p.m.

2. ROLL CALL

PRESENT: Chair Markovich
Vice Chair Alvarez
Commissioner Mendez
Commissioner Corvera-Hernandez
Vacant

ABSENT: None

ALSO PRESENT: Community Development Director, Juan Arauz, Senior Planner, Cecilia Madrigal-Gonzalez, Assistant Planner, Jessica Guillen

3. PLEDGE OF ALLEGIANCE led by Chair Markovich.

4. INFORMATIONAL, PROJECT UPDATES AND PRESENTATIONS - NONE

5. PUBLIC COMMENTS - NONE

6. WAIVE FULL READINGS

A. Approval to waive full readings of all resolutions on the agenda and declare that said titles that appear on the public agenda shall be determined to have been read by title only.

Recommendation: To waive the full-text reading of all resolutions on the agenda.

Motion: Chair Markovich motioned to waive full readings of all resolutions on the agenda seconded by Commissioner Mendez Motion passed 4-0 by the following roll call vote:

AYES: Markovich, Mendez, Alvarez, Corvera-Hernandez

NOES: None

ABSENT: None

ABSTAIN: None

7. PUBLIC HEARING

A. General Plan Amendment No. 21-01: Amendment and re-adoption of the City's 6th Cycle Housing Element.

Recommendation: Staff recommends that the Planning Commission of the City of Cudahy adopt a resolution recommending that the City Council take the following actions:

1. Adopt a resolution to approve General Plan Amendment No. 21-01 to amend and re-adopt the City's 6th Cycle Housing Element for the 2021-2029 planning period.

Community Development Director, Juan Arauz provided a presentation.

The Commission asked questions and made comments related to the state-assigned RHNA number, public parking concerns, congestion, and streamlining of the entitlement process.

Motion: Chair Markovich motioned to adopt a resolution to approve General Plan Amendment No. 21-01 to amend and re-adopt the City's 6th Cycle Housing Element for the 2021-2029 planning period seconded by Vice Chair Alvarez Motion passed 4-0 by the following roll call vote:

AYES: Markovich, Mendez, Alvarez, Corvera-Hernandez

NOES: None

ABSENT: None

ABSTAIN: None

8. BUSINESS SESSION

A. Consideration to review and approve the draft minutes of the July 17, 2023, Regular Planning Commission Meeting.

Recommendation: The Planning Commission of the City of Cudahy is recommended to approve the minutes of the July 17, 2023, regular planning commission meeting.

Motion: Commissioner Mendez motioned to approve the draft minutes of the July 17, 2023; Regular Planning Commission Meeting seconded by Vice Chair Alvarez Motion passed 4-0 by the following roll call vote:

AYES: Markovich, Mendez, Alvarez, Corvera-Hernandez

NOES: None

ABSENT: None

ABSTAIN: None

9. COMMISSION BUSINESS

Commissioner Mendez asked if it would be possible for the city to start an “academy” where Cudahy’s students could apply and learn about the Planning Commission.

Commissioner Corvera-Hernandez voiced his concern for vacant lots that have not been kept, regarding overgrown landscaping and abandoned homes.

10. ADJOURNMENT

Chair Markovich adjourned the Planning Commission meeting at 7:11 p.m.

ATTEST:

The foregoing minutes are hereby approved on this 16th day of October 2023.

Cecilia Madrigal-Gonzalez, Senior
Planner/Commission Secretary

Krystal Markovich
Chair



Item Number 8B

STAFF REPORT

Date: October 16, 2023
To: Honorable Chair and Planning Commissioners
From: Juan Arauz, Community Development Director
By: Cecilia Madrigal-Gonzalez, Senior Planner
Subject: **Discussion on Various Code Update Amending Various Chapters of Chapter 20 of the Cudahy Municipal Code.**

RECOMMENDATION

Staff recommends the Planning Commission take the following action(s):

1. Review, discuss, and provide feedback on the proposed zoning ordinance text amendments; and
2. Direct staff to bring back the recommended zoning code updates at a future Planning Commission meeting.

BACKGROUND

The Zoning Code requires periodic updates to ensure consistency between City policies and State law, to improve clarity, and to better serve the public. As such, the Planning Division has identified several provisions in the Zoning Code that need to be amended due to recent shifts in policy and trends, new laws and regulations, or changes to other sections of the Code. The main goals for these amendments are to provide internal consistency within the Code, modernize the Code to be reflective of good planning practices and recent policy actions, and achieve consistency with recent State laws.

Furthermore, the adopted Housing Element includes implementation items including goals, policies, and programs that were created for the purpose of meeting the housing needs of the City throughout the 6th Cycle. The full list of the 2021-2029 housing program and quantified objectives are available in Attachment A. As part of the ongoing implementation of the City's Housing Element, staff has identified several provisions in the Cudahy Municipal Code Title 20

(Zoning Code) that require updates in order to implement the Housing Element Program #s 3, 4, 10, 11, 24, 25, 26 and 27.

DISCUSSION

Amendment #1: Accessory Dwelling Units

Accessory dwelling units (also known as second units "granny" flats or ADUs) are complete independent housing units that can be either detached or attached from an existing single-family or multi-family residence. In response to updates in State legislation regarding ADUs, the Cudahy City Council adopted Ordinance No. 690 implementing ADU provisions from State law in 2018. During the City's 6th Cycle Housing Element adoption process, HCD identified the City's current requirements are inconsistent with State law. Since 2018, the State has revised ADU provisions several times, most recently in 2022. Currently, City staff utilize the State ADU Law, but cities are allowed to adopt a local ADU ordinance, in compliance with statutory requirements. As such, the City's 6th Cycle Housing Element Program #4 requires the City to review and update the City's ADU regulations to comply with the State law provisions.

Amendment #2: Replacement Housing

Pursuant to the State's Housing Element law, the City must update the Zoning Code to specify replacement housing is required on non-vacant residential sites or within the last five years have had residential uses that have been vacated or demolished, either rented or price-restricted or were occupied by low or very low-income households. The purpose of the replacement requirements is to prevent the loss of housing units and the displacement of lower-income households. State law does not allow local agencies to approve housing unless the proposed development complies with the applicable replacement housing requirements previously described. As such, the City's Housing Element Program #4 requires the City to review and update the Zoning Code to clearly define the requirement.

Amendment #3: Emergency, Transitional, and Supportive Housing

The Zoning Code presently allows five land uses associated with providing temporary lodging for unhoused persons and families; "emergency shelter," "transitional housing, housing type," "transitional housing, residential care facility large type," and "transitional housing, residential care facility small type." In accordance with State law and as described in Program #11, the City shall review the Zoning Code to amend development standards and allowable uses within the Zoning Code as described below.

- **Emergency Shelters:** An emergency shelter proposed in these districts must comply with operational use regulations/standards such as a maximum of fifteen (15) beds or person may be served nightly, hours of operation, length of stay, management and operation plan, waiting and intake area, supportive services, restrooms, trash enclosures, and parking. Currently, the Zoning Code requires one (1) vehicle parking space per five bedrooms and a covered and secured bicycle parking shall be provided.

State law only allows for a locality to require parking spaces for the use of staff for the shelter. Therefore, the City will amend the parking standards and complete required amendments to the City's Zoning Code, in accordance with State law.

- **Transitional and Supportive Housing:** State law requires local jurisdictions to address the provisions for transitional and supportive housing. Pursuant to Government Code Section 65651, supportive housing shall be permitted in zones where multifamily and mixed uses are permitted. Nonresidential zones that permit multifamily housing are also subject to allowing supportive housing as a permitted use. To comply with the provisions, the City shall review the City's zone districts, including the mixed-use and commercial zone districts, and amend the permitted uses sections of the appropriate zone districts to include supportive housing, in compliance with statutory requirements.

Amendment # 4: Low Barrier Navigation Center

A "Low Barrier Navigation Center" is a service shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry such as allowing pets; storage of possessions; and privacy. The Zoning Code does not presently define low-barrier navigation centers nor specify appropriate zones and operational standards. Per State law, low-barrier navigation centers would be permitted in all mixed-use zones as well as commercial zones that permit multifamily uses. As such, the City's Housing Element Program #24 requires the City to review and update the Zoning Code.

Amendment #5: Single-Room Occupancy Units

Single-room Occupancy Units are a form of housing that is typically aimed at residents with lower-income individuals, who rent small, furnished single rooms while sharing a kitchen and restroom facilities with other individuals. Program 25 requires the City to review and amend the Zoning Code to include single-room occupancy units within appropriate zones, in compliance with statutory requirements. As such, the City would review the Zoning Code to define the use and amend the permitted uses sections of the appropriate zone districts to include single-room occupancy units.

Amendment #6: Inclusionary Housing/State Density Bonus Law

State Density Bonus Law allows a developer to increase density on a property above the maximum set under a jurisdiction's General Plan and Zoning Code. In exchange for the increased density, a certain number of the new affordable dwelling units must be reserved at below-market-rate rents. Qualifying applicants can also receive reductions in required development standards. Besides allowing an increase in density, the law also provisions that require local governments to grant qualifying projects: 1) incentives (or concessions) that provide cost reductions; 2) waivers of development standards that would physically preclude the development of a project at the density permitted and with the incentives granted, and; 3)

reductions in parking requirements. Program #16 requires the City to review the City's density bonus standards and amend the Zoning Code as necessary to comply with the law.

Amendment #7: Zoning Code Review

As part of Housing Element Program #27, the City has committed to the following Zoning Code changes listed below. The Zoning Code changes listed below are intended to achieve compliance with State law and streamline the City's permit process directly related to accelerating housing production.

- Change the definition of "Family" as follows: "Family means one or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling."
- Eliminate the 15-dwelling unit (du) per acre limit on sites that are less than half an acre.
- Increase the FAR limit to 1.5 in the Commercial Mixed Use (CMU) zone.
- Eliminate one-acre minimum for Mixed-Use
- Count the fire turnaround within the open space area and will be allowed to be non-concrete/asphalt material. However, for the fire turnaround to count as open space, the area must be developed and maintained with hardscaping, and it must be free of any obstructions such as BBQ grills, swing sets, etc.
- Allow permeable, porous materials in the driveway right of way.
- Reduce the private open space requirement to 100 square feet per unit. The City shall require a total of 280 square feet of open space per unit.
- Allow buildings that are two (2) stories or higher to have balconies projecting into the side setback of approximately 3 feet, leaving a minimum balcony setback from the side property line of 4 feet.
- Reduce guest parking to 0.25 spaces per unit and eliminate enclosure requirements for parking.
- Remove the development agreement requirements for new development in the HDR and Mixed-use zones.
- Revise development review findings to comply with the Housing Accountability Act.
- Remove the Conditional Use Permit (CUP) requirement for multi-family development in the Low-Density Residential (LDR) zone.
- Increase the number of units that trigger Planning Commission development review from 3 units to 5 units.
- Classify development review by the Community Development Director as a ministerial process.
- Update the Zoning Code to specify what party is responsible for making the California Environmental Quality Act (CEQA) determination. Additionally, specify that when the responsible party determines the project is exempt from CEQA, their determination triggers the Permit Streamlining Act of 60 days.
- Revise the off-street parking methods for residential units to allow for surface parking

to count towards the minimum number of spaces.

CONCLUSION

Staff recommends the Planning Commission review, discuss, and provide feedback on the upcoming zoning code text amendments, which in summary are to provide recent City Council policy actions and achieve consistency with recent State laws.

ENVIRONMENTAL ASSESSMENT

The proposed actions have been assessed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the environmental regulations of the City. The proposed amendment to the Zoning Code is exempt from the requirements to prepare additional environmental documentation per CEQA Guidelines Section 15061(b)(3) because the proposed amendments would only modify certain zoning procedures and not approve any developments. As such, the proposed amendments will not have a significant effect on the environment. Any future developments would be subject to CEQA review.

ATTACHMENTS

- A. 2021-2029 Housing Programs List