

MINUTES OF THE SANTA PAULA  
PLANNING COMMISSION  
Tuesday, March 20, 2012  
6:30 P.M.

**CALL TO ORDER:** Chairman Michael Sommer  
**PLEDGE OF ALLEGIANCE:** Chairman Michael Sommer  
**ROLL CALL:**

**Commissioners present:** Rita Graham, John D. Wisda, Marilyn Appleby and Michael Sommer

**Absent** None

**Staff Present:** Assistant City Attorney John Cotti, Planning Director Janna Minsk, Deputy Planning Director Stratis Perros, and Planning Secretary Catherine Cwiok.

**FINAL AGENDA:** Agenda final as submitted

**PUBLIC COMMENT:** No public comment

**CONSENT CALENDAR:**

**A. Minutes of the Planning Commission Meeting on February 28, 2012**

**ACTION:** It was moved by Commissioner Graham, seconded by Commissioner Appleby to approve the minutes. All were in favor and the motion carried.

**PUBLIC HEARING:**

**A. 12-CDP-02:** A request for a Conditional Use Permit and Design Review to: 1) Modify the exterior of an existing automobile dealership; 2) Construct two covered car display areas and a 70 square foot building addition to the dealership office; and 3) Reface existing pole signs. The property is located in the General Commercial (C-G) zoning district and has a General Plan land use designation of Commercial.

**Location:** 101 W. Harvard Blvd. (APN: 105-0-090-235, -185, -205, & -195)

**Applicant:** John Macik for Santa Paula Chevrolet

**General Plan:** Commercial

**Zoning:** General Commercial (C-G)

**Environmental:** Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) based upon a Class 1 (Section 15301) exemption.

**Verification of posting notice:** Chairman Sommer confirmed with the Planning Secretary Catherine Cwiok that the Notice of Public Hearing was properly advertised and posted.

**Declaration of conflicts:** Commissioner Appleby is employed with Anderson-Kulwiec Architects, which is the architectural firm working on this project. Therefore Commissioner Appleby recused herself and left the room.

**Declaration of ex parte contacts:** None

**Open public hearing:** Chairman Michael Sommer opened the Public Hearing at 6:32 p.m. and called upon staff to present the item.

- **Staff Presentation** – Deputy Planning Director, Stratis Perros
- **Applicant**– John Macik of Santa Paula Chevrolet

**Public Comment:** John Kulwiec, architect, was available to answer questions.

After further discussion a motion was made.

**ACTION:** It was moved by Commissioner Wisda, seconded by Commissioner Graham to adopt Resolution No. 3692 approving Conditional Use Permit No. 12-CDP-02 subject to the Conditions of Approval identified in the Resolution. The motion carried 3-1 under roll call vote with Commissioner Appleby recusing herself.

**B-1. 07-CI-07: The City of Santa Paula 2008-2014 General Plan Housing Element Update** Proposed amendments to the previously adopted Housing Element will be presented to the Planning Commission for consideration and recommendation to the City Council. If recommended by the Planning Commission and approved by the City Council, the revised Housing Element will be forwarded to the California Department of Housing and Community Development (HCD) for review and certification in accordance with State law. The proposed changes would amend the Housing Element adopted January 19, 2010.

A Negative Declaration was certified by the City Council June 16, 2008 in accordance with the California Environmental Quality Act (CEQA) for the Housing Element adopted in 2008. The Negative Declaration found that the proposed amendments as set forth in the Housing Element would not have a significant effect on the environment. In accordance with CEQA Guidelines § 15164, the Planning Commission will also consider an Addendum to the certified Negative Declaration prepared for the project. The Negative Declaration found that the proposed amendments as set forth in the draft Housing Element would not have a significant effect on the environment. The revised Housing Element does not contain changes requiring additional CEQA review.

**Location:** City-wide  
**Applicant:** City of Santa Paula

**B-2 11-CI-05: Proposed Amendments to Title 16 of the Santa Paula Municipal Code (“SPMC”).** SPMC Title 16 contains most of the City’s land use regulations and development standards. A draft ordinance proposes to add Chapters 16.35 and 16.238 to Title 16. The proposed new Chapters are being added to create an affordable housing opportunities overlay zone in the Commercial Light Industrial zone and add a Site Development Permit to implement among other things, the proposed affordable housing overlay zone. In accordance with CEQA Guidelines § 15168(c)(2), the proposed amendments to the SPMC were determined to be consistent with the Environmental Impact Report for the 1998 Santa Paula General Plan.

**Location:** City-wide  
**Applicant:** City of Santa Paula

**Verification of posting notice:** Chairman Sommer confirmed with the Planning Secretary Catherine Cwiok that the Notice of Public Hearing was properly advertised and posted.

**Declaration of conflicts:** None

**Declaration of ex parte contacts:** None

- **Staff Presentation** – Planning Director, Janna Minsk and Consultant John Douglas.
- **Discussion**

Janna Minsk and John Douglas explained the Housing Element and related requests and answered questions from the Commission.

Commissioner Wisda identified perceived discrepancies of the statistics found between the 2008 – 2014 Housing Element report, RHNA numbers, and 2010 Census. Commissioner Wisda also noted differences in the number of units that are owner occupied, foreclosure numbers, and changes in the median income and the medium housing price as estimated in 2010 Census. Commissioner Wisda recommended the study and potential adoption of an overlay zone over blighted residential zones as opposed to commercial zones.

**Public Comment:**

Larry Sagely, 585 Ridgecrest Dr, - Mr. Sagely did not support approval of the project. Mr. Sagely was of the opinion that if you make faulty decisions on faulty

data you are going to have make a faulty decision. Mr. Sagely also stated his belief that Santa Paula has more than its share of low income housing.

Sonja Flores, 320 Del Valle Dr, Fillmore – Ms. Flores represents Farm Workers Housing Committee (House Farm Workers). Ms. Flores commented that the members of the community with low incomes are not being reached with affordable housing. The City of Santa Paula is working with Limoneira and is doing a great job. Ms. Flores wants the two programs (Affordable Housing Overlay and Density Bonus) in the 2008 – 2014 Housing Element to be implemented and for the City Council to approve Ordinance No. 1242.

Jeff Ponting, 338 South A Street, Oxnard – With the California Rural Legal Assistance (CRLA). Mr. Ponting, on behalf of his client Mr. Lira, is concerned about the lack of low income housing. He believes CRLA and the City of Santa Paula have addressed these issues and thinks it is time to move forward with housing for farm workers and others in need of low income housing. CRLA wants the City Council to approve Ordinance No. 1242.

Michael Penrod, 133 N. 10<sup>th</sup> St – Mr. Penrod represents the Limoneira Co. According to him, most of the property in the C-LI Zone is under utilized and the Overlay provides additional housing opportunities. He wants the City Council to approve Ordinance No. 1242.

Ellen Brokaw, 3430 Ojai Rd – Ms. Brokaw is a farmer who has resided just outside of the Santa Paula boundary for the past 30 years. She noted that the farm workers need affordable homes and it is very difficult for them to find shelter. There is an obligation to have proper housing. The Affordable Housing Overlay will spring forward adequate housing for the city.

Audrey Vincent, 1001 June St. – Ms. Vincent supports being good stewards of the land. Being a good steward of the land, according to Ms. Vincent, requires the provision of decent housing for those who work the land.

**Close Public Hearing:** Chairman Sommer closed the Public Hearing and began discussion among the Commissioners.

Commissioner Graham – Commission Graham expressed concern that the Affordable Housing Overlay includes all of the C-LI Zone and that none of the C-LI Zone is exempt. She noted that as proposed it would not discourage any property owners that want to develop light industrial uses, it would just encourage people to propose housing over other uses.

Commissioner Wisda – Commissioner Wisda also objected to scope and scale of this project. In his opinion the numbers don't warrant the inclusion of the entire C-LI zone in an overlay. Mr. Wisda noted that he would be agreeable to put a portion of the C-LI Zone into Affordable Housing Overlay but not all of it.

Mr. Wisda expressed concern in the potential loss of commercial area for job growth. He also repeated his concern about the discrepancies he believed existed in the Housing Element Report when utilizing 2010 Census data. He proposed an overlay on blighted residential areas as opposed to an overlay on the C-LI district.

Commissioner Appleby – Commissioner Appleby noted that the Draft Housing Element is an impressive document and the lack of affordable housing is a big problem. She supports changes that are user friendly for those who want to develop housing. She notes that the City already permits some housing in C-LI Zone and Ordinance No. 1242 provides another opportunity to streamline the process to provide additional housing development.

Commissioner Graham – Commission Graham noted that she is uncomfortable with the proposed C-LI Overlay Zone because it includes the entire C-LI Zone. If the Ordinance is approved, such projects will be allowed by-right and by Administrative approval only and would not be required to come before the Planning Commission.

Chairman Sommer – Chairman Sommer expressed his agreement with many of Commissioner Wisda's comments. However, he stated that the data in the document before them complies with the information required by HCD.

After further discussion a motion was made by Chairman Sommer.

**ACTION:** It was moved by Chairman Sommer, seconded by Commissioner Wisda, to adopt Resolution No. 3691 recommending to the City Council approval of the 2008 – 2014 Housing Element Update of the General Plan and approval of the Addendum to the certified Negative Declaration. The Commission motion also included staff recommended changes to draft Ordinance Number 1242 pages 6, 9, 11, and 13 as read into the record by Director Minsk. Commissioners also requested that City Council look at the scope of affordable housing proposed in the C-LI and Overlay Zone by reducing its scope and to also include residential zones in the Overlay area. The motion carried 3-1 under roll call vote with Commissioner Graham voting no.

**ORDER OF BUSINESS:** None

**NEW BUSINESS:** No new business was scheduled or discussed at this time

**CITY COMMUNICATIONS:** Planning Director Minsk – There will be a meeting next month. But the regularly scheduled meeting for next week is cancelled.

Deputy Planning Director Perros - Announced one vacancy on the Design Assistance Committee. At the last Planning Commission Meeting Commissioner Graham brought

up some issues regarding banners on property at Bender Plaza. Staff alerted property owner and banners have been removed.

**REQUEST FOR FUTURE AGENDA ITEMS:** None

**ADJOURNMENT:** Chairman Sommer adjourned the meeting at 8:55 p.m.

**NOTICE:** Actions by the Planning Commission on the above items cannot be appealed to the City Council after 5:00 p.m. Friday, March 30, 2012. Be advised that if you bring a legal challenge to a Planning Commission decision, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the Planning Commission at or before the meeting. For further details of the discussions held in this meeting, a taped recording is available in the Planning Department office for a period of approximately one year.



Stratis Perros  
Deputy Planning Director