



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

THE CITY OF SIGNAL HILL
WELCOMES YOU TO A REGULAR
PLANNING COMMISSION MEETING
January 19, 2016

The City of Signal Hill appreciates your attendance. Citizen interest provides the Planning Commission with valuable information regarding issues of the community. Meetings are held on the 3rd Tuesday of every month.

Meetings commence at 7:00 p.m. There is a public comment period at the beginning of the regular meeting, as well as the opportunity to comment on each agenda item as it arises. Any meeting may be adjourned to a time and place stated in the order of adjournment.

The agenda is posted 72 hours prior to each meeting on the City's website and outside of City Hall and is available at each meeting. The agenda and related reports are available for review online and at the Community Development office and Library on the Friday afternoon prior to the Commission meeting. Agenda and staff reports are also available at our website at www.cityofsignalhill.org.

During the meeting, the Community Development Director presents agenda items for Commission consideration. The public is allowed to address the Commission on all agenda items. The Chair will announce when the period for public comment is open on each agenda item. The public may speak to the Commission on items that are not listed on the agenda. This public comment period will be held at the beginning of the public portion of the meeting. You are encouraged (but not required) to complete a speaker card prior to the item being considered, and give the card to a City staff member. The purpose of the card is to ensure speakers are correctly identified in the minutes. However, completion of a speaker card is voluntary, and is not a requirement to address the Commission. The cards are provided at the rear of the Council Chamber. Please direct your comments or questions to the Chair.

CALL TO ORDER

ROLL CALL

CHAIR FALLO
VICE-CHAIR AUSTIN
COMMISSIONER BENSON
COMMISSIONER MURPHY
COMMISSIONER RICHÁRD

PLEDGE OF ALLEGIANCE

The Chair will lead the audience in reciting the Pledge of Allegiance.

PUBLIC BUSINESS FROM THE FLOOR ON ITEMS NOT LISTED ON THIS AGENDA

PUBLIC HEARING

(1) Site Plan and Design Review 16-01 for a Single-Family Dwelling at 2085 Freeman Avenue and Alley Vacation

Summary: The applicant, Bozena Jaworski of RPP Architects for the Tran Family, is requesting Site Plan and Design Review for a dwelling at 2085 Freeman Avenue. The proposal includes a 4,050-square-foot two-story single-family dwelling with 5 bedrooms, 4.5 bathrooms and an attached 887-square-foot three-car garage. The proposal also includes vacation of the north 180-foot segment of alley and an update to the Official Plan Lines map.

Recommendations: 1. Waive further reading and adopt a resolution approving Site Plan and Design Review 16-01. 2. Waive further reading and adopt a resolution finding the proposed vacation of a 180-foot segment of the alley at 2085 Freeman Avenue and the removal of the traffic study area between Obispo and Orizaba Avenues and north of 20th Street consistent with the General Plan.

COMMUNITY DEVELOPMENT DIRECTOR REPORTS

(2) Update on State Model Water Efficient Landscape Ordinance Implementation and Outreach for Tree Care and Turf Replacement

Summary: On November 24, 2015, the City Council adopted the State Model Water Efficient Landscape Ordinance, which has more restrictive water efficient landscape standards for new development and for replacement of large areas of existing landscaping. The City Council also adopted Zoning Ordinance Amendment 15-02, which establishes landscape and hardscape standards to promote turf replacement in existing development. Planning staff will provide an overview of the annual implementation report and the City's outreach efforts for

tree care, water conservation, and three recent State laws regarding homeowners' associations and turf replacement rights.

Recommendation: Receive and file.

(3) 2016 Planning Commissioners Academy

Summary: The League of California Cities 2016 Planning Commissioners Academy will be held on Wednesday, March 2 through Friday, March 4 at the Marriott Hotel in San Ramon, California.

A budget of \$1,500 will cover the cost (registration, airfare, lodging, food and other travel expenses) of one Commissioner to attend the conference. Registration deadline is Tuesday, February 2, 2016.

Recommendation: Select one Commissioner to attend the conference.

CONSENT CALENDAR

The following Consent Calendar items are expected to be routine and non-controversial. Items will be acted upon by the Commission at one time without discussion. Any item may be removed by a Commissioner or member of the audience for discussion.

(4) Minutes of the Following Meeting

Regular Meeting of December 15, 2015

Recommendation: Approve.

(5) City Council Follow-up

Summary: Attached for review is a brief summary on the City Council's action from the December 22, 2015 and January 12, 2016 meetings.

Recommendation: Receive and file.

(6) Development Status Report

Summary: Attached for review is the monthly Development Status Report which highlights current projects.

Recommendation: Receive and file.

(7) In the News

Summary: Articles compiled by staff that may be of interest to the Commission.

Recommendation: Receive and file.

COMMISSION NEW BUSINESS

COMMISSIONER RICHÁRD
COMMISSIONER MURPHY
COMMISSIONER BENSON
VICE-CHAIR AUSTIN
CHAIR FALLON

ADJOURNMENT

Adjourn tonight's meeting to the next regular meeting to be held Tuesday, February 16, 2016 at 7:00 p.m. in the Council Chambers located at City Hall.

CITIZEN PARTICIPATION

If you need special assistance beyond what is normally provided to participate in City meetings, the City will attempt to accommodate you in every reasonable manner. Please call the City Clerk's office at (562) 989-7305 at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

January 1



Single-Family Dwelling
at 2085 Freeman Avenue

CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

PROCEDURES RELATIVE TO PUBLIC HEARINGS/WORKSHOPS

1. At the request of the Mayor/Chair, the City Clerk/Secretary reports on the Form of Notice given:
 - a. Notice was published in the *Signal Tribune* newspaper on January 8, 2016.
 - b. Notice was posted in accordance with Signal Hill Municipal Code Section 1.08.010 on January 8, 2016.
 - c. Notice was mailed to property owners and residents within a 500' radius on January 8, 2016.
2. Mayor/Chair asks for a staff report, which shall be included in written materials presented to the City Council/Commission so that they can be received into evidence by formal motion.

In addition, the staff report shall include the following:

- a. Summarize the resolution/ordinance;
- b. The specific location of the property, and/or use, the surrounding properties;
- c. The criteria of the Code which applies to the pending application; and
- d. The recommendation of the Council/Commission and/or other legislative body of the City and staff recommendation.

3. Mayor/Chair declares the public hearing open.
4. Mayor/Chair invites those persons who are in favor of the application to speak.
5. Mayor/Chair invites those persons who are in opposition to the application to speak.
6. Applicant or their representative is provided a brief rebuttal period.
7. Mayor/Chair declares the public hearing closed.
8. Discussion by Council/Commission only.
9. City Attorney reads title of resolutions and/or ordinances.
10. City Clerk/Secretary conducts Roll Call vote.



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

January 19, 2016

AGENDA ITEM

TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION

FROM: SELENA ALANIS
ASSOCIATE PLANNER

SUBJECT: **PUBLIC HEARING – SITE PLAN AND DESIGN REVIEW 16-01 FOR A
SINGLE-FAMILY DWELLING AT 2085 FREEMAN AVENUE AND ALLEY
VACATION**

Summary:

The applicant, Bozena Jaworski of RPP Architects for the Tran Family, is requesting Site Plan and Design Review for a dwelling at 2085 Freeman Avenue. The proposal includes a 4,050-square-foot two-story single-family dwelling with 5 bedrooms, 4.5 bathrooms and an attached 887-square-foot three-car garage. The proposal also includes vacation of the north 180-foot segment of alley and an update to the Official Plan Lines map.

Recommendations:

1. Waive further reading and adopt the following resolution, entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING SITE PLAN AND DESIGN REVIEW 16-01, A REQUEST TO CONSTRUCT A 4,050-SQUARE-FOOT TWO-STORY SINGLE-FAMILY DWELLING WITH FIVE BEDROOMS AND A THREE-CAR GARAGE AT 2085 FREEMAN AVENUE IN THE RL, RESIDENTIAL LOW DENSITY, ZONING DISTRICT

2. Waive further reading and adopt the following resolution, entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIGNAL HILL, CALIFORNIA, FINDING THE PROPOSED VACATION OF A 180-FOOT SEGMENT OF THE ALLEY AT 2085 FREEMAN AVENUE AND THE REMOVAL OF THE TRAFFIC STUDY AREA BETWEEN OBISPO AND ORIZABA AVENUES AND NORTH OF 20TH STREET CONSISTENT WITH THE GENERAL PLAN

Background:

On March 21, 2006, the Planning Commission conducted a public workshop to review plans for a 3,745-square-foot two-story single-family dwelling with 4 bedrooms and an attached 784-square-foot two-car garage on the subject site. A view notice was mailed to residents and property owners within 500 feet of the project site. There were no responses to the view notice and no one spoke in opposition of the project at the workshop.

On April 18, 2006, the Planning Commission approved Site Plan and Design Review 06-12 with a 5/0 vote. In 2007, since building permits were not pulled for the project, the Site Plan and Design Review expired and the site remained vacant.

In 2008, after a series of Planning Commission public workshops, the City Council approved plans for the Freeman Heights project on the property east of the subject site. The proposal was for six two-story, single-family dwellings and an alley between Obispo and Freeman Avenues having ingress and egress mid-block on Freeman Avenue which would align with the subject site.

In 2014, the subject property was purchased by the Tran Family. Also, around that time, the City was in the process of developing standards for development on properties with abandoned oil wells. The State Division of Oil, Gas and Geothermal Resources maps indicated that there was one abandoned oil well on the site and with several active wells nearby.

On February 10, 2015, the abandoned well was located, leak tested, found not to be leaking methane and a vent cone was installed. The applicant prepared a well access exhibit and designed a site plan that does not provide access to the abandoned well (well is being built over).

On July 25, 2015, a Well Abandonment Report was produced and determined that the well is abandoned in accordance with the City's standards. The report found that no additional abandonment work was required and that the project may proceed with the Site Plan and Design Review process.

On November 6, 2015, consistent with the City's View Policy, view notices were mailed to owners and residents within a 500-foot radius of the site. Story poles were installed to depict the height of the dwelling to facilitate the view analysis process. The placement and height of the story poles were certified by a licensed engineer.

On December 15, 2015, the Planning Commission held a workshop and reviewed plans for the new single-family dwelling and alley vacation (Attachment A). There were no public comments received and the Planning Commission closed the workshop and directed staff to prepare the project for a public hearing.

Analysis:

The site is located on the west side of Freeman Avenue, north of 20th Street in an undeveloped area of the Hilltop Neighborhood in the Residential Low Density (RL) zoning district. The dwelling complies with the applicable development standards.

Site Plan & Floor Plans

Currently, the lot size is 7,800 square feet and the proposed alley vacation will increase the lot size to 8,100 square feet. The garage is located at the front of the property and vehicle access will be from the driveway off of Freeman Avenue.

The proposal is for a 4,050-square-foot single-family dwelling. The project is designed to be split level, but at no point is the dwelling more than two stories.

Traffic Study Area

The City's traffic engineer has reviewed the proposed street and alley configuration and prepared a memorandum concluding that the alley will not impede existing traffic circulation and may be vacated. Also at this time, the street and alley configuration previously reviewed by the City's traffic engineer for the Freeman Heights Specific Plan will be updated on the Official Plan Lines map. As such, the Planning Commission is required to find the proposed street and alley configuration consistent with the General Plan. No responses to the public hearing notice regarding the site plan and design review, views or alley vacation have been received to date.

Landscape Plan

The City's Landscape Architect has reviewed the concept landscape plan and compared it to the City's new Water Efficient Landscape Ordinance (Chapter 13.10). The concept plan does not separate planting zones for low and high water use plants and uses a relatively high number of water use plants as such it does not meet the code requirements. A revised plan will be required and a condition of approval has been added requiring compliance with Chapter 13.10.

Approved:

Scott Charney

Attachment



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

December 15, 2015

AGENDA ITEM

TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION

FROM: SELENA ALANIS
ASSOCIATE PLANNER

SUBJECT: PUBLIC WORKSHOP – SINGLE-FAMILY DWELLING AT 2085
FREEMAN AVENUE AND ALLEY VACATION

Summary:

The applicant, Bozena Jaworski of RPP Architects for the Tran Family, is requesting a workshop review of preliminary plans for a dwelling at 2085 Freeman Avenue. The proposal includes a 4,050-square-foot two-story, single-family dwelling with 5 bedrooms, 4.5 bathrooms and an attached 887-square-foot three-car garage. Story poles were installed to depict the height of the dwelling to facilitate the view analysis process and no requests for a view analysis were received. The project is within a traffic study area, as proposed, the north 180 feet segment of alley will be vacated.

Recommendations:

- 1) Open the public workshop and receive testimony.
- 2) Provide direction as deemed appropriate regarding:
 - The alley vacation;
 - The View Analysis; and
 - The Site Plan and Design Review considerations.

Background:

On March 21, 2006, the Planning Commission conducted a public workshop to review plans for a 3,745-square-foot two-story, single-family dwelling with 4 bedrooms and an attached 784-square-foot two-car garage on the subject site (previously addressed at 2095 Freeman Avenue). A view notice was mailed out to residents and property owners within 500 feet of the project site. There were no responses to the view notice and no one spoke in opposition of the project at the workshop (Attachment A).

On April 18, 2006, the Planning Commission approved Site Plan and Design Review 06-12 with a 5/0 vote (Attachment B). In 2007, since building permits were not pulled for the project, the Site Plan and Design Review expired and the site remained vacant.

In 2008, after a series of Planning Commission public workshops, the City Council approved plans for the Freeman Heights project on the property east of the subject site. The proposal was for six two-story, single-family dwellings and an alley between Obispo and Freeman Avenues having ingress and egress mid-block on Freeman Avenue which would align with the subject site (Attachment C).

In 2014, the subject property was purchased by the Tran Family. Also around that time, the City was in the process of developing standards for development on properties with abandoned oil wells. The Division of Oil, Gas and Geothermal Resources maps indicated that there was one abandoned oil well on the site and several active wells are nearby.

On February 10, 2015, the abandoned well was located, leak tested, found not to be leaking methane and a vent cone was installed. The applicant prepared a well access exhibit and designed a site plan that does not provide access to the abandoned well (well is being built over).

On July 25, 2015, a Well Abandonment Report was produced and determined that the well is abandoned in accordance with the City's standards and therefore, can be built over. The report found that no additional abandonment work was required and that the project may proceed with the Site Plan and Design Review process.

On November 6, 2015, consistent with the City's View Policy, view notices were mailed to owners and residents within a 500-foot radius of the site. Story poles were installed to depict the height of the dwelling to facilitate the view analysis process. The placement and height of the story poles were certified by a licensed engineer. To date, staff has not received a response to the view notice.

Analysis:

Project Vicinity

The site is located on the west side of Freeman Avenue, north of 20th Street in an undeveloped area of the Hilltop Neighborhood in the Residential Low Density (RL) zoning district.



The zoning and existing land use for the project site and surrounding properties are as follows:

Direction	Land Use Designation/ Zoning	Existing Land Use
Project Site	RL, Residential Low Density	Vacant with an abandoned oil well and 3 existing trees
North	RL, Residential Low Density	Vacant parcel
South	RL, Residential Low Density	Two-story, single-family dwelling
East	SP-20, Freeman Heights Specific Plan	Vacant parcel with active oil operations
West	RL, Residential Low Density	Vacant parcel

Zoning Development Standards

The dwelling complies with the applicable development standards including:

Standard	Required	Proposed
Minimum Lot Area	5,000 square feet 55' x 90'	8,100 square feet * 60' x 135' *
Building Height	25' height limit as measured by the datum line method (as determined from the 1960 topography map)	25' height
Setbacks		
Front (south)	20' minimum	20'
Side (north)	5' minimum	5'
Rear (west)	10' minimum	21'-6" *
Lot Coverage	50% maximum	44% (3,584 square feet) *
Floor Area Ratio	.5 maximum	.5 FAR (4,050 square feet) *
Off-street parking	3-car garage for five bedroom dwelling	3-car garage
Architectural Projections	30" maximum	30" at south side yard

*Indicates after alley vacation

Site Plan & Floor Plans

Currently, the lot size is 7,800 square feet and the proposed alley vacation will increase the lot size to 8,100 square feet. The garage is located at the front of the property and vehicle access will be from the driveway off of Freeman Avenue.

The proposal is for a 4,050-square-foot single-family dwelling. The project is designed to be split level, but at no point is the dwelling more than two stories (see plan set Sheet A3.1 for cross sections). No responses to the view notice were received. The floor plans include:

- The lower level has a large entry foyer and adjacent office/gym room (for off-street parking purposes the room is counted as a bedroom), living room, dining room, kitchen, powder room, pantry, laundry room and 887-square-foot 3-car garage with an attached storage/work area.
- Five feet up from the entry level is the master bedroom, bathroom and walk-in closet. The master bedroom has high ceilings, but no second story above.
- The second floor, consists of a loft that leads to three bedrooms and two bathrooms.
- The project also has a second story covered balcony at the front of the house and second story uncovered deck on the south side of the house.
- In addition, the project is designed to be energy efficient and uses water efficient fixtures along with other green features (Attachment D).

Architecture

The dwelling has a modern design featuring a smooth stucco finish, copper and stone tile cladding, cable hand rails and a brushed aluminum garage door. The dwelling has clean lines, bold roof lines and a tower element at the entry which serves as a focal point. A colors and materials board will be available at the workshop.

Landscape Plan

The conceptual landscape plan has been designed with water efficient shrubs and ground cover. The tree types were picked by the homeowner. The dwelling will be conditioned to comply with the new water conservation in landscaping ordinance which requires projects with more than 500 square feet of landscaped area to have plans prepared by a landscape architect and comply with a prescribed water budget which limits the amount of turf that can be installed. Currently, only a small area in the backyard will be turf or synthetic turf.

In addition, the project complies with the recently adopted standard allowing a 25% maximum hardscape in the front setback. Turf block will be used for one driveway space to allow water to infiltrate on site.

The rear yard has a covered terrace adjacent to the master bedroom. The terrace is open on one side and has a guard rail on the other side as required by the difference between the elevations. An access gate is provided to the 5' proposed utility easement at the rear. Gravel will be installed in this area and the property owner will be responsible for maintaining this area.

There is a 6' stucco wall and entry just behind the front setback. There is an existing wall on the south side of the property and a 6' wall will be constructed on the north property line. The rear yard will have a new retaining wall with fence on top that will be no more than 6' from the adjacent grade. The 5' area at the rear of the property will be enclosed with a chain link fence.

Grading

Currently, the site slopes low to high from east to west, so that the rear of the property is approximately 10' higher than the front of the property. In addition, the property sits approximately 10' higher than the property to the south. The top of the abandoned oil well is at 141', to maintain adequate distance between the top of the plate and finished grade, the first floor is split level. The proposed grade at the front of the house will be at 141' and the back of the house will be terraced at 143' and 148'.

Alley Vacation

The project is in a traffic study area which requires a traffic analysis before the precise street and alley configuration can be identified. The City's traffic engineer has reviewed

the proposed street and alley configuration and prepared a memorandum in support of the vacation. As such, the Planning Commission will have to find the proposed traffic configuration consistent with the General Plan (Attachment E).

As proposed, the north 180' segment of the alley will be vacated and the subject site will gain 5 feet at the rear of the property. The southern 500' (15' and 20' wide) segment of the alley will remain fully improved for traffic and utility access purposes. The condominiums on Orizaba Avenue use the alley to access rear garages and the condominiums on the east side of the alley use Freeman Avenue to access an underground parking structure. The five new homes on Freeman Avenue do not use the alley because of topographical constraints, vehicular access to the driveways and garages of these homes is provided from Freeman Avenue.

The site plan has been designed with the proposed vacation, but the paperwork to establish the vacation has not been finalized. Notice of the vacation has been provided to the utility service providers and it is likely that utility easements will be required at the rear of the property. If the vacation is not accepted for some reason, the site plan would have to be redesigned to reduce the floor area by 300 square feet to comply with the Floor Area Ratio standards.

Approved:

Scott Charney

Attachments

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SIGNAL HILL, CALIFORNIA, APPROVING
SITE PLAN AND DESIGN REVIEW 16-01, A REQUEST TO
CONSTRUCT A 4,050-SQUARE-FOOT TWO-STORY
SINGLE-FAMILY DWELLING WITH FIVE BEDROOMS
AND A THREE-CAR GARAGE AT 2085 FREEMAN
AVENUE IN THE RL, RESIDENTIAL LOW DENSITY,
ZONING DISTRICT**

WHEREAS, the applicant Bozena Jaworski, for the Tran Family, filed a request to construct a 4,050-square-foot two-story single-family dwelling with the first floor consisting of a living room, a dining room, a kitchen, an adjacent office/gym room (for off-street parking purposes the room is counted as a bedroom), a powder room, a master bedroom, a master bathroom and a 887-square-foot 3-car garage and the second floor consisting of three bedrooms and two bathrooms at 2085 Freeman Avenue in the RL, Residential Low Density zoning district; and

WHEREAS, the site is legally described as 1/5 and 4/5 of Lot 7 of the Baker Harbor City Tract, in the City of Signal Hill, in the County of Los Angeles, State of California; and

WHEREAS, pursuant to the Signal Hill Municipal Code Chapter 20.52, "Site Plan and Design Review," building placement and design is properly a matter for Planning Commission review and determination; and

WHEREAS, on February 10, 2015, the abandoned well was located, leak tested, found not to be leaking methane and a vent cone was installed; and

WHEREAS, the applicant prepared a well access exhibit and designed a site plan that does not provide access to the abandoned well; and

WHEREAS, on July 25, 2015, a Well Abandonment Report was produced

and determined that the well is abandoned in accordance with the City's standards and a determined that the project may proceed with site plan and design review; and

WHEREAS, on November 6, 2015, consistent with the City's View Policy, view notices were mailed to owners and residents within a 500-foot radius of the site and story poles were installed to depict the height of the dwelling to facilitate the view analysis process; and

WHEREAS, no responses to the view notice were received; and

WHEREAS, on December 15, 2015, at a duly noticed public workshop, the Planning Commission reviewed the plans for the 4,050-square-foot two-story single-family dwelling, there were no comments from the public and the Commission closed the workshop and directed staff to prepare the project for a public hearing; and

WHEREAS, on January 8, 2016, notice of a Planning Commission public hearing regarding the proposed project was mailed to all property owners within a 500-foot radius of the subject property, published in the Signal Tribune newspaper and posted in accordance with S.H.M.C. Section 1.08.010; and

WHEREAS, the project is Categorically Exempt pursuant to Section 15303, Class 3(a), New Construction or Conversion of Small Structures, of the California Environmental Quality Act; and

WHEREAS, on January 19, 2016, a public hearing was held before the Planning Commission, and all interested parties were given an opportunity to be heard regarding the request; and

WHEREAS, the City has incorporated all comments received and responses thereto.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Signal Hill, California, does hereby find as follows:

1. The proposed project, subject to the attached conditions, is in conformance with the zoning ordinance, other ordinances and regulations of the City, and the following policies of the General Plan Land Use Element:

LAND USE ELEMENT GOAL 1 – Manage growth to achieve a well-balanced land use pattern that accommodates existing and future needs for housing, commercial, and industrial land, open space, and community facilities and services, while maintaining a healthy, diversified economy adequate to provide future City revenues.

Land Use Policy 1.2 – Provide opportunities for a variety of residential densities and housing styles.

Finding regarding Policy 1.2 – The single-family dwelling meets the development standards of the RL, Residential Low Density zoning district. The dwelling's contemporary design will contribute to the various housing styles in the Hilltop neighborhood.

Land Use Policy 1.5 – The distribution and intensity of land uses shall be consistent with the land use map and descriptions for each of the land use categories in Section VI of the Land Use Element.

Finding regarding Policy 1.5 – The project is for one single-family dwelling which is consistent with the Generalized Land Use Map and the 1.1 Low Density Residential, Land Use District as described in Section VI of the Land Use Element.

LAND USE ELEMENT GOAL 3 – Assure a safe, healthy, and aesthetically pleasing community for residents and businesses.

Land Use Policy 3.7 – Maintain and enhance the quality of residential neighborhoods.

Finding regarding Policy 3.7 – The proposed project will enhance the quality of the Hilltop residential neighborhood by providing a custom single-family home within the area of the City that has primarily been vacant lots and active oil operations.

Policy 3.12 – Encourage and promote high quality design and physical appearances in all development projects.

Finding regarding Policy 3.12 – The project design incorporates stucco, stone cladding and metal cladding finishes and also

includes green building features such as skylights and solar tubes, a turf block driveway and shade canopies.

2. The proposed project is in conformance with any redevelopment agency and any executed owner's participation agreement or disposition and development agreement.

3. Subject to the attached conditions, the following will be arranged as to avoid traffic congestion, to ensure the public health and safety and general welfare, and to prevent adverse effects on surrounding properties: facilities and improvements; pedestrian and vehicular ingress, egress and internal circulation; setbacks; height of building and structures; signs; mechanical and utility service equipment; landscaping; grading; lighting; parking; drainage; and intensity of the land use.

4. The topography is suitable for the proposed site plan and the site plan, subject to the attached conditions, is suitable for the use intended.

5. The proposed development provides for appropriate exterior building design and appearance consistent with and complementary to present and proposed buildings and structures in the vicinity of the subject project, while still providing for a variety of designs, forms and treatments.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Signal Hill, California, does hereby:

1. Approve Site Plan and Design Review 16-01, subject to the Conditions of Approval attached hereto as Attachment A.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Planning Commission of the City of Signal Hill, California, on this 19th day of January, 2016.

JANE FALLON
CHAIR

ATTEST:

SCOTT CHARNEY
COMMISSION SECRETARY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SIGNAL HILL)

I, Scott Charney, Secretary of the Planning Commission of the City of Signal Hill, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the Planning Commission held on the 19th day of January, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SCOTT CHARNEY
COMMISSION SECRETARY

Site Plan and Design Review 16-01
Recommended Conditions of Approval

Project: 2085 Freeman Avenue – New 4,050-square-foot two-story single-family dwelling with a 3-car garage

Applicant: Bozena Jaworski for the Tran Family

1. The applicant shall agree to defend, indemnify and hold harmless, the City of Signal Hill, its agents, officers and employees from any claim, action or proceeding against the City of Signal Hill or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Signal Hill, its legislative body, advisory agencies, or administrative officers concerning the subject application. The City of Signal Hill will promptly notify the applicant of any such claim, action or proceeding against the City of Signal Hill and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Signal Hill fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Signal Hill. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
2. The project shall substantially conform to the site and building plans on file with the Community Development Department, as herein or as modified by the Planning Commission. It shall be the responsibility of the developer, the architect and the contractor to develop the project consistent with the aforementioned plans. Any substantial modification to the approved site and building plans shall be subject to approval of the Director of Community Development.
3. Applicant shall pay building plan check and permit fees as estimated in Exhibit A and comply with all Public Works Improvements conditions as shown in Exhibit B attached hereto.
4. Construction of the improvements set forth in the approved site plan shall commence within one year from the date permit-ready plans are signed by the Director of Community Development in accordance with Section 20.52.060 of the Signal Hill Municipal Code.

5. Pursuant to Section 20.52.085 of the Signal Hill Municipal Code, at all times during grading and construction the site shall be secured and screened to the satisfaction of the Building Official.
6. Pursuant to the Construction Time Limits Ordinance, Section 20.52.100 of the Signal Hill Municipal Code, the Building Official or Director of Community Development may deem any building, grading, or demolition permit to be null and void if a Certificate of Occupancy has not been issued within 540 days, starting from the date of issuance of the first building, grading or demolition permit for the project. Construction time periods may be extended as provided in Section 20.52.110 in accordance with the procedures specified therein.

Before issuance of building permits, the applicant shall satisfactorily address all of the following as required by the Planning Department:

7. The following notes shall be included on the final site plan:
 - a. All exposed metal flashing or trim shall be anodized or painted to match the building.
 - b. Final adequacy of landscape materials shall be subject to field inspection by the Community Development Department; additional landscaping deemed necessary upon inspection shall be installed by the applicant at his sole expense.
 - c. Exterior colors and materials shall be specified on the plans and be consistent with the color boards on file in the Community Development Department.
 - d. Street address numbers, which are visible from the street and alley, shall be provided.
 - e. Exterior lighting shall be shielded and directed to not interfere with adjacent properties.
 - f. All new gas meter locations must be approved by the Long Beach Gas & Oil Department.
 - g. The dwelling shall be provided with separate gas and electrical meters.
 - h. All on-site utilities shall be underground.
8. The garages shall include automatic garage door openers and 72 cubic feet of storage area.
9. Submit a landscape plan prepared by a licensed landscape architect, as required by the Water Conservation in Landscaping Ordinance, Chapter 13.10 of the Signal Hill Municipal Code in compliance with the performance requirements or prescriptive measures on file with the Community Development Department. Parkway plantings shall also be shown and subject to the approval of the Director of Public Works. The final landscape plan shall be generally consistent with the concept plan with a minimum of three trees 36"-box trees in

the front yard. Any substantial changes from the concept plan, as deemed by the Community Development Director, will require Planning Commission review.

10. Submit a title report and work with the Los Angeles County Tax Assessor's office to combine the two Assessor Parcel Numbers (APN) into one APN for the entire lot. Proof of the new APN shall be submitted to the Community Development Department for the City Engineer's review.
11. Add a note on the final plans that the property owner is to maintain the 5-foot utility easement at the rear of the property and keep clear of weeds and debris.

Before issuance of building permits, the applicant shall satisfactorily address all of the following as required by the Building Department:

12. Submit three complete sets of construction plans to the City for review and approval demonstrating compliance with the 2013 California Building Codes including: walls, buildings, landscaping and equipment foundations/slabs and pits; all underground utilities including site electrical, sewer and plumbing; submit two sets structural engineering (seismic zone 4) and equipment specifications.
13. Submit to the City a soils report prepared by a registered soils engineer.
14. Submit a site plan showing all easement areas on the site plan and underground all on-site utilities (telephone, cable, etc.).
15. Submit a licensed survey showing all active, idle and abandoned wells oil wells on the site and showing all active oils wells within 100 feet of the area of development (mitigation requirements apply if this is the case).
16. Submit a methane assessment work plan and obtain a methane assessment permit to conduct a methane assessment. Site testing should be scheduled before any site grading or conducted at least 30 days after any site grading.
17. Submit a methane assessment report prepared per City's "Methane Assessment Minimum Requirements Standard" on file in the Community Development Department. The assessment report shall be signed and stamped by a State of California registered geologist and submitted for review to the Oil Services Coordinator prior to installation of any mitigation systems.
18. The applicant shall implement the recommendations contained in the methane assessment report. Methane systems shall be constructed at the expense of the developer or property owner and shown on the approved grading or building plans. Applicant shall pay for all the consultant's review fees.
19. Fire sprinklers shall be required under the California Building Code. The

applicant shall submit to the City a copy of the stamped “approved” fire sprinkler plans from the Los Angeles County Fire Department.

20. A fire flow test shall be required, subject to Fire Department review upon plan check submittal. Applicant shall first contact the Public Works Department to make arrangements for fire flow tests, then submit plans as required to the Los Angeles County Fire Department for review and approval demonstrating compliance with fire codes and policies.
21. Submit a plan for review and approval of the Building Official that demonstrates that at least 50% of the construction and demolition debris generated by the project is recycled/diverted to comply with the State-mandated waste diversion requirements pursuant to SHMC 8.08.055 and CALGreen Sections 4.408 and 5.408. A contractor producing construction and demolition debris shall either contract with the City’s refuse contractor for the removal of the debris, or self-haul the debris to a disposal site certified by the Los Angeles County Sanitation Department. Prior to receiving a permit from the City for construction or demolition, the contractor shall develop and submit a plan to recycle and salvage the projected construction and demolition debris to the greatest extent feasible. The recycling plan may include source-separated recycling, mixed debris recycling, salvaging and disposal of non-recyclables and non-salvageable debris. The Construction and Demolition Debris Recycling Plan Certification must be completed and submitted along with plans. Waste handling receipts must be obtained for all debris removal whether delivered to EDCO or another certified waste diversion/disposal facility. Failure to comply with the approved plan may result in assessment of penalties in addition to permit fees.
22. The height of the structures shall not exceed the heights shown on the approved plans. During construction, the applicant shall be required to submit documentation confirming compliance with the approved drawings and submit pad, finish floor, and ridge height certifications during construction.

Before the issuance of building permits, the applicant shall satisfactorily address all of the following as required by the Public Works/Engineering Department:

23. All Public Works requirements shall be complied with as in Exhibit B of the Recommended Conditions of Approval for Site Plan and Design Review 16-01 pursuant to the approval of the City Engineer.
24. Submit a precise grading plan, wall plan, paving plan and erosion control plan, all prepared by a Civil Engineer, to the City for approval, showing all retaining walls, drainage structures and facilities. These plans must be coordinated with the approved site and landscape plans. The precise grading plan shall include an erosion control plan for construction during the rainy season; details for the construction of all stormwater containment and recycling facilities; all structures and facilities required to demonstrate, to the satisfaction of the City Engineer,

that water quality impact mitigation measures will be addressed during the construction phase and during the operation of the completed facility. Additional City Consultant fees may apply for water quality plan review.

25. Grading plans shall call out the elevation of the well surface plate and finished grade. The surface plate shall be least 5 feet, but no more than 10 feet below the finished grade and account for construction of the methane barrier.

Before issuance of certificate of occupancy, the applicant shall satisfactorily address all of the following as required by the Building Department:

26. Pad elevation and building location is to be verified by a licensed surveyor or civil engineer prior to requesting a foundation inspection.
27. Building height is to be verified by a licensed surveyor or civil engineer prior to requesting a foundation inspection and prior to requesting a framing inspection.
28. The property owner shall record Declaration of Covenants, Conditions and Restrictions, in a form subject to the review and approval of the City Attorney, putting future owners and occupants on notice of the following: the existence of abandoned wells on the site; that the wells within the area of development have been leak tested and found not to leak; description of any methane mitigation measures employed; acknowledgment that the state may order the reabandonment of any well should it leak in the future; acknowledgment that the state does not recommend building over wells; and releasing and indemnifying the city for issuing project permits.
29. Prior to the issuance of the Certificate of Occupancy, contractor/developer shall provide an invoice or other similar documentation from the City's refuse contractor or a State-certified disposal facility that indicates the type of material(s) disposed, the total tonnage of debris disposed and the estimated percentage of recyclable materials for each load of debris removed from the construction site. The name of the disposal facility and their contact information shall be clearly identifiable on the invoice that is submitted to the Public Works department for review. Failure to comply with the approved plan may result in assessment of penalties in addition to permit fees.
30. Landscaping and automatic irrigation shall be installed consistent with the approved plan and Water Conservation in Landscaping Ordinance, Chapter 13.10 of the Signal Hill Municipal Code. A Certificate of Completion consistent with SHMC 13.10.130 including a project information sheet, certification of installation, irrigation schedule, landscape and irrigation maintenance schedule, irrigation audit and soil analysis report shall be submitted to the Building Official.
31. The project is subject to Development Impact Fees as calculated in the attached worksheet (Exhibit A):

- a. A Parks and Recreation Impact Fee in the amount of \$18,953.00 -- pursuant to Signal Hill Municipal Code Chapter 21.40, "Parks and Recreation Impact Fees," (the fee is adjusted annually).
- b. A Water Impact Fee in the amount of \$18,941.00 -- pursuant to Signal Hill Municipal Code Chapter 21.44, "Water System Impact Fee," (Water meter size to be verified by the Owner, the fee is adjusted annually).
- c. A Traffic Impact Fee in the amount of \$478.00 -- pursuant to Signal Hill Municipal Code Chapter 21.48, "Traffic Impact Fees," (the fee is adjusted annually).

Note: Fee amounts are based on the current fee schedules which are subject to change. Additional fees may apply for outside agencies: LA County Sanitation District, LA County Fire Department, Long Beach Unified School District and City consultant's fees for NPDES and Methane Mitigation.

- 32. Payment shall be made for School Impact Fees in an amount to be calculated by the Long Beach Unified School District, consistent with the State Law and District Policy.
- 33. Public Works requirements shall be complied with, pursuant to the approval of the City Engineer (Exhibit B).

End of Conditions.

FEE ESTIMATE

Project		
Address	2085 FREEMAN	
Owner	Sober Up USA (Tran Family)	
Phone		
Designer	RPP Architects	
Phone	562 434-8414	

Zone	RL, Residential Low Density	
Lot Size	8,100 sf with alley vacation	

Building Area	Living 4,050	Garage 887	Deck 223
	Other		

Stories	Units on Lot
----------------	---------------------

Description:	New 4,050 sf two-story SFD 5 bedrooms, 4.5 bathrooms, 3-car garage	
---------------------	---	--

Valuation	\$ 587,389.85
------------------	----------------------

Building Plan Check	\$ 1,871.16
T-24 Energy Review	\$ 35.00
Total	\$ 1,906.16

Building Permit Fees		
	\$ 2,201.36	Structural
	\$ 195.30	Electrical
	\$ 195.30	Plumbing
	\$ 195.30	Mechanical
	\$ 27.79	Field Energy
	\$ 76.36	S.M.I.P. cat 1
TBD		Grading
	\$ 10.00	Issue
	\$ 24.00	BSC Fee
	\$ 2,925.41	Total on Permit

Development Impact Fees		
	\$ 18,953.00	Parks
	\$ 18,941.00	Water 1" meter
	\$ 478.00	Traffic
		\$ 38,372.00 Total

Estimates are based on current fee schedules which are subject to change.

Fees not included on this sheet: Public Works, Planning, NPDES
L.A. County Sanitation, LBUSD
L.A. County Fire Department R-3 Form

Exhibit A

CITY OF SIGNAL HILL
DEPARTMENT OF PUBLIC WORKS
CONDITIONS OF APPROVAL

Public Works requirements for issuance of a Building Permit (over \$66,762 valuation) and for a Land Subdivision. In addition, a Subdivision must fulfill all requirements of the California Subdivision Map Act, and the City of Signal Hill Subdivision Ordinance.

Project: **Single Family Dwelling**

Address: **2085 Freeman Avenue**

Developer: **Ann & Jack Tran**

Date: **January 12, 2016**

Prepared by:



Approved by:



1. REQUIREMENTS OF DEVELOPER/APPLICANT

Prior to issuance of any permits (grading, excavation, etc.) all improvement plans (street, sewer, water, alley, grading, etc.), all dedication/vacation drawings, must be approved to the satisfaction of the City Engineer.

2. RIGHT-OF-WAY VACATION

City agrees to initiate the vacation process for the following right-of-way that may include maintaining easements after the vacation is complete:

- (a) A portion of alley.

Developer shall submit the following:

1. Current title report.
2. Legal description and Plat Map prepared by a Land Surveyor or a Registered Civil Engineer authorized to perform Land Surveying.
3. \$600 Vacation administration Fee.

3. GRADING PLAN

The applicant shall submit a Grading Plan prepared by a registered Civil Engineer, on City Title Block Mylar, subject to the review and approval of the City Engineer.

4. IMPROVEMENT PLANS

Applicant shall have plans for Public Works Improvements prepared by a Registered Civil Engineer (retained by the applicant) and subject to the review and approval of the City Engineer for the following:

- (a) Street Improvements on Freeman Avenue.
- (b) Sewer Main on Freeman Avenue (To be coordinated with L.A.C.S.D.).

5. STREET IMPROVEMENTS

Applicant shall construct the following Public Works Street Improvements (per approved plans & City Standards):

- (a) Curb & Gutter at 20 ft. from centerline. Curb & gutter shall join with the existing concrete improvements at 2075 Freeman Avenue to the south of this property, and be master planned to continue northerly on Freeman Avenue.
- (b) 4" P.C.C. sidewalk 5 ft. in width with 5 ft. wide parkway. Sidewalk shall join with the existing concrete improvements at 2075 Freeman Avenue to the south of this property, and be master planned to continue northerly on Freeman Avenue.
- (c) A.C. paving to centerline plus 10 feet easterly of centerline.
- (d) Driveway.
- (e) Install street signs.
- (f) 1 Street tree planted in deep root control boxes with irrigation.
Type of Tree: Koelreuteria Bipinnata (Chinese Flame Tree).
- (g) Underground new overhead facilities (electrical, telephone, cable T.V.).
- (h) 8" Sewer main on Freeman Avenue.

6. OVERHEAD UTILITIES

- (a) Underground new overhead facilities (electrical, telephone, cable T.V.).

7. SEWER CONNECTION/EXTENSION OF DISTRICT'S COLLECTOR SEWER

The City of Signal Hill will perform a preliminary review of the applicant's method of connection to the sewer. Based on the City's review, a review form will be issued by the City. The applicant is to bring the signed review form to the County Sanitation District of Los Angeles County (District), 1955 Workman Mill Road, Whittier, CA 90601 or (562) 699-7411 for any sewer connection information and/or design standards for preparation of a sewer extension. An appointment may be scheduled with the Public Counter by calling (562) 699-7411, extension 1204.

If an extension of a collector sewer is required, the applicant shall design and construct the sewer to District's standards. The applicant is responsible for design and construction costs, reimbursement of District's design review cost and District's construction inspection costs. Applicant is required to have an executed agreement with District outlining these financial responsibilities prior to District reviewing the design plans. After construction is completed and approved by District, applicant shall file Notice of Completion and prepare a Bill of Sale in accordance with the agreement.

8. WATER SERVICES

The existing domestic water service(s) currently serving the existing development may potentially be utilized if it is (they are) of adequate size, conforms to current standards, and are in good working condition as determined by the Water Department. If the property owner elects to utilize the existing water service(s), any non-conforming water service(s), meter(s), and backflow protection device(s) shall be upgraded to conform to the current Public Works Standards. Alternatively, a new separate domestic water service(s), meter(s) and backflow protection device(s) may be installed per Public Works Standards and shall be sized to meet the minimum requirements set by the California Plumbing Code (CPC). The new domestic water service(s) shall be a minimum of 1-inch in size.

If the existing domestic water service(s) and meter(s) are not to be utilized, they shall be properly abandoned by the developer per Public Works Standard Plan No. 409.

The Developer has two options of installing the water meter connections, hire their own contractor or hire the City Water Department. Please refer to the most current City of Signal Hill Schedule of Fees – Public Works Department, for the cost of hiring the City Water Department.

9. ESTIMATED IMPACT FEES

Applicant shall make a cash payment to the City of Signal Hill for the following Impact Fees prior to Certificate of Occupancy, request for utilities, or final inspection. These fees will be updated annually in accordance with Signal Hill Municipal Title 21.

- (a) Residential Water Impact Fee: **\$18,941.00**
- (b) Residential Traffic Impact Fee: **\$478.00**

10. AGREEMENT TO INSTALL PUBLIC WORKS IMPROVEMENTS

Applicant shall execute an "Agreement to Install Public Works improvements" for construction of street improvements and post a Surety Bond or cash deposit in the amount of **\$68,800.00**.

- (a) An amount equal to at least one hundred percent (100%) of the estimated cost of improvements as security for faithful performance as determined by the City.
- (b) An amount equal to at least fifty percent (50%) of the estimated cost of improvements as security for the payment of all persons performing labor and furnishing materials as determined by the City.
- (c) An amount equal to at least ten percent (10%) of the estimated cost of improvements to guarantee and warrant the work and improvements for a period of one year as determined by the City.
- (d) An amount equal to at least one hundred percent (100%) of the estimated cost of setting monuments as determined by the Subdivider's engineer.

11. PLAN CHECK DEPOSIT

Applicant shall submit a plan check deposit upon first submittal for Construction Plans prepared by developer's Registered Engineer in the amount of **\$4,000.00**.

12. EXCAVATION PERMIT & INSPECTION FEE

Prior to the commencement of any work in the Public right-of-way, applicant shall obtain an Excavation Permit and pay an Inspection fee in the amount of **\$3,002.00**.

13. STORM WATER POLLUTION PREVENTION

This project will result in soil disturbance of less than 1 acre. Prior to the issuance of a grading permit, the applicant shall submit a completed Owners Certification form (OC-1). This form is available in the Building and Safety Department.

14. STORM WATER POLLUTION PREVENTION/LOW IMPACT DEVELOPMENT

- (a) Applicant shall submit to the City for review and approval a Low Impact Development (LID) Plan incorporating Best Management Practices (BMP) in conformance with the requirements of the City's LID manual. Requirements of the LID Plan will include construction of onsite water treatment, and maximization of infiltration except in hillside areas where alternative LIDs must be proposed maximizing vegetation and use of biofiltration with underdrains to limit infiltration.
- (b) Applicant shall demonstrate that all LID and other structural Best Management Practices (BMPs) described in the LID Plan have been constructed and installed in conformance with approved plans and specifications.
- (c) Applicant shall properly maintain all LID and other structural Best Management Practices (BMPs) installed in new developments, as listed in the approved Low Impact Development Plan (LID Plan).
- (d) Applicant shall identify parties responsible for the long-term operation and maintenance of all LID and other structural Best Management Practices (BMPs) for the life of the project and a funding mechanism for operation and maintenance prior to approval of the LID Plan. This shall be identified and recorded with the County Recorder's office by the property owner or any successive owner.

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SIGNAL HILL, CALIFORNIA, FINDING THE
PROPOSED VACATION OF A 180-FOOT SEGMENT OF
THE ALLEY AT 2085 FREEMAN AVENUE AND THE
REMOVAL OF THE TRAFFIC STUDY AREA BETWEEN
OBISPO AND ORIZABA AVENUES AND NORTH OF 20TH
STREET CONSISTENT WITH THE GENERAL PLAN**

WHEREAS, Bozena Jaworski of RPP Architects, for the Tran Family, filed a request to construct a 4,050-square-foot single-family dwelling on a vacant lot located at 2085 Freeman Avenue in the RL, Residential Low Density, zoning district; and

WHEREAS, the subject site is within a traffic study area between Obispo and Orizaba Avenues and north of 20th Street on the Official Plan Lines map; and

WHEREAS, vehicular access to the property is off of Freeman Avenue, the property will not have secondary access off of the alley due to the difference in grades as such, the applicant is proposing a development and per the Official Plan Lines map, the City's traffic engineer has reviewed the vacation of the 180-foot segment of the alley as shown on Attachment A; and

WHEREAS, the area between Obispo and Orizaba Avenues and north of 20th Street and the configuration of the paper streets planned with the Freeman Heights Specific Plan and Tentative Tract 68692 are proposed to be removed from traffic study area on the Official Plan Lines map as shown on Attachment B; and

WHEREAS, Section 65402 of the California Government Code requires the Planning Agency of the City of Signal Hill to find the proposed right-of-way vacation to be consistent with the policies and programs of the General Plan; and

WHEREAS, a traffic analysis prepared by the City's traffic engineer found

that the vacation of the 180-foot segment of the alley at and north of the project site will not impede existing traffic circulation and may be vacated (Attachment C); and

WHEREAS, the proposed vacation and traffic engineer's analysis were reviewed and accepted by the Director of Public Works; and

WHEREAS, easements to utility service providers will be required at the rear of each property and the easements will be maintained by the property owners; and

WHEREAS, on January 19, 2015, the Planning Commission considered the vacation and traffic study area, all interested parties were given the opportunity to be heard regarding the request; and

WHEREAS, the City has incorporated all comments received and responses thereto.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Signal Hill, California, does hereby find the proposed vacation of the right-of-way as shown on "Attachment A" and the removal of the area from the traffic study area to be consistent with the policies and objectives of the General Plan of the City of Signal Hill, California, including, but not limited to the following policies and programs:

CIRCULATION ELEMENT GOAL 2 – Provide a safe and efficient roadway system for all users.

Circulation Policy 2.b – Vacate roadways that are redundant or unnecessary for new development and allow private roadway to reduce short-term and long-term maintenance costs.

Implementation Program, Action 1 – Evaluate development projects for General plan consistency, including goals, policies and implementation measures in other General Plan elements.

Implementation Program, Action 8 – Evaluate the city roadway system and vacate roads that are redundant and unnecessary.

Finding regarding Policy 2.b and Programs 1 and 8 – The City's traffic engineer found that the alley will not impede existing traffic circulation and may be vacated. The alley between Freeman and Orizaba Avenues will dead end at the current location and the northern 180-foot alley segment will be eliminated. Due to the difference in the grade of the alley compared to the adjacent properties, property owners will not utilize the alley for vehicular access to the subject lots. The street and alley configuration of the area was also studied during review of the Freeman Heights Specific Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Signal Hill, California, does hereby:

1. Find the vacation of the 180-foot segment of the alley consistent with the General Plan; and

2. Find the street and alley configuration within the traffic study area between Obispo and Orizaba Avenues and north of 20th Street consistent with the General Plan and therefore, the area shall be removed from the traffic study area shown on the Official Plan Lines map.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Planning Commission of the City of Signal Hill, California, on this 19th day of January, 2016.

JANE FALLON
CHAIR

ATTEST:

SCOTT CHARNEY
COMMISSION SECRETARY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SIGNAL HILL)

I, Scott Charney, Secretary of the Planning Commission of the City of Signal Hill, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the Planning Commission held on the 19th day of January, 2016, by the following vote:

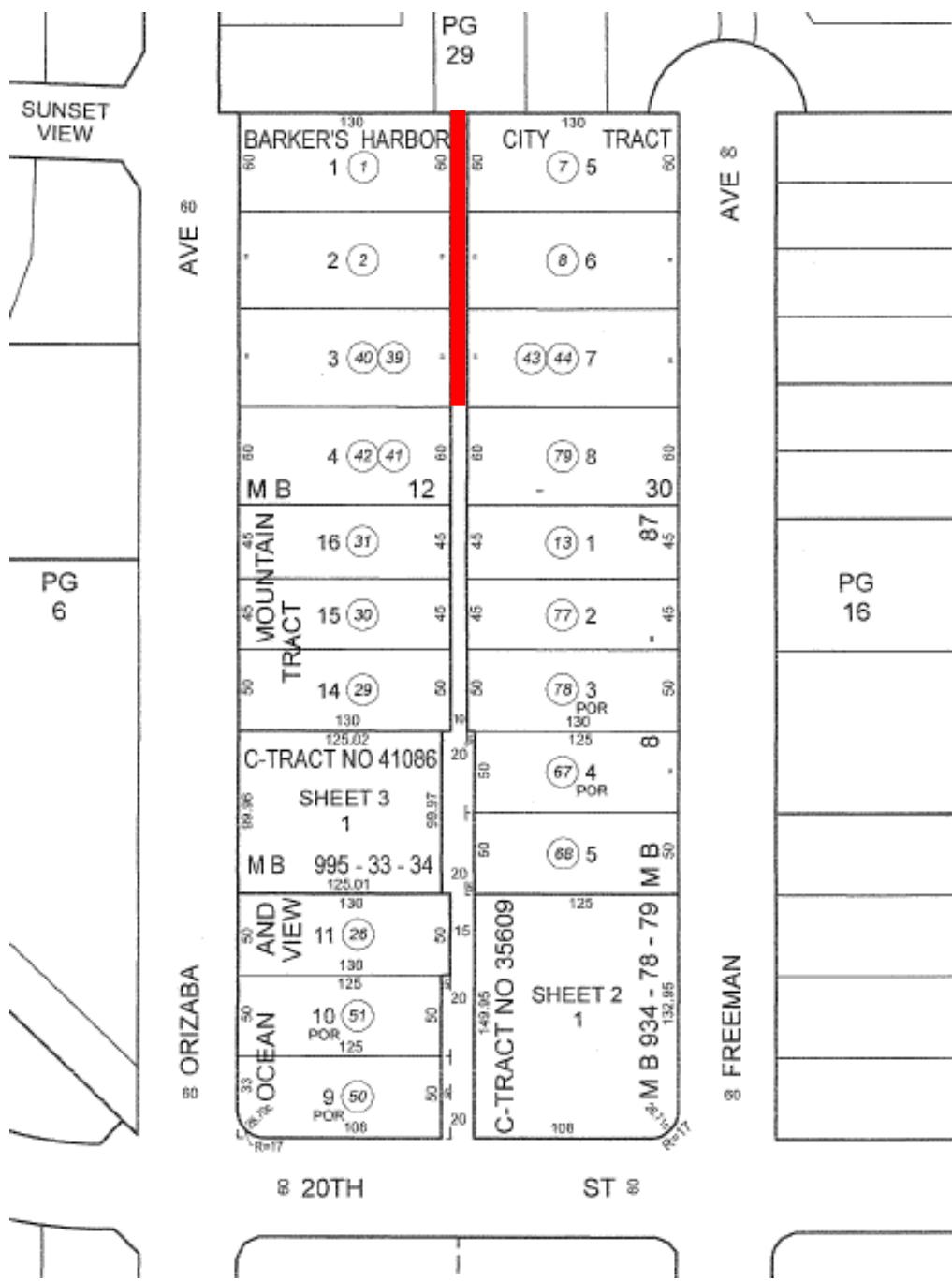
AYES:

NOES:

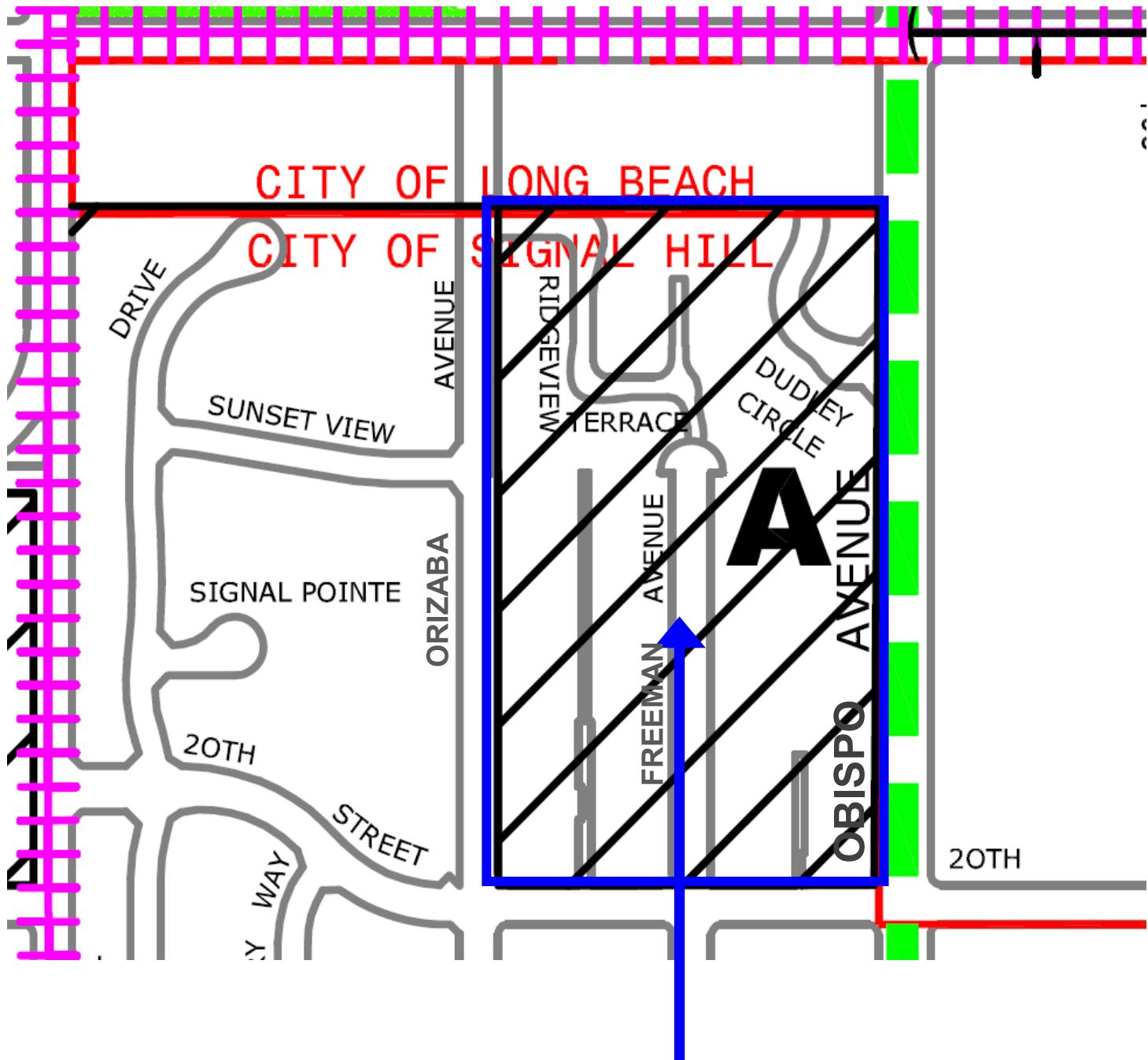
ABSENT:

ABSTAIN:

SCOTT CHARNEY
COMMISSION SECRETARY



180-foot segment of alley to be vacated



**Area to be removed from traffic study
area on the Official Plan Lines map.**

October 29, 2015

MEMORANDUM

Steve Myrter, P.E.
Director of Public Works
City of Signal Hill
2175 Cherry Avenue
Signal Hill, CA 90806

Subject: Partial Vacation of Orizaba Avenue Alley North of 20th Street from Mid-Block to End

The purpose of this memorandum is to present the findings of a traffic circulation analysis related to the proposed vacation of a portion of the alley located north of 20th Street between Orizaba Avenue and Freeman Avenue. The alley vacation is being proposed to address traffic circulation needs associated with existing and future development adjacent to the alley. Based on the analysis, the northerly 180 feet of the alley will not impede existing traffic circulation and may be vacated.

The proposed alley vacation affects the north 180 feet of the alley that terminates at Tract No. 51830 as shown in Exhibit "B". The south 500 feet of the alley is needed for traffic and utility access purposes. An aerial map showing the vicinity of the proposed alley vacation is provided as Exhibit "A".

The southerly portion of the alley is fully improved and varies in width between 15 and 20 feet wide as shown in Exhibit "C" and Exhibit "D". This portion of the alley is bordered by existing condominiums and five newly constructed single-family homes. The alley provides access only to the garages of the condominiums on the west side of the alley. The condominiums on the east side of the alley use Freeman Avenue for access to an underground parking structure. The five new homes do not use the alley because of topographical constraints. Vehicular access to the driveways and garages of these homes is also provided from Freeman Avenue. This portion of the alley is also used for trash collection.

In conclusion, alley traffic is comprised of vehicles entering and exiting the developed properties adjacent to the east side of Orizaba Avenue. Trash is collected in the alley for these properties. Trash collection for the developed properties along Freeman Avenue is provided along the street frontage. No other property access is required from the alley.

Additionally, the topography encourages property access from Freeman and Orizaba Avenues rather than the alley. Trash collection can also be accommodated from the street side of the affected properties. Vacating only the northerly portion of the alley provides ample vehicle turnaround area for residents with garage access off of the alley and for trash collection vehicles. Therefore, the findings of the traffic analysis supports vacating the northerly 180 feet of alley right-of-way.

Sincerely,

Bill Zimmerman, P.E., PTOE
City Traffic Engineer

WGZE

W.G. Zimmerman Engineering, Inc.
5772 Bolsa Avenue, Suite 200
Huntington Beach, CA 92649
(714) 799-1700 / (714) 799-1701 Fax

EXHIBIT A



WGZE

W.G. Zimmerman Engineering, Inc.
5772 Bolsa Avenue, Suite 200
Huntington Beach, CA 92649
(714) 799-1700 / (714) 799-1701 Fax

EXHIBIT B



WGZE

W.G. Zimmerman Engineering, Inc.
5772 Bolsa Avenue, Suite 200
Huntington Beach, CA 92649
(714) 799-1700 / (714) 799-1701 Fax

EXHIBIT C



**FACING NORTH
EXHIBIT C**



FACING SOUTH

WGZE

W.G. Zimmerman Engineering, Inc.
5772 Bolsa Avenue, Suite 200
Huntington Beach, CA 92649
(714) 799-1700 / (714) 799-1701 Fax

January 2



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

January 19, 2016

AGENDA ITEM

**TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: COLLEEN DOAN
SENIOR PLANNER**

**SUBJECT: DIRECTOR'S REPORT - UPDATE ON STATE MODEL WATER
EFFICIENT LANDSCAPE ORDINANCE IMPLEMENTATION AND
OUTREACH FOR TREE CARE AND TURF REPLACEMENT**

Summary:

On November 24, 2015, the City Council adopted the State Model Water Efficient Landscape Ordinance (MWELO), which has more restrictive water efficient landscape standards for new development and for replacement of large areas of existing landscaping. The City Council also adopted Zoning Ordinance Amendment 15-02, which establishes landscape and hardscape standards to promote turf replacement in existing development. Planning staff will provide an overview of the annual implementation report and the City's outreach efforts for tree care, water conservation, and three recent State laws regarding homeowners' associations and turf replacement rights.

Background and Analysis:

MWELO Implementation Report

The attached report to the state was submitted before the December 31, 2015 deadline, along with the adopted Ordinance (Attachment A). A similar report will be required annually. The report documents the methods to be used to implement the landscape regulations, verify compliance, and track projects subject to the Ordinance. Because the Ordinance was only in effect as of December 1, 2015, the reporting dates for this year are very short (Dec. 1-28, 2015) and there were no projects subject to the new standards.

Outreach for Tree Care and Turf Replacement

The City is conducting multiple outreach efforts to educate local businesses, residents and homeowners associations (HOAs) about tree care during times of drought, water conservation at all times, and three recent State laws (Assembly Bills 2100, 2104 and 349) regarding homeowners rights to replace turf with alternative landscape materials.

Many local homeowners are not aware that deep watering by hand of mature tree roots is necessary and allowed under the current drought restrictions. Without this long slow drink, trees will not get enough water to stay alive. Public Works staff is conducting outreach on tree care and implementing reporting methods for trees under duress. A flyer on tree care will be dropped at properties where street trees are not being properly watered, and door knockers and flyers are also being considered (Attachments B, C & D)

Many HOA Boards and Associations have historically had restrictions on turf replacement and may not know that recent State laws (Assembly Bills 2100, 2104 and 349) allow HOA homeowners the freedom to replace turf with drought tolerant plants and materials. Planning staff prepared and mailed written materials to HOA property management companies or Board Presidents to inform them about tree care, water conservation and turf replacement regulations. These materials are also available at City Hall and on the City's website (Attachments E, F & G).

Recommendation:

Receive and file.

Approved:

Scott Charney

Attachments



Water Efficient Landscape Ordinance Reporting Form

C1	Agency Name:	City of Signal Hill
C2	Address:	2175 Cherry Ave.
C3	Contact Name:	Colleen Doan
C4	Title:	Senior Planner
C5	Phone Number:	562-989-7344
C6	Phone Extension:	N/A
C6	Email:	cdoan@cityofsignalhill.org
1a	Is your agency adopting a single agency ordinance OR a regional agency alliance ordinance?	Single Agency Ordinance
1b	Date of adoption OR anticipated adoption:	11.24.2015
2a	Reporting period:	
2b	December 1, 2015 through December 28, 2015 (all agencies)	<input checked="" type="radio"/>
2c	February 1, 2016 through February 28, 2016 (additional reporting period for agencies crafting regional ordinances with other agencies)	<input type="radio"/>
3a	Are you using:	the Model Water Efficient Landscape Ordinance (MWELO)
3b	For agencies who have adopted a modified WELO	
3c	Is it at least as efficient as MWELO?	
3d	URL for your WELO	
3e	List major changes from the State's MWELO	N/A
3f	If specific types of projects are exempt (other than those already specified in MWELO), state what they are and the sections of the ordinance that they are exempt from.	N/A
3g	Have elements from other regulations been incorporated (e.g., tree shading percent coverage requirement, stormwater capture requirements).	No
3h	If yes, describe:	
4	If other agencies are implementing the ordinance, explain their role:	
5	Permitted projects subject to the ordinance during the reporting period (*e.g., single family residences, commercial projects, landscape retrofits for which permits were finalized during the reporting period, etc.):	No projects have been finalized under the MWELO during the reporting period.
6a	Total landscape area subject to the ordinance over the reporting period:	N/A
6b	Unit of Measure (sq. ft. or acres)	Square Feet



Water Efficient Landscape Ordinance Reporting Form

7a	During the reporting period, how many of the following types of projects did your agency issue final permits on:	
7b	new housing starts	N/A
7c	new commercial projects	N/A
7d	landscape retrofits	N/A
8	Describe the procedure for review of projects subject to the ordinance:	<p><u>Preliminary Review</u></p> <p>1) Determine whether new development or replacement.</p> <p>2) Determine whether SF trigger's MWELO review.</p> <p>3) Request Landscape Documentation Package, review and submit to landscape consultant.</p> <p><u>Plan Check Review</u></p> <p>1) Review Water Efficient Landscape Worksheet and submit to City Engineer and Building Official.</p> <p>2) Run calculations for water use, evapotranspiration, plant factor, hydrozone, special landscape area, conversion factor, and irrigation efficiency per residential or commercial projects.</p> <p>3) Review soil management report.</p> <p>4) Review slope allowances.</p> <p>5) Review water features.</p> <p>6) Review irrigation design plan.</p> <p><u>Final C of O Review</u></p> <p>1) Check Landscape Documentation Package to confirm coordination / compatibility.</p> <p>2) Check storm water treatment and cross check with landscape plans.</p> <p>3) Confirm soils have been tested for suitability, fertility and percolation.</p> <p>4) Confirm compliance with applicable all MWELO provisions.</p> <p>5) Review Certificate of Completion after construction.</p>
9a	Describe actions taken to verify compliance:	See review procedures above.
9b	Is a plan check performed?	Yes
9c	If so, by what entity?	Water Consultant. John Cicchetti of JDC/LA Inc. 2760 E. Spring St. #10 Long Beach, CA 90808
10	Describe implementation and enforcement measures:	All permitted new development gets a formal site plan design review and all development meeting the trigger of the Ordinance are reviewed and plan checked by our water consultants and confirmed by Building Official prior to approval and final of permit/C of O.
11	Explain challenges to implementing and enforcing the ordinance:	TBD
12	Describe educational and other needs to properly apply the ordinance:	Continued outreach and feedback regarding annual implementation reports and noted challenges will be appreciated
13	Additional Comments:	None

Please submit reports, including a copy of your local water efficient landscape ordinance, via email to WELO@water.ca.gov by December 31, 2015. Agencies preparing a regional ordinance must submit an additional report by March 1, 2016. For questions, please call Ms. Julie Saare-Edmonds at (916) 651-9676.

Waterwise Tree Care

Help trees survive drought: Tips for inland Southern California

Water, or the lack of it, should never be far from the minds of southern Californians. Whether it is due to drought or climate change, water is rapidly becoming a more limited and expensive resource.

Like water, trees are also a precious resource. Trees can suffer and decline if they are in landscapes where watering is decreased due to shortage or drought. During those periods, you may be asked to cut back on watering your yard. Trees should be given a higher priority over lawns and shrubs, because trees take many years to mature. Grass and small shrubs are relatively quick to replace. Make sure you keep your trees alive and healthy by providing adequate water.

Urban trees provide many benefits worth preserving, including shade, energy savings, improved air quality, higher property values, wildlife nesting sites and food sources, improved quality of life, plus control of storm water, erosion and climate extremes. According to research by the USDA Forest Service* an average tree in the Inland Empire provides \$3880 of benefits.

**Trees Pay Us Back* by the USDA Forest Service Pacific Southwest Research Station: http://www.fs.fed.us/psw/programs/uesd/uep/products/18/804uesd_uep_tpub_InlandEmpire.pdf



PHOTO BY DIANA RUIZ



PHOTO BY NANCY SAPPINGTON

How can you tell if a tree is under stress?

- Wilting, curling, graying or yellowing of leaves and browning of leaf edges
- Dieback of twigs and branches
- Lack of new growth and shoot lengthening in spring
- Disease and/or insect infestation.

Did you know? Trees that are stressed may curl their leaves up or down to reduce the amount of solar radiation they absorb.

Several Riverside area park trees were uprooted during strong winds, August, 2013. This example shows that the roots never developed adequately to provide a strong support, perhaps due to shallow and deficit-irrigation. Irrigation systems designed to water turf do not sufficiently water deeper rooted trees. In addition, the grass was allowed to grow close to the trunk, utilizing water and nutrients that were needed for tree growth.

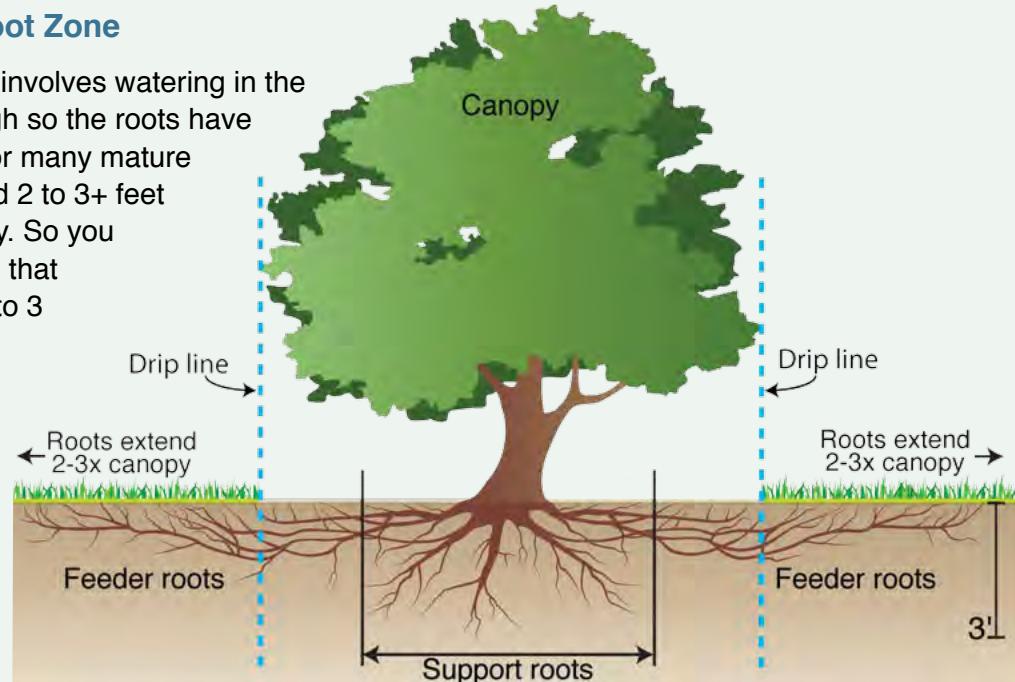
Watering Tips

How often you will need to water depends on many variables, including weather, soil type, site conditions, irrigation system, tree age/size, and kind of tree. The following few pages provide some simple approaches to help you evaluate conditions and apply water to keep trees healthy.

Water the Entire Root Zone

Keeping trees healthy involves watering in the root zone, deep enough so the roots have adequate moisture. For many mature trees, roots are located 2 to 3+ feet deep under the canopy. So you will need to make sure that water is percolating 2 to 3 feet deep.

Wet the surface of the soil beneath the area shaded by the tree's canopy and beyond. In some situations, feeder roots extend 2-3 times beyond the distance of the canopy.



Soak Deeply

Shallow watering encourages shallow root development and limits the volume of soil a tree uses for water and nutrient uptake, making a tree more susceptible to drought, disease, and uprooting during strong winds.



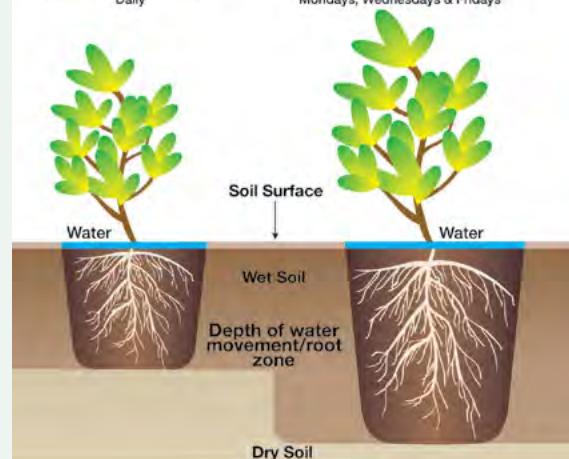
© 2014-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED PHOTOS BY DIANA RUIZ

Use a soil probe, auger, or small shovel to determine if water is reaching the entire root zone.

Water Movement & Deep Infrequent Watering

Watered 5 Minutes:
Daily

Watered 15 Minutes:
Mondays, Wednesdays & Fridays





Simple Methods

If you don't have a separate irrigation line for your trees, try other simple ways to water the root zone:

- let a hose drip and move it around to soak under the canopy and beyond the drip line
- coil soaker hose under the tree and run for a few hours
- build a circular berm and fill with water.

For newly planted trees, water the root-ball area deeply one or more times per week to encourage the growth of deep roots. It's important that the root ball be moistened frequently to encourage rapid root growth. Check for moisture 6 inches into the soil on the sides of the root ball.

When to Water

Sun and wind increase evaporation. To reduce evaporation, apply water in the early morning, not during the heat of the day, especially if using a sprinkler system. With sprinklers, avoid watering during wind.

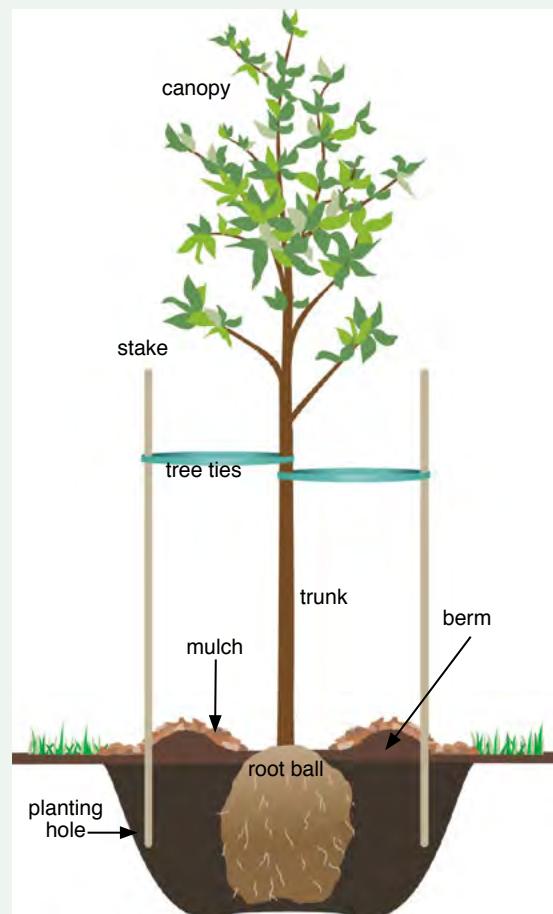
Frequency

Water mature trees every 1 to 4 weeks during the dry season, which is generally from May to November. If there is a lack of rainfall, you will need to extend watering into the winter months. Well-timed fall and winter watering may allow a tree to survive on less water than a regime of plentiful water during the growing season. Waterwise (drought tolerant) trees require less frequent irrigation.

Soak infrequently until the soil is moist, not mushy, allowing it to dry in between irrigations to prevent diseases that thrive in warm, wet conditions. Prevent mulch from touching the trunk of the tree, also, direct sprinkler spray onto the soil surface and not at the trunk.



© 2003-RIVERSIDE-CORONA RCD. All Rights Reserved Photo by Diana Ruiz



Newly planted and young trees require more frequent irrigation. Initially upon planting, build the berm so its inside edge is just above the edge of the root ball to direct water above and into the soil of the root ball. As the tree becomes established, move the berm out to under the drip line, and continue to widen as the tree matures.



Mulch!

Apply mulch 2-6 inches deep under the canopy and, if possible, throughout the feeder root zone area. Place mulch 6 inches away from the trunk. Also, avoid using weed cloth, plastic sheeting, or inorganic mulch, such as gravel or stones under trees.

Mulches of organic matter (dead plant parts: chipped bark, leaves, grass clippings, etc.) conserve water by holding moisture, preventing weed growth, and reducing evaporation from the soil surface.

Organic matter creates a favorable environment for soil life, including helpful bacteria, earthworms, and beneficial fungi, which help break up the soil to allow water to penetrate. Prevent compaction by keeping off wet soil, and avoid parking cars on the soil surface above the roots.

Mulch prevents the growth of highly competitive annual weeds, but not perennial weeds such as Bermuda grass or Kikuyu grass.

Fresh organic material is better for mulching the soil surface than compost. (Compost is used as an organic fertilizer that can be mixed into the soil at planting time.) Don't be concerned that mulch will absorb nutrients from the soil surface as it decomposes. This has been studied and found not to occur unless mulching material is incorporated into the soil rather than placed on the surface. Also, some trees are known to be able to prevent the growth of neighboring plants, but this is not true of their chips.

Bulk, fresh mulch can sometimes be obtained from tree services. Some cities, such as Riverside, provide free chipped mulch for pick up.



© 2014-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED PHOTOS BY DIANA RUIZ



Soil Type

Soil is composed of tiny fragments of rock or minerals, plus the spaces between those particles (pores) which drain and hold water and air. There are many variations of soil, as every soil has a different composition of minerals and organics, and every soil has been subjected to different environmental conditions. However, the basic concept to understand is soil texture, because particle size determines the pore size which holds water and air and affects how much water is needed to replenish the root zone and how frequently water should be applied.

What is the texture of your soil?

Soil texture can be determined by using the “feel” method: rub moist soil between fingers. Soil texture varies by proportion of sand, silt, and clay. When soil is moist, make a ball of soil and press it into a ribbon shape. In general, the longer the ribbon, the more clay you have in the soil. If you can’t make a ribbon, you probably have a lot of sand.

- Sand particles, the largest size, feel gritty and are generally visible to the eye. Sandy soils drain relatively quickly, but very coarse sand (sandbox size) drains too quickly to support root growth.
- Silt particles feel slippery or silky when moist.
- Clay particles, the smallest size are microscopic. Clay holds significant amounts of water. Clay feels sticky when wet and hardens into clods that are like rocks. If you’ve ever sculpted with clay you know how sticky and hard pure clay can be.

For an online guide to texturing soil by the feel method, see: http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/edu/kthru6/?cid=nrcs142p2_054311

Soil Texture and Water

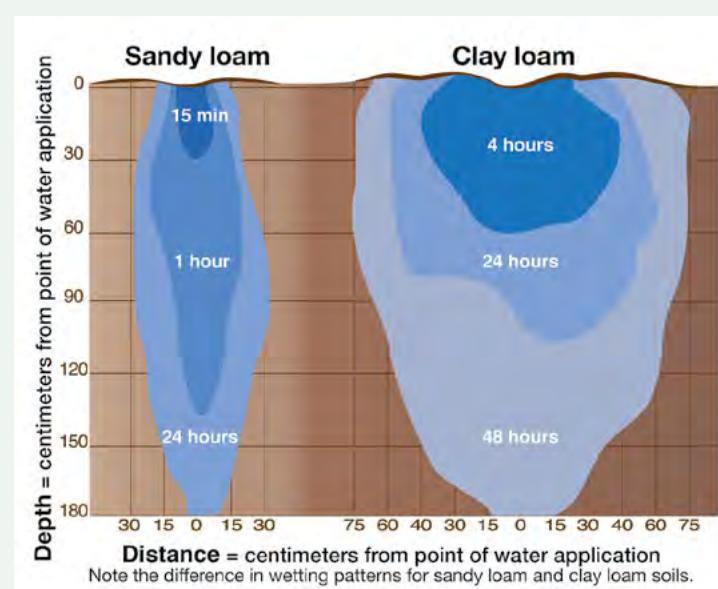
Sandy soils drain quickly, retain less water, and require more frequent irrigations. For soils high in clay, one foot of soil depth holds more than 2 inches of water. A soil that is a mixture of sand, silt and clay (a loam) is ideal because it both holds water (available for roots) and drains excess water, providing for air. Soggy or waterlogged soil can “suffocate” roots.

Most of our local soils are loam, a mixture of sand, silt and clay. For loamy soils, one foot of soil depth holds 1 to 2 inches of water. So for a small tree, a simple way to get water deep into the root zone is to build a circular earth berm below or beyond the canopy drip line and fill the basin with water a few times with 2 inches per foot of estimated rooting depth.

Example: If you think your tree has deep roots to 3+ feet:

2 inches of water X 3 feet of depth = 6 inches of water needed.

Each time you irrigate, fill water inside the berm a total of 6 inches, such as 6 times at 1-inch depth.



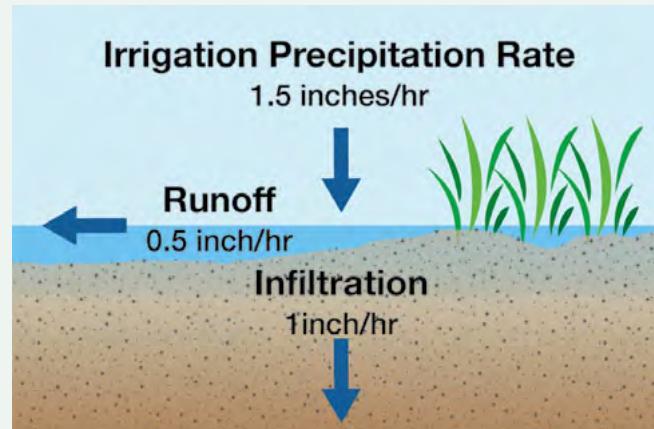
Water spreads out in soil that is high in clay. Water moves downward and drains more quickly through sandy soil, because the spaces between sand particles are larger.

Irrigation Systems and Different Soils

Just as different textured soils move water through them at different rates, they absorb water at different rates. When using an irrigation system, apply water at a rate according to the infiltration rate of the soil to prevent runoff.

A soil that is predominately clay absorbs water slowly as compared to sandy soil that has the most rapid infiltration rate. Apply water using components that don't exceed the soil's infiltration rate. Check your emitters, sprinklers, and/or sprayers for their application rates (irrigation precipitation rates). The speed at which an irrigation system applies water over a given area is referred to as the precipitation rate, measured in inches per hour.

You may have to adjust your watering run/s for site conditions including slope and amount of vegetative cover. For example, bare soils on a steep slope will shed water (and erode soil) quicker than those with a cover of mulch or vegetation.



© 2014-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED PHOTOS BY DIANA RUIZ

Water was ponding, in spite of a low-flow emitter. By watering slowly, you will prevent runoff and allow time for moisture to move downward through the soil. In areas with ponding, runoff, or compaction, schedule 2-3 short run times rather than one longer run.

Maximize Efficiency = Minimize Water Use

An efficient irrigation system is one that applies the right amount of water for the plants and uniformly over the yard or grove. If you are only watering a tree or two, uniform distribution of water may not be an issue. However, if there are dry spots in your landscape that you have to water more frequently or for longer periods of time, then you have an inefficient irrigation system. It may mean that each head on the system does not have the same precipitation rate (doesn't put out the same amount of water). Look for mismatched irrigation heads.

To get the right amount of water to each plant, efficient systems have specific zones or stations for plants with like water requirements (*hydrozones*). That is to say, low water-usage plants would not be on the same station as higher water-loving plants. For example, if you have shade plants in a shaded area, they would be on their own station and would be watered less than sun-loving plants in a sunny area.

For Smart Irrigation, Use Smart Controllers

“Smart” irrigation controllers tailor watering schedules and run times automatically to replenish only the amount of moisture that the landscape needs. Generally, there are two types of smart controllers, those that are based on soil moisture (SMS), which utilize soil sensors or tensiometers, and those that are based on weather information. Weather-based smart controllers draw upon a variety of climatic conditions, including temperature, incoming solar radiation, wind, and precipitation to calculate evapotranspiration (ET). ET is moisture lost from the plant to the atmosphere (through transpiration), as well as evaporation from the soil surface. In addition to onsite weather stations, some controllers use historic weather data, while others use a subscription service to download daily ET values.

Smart controllers, soil moisture sensors, and rain sensors are available at hardware stores and irrigation supply stores. Technologies change quickly, so compare controllers by Toro, Rainbird, Hunter and more. Many inland cities offer rebates for the professional installation of approved smart controllers.

If you’re not using a climate based controller, manually manage run times and days to water according to soil conditions and seasonal weather conditions. Most controllers have built in functions called “seasonal adjust” or “water budget” to easily adjust for seasons. Adjust at least four times per year.



© 2007-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED PHOTO BY DIANA RUIZ.

Even if you are using a smart controller, to be smart, you will need to monitor its use.



The California Irrigation Management Information System (CIMIS) collects data from over 140 automated weather stations throughout the state. CIMIS provides reference evapotranspiration (ET₀) and weather data to the public for irrigation scheduling and other purposes such as pest management, energy generation, fire-fighting, weather forecasting, and scientific research.

© 2014-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED PHOTO BY DIANA RUIZ.



Maintain!

Irrigation Maintenance

For efficient operation and uniform distribution of water, watering systems need continual maintenance. At a minimum, conduct monthly inspections and correct deficiencies, or hire a licensed maintenance contractor with water conservation expertise. Look for broken and worn components, clogged and missing emitters, leaks, overspray, and sprinkler misting, which may indicate that water pressure is too high. A doughnut shaped water pattern may mean the pressure is too low. Every few years, have an irrigation professional conduct a water audit. Some Resource Conservation Districts (RCDs), cities, and water districts provide irrigation evaluations free of charge. Irrigation system plans should be saved to verify that system components match the original design criteria.

Herbicides and Fertilizers

Trees already stressed by drought can be harmed by heavy applications of herbicide. Some tree species are harmed by herbicides used in the lawn.

If your trees have an insect or disease problems, treat them to reduce their overall stress. Additionally it's not helpful to fertilize a tree that is stressed by drought.

Pruning

The International Society of Arboriculture (ISA) recommends pruning trees only when necessary, such as to remove dead, diseased or damaged branches. Never top or over-thin a tree. Well-meaning tree owners often do irreparable damage, so check with a professional arborist before pruning, especially during times of drought. It's normally OK to properly prune trees during times of drought to improve structure and to remove dead and weakened branches. Leaving broken, insect-infested, or diseased branches can further weaken a tree.

Berm Maintenance

If you have a water basin with an earth berm around the base of your tree, it will be important to move the circular berm out, as the tree grows and canopy expands, at least to below the canopy drip line. As roots mature and increase in girth close to the trunk, they become buttress roots and serve more in a capacity to support the tree than for water absorption. It's not uncommon to see a person watering a mature tree right at the trunk, rather than away from the trunk, where water is needed most.



© 2014-Riverside-Corona RCD. All Rights Reserved Photo by Diana Ruiz.

Water is not getting to plant roots.
Sprinklers can be adjusted to prevent overspray onto the sidewalk.



On slopes, build berms on the downhill side of the trunk to help capture runoff and allow the water to infiltrate.

Drought Sensitive Trees and Shrubs

Some species are so susceptible to drought that one summer in southern California without irrigation can be lethal, even to established plants. At the top of the list are coast redwood, camellia, and azalea. If exposed to more than one dry summer, any of the tropical species associated with wet conditions can be included in the “drought sensitive” list. Water-loving trees usually need more watering, so please only plant waterwise trees in the future.

A number of diseases and insect pests have been shown to be more severe when plants are exposed to summer drought, even if the susceptible plant is considered resistant to drought injury. Types of diseases that are drought related include cankers, Armillaria root rot, and surprisingly, even root rots caused by water molds such as Phytophthora. Several kinds of borers, especially pine bark beetles are commonly associated with drought. Plants that are susceptible should be irrigated deeply at least twice during the summer and into the winter if the drought continues. Common species meeting this description include:

Aleppo pine	Incense cedar
Blue gum	Madrone
Canary Island pine	Monterey pine
Coast redwood	Sugar gum
Most fruit trees	Willow
Giant sequoia	

Even native trees, including oaks may need a few deep soakings during the summer of a hot, dry year. Many factors affect tree watering needs including lowering water tables, removal of mulch or leaf litter and site disturbances such as paving and hard surfaces. Normally, native oaks do well with no summer water when they receive adequate winter rainfall.



Armillaria is a fungus that causes root and root crown rot. It has white/cream colored spores and usually has an annulus (ring-like remains) found around the stipe (stalk or stem). A frequent sign of Armillaria is a clump of mushrooms attached to the root crown/root.

PHOTO COURTESY OF SIMS TREE HEALTH SPECIALISTS, INC.



Gold spotted oak borer adult.

PHOTO BY MIKE LEWIS; CENTER FOR INVASIVE SPECIES RESEARCH; BUGWOOD.ORG



Coast live oak, *Quercus agrifolia*

© 2007-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED. PHOTO BY ARLEE MONTALVO

Planning for the Future

1. **Select the right tree for the right place.** (See suggested websites pg. 11). In southern California, that means selecting a low-water using, drought-tolerant species (*waterwise*).
2. **Xeriscaping** is the practice of landscaping in ways that minimize the use of irrigation water and utilize waterwise (less thirsty) plants. Group plantings and design irrigation systems by *hydrozones*, or sections that have plants with the same watering needs, and the same slope, sun exposure and soil conditions.
3. Use **Smart Irrigation.** Design irrigation systems that apply water with uniform precipitation rates. Plan separate irrigation lines for watering trees and large shrubs, preferably with drippers or low-volume sprinklers/sprayers to provide deep water for tree roots. Select water-conserving irrigation components, such as pressure regulated spray heads, rain switches, high efficiency nozzles, flow sensors to detect leaks, and smart controllers (timers).
4. Incorporate **Low Impact Development (LID)** methods, such as rain gardens (infiltration basins), rain barrels, and swales to capture water or allow it to percolate into underground water basins. Use non-potable (not drinking water quality) water for irrigation, when available, such as runoff water collected in rain barrels
5. **Preserve existing native trees** and non-invasive vegetation. Natural habitat that is not disturbed will not require irrigation. Irrigation will be needed to establish newly planted natives. If the ground has been disturbed with disking or weed clearance, the trees may need a good soak in a dry year.



© 2014-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED PHOTO BY DIANA RUIZ.

Often trees in city parks are only watered to 12 inches of soil depth, enough water to support a lawn with shallow roots, but not deep rooted trees.

Find excellent resources online about proper tree care, selection and irrigation.

Gardens to Visit

LandUse Learning Center

4500 Glenwood Dr, Bldg A, Riverside, CA 92501
(951) 683-7691, www.RCRCD.org

Sims Tree Learning Center

6111 Appaloosa Ave., Riverside, CA 92509
(951) 685-6662, www.simstlc.com

Landscapes Southern California Style

450 Alessandro Blvd., Riverside CA 92508
www.wmwd.com

Chino Basin Water Conservation Garden

594 San Bernardino St, Montclair, www.cbwcd.org

University of California, Riverside Botanic Garden

www.gardens.ucr.edu

Rancho Santa Ana Botanic Gardens

1500 North College Avenue, Claremont, CA 91711
www.rsabg.org

Organizations and Agencies

The Irrigation Association

www.灌溉.org

The International Society of Arboriculture

www.isa-arbor.com
www.TreesAreGood.com

California Urban Forest Council

www.caufc.org
www.InvestFromTheGroundUp.org

California ReLeaf

www.CaliforniaReleaf.org

Alliance for Community Trees

<http://ACTrees.org>

Cal Fire

www.fire.ca.gov/

National Arbor Day Foundation

www.arborday.org

UC Agriculture and Natural Resources

<http://ucanr.edu/>

USDA Forest Service

<http://www.fs.fed.us>



©2014-RIVERSIDE-CORONA RCD. ALL RIGHTS RESERVED. PHOTO BY DIANA RUIZ.

www.FreeSprinklerNozzles.com

Tree Database Websites

Be Water Wise

www.BeWaterWise.com

Cal Flora

www.Calflora.org

USDA Plant data base

www.plants.usda.gov

Tree Selection Guide for California

www.selectree.calpoly.edu

Water Use Classification of Landscape Species

(WUCOLS) <http://ucanr.edu/sites/wucols/>

This publication was developed collaboratively by the **Inland Urban Forest Council** Advisory Board: Rebecca Latta, Dr. Fred Roth, Dave Roger, Nancy Sappington, Susan Sims, Mark Porter, Diana Ruiz, and by the **Riverside-Corona Resource Conservation District**.

This publication was made possible by funding from the USDA Forest Service and the Riverside-Corona Resource Conservation District.

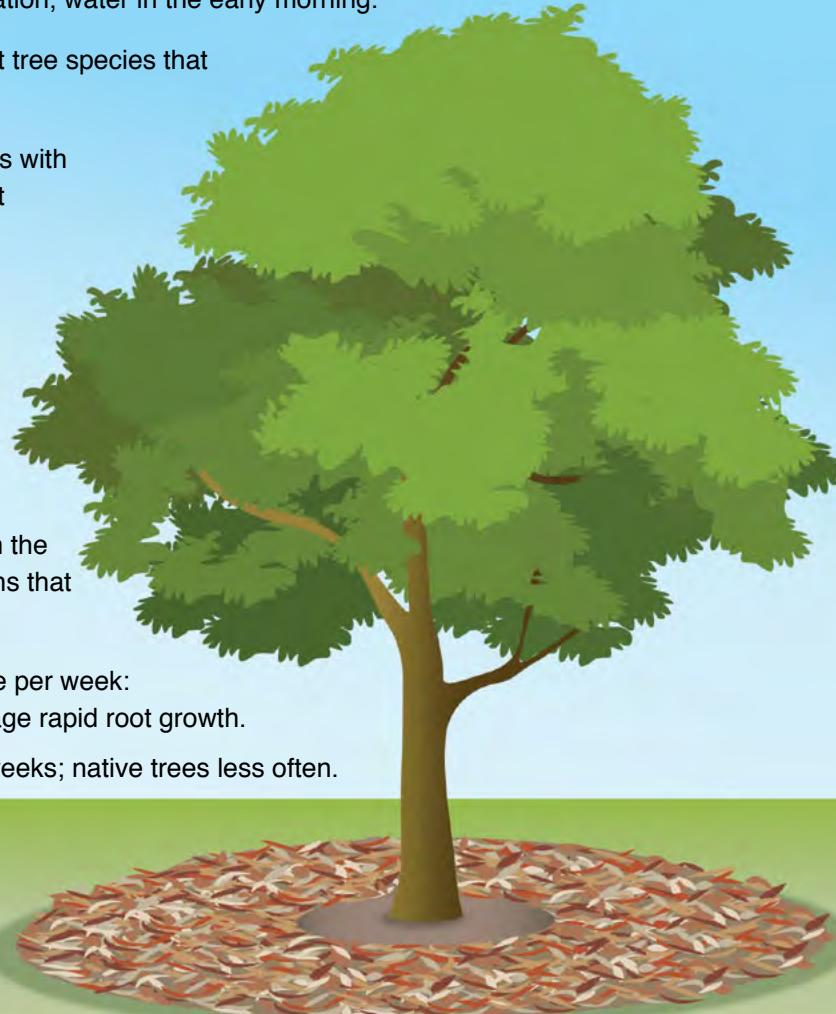
No endorsement of products, services, or viewpoints is intended, nor is criticism implied of similar products, services, or viewpoints that are not mentioned.



Trees and Water Are Precious Resources.

Prioritize watering trees during a water shortage.

- To reduce water loss to evaporation, water in the early morning.
- Plant native or drought resistant tree species that require less water.
- Install efficient irrigation systems with uniform components and “smart controllers”.
- In areas with ponding, runoff, or compaction, schedule 2-3 short run times, rather than one longer run.
- Wet the surface of the soil beneath the tree’s canopy and beyond. Direct water away from the trunk, to prevent moist conditions that foster disease.
- Water young trees at least twice per week: moisten the root ball to encourage rapid root growth.
- Water mature trees every 1-4 weeks; native trees less often.
- Spread mulch under and beyond the canopy, but not touching the trunk.
- Repair broken and worn components, clogged and missing emitters, and leaks. Look for overspray, sprinkler misting, and ponding.
 - Deep, infrequent watering encourages deep root growth for drought resistance.
 - Evaluate your soil type and rooting depth.



Inland Urban Forest Council
PO Box 7444, Riverside, CA 92513
Email: IUFC2@aol.com
www.inlandurbanforestcouncil.org
www.facebook.com/InlandUrbanForestCouncil



**Riverside-Corona Resource
Conservation District**
4500 Glenwood Drive, Building A,
Riverside, CA 92501
(951) 683-7691 www.RCRCD.org
www.facebook.com/RCRCD



Printed on recycled paper. You can help prevent waste by recycling this publication or passing it on to a friend. June 2014

I Provide \$3,880* in Benefits:



- Shade
- Energy savings
- Improved air quality
- Reduced noise and dust
- Wildlife nesting sites and food sources
- Control of storm water, erosion, and wind
- Higher property values
- Improved quality of life

*Research by USDA Forest Service:
Trees Pay Us Back



Learn about the benefits of trees
<http://InvestFromTheGroundUp.org>

Your Logo Here



Keep trees alive during drought.

Water deeply

Find the WaterWise Tree Care
publication

[www.InlandUrbanForestCouncil.org/
project/waterwise-tree-care](http://www.InlandUrbanForestCouncil.org/project/waterwise-tree-care)



Developed by



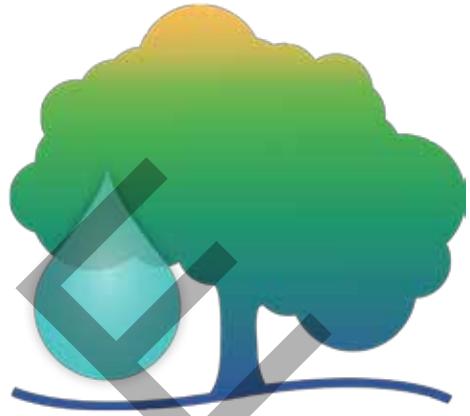
RCRCD
RIVERSIDE COUNTY
RESOURCE CONSERVATION DISTRICT

WHY YOU SHOULD SAVE YOUR TREES

As you cut back on water use during this historic drought, you may not realize the impact this will have on your landscape trees. Tree loss is a very costly problem: not only in expensive tree removal, but also in the loss of all the benefits trees provide. Your trees provide an immense range of health, energy, environmental, and economic benefits:

- Trees improve air and water quality
- Trees provide shade to the landscape and reduce water needs
- Trees help keep your home cooler
- Trees slow stormwater runoff and help recharge groundwater
- Trees reduce soil erosion
- Trees add value - often thousands of dollars' worth - to your home & neighborhood

Trees take a long time to grow. Without helping our trees through the drought, we risk losing these benefits. While the drought may not last long, it can harm or kill trees, and it will take 10, 20 or even 50+ years to grow trees and get back the benefits.



**Save Our Water
and Our Trees!**
saveourwater.com/trees

HOW TO SAVE YOUR TREES

1. Deeply and slowly water mature trees 1 - 2 times per month with a simple soaker hose or drip system toward the edge of the tree canopy - NOT at the base of the tree. Use a Hose Faucet Timer (found at hardware stores) to prevent overwatering.
2. Young trees need 5 gallons of water 2 - 4 times per week. Create a small watering basin with a berm of dirt.
3. Shower with a bucket and use that water for your trees as long as it is free of non-biodegradable soaps or shampoos.
4. Do not over-prune trees during drought. Too much pruning and drought both stress your trees.
5. Mulch, Mulch, MULCH! 4 - 6 inches of mulch helps retain moisture, reducing water needs and protecting your trees.



ABOVE: Place a soaker hose in a spiral pattern toward the edge of the tree canopy. Check the soil by plunging a long screwdriver or similar tool into the soil.
BELOW: Watering Basin for young trees.



FREQUENTLY ASKED QUESTIONS: TREES & DROUGHT IN CALIFORNIA

HOW OFTEN SHOULD I WATER MY MATURE NATIVE OR DROUGHT-TOLERANT TREES?

Trees that have matured in non-turf landscapes adapt the easiest, especially drought tolerant species. Native trees, such as our California oaks, need MUCH less water than most non-native trees. California oaks may only need one or two deep waterings over the summer, but no water within 1 to 2 feet from the trunk. They absolutely need the soil to dry out for a month or two before more water, if any, needs to be reapplied.

HOW CAN I TELL IF MY TREE IS NOT GETTING ENOUGH WATER?

Look at the tree leaves. Wilting leaves is the first indicator of lack of water to the roots. It can also mean too much water, which is unlikely in this drought.



ABOVE: Drought-stressed tree

HOW IS WATERING TREES DIFFERENT THAN WATERING MY LAWN?

Your lawn sits on the surface of the ground and has shallow roots. It needs watering a few times a week, usually with a sprinkler. Trees need to be watered less frequently, but with deeper soaking – because their roots grow deep in the earth – the majority of tree roots are 1½ -3 feet deep. Lawn irrigation does not water trees effectively. It generally reaches only the first few inches of soil, encouraging weak surface roots to grow.

WHERE CAN I GET MULCH?

You can often get free wood chips from your local utility provider or purchase them from a local tree care company or garden store. You can also try a new service called Chip Drop – it's like Uber for mulch connecting nearby residents with arborists who have wood chip mulch from pruning trees.

[HTTP://WWW.CHIPDROP.IN](http://www.chipdrop.in)

HOW DOES WATERING TREES HELP THE DROUGHT?

Keeping trees alive helps keep your home cooler, meaning less energy and resources spent on cooling systems and decreased water use in other areas. Deep watering of trees also helps replenish groundwater.

WHY NOT LET MY TREES DIE?

Dead or dying trees can be dangerous and pose great risks to your property and your loved ones. Removal of dead or dying

trees can cost thousands of dollars. In both cases, letting trees die also eliminates all the great health, home, economic, and environmental benefits that trees bring to your property.

I HEARD EL NIÑO IS COMING BACK – WHAT IF THE DROUGHT ENDS AND I DON'T NEED TO CARE FOR MY TREE ANYMORE?

We all hope that it rains this year! Recent weather trends, however, indicate hotter temperatures in general and the likelihood of more extreme weather events – such as potential flooding due to El Niño. We need to be prepared for periods of drought and other harsh weather.

Trees are important as they can help with climate adaptation in the face of extreme weather. Caring for your trees will ensure a healthier, cleaner, more vital community – whatever the weather.



Save Our Water and Our Trees!

saveourwater.com/trees





CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

To: Homeowner Boards and Associations
From: Community Development Department
Subject: Drought and El Niño Advisories
Date: December 30, 2015

Tree Care:

Recent drought conditions have caused some trees and shrubs to weaken or die. City watering limitations allow you to hand water trees to soak the deeper roots. Also, in preparation of winter storms we encourage Associations to inspect private and common property landscape areas for any large trees or shrubs in need of trimming or removal. Especially on slopes, storm conditions can cause untrimmed trees to drop large branches, or dead trees to fall down causing damage to property or injury to people.

Turf Replacement Legislation:

Even if expected El Niño rains occur this winter, drought conditions will continue. Water is a precious resource and the City has made conservation a priority. Many residents are embracing conservation by replacing turf in yards with drought resistant plants and materials. Synthetic turf has also become a popular alternative material.

Some residents are encountering road blocks when trying to replace their water thirsty turf with drought resistant materials. One common reason is that their Homeowners' Associations (HOAs) have historically restricted alternatives to turf in their governing documents and/or landscape guidelines.

The City Attorney's office has prepared a memorandum on recent legislation to let our HOAs know ***that both the State and the City have modified their residential and commercial landscape regulations to limit and discourage turf for both new and existing development. Turf replacement is encouraged. The memo notes that current legislation does not allow HOAs to prohibit turf replacement, drought resistant materials, or synthetic turf.***

The goal of the City and the State is to promote water conservation, water efficient landscaping and use of drought resistant landscape materials. The City regulations still require maintenance and aesthetic quality and landscape guidelines are being prepared to help insure the quality of turf replacements. ***The City encourages HOAs to review their landscape requirements and consider revising them to assist homeowners and the City with water conservation efforts.***



TO: **Signal Hill Homeowner Associations and Boards**

FROM: **City Attorney's Office**

DATE: **December 3, 2015**

RE: **New Anti-Drought Legislation**

In response to the severe drought in California, the State Legislature has been active the past couple of years developing new rules regarding water use in California and the local regulation thereof. This memorandum provides an overview of the recent changes in the law that impact how local jurisdictions and homeowner associations (HOAs) regulate water use within their respective jurisdictions.

I. New Anti-Drought Affecting Homeowner Associations

A. HOA is prohibited from penalizing homeowners for failing to water their lawns during a state of emergency due to drought

On July 21, 2014, the State Legislature passed AB 2100, which prohibits HOAs from imposing a fine or assessment against a homeowner for reducing or eliminating watering of vegetation or lawns during any period for which the Governor has declared a state of emergency, or whenever a local government has declared a local emergency, due to drought.¹

There is an exception to this rule for HOAs that use recycled water for their landscape irrigation where the recycled water is made available to the individual homeowners.² Thus, HOAs may only penalize a limited number of homeowners during drought emergency periods – namely those who have access to and fail to use recycled water for their lawns.

B. HOAs cannot enforce regulations that prohibit use of low water-using plants or restrict compliance with local water conservation laws

On September 18, 2014, the State Legislature passed AB 2104, which voids any provision of HOAs' governing documents or architectural or landscaping guidelines that do any of the

¹ AB 2100 amends Civil Code §4735.

² See SB 992, which further amends Civil Code §4735.

following:

- 1) prohibits the use of low water-using plants,
- 2) prohibits the use of low water-using plants as a replacement of existing turf, or
- 3) prohibits or restricts compliance with local water-efficient landscape ordinance or water conservation measures.³

C. HOAs cannot prevent artificial or synthetic turf or require the removal of water-efficient landscaping measures installed in response to an emergency drought

On September 4, 2015, the State Legislature passed AB 349, which voids any provision of the HOA's governing documents or guidelines that prohibit the use of artificial turf or any other synthetic surface that resembles grass. Thus, as an initial matter, HOAs cannot fine or penalize homeowners for installing artificial turf.

However, HOAs are allowed to adopt reasonable landscape standards, including standards for the installation of artificial turf, so long as the standards do not effectively prevent the installation of artificial turf. For example, HOAs may create reasonable guidelines addressing the type of artificial turf, the color of the turf, the degree of coverage, or the location of the turf as long as homeowners are permitted to install artificial turf.

In addition, this law also prohibits HOAs from requiring a homeowner to remove or reverse water-efficient landscaping measures that were installed in response to a declaration of a state of emergency even after the state of emergency has ended.

II. New Anti-Drought Laws Affecting Cities and Other Local Agencies

A. Cities and counties cannot penalize homeowners and tenants for having brown lawns during a state of emergency due to drought

On July 13, 2015, the State Legislature passed AB 1, which prohibits a city or county from imposing fines under any ordinance for failure to water lawns or having a brown lawn during a period for which the Governor has declared a state of emergency based on drought conditions.⁴ Assembly Bill 1 does not go into effect until January 1, 2016.

B. Cities and counties cannot adopt or enforce local regulations that prohibit drought tolerant landscaping or artificial turf

On October 9, 2015, the State Legislature passed AB 1164, which prevents cities and counties from enacting or enforcing any ordinance or regulation that prohibits the

³ See AB 2104, which further amends Civil Code §4735.

⁴ AB 1 adds Government Code §8627.7.

installation of drought tolerant landscaping, synthetic grass, or artificial turf on residential property.⁵ This new law essentially invalidates any ordinance or regulation preventing the installation of artificial turf. Thus, as an initial matter, homeowners are allowed to install artificial turf without being penalized by the city or county.

In addition, cities and counties are permitted to adopt reasonable restrictions regarding the type of artificial turf that may be installed on the residential property so long as the restrictions do not effectively prohibit the installation of artificial turf.⁶ Moreover, such restrictions cannot substantially increase the cost of installing the artificial turf and cannot significantly impede the installation of the artificial turf.⁷

III. CONCLUSION

As discussed above, there have been several changes in the law to address California's severe drought. Thus, it is important that HOAs revisit their guidelines, policies and practices to ensure that they comply with these new laws.

⁵ AB 1164 added Government Code §53087.7.

⁶ Government Code §53087.7(b)(2).

⁷ Government Code §53087.7(b)(1), Government Code §53087.7(b)(3)(An example of a significant impediment is "a requirement that a residential yard must be completely covered with living plant material"). Please be advised that these two provisions are specific to Government Code §53087.7 and are not included in Civil Code §4735, which is the statute applicable to HOAs.

Water Conservation in Landscaping

Did you know? 2015 was the 4th year of a severe drought in California and water is a precious resource.

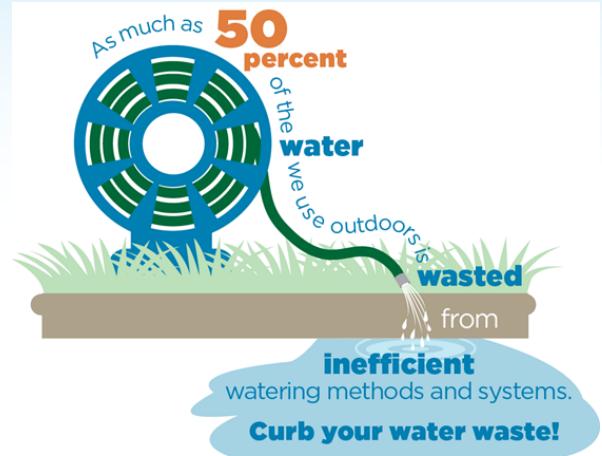
Did you know? The Governor is requiring all of us to conserve water.

Did you know? Water conservation is always a good practice.

Did you know? As much as 60% of commercial and 50% of residential water consumption is used outdoors.

Did you know? The turf in your yard needs lots of water to stay green, but could be replaced with water conserving plants and materials..

Did you know? Trees need long slow drinks of water to stay alive.

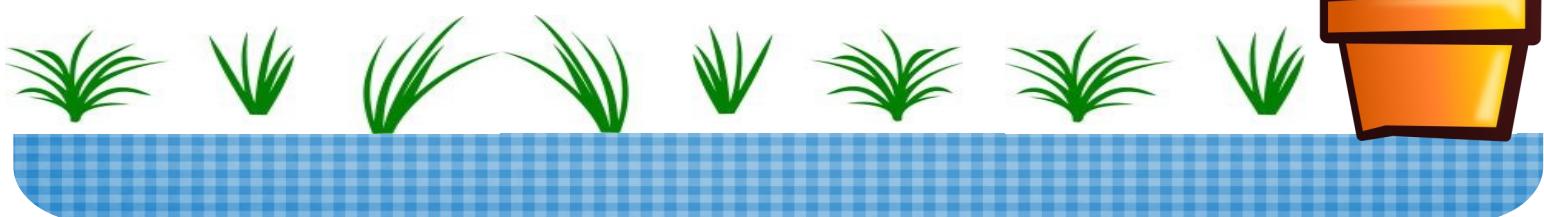


What can you do to conserve water?

- Only run irrigation systems on approved watering days (Tues. and Sat.) for limited time (10 min. max.).
- Hand water your trees, including street trees to save water and keep them alive.
- Replace the turf in your yard with drought tolerant plants and permeable materials.
- Replace sprinkler heads with low pressure heads or install smart irrigation and controller systems.
- Capture and recycle rain water and greywater.
- Slow the flow and capture irrigation and rain water with permeable materials.

Need help with water conservation?

- Reference City's water conservation guidelines and tips on the City's website at www.cityofsignalhill.org and click on the Water Conservation tab.



Turf Replacement Tips for Water Conservation

Did you know? The turf in your yard needs lots of water to stay green.

Did you know? The City neither requires nor prefers turf as a landscape material.

Did you know? The City has turf replacement standards.

Did you know? No more than 25% of your front yard can be replaced with hardscape materials.

Did you know? Alternative landscaping can be a mix of plant and non-plant materials (mulch, bark, rock, etc.).

Did you know? Permeable hardscape materials retain and slow the flow of water which benefits your plants and water quality.

Did You know? Some HOA's have historically prohibited replacement of turf with alternative landscape materials, however, recent State laws allow homeowners to install alternative materials.

What should you do first when replacing turf?

- Contact City staff in the Community Development Department and ask about the turf replacement standards at 562-989-7340.
- Develop a landscape plan that considers an appropriate ratio of plant materials to non-plant materials and retains water on site.
- Situate plants with similar water, sun and shade needs together in your landscape plan.
- Once your alternative landscaping is installed, hand water until well established.
- Don't forget your trees need more water than drought tolerant plants and you are allowed to hand water them separately.



January 3



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

January 19, 2016

AGENDA ITEM

**TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: SCOTT CHARNEY
COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: DIRECTOR'S REPORT – 2016 PLANNING COMMISSIONERS
ACADEMY**

Summary:

The League of California Cities 2016 Planning Commissioners Academy will be held on Wednesday, March 2 through Friday, March 4 at the Marriott Hotel in San Ramon, California.

A budget of \$1,500 will cover the cost (registration, airfare, lodging, food and other travel expenses) of one Commissioner to attend the conference. Registration deadline is Tuesday, February 2, 2016.

A full conference registration will include admission for the following:

- Two and a half days of important educational sessions (Attachment A)
- AB1234 Ethics Training Workshop
- An optional walking tour of San Ramon's new City Hall, and the construction site of the new downtown city center (limited spots available, additional registration required).
- Wednesday networking reception, Thursday breakfast and lunch, and Friday breakfast.
- Electronic access to all program materials.

Recommendation:

Select one Commissioner to attend the conference.

Attachment

PRESORTED
FIRST CLASS
U.S. POSTAGE
P A I D
PERMIT NO. 316
SACRAMENTO, CA

677
8

Join us for the 2016 Planning Commissioners Academy

For speaker information, go to www.cacities.org/plannersacademy



Planning

Commissioners Academy

Wednesday, March 2 – Friday, March 4

2016

SAN RAMON MARRIOTT

Registration and Housing Deadline:
Tuesday, February 2, 2016

www.cacities.org/events

www.facebook.com/leagueofcities

Follow @CaCitiesLearn

Wednesday, March 2

► Registration Open

9:00 a.m. – 5:30 p.m.

PRE-CONFERENCE WORKSHOP

10:00 a.m. – Noon

AB 1234 Ethics Training

State law requires elected and appointed officials to receive training in specified ethics laws and principles every two years. Newly elected and appointed officials must receive this training within one year of becoming a public servant. This lively, example laden, two-hours will make this mandatory training more tolerable — if not outright enjoyable. Sign-in begins at 9:30 a.m. and you must be pre-registered online and present for the full two hours to receive the certification of attendance at noon.

OPENING GENERAL SESSION – KEYNOTE SPEAKER



1:00 – 2:30 p.m.

Corridors, Centers and Edges; California's New Growth Paradigm

The form of growth in California is changing. New demographics, environmental pressures and economic needs have added force to the transformation. This talk will look at

these forces and quantitatively assess the impacts of alternative forms of growth. Using software analysis tools developed to implement SB375 (California's land use regulation tied to climate change) a series of future scenarios for the state and local land use policies will be presented. Case studies of new development patterns will also be documented, and the political forces around the massive shift from low density sprawl to infill and mixed use building discussed.

SPEAKER: Peter Calthorpe, Principal, Calthorpe Associates

2:45 – 4:00 p.m. | FUNDAMENTALS

Planning Fun-da-mentials

This session will help demystify some of the planning field by explaining terms, process and meaning behind the actions of planning staff. We'll explain General Plans, ordinances, policies, staff reports, notices, and the nitty gritty of getting items before you to consider. We will have plenty of time for questions like "How do I apply a general plan goal to a specific project?" or "Why are findings so important?" We will also provide a small glimpse of the thought process of a planner before making a recommendation, and what the City Attorney hopes won't be said on the record during a public meeting.

For speaker information, go to www.cacities.org/plannersed

2:45 – 4:00 p.m. | EMERGING ISSUES

Streamline Your Development Review and Permitting Process

Are developers having trouble getting through your development review and approval process? Learn from one city that had the same struggle, and what they did to turn it around. Hear from perspectives ranging from how you manage culture change, technology and metrics to turn the problem around.

4:15 – 5:30 p.m. | FUNDAMENTALS

Iron Clad Findings and Effective Conditions of Approval

The approval of any project lies in the ability to make the required findings, and the imposition of conditions to mitigate the project's impacts. Learn ways to make your findings withstand a legal challenge, and ensure that your conditions of approval can be implemented.

4:15 – 5:30 p.m. | EMERGING ISSUES

The Future of Water

Last year, Gov. Jerry Brown ordered unprecedented water conservation in response to the drought. With the state's population set to top 44 million by 2030, and the uncertainty of climate change, communities must make the most of the water available to them. Doing so begins with smart planning. Hear experts discuss conservation tools available to cities and developers – including: stormwater capture and reuse, building design, storage, landscaping, greywater, and direct and indirect potable reuse – and what a water-wise city of the future may look like.

► Networking Reception

5:30 – 6:30 p.m.

Take this opportunity to network with your peers from throughout the state after a full afternoon of education sessions.

Thursday, March 3

► Registration Open

7:30 a.m. – Noon

► Networking Breakfast

7:30 a.m. – 8:30 a.m.

8:45 – 10:00 a.m. | FUNDAMENTALS

Social Media: A Survival Guide for Public Officials

Social media in the public workplace continues to raise questions more rapidly than courts can provide answers. Presented by a specialist in social media and the law, this cutting edge session will cover: social media and hiring practices; concerted activity, free speech, and employee discipline; use of social media in workplace investigations; use of social media as evidence in litigation; Public Records and Brown Act concerns; case studies; and social media policies and practices for public entities.

Thursday, March 3, Continued

8:45 – 10:00 a.m. | EMERGING ISSUES

When Public Engagement Efforts Derail the Public Process

Learn how the best of intentions can result in a public engagement process that is no longer representative of your community interests, preempts the normal planning process, or simply skews the results. Examples of Citizen Advisory Committee, Interactive Public Meetings and public hearings gone wrong will be provided. Learn how to avoid these outcomes through thoughtful planning, different meeting procedures, and a more adaptive and nimble process.

10:15 – 11:30 a.m. | FUNDAMENTALS

Civic Engagement – What's Worked?

Do you want younger generation involvement in your public process? Learn from experts that can talk about the tools and strategies to engage citizens using civic technologies.

10:15 – 11:30 a.m. | EMERGING ISSUES

Infill Projects: Ensuring Neighborhood Compatibility

Many cities have, or are, experiencing the transition from large developments to small infill projects. In many cases, new proposed infill projects can dramatically change the compatibility with, and character of, the neighborhood. Learn about some of the things planners are doing to ensure developers' rights to build, while protecting the community.

LUNCH SESSION – THURSDAY

11:45 a.m. – 1:00 p.m.

Data: Your Secret Weapon

In this short and fun talk, Dr. Jonathan Reichental will discuss ways you can use data, a resource you already have, to help with your agency objectives. He will describe how data is being used to build solutions, make decisions, and create more trust with stakeholders and the people we all serve.

1:15 – 2:30 p.m. | FUNDAMENTALS

Demystifying CEQA

CEQA, MMRP, Statement of Overriding Considerations, NEPA, LOS, vernal pools... terms that can make your head swim. Experts translate the California Environmental Quality Act into simple and easy to understand language, explain its purpose and provide handy tips on using CEQA to make projects better. A great session for new and seasoned commissioners alike!

1:15 – 2:30 p.m. | EMERGING ISSUES

Redefining Mobility: Connected/Autonomous Vehicles

With the incorporation of technology into nearly every aspect of our lives, the way we think about mobility has undergone a radical shift. This session will explore how connected and autonomous vehicles will transform the transportation landscape and the opportunities and challenges this new frontier in innovation presents.

Walking Tour | 2:00 – 4:30 p.m.

The tour by advance registration is \$25, limited to a maximum of 35 attendees, will be on a first-come, first-served basis. Once a tour is filled, it will be marked "Not Available." There will be no refunds.

PUBLIC/PRIVATE PARTNERSHIP THAT WORKS

The City of San Ramon and Sunset Development Company have a strong history of working collaboratively on projects that enhance the quality of life for our residents and businesses. The development of our new downtown City Center, City Hall, and rebranding the Bishop Ranch Business Park is the culmination of this long standing public/private partnership. The tour will begin at BR 2600, a 2 million square foot office building that has been renovated as a state of art workplace, and a presentation on Phase 1 of our new 300,000 square foot City Center, designed by International architectural firm Renzo Piano Building Workshop. The walking tour will take us to the City Center construction site, and end with a tour of the new City Hall.

2:45 – 4:00 p.m. | FUNDAMENTALS

Design Adds Value

This session will provide examples of good design, explain the link between good design and economic vitality, and provide a basis for discussion of design issues.

2:45 – 4:00 p.m. | EMERGING ISSUES

Complete Streets

Complete Streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. Complete Streets make it easy to cross the street, walk to shops, and bicycle to work. Find out from industry experts how this can be a game changer, and learn how your community can benefit.

4:15 – 5:30 p.m. | JOINT SESSION

Burning Questions, No Judgment

Have a question that you are afraid to ask in a public meeting or feel that after a few years on the Commission you should already know the answer to? Join us in a "safe" environment to receive answers to your most burning questions, and hear questions from your colleagues.

**For additional information & speakers,
go to www.cacities.org/plannersed**

Friday, March 4

➤ Networking Breakfast

7:00 a.m. – 8:00 a.m.

8:15 a.m. – 9:30 a.m.

City of Dysfunction Junction: How to Conduct an Effective and Respectful Planning Commission Meeting

Enjoy the ever-popular and hilarious mock planning meeting skit, where you will learn some do's and don'ts for when you are seated on the dais.

9:45 – 10:45 a.m.

What Planners Need to Know about Municipal Finance and Budgets

A good understanding of municipal finance is important for effective city planning. In this lively session learn: essential concepts and current issues concerning key city revenues and costs; the latest on California city financial health and municipal bankruptcy; important legislative and legal developments in finance; and the inextricable relationship between land use development and city finances.

CLOSING GENERAL SESSION – KEYNOTE SPEAKER



11:00 a.m. – 12:15 p.m.

Leading with Innovation – How to Future-Proof Yourself, Fearlessly Innovate and Succeed in the New Normal

Just as the world's most successful organizations must continually reinvent their products and brands to remain market leaders in an age of growing change and disruption, so too must we continuously rethink, reimagine, and reinvent the value we provide to our citizens. In this eye-opening presentation, bestselling author and futurist Scott Steinberg reveals how to thrive in the new operating reality, unlock creativity, and successfully leverage new leadership strategies to adapt to changing times and audiences. From more powerful ways to unleash innovation to solutions for better capitalizing on emerging trends and cutting-edge advancements, discover how you and your colleagues can flourish in tomorrow's world – and effectively apply its most crucial success strategies and skills in context.

SPEAKER: Scott Steinberg, CEO, TechSavvy Global

PLEASE NOTE: The information you provide to the League when registering for a League conference or meeting may be shared with the conference or meeting hotel(s). The hotel(s) will also share with the League the information you provide to the hotel(s) when you make your hotel reservation for the conference or meeting. The information shared between the League and the hotel(s) will be limited to your first name, last name and dates/length of stay in the hotel.

GENERAL INFORMATION

All attendees must register for the conference prior to reserving a hotel room. Registration is not complete until full payment is received. The League is unable to accept purchase orders. Once registration is complete, you will be directed to the housing reservations page.

- For online registration, go to www.cacities.org/events and select "Planning Commissioners Academy". To request a mail-in registration form, contact mdunn@cacities.org.

Registration must be received by Tuesday, February 2.

After this date, please register onsite if available.

Costs/Fees

Full registration includes electronic access to all program materials, admission to all sessions, two breakfasts, one lunch, and a Wednesday evening reception.

Full Conference

City Planning Commissioners/City Planning Directors/Staff	\$575
All Others – company, consultant, League Partners	\$700
Non-Member City Planning Commissioners/Directors/Staff.....	\$1,575

One Day Registration

City Planning Commissioners/City Planning Directors/Staff	\$300
All Others – company, consultant, League Partners	\$475
Non-Member City Planning Commissioners/Directors/Staff.....	\$1,300
Spouse Reception Only Registration (Wednesday).....	\$40

The spouse fee is restricted to persons who are not city or public officials, are not related to any Partner or sponsor, and would have no professional reason to attend the conference. It includes admission to reception only. There is no refund for the cancellation of a spouse registration. It is not advisable to use city funds to register a spouse.

AB 1234 Ethics Training Workshop Registration

Workshop registration available only after conference registration is complete – No additional cost

Optional Tours

Pre-registration and payment for the tours is required (first-come, first-served – limited to a maximum of 35 participants. Guest/Spouses are not eligible due to limited space. Walking Tour of City Center & City Hall @ Bishop Ranch\$25

Cancellations

Refunds of rate paid, minus \$75 processing charge, will be made for cancellations submitted in writing to mdunn@cacities.org and received by **Tuesday, February 2**. There are no refunds for cancellations after this date. Substitutions can be made onsite.



If you require special accommodations related to facility access, transportation, communication and/or diet, please contact our Conference Registrar by Tuesday, February 2 at mdunn@cacities.org.

Hotel Information & Reservations

Hotel reservation changes, date modifications, early check-out, or cancellations made prior to **Tuesday, February 2** must be done through the online reservation link you received when registering for the conference. Use your confirmation/ acknowledgement number to access your reservation to make changes. Once the February 2 deadline has passed, please contact the hotel directly with any changes or cancellations. Please note that hotel cancellations after the housing deadline has passed may incur a financial penalty or a minimum one-night room charge or attrition fees.

San Ramon Marriott | 2600 Bishop Drive, San Ramon CA 94583

Hotel Rate (per night): \$189 – Single/Double Occupancy (plus tax and fees)

Parking: \$18 overnight/\$18 per day (subject to change without notice)

**Please DO NOT book outside of the League hotel block. This will cause an increase in event costs, liabilities and higher registration rates.*

January 4



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

January 19, 2016

AGENDA ITEM

**TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: SCOTT CHARNEY
COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: MINUTES

Summary:

Attached for your review and approval are the minutes of last month's regular meeting.

Recommendation:

Approve.

**A REGULAR MEETING OF THE CITY OF SIGNAL HILL
PLANNING COMMISSION**
December 15, 2015
7:00 P.M.

CALL TO ORDER

Chair Fallon called the meeting to order at 7:00 p.m.

ROLL CALL

The Commission Secretary conducted roll call.

Present: Chair Fallon
 Vice-Chair Devon Austin
 Commissioner Tom Benson
 Commissioner Shannon Murphy
 Commissioner Rose Richárd

Staff present:

- 1) Community Development Director Scott Charney
- 2) Senior Planner Colleen Doan
- 3) Associate Planner Selena Alanis
- 4) Assistant City Attorney Elena Q. Gerli
- 5) Assistant City Attorney Gina Chung
- 6) Sr. Engineering Technician Anthony Caraveo

In addition, there were 20 people in attendance.

PLEDGE OF ALLEGIANCE

Chair Fallon led the audience in reciting the Pledge of Allegiance.

PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

PUBLIC WORKSHOPS

- (1) The Courtyard Residential Development of 10 Condominiums and a New Specific Plan

Commissioner Richárd recused herself and took a seat as a member of the audience due to a potential conflict as she resides within 500 feet of the proposed project site. City Staff Anthony Caraveo also recused himself for the same reason.

Community Development Director Scott Charney read the form of notice and gave an introduction, and Associate Planner Selena Alanis gave the staff report.

Vice-Chair Austin asked staff about the density allowed in Residential High Density zoning district. Staff clarified that the applicant is proposing 10 units with 3 stories while this zoning district density allows 12 units but 2 stories only.

Commissioner Benson asked if it is possible to lower the elevation of the building pad without changing the stories of the building. Staff responded that they will have to look into the design of the project and what the grading plans allow.

Commissioner Murphy asked about the setbacks of other buildings surrounding the project site. Staff did not have the information available but gave general information about setback requirements.

Chair Fallon opened the public workshop.

The following members of the public spoke regarding the project:

- 1) Brad Hilgren, High Rhodes Property Group project applicant, extended his gratitude to the Community Development Department staff and spoke about the background of the project, the view analysis process with nearby residents and some specifics about the project (e.g. architectural elements, shadow study, privacy issues, property values, etc.). Commissioner Benson asked what has been done for the condos on the north side to ensure proper sunlight and airflow. Brad Hilgren explained that a shadow study was done using computer-generated calculations, the study showed that all of the shadow falls below the 1st floor of the project and will not have an impact on the neighboring condos. As for the airflow, the project will be built with gaps in between the buildings to allow air to flow through.
- 2) David Fukumoto, resident of 1903 Temple Avenue, voiced his concern about the shadow study, which didn't take the condos to the west of the project into consideration, sunlight will be blocked completely for his unit with the 35' in height proposal. Mr. Fukumoto also voiced his concern regarding the reduced setback.
- 3) Donald Venitsky, Lakewood resident, commented on the design and the height of the project.
- 4) Patrick Faecke, resident of 1957 Temple Avenue #201, voiced his concern on the view impact, the reduced setbacks, the building heights, the rooftop decks and the aesthetic of the design. Commissioner Benson engaged Mr. Faecke in a discussion about property value and the design of the project. Mr. Faecke requested to see all buildings the same height and additional design concepts.
- 5) Alin Chitanu, resident of 1957 Temple Avenue #104, commented on the discrepancy of his view photos versus the applicant's view photos, stating that the view impact is downplayed by the applicant. Mr. Chitanu also raised concern about privacy issues with the proposed building design with windows facing directly to his balcony. He was not in favor of increasing building height, rooftop decks, or reduced setbacks.

- 6) Miruna Babatie, resident of 1957 Temple Avenue #202, stated she was in escrow when the applicant tried to contact the owner and bought her current property recently because of the downtown, seaport and Catalina Island view, but with the proposed project, her view will be completely blocked. Ms. Babatie requested a better solution from the applicant.
- 7) Janice Reed, resident of 1957 Temple Avenue #101, commented that she has concerns about her privacy because the window for the 3-story stairwell will be directly in front of her master bedroom. Ms. Reed requested the applicant to eliminate the rooftop deck and stairwell and adhere to the 25' in building height requirement. Ms. Reed commented that the project will block sunlight for her patio garden.

Staff distributed additional photos submitted by Ms. Reed that were not included with the staff report to the Commission (photos are available in the Community Development Department).

- 8) Erik Radcliffe, resident of 1903 Temple Avenue #311, commented on views and privacy issues and added that he is not in favor of increasing the building height. He felt the applicant had not shown good faith in addressing concerns.
- 9) Adam Stewart, resident of 1957 Temple Avenue #103, reiterated similar privacy concerns as other speakers, stating that the proposed rooftop deck and windows facing his condo will limit the privacy he and his neighbors currently have.

There being no further public testimony, Chair Fallon closed the public workshop.

Commissioner Murphy commented on the difficulty of developing infill projects. She also stated concerns with the reduced setbacks, rooftop decks and view impacts, but is pleased with the overall design of the project.

Vice-Chair Austin expressed her disapproval of the rooftop deck and asked if the building height can be lowered. She advised the applicant to engage in more in-depth conversations with the residents who live nearby the project site.

Commissioner Benson stated he could see how rooftop decks can add value to the development. He encouraged the applicant not to be dismissive of the residents' concerns and issues.

Chair Fallon summarized her overall agreement and rejected the rooftop decks. She directed the applicant to work with the residents to address comments received and return for another workshop.

Commissioner Richárd and City Staff Anthony Caraveo returned to the dais.

(2) Single-Family Dwelling at 2085 Freeman Avenue and Alley Vacation

Community Development Director Scott Charney read the form of notice and gave an introduction, and Associate Planner Selena Alanis gave the staff report.

Vice-Chair Austin asked for clarification on accessing the alley. Staff responded the garages will be built facing the street, therefore, no alley access will be needed.

Chair Fallon opened the public workshop.

The following member of the public spoke regarding the project:

- 1) Bozena Jaworski, RPP Architects and applicant for the Tran Family, thanked the Commission for holding the workshop and noted that the alley in the back will have utility and Verizon easements for the adjacent homes, but the alley will be maintained by the property owner.

Commissioner Richárd complimented on the solar panels and the design of skylights for the house. Ms. Jaworski advised that the owner is not installing the solar panels at the moment, but the house will be built solar-ready.

Commissioner Benson stated that this project is beautiful and a great addition to the community.

There being no further public testimony, Chair Fallon closed the public workshop and directed staff to schedule the project for a public hearing.

PUBLIC HEARING

(3) Regulations to Prohibit Cultivation and Delivery of Medical Marijuana

Community Development Director Scott Charney read the form of notice and gave the staff report.

Commissioner Richárd asked if the initiative mentioned in the presentation will be on the 2016 ballot. Staff responded the intent is to get the initiative on the ballot as soon as possible.

Chair Fallon opened the public hearing.

The following member of the public spoke regarding the project:

- 1) Larry Forester, Signal Hill resident, spoke in support of prohibiting cultivation and delivery of medical marijuana within City of Signal Hill.
- 2) Donald Venitsky, Lakewood resident, handed in a white paper (available in the Community Development Department) and reflected on his proposals for public sector ownership of production and distribution of medical marijuana.

3) Luis Franco, Santa Ana resident, asked what would happen if someone was already cultivating medical marijuana within the City. Staff responded commercial cultivation is not permitted under the current zoning ordinance, code enforcement, which can include legal action, would be initiated. Mr. Franco spoke about the financial and medical benefits of medical marijuana and support for local cultivation.

There being no further public testimony, Chair Fallon closed the public hearing.

Commissioner Benson spoke in support of decriminalization of medical marijuana, but added that currently the City should not consider allowing medical marijuana in the City until the subject could be studied in more details.

It was moved by Commissioner Murphy and seconded by Commissioner Benson to waive further reading and adopt the resolution. The Commission acknowledged the motion was for both the Zoning Ordinance Amendment and Ordinance Amendment and recommended City Council approval of both.

Resolution No. 774-12-15, entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE SIGNAL HILL RECOMMENDING CITY COUNCIL APPROVAL OF ZONING ORDINANCE AMENDMENT 15-03 AMENDING TITLE 20 OF THE SIGNAL HILL MUNICIPAL CODE PROHIBITING MEDICAL MARIJUANA CULTIVATION IN ALL ZONING DISTRICTS INCLUDING SPECIFIC PLANS AND REVISING THE DEFINITION OF MEDICAL MARIJUANA DISPENSARY TO INCLUDE MOBILE DELIVERY SERVICES

The following vote resulted:

AYES: CHAIR FALON; VICE-CHAIR AUSTIN; COMMISSIONERS BENSON, MURPHY AND RICHÁRD

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Motion carried 5/0.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

(4) Volunteer Roundup for the 2016 Homeless Count Event

Senior Planner Colleen Doan gave the staff report.

All Commissioners signed up to volunteer for the 2016 Homeless Count.

CONSENT CALENDAR

Commissioner Benson requested that Item No. 7 be pulled for discussion.

Commission Received and Filed Consent Calendar Items No. 5, 6 and 8.

It was moved by Commissioner Murphy and seconded by Commissioner Richárd to receive and file Consent Calendar Items No. 5, 6 and 8.

The motion carried 5/0.

Commission Received and Filed Consent Calendar Item No. 7.

Item No. 7, Development Status Report, was pulled to correct a spelling error.

It was moved by Commissioner Benson and seconded by Commissioner Murphy to receive and file Consent Calendar Item No 7.

The motion carried 5/0.

COMMISSION NEW BUSINESS

Commissioner Murphy commented on getting 2 water bills this month. Staff responded it might be due to an error from the new system and will forward this feedback to the Finance Department.

Commissioner Murphy expressed disappointment in the tree lighting and Halloween Carnival events and requested the tree lighting to be held up on the hill next year and the Halloween Carnival to be held closer to Halloween day instead of a week before. Staff will forward this feedback to the Community Services Department.

Commissioner Murphy would like to send a thank you card to attorney David Kwon and welcomed new attorneys Elena Q. Gerli and Gina Chung.

Commissioner Richárd suggested to have the tree lighting up on the hill next year as well and recommended to include in the flyer that in case of inclement weather, the event will be moved to the Community Center.

Commissioner Richárd and Vice-Chair Austin both commented on the tree lighting flyer being sent too early in advance of the event.

Vice-Chair Austin expressed her concern about trees in the City with the recent strong wind and upcoming El Niño. Staff responded the City is actively prepared for El Niño and the Public Works Department will be trimming street trees.

Vice-Chair Austin asked if staff will inform HOAs with palm trees in their private properties to prepare for El Niño. Staff responded the city arborist did an inspection on the palm trees and found no immediate danger as of now. Staff will prepare letters to the HOAs with recommendation to trim or remove the trees for safety reasons.

Commissioner Benson commented on dying trees on Temple Avenue, North of 21st street and advised that trees in the city parks need trimming as well.

ADJOURNMENT

It was moved by Commissioner Richárd and seconded by Commissioner Murphy to adjourn to the next regular meeting of the Planning Commission to be held on Tuesday, January 19, 2016, at 7:00 p.m., in the Council Chamber of City Hall, 2175 Cherry Avenue, Signal Hill, CA, 90755.

The motion carried 5/0.

Chair Fallon adjourned the meeting at 9:17 p.m.

Jane Fallon
Chair

Attest:

Scott Charney
Commission Secretary

January 5



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

January 19, 2016

AGENDA ITEM

**TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: COLLEEN DOAN
SENIOR PLANNER**

SUBJECT: CITY COUNCIL FOLLOW-UP

Summary:

Below for your review is a brief summary on the City Council's actions from the previous month.

Recommendation:

Receive and file.

Background & Analysis:

- 1) At the December 22, 2015 City Council meeting there were no Community Development Department items.
- 2) At the January 12, 2016 City Council meeting:
 - The City Council introduced Zoning Ordinance Amendment 15-03 and Ordinance Amendment 15-06 prohibiting commercial cultivation and prohibiting mobile medical marijuana dispensaries and delivery services. The Ordinances were approved by a vote of 5/0.

Approved by:

Scott Charney

January 6



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

January 19, 2016

AGENDA ITEM

**TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: SCOTT CHARNEY
COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: DEVELOPMENT STATUS REPORT

Summary:

Attached for your review is the monthly Development Status Report which highlights current projects.

Recommendation:

Receive and file.

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Commercial-Industrial

Address	Project Description	Application	REVIEW			SPDR/CUP			CTL			Status
			Director approval	PC approval	CC approval	Expires	1st Ext.	2nd Ext.	Expires	1st Ext.	2nd Ext.	
1798 E Willow St.	Tenant improvements to replace existing restaurant with a new restaurant GD Bro Burger Applicant: GD Bro Burger	Administrative Review	✓	N/A	N/A	Building permit issued 06/17/15  0			N/A			Obtained permit, working on interior TI (12/15). Applicant would like to open in January. Final inspection is pending (1/16). JH
2653 Walnut Ave. 2H Construction	An approximate 8,000 sf warehouse/office building Applicant: 2H Construction	Administrative Review	✓	N/A	N/A	Building permit issued 04/13/11			Prior to CTL			Exterior complete. Working on Public Works conditions of approval (4/15). Building permit issued for TI on 10/29/15. TI work has begun (12/15). Underground plumbing is complete (1/16). JH
2701 Cherry Avenue	ADA parking lot improvements Applicant: Best Buy	Administrative Review	✓	N/A	N/A	Building permit issued 06/01/15  0			N/A			Sidewalk and curb completed (7/15). Awaiting request for final inspection (12/15). Notice will be sent to contractor that final on permit is required (1/16). JH/CTD

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Commercial-Industrial

Address	Project Description	Application	REVIEW			SPDR/CUP			CTL			Status
			Director approval	PC approval	CC approval	Expires	1st Ext.	2nd Ext.	Expires	1st Ext.	2nd Ext.	
1460 E. 28 th	Tenant improvement for a commercial kitchen for pickling business Applicant: Proper's Pickle	Administrative Review	✓	N/A	N/A	In process						1 st plan check comments returned to applicant 11/5/15. JH/SA
1851 E. Willow Avenue	Tenant improvement for new trash enclosure Applicant: Willow LLC Owner: TCN	Administrative Review	✓	N/A	N/A	Building permit issued 12/17/15			N/A			Permit for foundation, block wall and enclosure was issued and work is underway (1/16). JH/CTD
3280 Industry Drive	Tenant Improvement for rehearsal studio Owner: Courtney Dubar	Administrative Review	✓	N/A	N/A	Building permit issued 12/11/15			N/A			Permit issued after work had begun. Progress continues (1/16). JH/CTD
3355 Olive Avenue	Proposal for new 6,290 sf building: 3,991 sf warehouse and 2,299 sf office building Applicant: Roger Vititow	Administrative Review 15-05	✓	N/A	N/A	Building permit issued 12/30/15			6/22/17			Grading permit issued and in process. Storm water system installed (11/15). Building permit issued 12/30/15. Construction started 1/12/16. JH/SA

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Commercial-Industrial

Address	Project Description	Application	REVIEW			SPDR/CUP			CTL			Status
			Director approval	PC approval	CC approval	Expires	1st Ext.	2nd Ext.	Expires	1st Ext.	2nd Ext.	
2355 Walnut Avenue	Proposal for new 10,000 sf warehouse and office building. Applicant: Roger Vititow	Administrative Review	Required	N/A	N/A	Required						Preliminary plans submitted for planning and building review (1/16). SA
3201-3225 Pacific Coast Highway	Tentative Parcel Map to subdivide an existing 1.8-acre lot into two lots	71592, extension granted	N/A	11/08/11	N/A	11/8/13	11/8/14	11/8/15	N/A			3 rd ext granted per State law. TPM valid until 11/8/15. State has continued automatic extensions under the economic hardship policy. A storage room was constructed without a permit. Inspection was completed and permit issued (1/16). CTD
Quality Inn	Applicant: William Suh											
2200 E. Willow St.	Amendment to CUP 13-01 to extend the gas station hours of operation from 5 am to 10 pm seven days a week Applicant: Costco Wholesale	Amendment to CUP	N/A	7/15/15	Required							Community meeting held (2/15). Planning Commission public hearing on 7/14/15. Applicant is working with staff to create a plan to address on-site circulation issues (12/15). Building permit issued for refrigeration unit 12/15/15. SA

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Commercial-Industrial

Address	Project Description	Application	REVIEW			SPDR/CUP			CTL			Status
			Director approval	PC approval	CC approval	Expires	1st Ext.	2nd Ext.	Expires	1st Ext.	2nd Ext.	
845 E. Willow St.	A 18,994 sf medical/office building	SPDR 13-02	N/A	07/09/13	N/A	Building permit issued for TI 11/4/15			4/27/17			Conformity Report went to the Planning Commission on 12/09/14.
2H Construction	Applicant: 2H Construction											Ext of building complete. Awaiting paperwork per Conditions of Approval (8/15). Building permit issued for Kaiser Permanente TI 11/04/15. TI work has begun (12/15). Plumbing, electrical and framing in process (1/16). JH
2953 Obispo Ave.	A request to allow indoor soccer as a conditionally permitted use in the City.	ZOA CUP	N/A	Required	Required							Deposit submitted to begin coordination of workshops w/HOAs (7/14). Applicant has requested to temporarily postpone request (12/14). Applicant intends to proceed w/ CUP request but no application has been submitted to date. Staff has requested a submittal schedule (1/16). CTD
Futsal Indoor Soccer	Applicant: Mike Biddle											

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Commercial-Industrial

Business Licenses and Permit Summary

- Planning Department staff reviewed and approved 9 business licenses.
- Building Department staff issued 35 permits. The valuation of the projects is approximately \$695,292 with permit revenues at \$9,066.

Training/Forums

- Staff attended training for state Model Water Efficient Landscape Ordinance from City's Landscape Architect to implement new model ordinance

Current Projects

- Medical Marijuana Mobile Dispensary and Cultivation Ordinance introduced at the Jan. 12, 2016 City Council meeting.

Ongoing / Upcoming Projects

- Vacant Parcel Ordinance.
- Oil Well Inspections.
- Dog Park Zoning Ordinance Amendment and General Plan Amendment (expected to PC on Feb. 19, 2016).
- Annual Conditional Use Permit and Institutions inspections.
- 2016 Greater Los Angeles Homeless Count event (Jan. 27, 2016).
- Mayor's Clean-Up event (March 12, 2016).

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Wireless Telecommunications Facilities

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			Director approval	PC approval	CC approval	Expires	1st Ext.	2nd Ext.	Expires	1st Ext.	2nd Ext.	
2411 Skyline Dr.	A request to add 1 new Tower Dish to the Cell Tower as allowed by CUP 99-05 Applicant: Crown Castle	Administrative to modify CUP 99-05	✓	N/A	N/A	Building permit issued 10/2/14						Updated equipment/tenant audit is pending. Plans approved for additional equipment as allowed under the CUP. A request to add tower shoring is pending and will require an amendment to the CUP (1/16). CTD
1855 Coronado rooftop facility	Replacing 56" panel with 72" panel antennas, screen box in sector A & B will be increased by 3' Applicant: Core Dev.	Administrative to modify CUP 08-03	✓	N/A	N/A	Permit ready for issuance						Plans ready for permit issuance (4/15). Reminder sent to applicant (9/15). Reminder notice will be sent to applicant (1/16). SA
3275 E. Grant Street	3 new antennas, 3 new RRH units. Applicant: Sprint	Administrative to modify CUP 10-04	✓	N/A	N/A	Permit ready for issuance						Plans ready for permit issuance (7/15). Reminder notice will be sent to applicant (1/16). SA

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Wireless Telecommunications Facilities

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			Director approval	PC approval	CC approval	Expires	1st Ext.	2nd Ext.	Expires	1st Ext.	2nd Ext.	
2525 Cherry Avenue	Removing and replacing the 3 existing antennas Applicant: Core Dev. for Sprint	Administrative to modify CUP 02-01	✓	N/A	N/A							Plans have been submitted for building plan check (1/16). SA
2550 Orange Avenue	3 new RRHs on monopalm Applicant: Core Dev. for Sprint	Administrative to modify CUP 04-02	✓	N/A	N/A							Plans have been submitted for building plan check (1/16). SA
3200 Willow Street	Replacement of 6 existing panels with 6 new 8' panels and new fiber box Applicant: PlanCom for Verizon	Administrative to modify 95-02	✓	N/A	N/A							Plans have been administratively approved and are ready to be submitted for building plan check (1/16). SA
2633 Cherry Avenue	Rooftop Wireless Telecommunication Facility for AT&T Applicant: Core Dev. for AT&T	CUP	N/A	Required	Required							Application is in process to be closed (1/16). SA

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director approval</u>	<u>PC approval</u>	<u>CC approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	
1790 E Burnett St.	Renovation of existing house and construction of a new 4-car garage with roof deck, workshop and parking court	Administrative Review	✓	N/A	N/A	Building Permit Issued 02/13/14			N/A			Approved change to roof materials. New color board and rock samples submitted. Rock band installed. Rev. front window design (9/14). Rear grade too steep, grade reworked (1/15). Public Works required removal of wall & landscaping in ROW (6/15). Retaining wall and street improvements completed (12/15). Interior work in progress. Added new bathroom to basement (1/16). JH/CTD
	Applicant: Gary Severns											
3240 Cerritos Ave.	New permit issued for interior drywall, plumbing and electrical for remainder of interior of existing house	Administrative Review	✓	N/A	N/A	Building Permit Issued 03/3/15			02/26/16  >30			Drywall and nailing completed (9/15). Applicant indicated close to completion. Warning notice of permit expiration sent to applicant (12/15). CTL extension notice mailed 1/12/16. JH
	Applicant: Jim Trevillyan											

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director approval</u>	<u>PC approval</u>	<u>CC approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	
2477 Gaviota Ave.	Rehabilitation of the existing single-family dwelling and a new 2-car garage	Administrative Review (SPDR 15-03)	✓	N/A	N/A	Building Permit Issued 07/15/15			07/15/16			Demolition for the rehabilitation has started (8/15). Framing for new garage completed (9/15). Foundation repair completed (11/15). Framing is ongoing (1/16). SA/JH
	Applicant: Rama Singhal											
2518 Willow St.	New front entry electronic gate w/stone veneer pilasters, update guard shack	Administrative Review	✓	N/A	N/A	Permit Ready for Issuance						Plans are ready for permit issuance (8/15). 3 rd reminder sent to applicant (12/15). JH/SA
	Applicant: Willow Ridge Homeowners Association											
2451 Avis Court	200 sf addition of one bedroom and bathroom	Administrative Review	✓	N/A	N/A	Building Permit Issued 10/5/15			4/2/16			Building permit issued (10/15). Foundation and methane barrier completed (11/15). Framing, sheath and sheer wall completed (12/15). Lath inspection completed (1/16). SA/JH
	Applicant: M/M Lopez											

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director</u> <u>approval</u>	<u>PC</u> <u>approval</u>	<u>CC</u> <u>approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	
2311 Ocean View	Add/expand second story decks and "trainhouse" in side and rear yard of existing single-family home	SPDR 08-05	N/A	07/14/09	N/A	Building Permit Issued 08/16/13			08/11/14	9/30/14	03/03/15  0	The first extension granted by Director until 9/30/14. A second extension granted until 3/03/15. The project is an active Code Enforcement case (7/15). Deck finish and electrical are in process (1/16). SA/JH
924 E Vernon St.	Demolition of existing dwelling and detached garage for construction of a new two story 3,230 sf duplex and 4-car garage	SPDR 14-02	N/A	06/10/14	N/A	Building Permit Issued 11/06/15			4/29/17			Building permit issued for demolition and new duplex 11/06/15. Demolition completed (12/15). Rebar and rough plumbing in process (1/16). SA/JH

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director approval</u>	<u>PC approval</u>	<u>CC approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	
3360 Lemon Ave.	A 1,207 sf 2 nd unit over a 4-car garage at the rear of a property with a SFD	SPDR 14-03	N/A	07/08/14	N/A	07/08/15	01/08/16 					Plan check is complete. (6/15). SPDR extended to 1/8/16. Applicant has withdrawn the request for a 2 nd extension and will not be pursuing the project. SPDR expired on 1/8/16. CTD
3347 Brayton Ave.	Remodel of the front SFD to include a 271 sf addition and new 1-car garage on the first floor and a 731 sf second story addition Applicant: Reginald McNulty	SPDR 15-02	N/A	4/14/15	N/A	04/14/16 						Site Plan & Design Review valid until 4/14/16. Applicant has contacted staff and plans on submitting building plans for plan check in January (1/16). SA
1995 St. Louis Ave.	Demolish existing dwelling and garage and construct a two story 3,187 sf SFD with attached 3-car garage Applicant: Seth Sor for Kimberly and Phat Ly	SPDR 15-04	N/A	8/11/15	N/A	8/12/16						Building plans are approved. Issuance pending completing all COAs (1/16). Met with applicant to discuss the demolition and methane assessment work plan (1/16). SA/JH

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director</u> <u>approval</u>	<u>PC</u> <u>approval</u>	<u>CC</u> <u>approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	
2260 Walnut Ave.	A proposal for a new two story 1,894 sf SFD with attached 2-car garage on a vacant lot Applicant: Santana Investors	SPDR	N/A	Required	N/A							Leak test passed, vent cone was not installed (2/15). Staff has reviewed preliminary plans. Well exhibit approved (9/15). Applicant is working on plans for a Planning Commission workshop (1/16). SA
2085 Freeman Ave.	A proposal for a new two story 4,050 sf SFD with attached 3-car garage on a vacant lot and alley vacation Applicant: RPP Architects	SPDR 16-01	N/A	Required	N/A							Leak test passed and vent cone installed (2/15). Well Assessment Report has been reviewed and updates to the report are required (11/15). Planning Commission workshop #1 on 12/15/15. Public Hearing scheduled for 1/19/16. SA

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director approval</u>	<u>PC approval</u>	<u>CC approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	

Large Subdivisions (5 or more lots) and Multi-family Developments

Crescent Square	25 three-story detached single-family dwellings at the N/E corner of Walnut and Crescent Heights Street	SPDR 14-04 ZOA 14-03 VTTM 72594	N/A	8/12/14	9/2/14 (Map 9/2/16)	9/2/15	3/3/16  >30					SPDR approved on 8/12/14. SPDR extended to 3/3/16. Grading plan has been submitted for plan check (3/15). WAR for 8 wells approved by the Oil Services Coordinator (8/15). Property sold to SummerHill Homes (11/15). CC&Rs have been submitted (1/16). 2 nd SPDR extension and Finance Map tentatively scheduled for 2/16/16 PC meeting. SC/SA
Walnut/ Crescent Heights St.	Applicant: SummerHill Homes											
Gundry Hill	72 multiple-family, affordable units, three and four stories in height and a community building, community garden, tot lot and courtyard with on-site management	Administrative Review (SPDR 15-01)	Approved 2/18/15	N/A	N/A	Building Permit Issued 11/30/15			11/09/19			Demolition completed on 10/21/15. Building permit issued on 11/30/15. Escrow closed 12/4/15. On-site grading started (1/16). JH
1500 E Hill St.	Applicant: Meta Housing											

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director</u> <u>approval</u>	<u>PC</u> <u>approval</u>	<u>CC</u> <u>approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	
2599 Pacific Coast Highway	Residential SP-10 1 st concept plan had 14 attached units 2 nd concept plan had 12 attached units 3 rd concept plan had 10 detached units 4 th concept plan has 9 units Applicant: Mike Afiuny	Preliminary review PC Workshop 8/14/12 PC Workshop 9/9/14 SPDR	N/A	Required	Required							Staff met w/owner who reported unsuccessful lot consolidation out-reach effort (9/12). Revised design (10 detached units) more closely met the intent of SP-10. Access and guest parking revised (6/14). Commission requested design changes. Applicant's revised conceptual plans (9 units) were previewed and met most of the development standards. Some buildings still exceed height limit and view policy outreach is pending. Application for a ZOA and SPDR incomplete pending condominium map submittal (1/16). CTD

City of Signal Hill
Community Development Department
Development Status Report
January 19, 2016

Residential

Address	Project Description	Application	REVIEW			SPDR			CTL			Status
			<u>Director approval</u>	<u>PC approval</u>	<u>CC approval</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	<u>Expires</u>	<u>1st Ext.</u>	<u>2nd Ext.</u>	
1939 Temple Avenue	Residential development for 10 condominium units (5 buildings with 2 attached units) two stories with a roof deck and three stories in height. A Specific Plan would be required to deviate from current RH zoning for 3-stories height and a reduced front setback.	SPDR and ZOA for a Specific Plan	N/A	Required	Required							2 wells discovered, leak tests passed and vent cones installed (8/15). Preliminary site plan received and applicant began to outreach to nearby HOAs. View Notice was sent to property owners and residents within 500' on 10/26/15. Applicant is working on view analyses and plans and for a Planning Commission workshop (11/15). Planning Commission workshop #1 on 12/15/15. Applicant met with nearby residents to collect comments for consideration for revised plans (1/16). SA

January 7



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, CA 90755-3799

January 19, 2016

AGENDA ITEM

**TO: HONORABLE CHAIR
AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: SCOTT CHARNEY
COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: IN THE NEWS

Summary:

Articles compiled by staff that may be of interest to the Commission include:

- Travel Time Reliability – The Intricate Math of a Predictable Commute
- M&A Sizzles for New-Car Dealers – Hot U.S. market is fueling an interest in buying dealerships by publicly traded firms
- Residents Want Action on Gas Leak – Ten weeks after rupture in Los Angeles, fumes still spread as people leave area, business slumps
- Welcome to Beer Country – Small breweries are a BIG DEAL – and some cities are courting them
- How Low Should You Go? – The latest on ‘undergrounding’ utility lines
- PUDs and Master Planned Communities
- Fairness in Siting of Nontraditional Housing

Recommendation:

Receive and file.

Travel Time Reliability

The Intricate Math Of A Predictable Commute

For most people, the only thing worse than a congested commute is an unpredictable one.

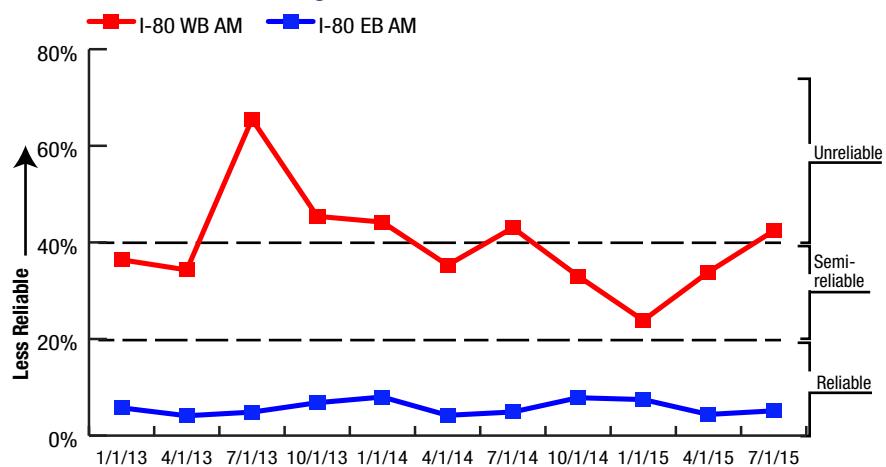
Someone who has a consistent 45-minute commute has what you would call a reliable commute, as long as the daily travel time doesn't vary beyond what they consider reasonable. But someone who never knows from day to day whether it will take 30 minutes or an hour has an unreliable commute. That uncertainty prompts people to pad their commute time. Traffic planners call that padding "Buffer Time," the time one must add to reach their destination as planned.

Measuring and calculating that "Buffer Time" creates what is called a "Buffer Time Index." Caltrans uses this index to identify which corridors require assistance in smoothing out delays and helps us measure the effectiveness of our solutions.

The Department divides the Buffer Time Index into three levels of travel time reliability:

- Reliable travel means drivers need to add less than 20 percent travel time to the average trip to get to their destination on time 95 percent of the time. For example, on a 45-minute commute, drivers would need to pad their commute by nine minutes or less.
- Moderately unreliable travel requires drivers to add 20 to 40 percent of travel time to get there on time 95 percent of the time (padding their commute by as much as 18 minutes in a 45-minute commute).
- Unreliable travel means drivers must add more than 40 percent of travel time to get there on time 95 percent of the time (padding their commute by more than 18 minutes in a 45-minute commute).

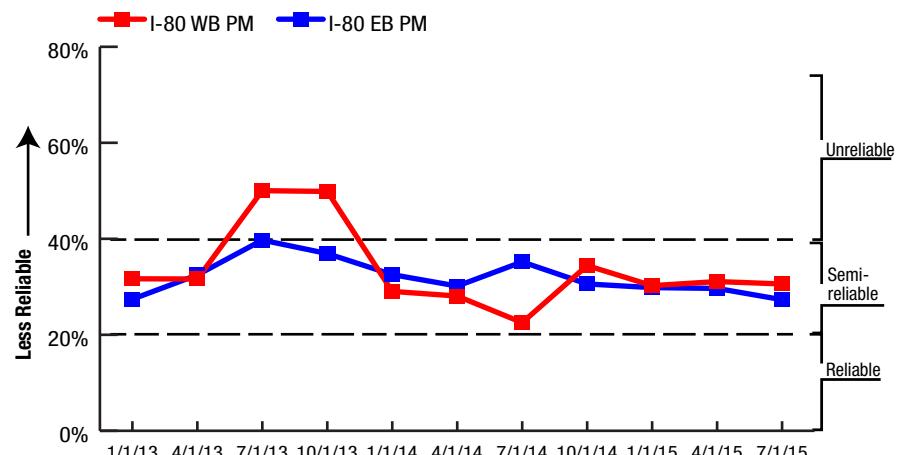
Travel Time Reliability on Contra Costa/Alameda I-80 Morning Commute 5 a.m. – 10 a.m.



This chart shows morning travel time reliability for both directions on the Contra Costa/Alameda Interstate 80 corridor. Westbound morning commutes (dark red line) ranged from unreliable to semi-reliable. Heading the opposite direction in the morning (blue line) was consistently reliable in the time period displayed.

Note: Collisions, construction projects, weather, and events affect travel time reliability. In 2013, Caltrans had 211 projects in construction in the Bay Area, with the new Bay Bridge opening in September 2013.

Travel Time Reliability on Contra Costa/Alameda I-80 Evening Commute 3 p.m. – 8 p.m.



This chart shows evening travel time reliability for both directions on the Contra Costa/Alameda Interstate 80 corridor.



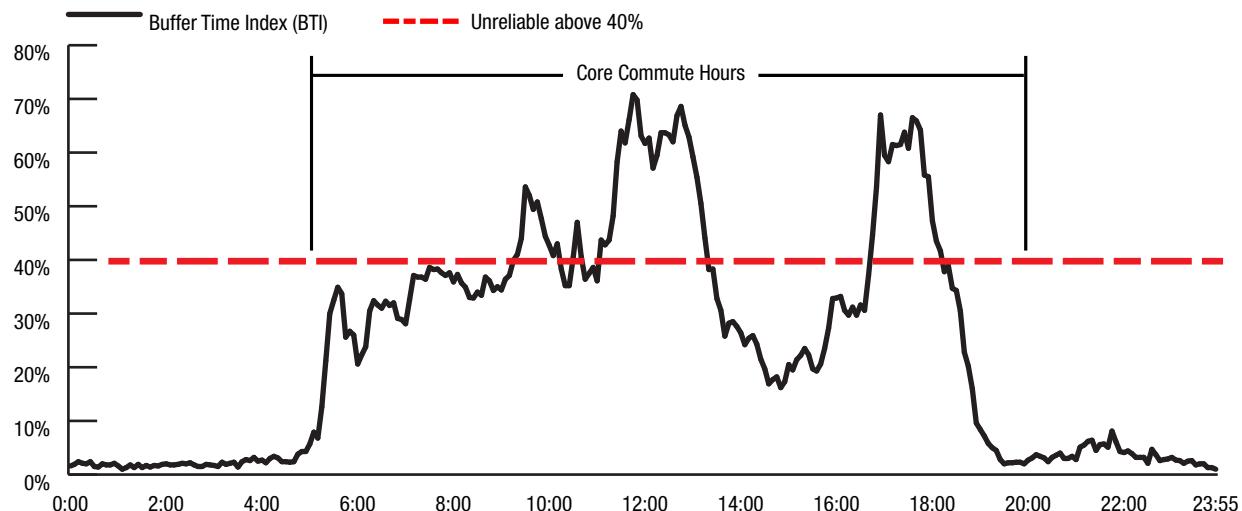
Buffer Time Index

Caltrans' 2015-2020 Strategic Management Plan has a goal to increase corridor reliability. The department aims to improve reliability by one level on four corridor commute directions, one each for State Route 57, Interstate 110, Interstate 80 and Interstate 210. Caltrans has been measuring reliability in urban corridors consistently since 2013, and the graphs on these pages show the reliability of the morning and evening commutes for one particularly busy corridor: Interstate 80 in the East Bay Area (District 4).

Caltrans uses its own performance measurement software to provide statewide information about vehicle travel time, traffic counts and other data to pinpoint where travel time reliability needs improvement. The data that is sent to the Caltrans Performance Measurement System comes from sensors under the pavement or near the roadway in most urban areas. Information is also sent to staff at Caltrans' traffic management centers (TMCs) throughout the state to alert them of problems. The TMC staff can also see what is going on using closed-circuit cameras. This helps them quickly deal with problems that block traffic. The less time it takes to clear the roadway, the sooner traffic flow returns to normal.

Buffer Time Index Contra Costa/Alameda I-80 Westbound

April 1, 2015–June 30, 2015

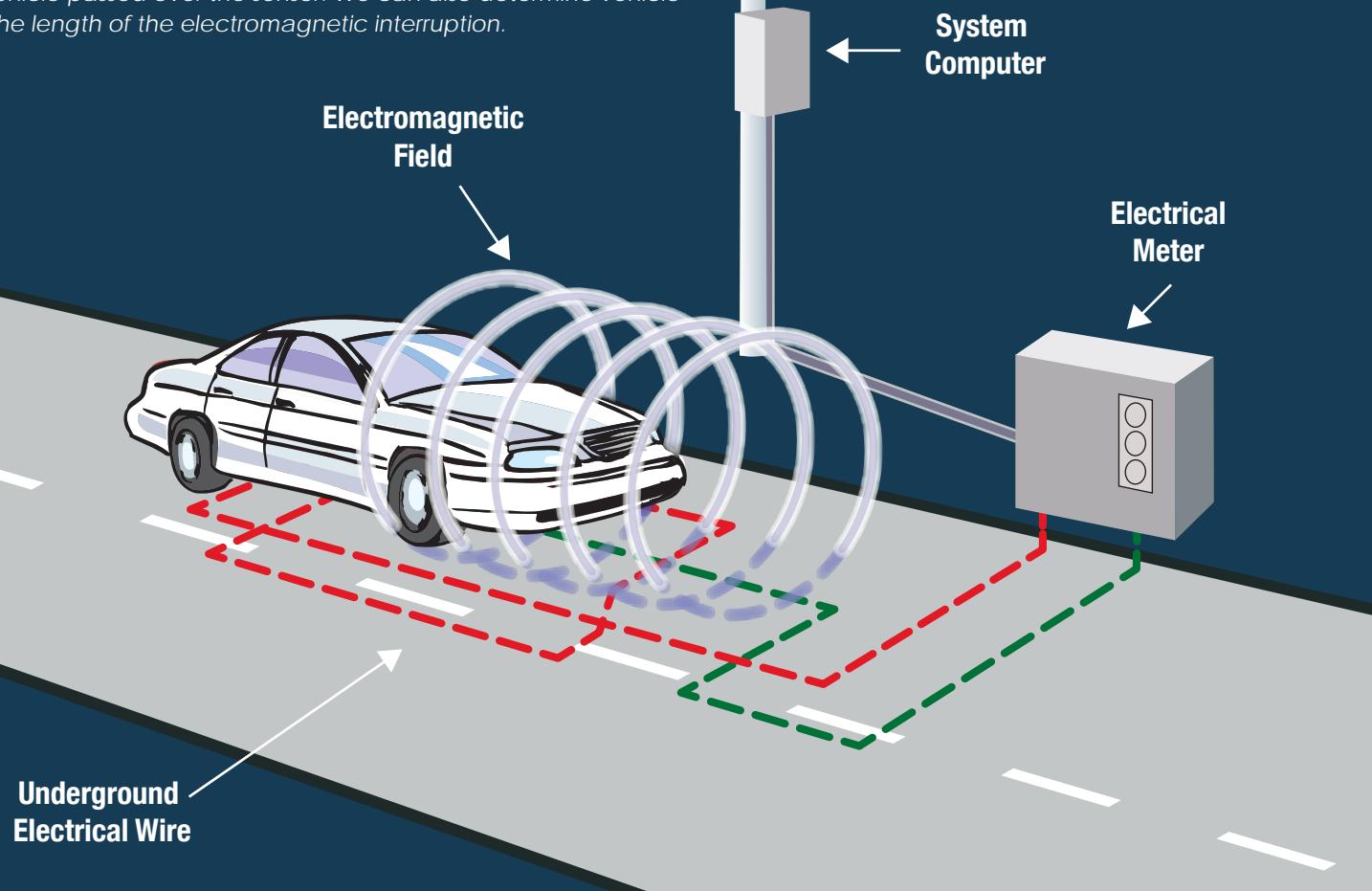


The BTI (Buffer Time Index) represents the amount of time motorists must add to their average commute to get to their destination when planned. This graph shows the BTI on I-80 in Alameda and Contra Costa counties at different times of the day. When using I-80 in these counties, motorists need more time during the unreliable morning and evening commute and in some congested corridors, during the lunchtime hour.

(continued)

Induction-loop Traffic Sensors

Induction-loop traffic sensors are one of the Intelligent Transportation System devices Caltrans uses to collect information about traffic numbers and speeds. The sensors create an electromagnetic field above them. As cars drive through it, they interrupt the electromagnetic field, which tells us that a vehicle passed over the sensor. We can also determine vehicle speed by the length of the electromagnetic interruption.



(continued from previous page)

Traffic Sensors

Induction-loop traffic sensors are one of the Intelligent Transportation System devices Caltrans uses to collect information about traffic numbers and speeds. The sensors create an electromagnetic field above them. As cars drive through it, they interrupt the electromagnetic field, which tells staff that a vehicle passed over the sensor. Vehicle speed can also be determined by the time it takes for a vehicle to travel across two sensors.

However, it takes time, money and coordination to improve travel time reliability throughout the state. Caltrans is constantly repairing its intelligent transportation system elements like highway detectors, traffic signals and electronic message signs which fail or become obsolete over time. This process often requires coordination with regional transportation agencies, cities, counties, Native American tribes and bordering states.

In 2007, Caltrans partnered with local agencies to build a network of integrated electronic signs, ramp meters and other state-of-the-art elements on I-80 between the Carquinez Bridge and the Bay Bridge. Starting in the spring of 2016, this I-80 SMART Corridor will be able to

relay real-time traffic information to motorists so they can make informed travel decisions. This will improve motorists' safety and travel time reliability. (See I-80 SMART Corridor article in the 3rd Quarter 2015 Mile Marker). Improvements in the State Route 57, Interstate 110, and Interstate 210 corridors are in the design phase (or being developed collaboratively with our transportation partners).

Caltrans is also collaborating with dozens of regional and local agencies to better manage highly congested and unreliable corridors throughout the state, including the "Connected Corridors" pilot project on Interstate 210 in the San Gabriel Valley, Los Angeles County (District 7). These Connected Corridors will lay the groundwork for similar efforts statewide.

Source: Division of Traffic Operations
Contributor: Rich Stone

THE WALL STREET JOURNAL.

This copy is for your personal, non-commercial use only. To order presentation-ready copies for distribution to your colleagues, clients or customers visit <http://www.djreprints.com>.

<http://www.wsj.com/articles/m-a-sizzles-for-new-car-dealers-1450744773>

BUSINESS

M&A Sizzles for New-Car Dealers

Hot U.S. market is fueling an interest in buying dealerships by publicly traded firms



Booming sales of new cars and trucks is putting a premium on owning U.S. auto dealerships. Mergers and acquisitions of new-car sellers is up 40% so far this year. *PHOTO: GETTY IMAGES*

By JEFF BENNETT

Updated Dec. 21, 2015 7:41 p.m. ET

U.S. car dealerships changed hands at an accelerated pace this year boosted by robust new-car demand, strong dealer profits and an increased focus on the business following Warren Buffett's purchase of a Phoenix-based chain.

A total of 456 dealerships have been acquired thus far in 2015, a 40% increase over the prior year, according to The Banks Report, which tracks merger and acquisitions in car retailing. The gains comes as industry analysts expect U.S. vehicle sales to reach 17.5 million this year and expand again next year.

RELATED

- Year in Review: Mergers Set a Record as Firms Bulk Up (<http://www.wsj.com/articles/year-in-review-mergers-set-a-record-as-firms-bulk-up-1450667518>)
- Car Retailing Grabs Merger Spotlight (<http://www.wsj.com/articles/car-retailing-grabs-merger-spotlight-1428964753>)
- Is Apple's CarPlay Aiding GM Sales? (<http://www.wsj.com/articles/is-apples-carplay-aiding-gm-sales-1449864225>)
- VW Dealers Suffer as Diesel-Car Sales Suffer (<http://www.wsj.com/articles/vw-dealers-suffer-as-diesel-car-sales-stall-1450473802>)

The rosy outlook is a dramatic reversal from 2009, when thousands of dealerships were forced to close as Chrysler LLC, now owned by Fiat Chrysler Automobiles NV, and General Motors Co. filed for bankruptcy protection. Sales of new vehicles fell to 10.4 million that year, and many dealers' survival was in question.

Total dealerships in the U.S. has increased modestly to about 18,000 since the financial crisis and steady volume gains have stirred new interest in the business. "Warren Buffett and others have come to see dealerships as stable, slow predictable growth," Banks Report founder Cliff Banks said in an interview.

About 10% of the acquisitions this year were generated by large publicly-traded dealer groups, such as AutoNation Inc. The Fort Lauderdale, Fla.-based retailer bought more than 30 dealerships expected to generate \$1.7 billion in revenue. "We will continue to seek acquisitions to leverage our scale," said Mike Jackson, chief executive officer.

Still, there was plenty of opportunity for smaller players. Mark McLarty, founder of McLarty Automotive Group in Little Rock, acquired 15 stores this year bringing the total number of stores he operates to 20. He has grown by snapping up stores from older retailers who hung on through economic crisis are using the rebound to call it quits while valuations are high.

"A lot of these guys who got through the recession now feel their showroom values have recovered and now is the time to sell rather than holding on and risk going through another downturn," Mr. McLarty said. "It's tough for the stand-alone, local dealership."

The dealer said capital requirements continue to increase while profit margins haven't expanded fast enough to keep up. "I think you are only going to see more consolidation in the future," Mr. McLarty said.

A trigger for the wider consolidation came in 2014, when Mr. Buffett's Berkshire Hathaway Corp. bought 75 stores from Arizona-based auto dealer Larry Van Tuyl.

Mr. Buffett said in March he would continue making such acquisitions over the next couple of years.

U.S. new-car buyers are expected to spend \$437 billion on vehicles this year, a 7.3% increase over 2014.

Still, new-car price competition among dealers remains fierce and auto manufacturers continue to demand hefty new investments.

Mercedes-Benz USA, for example, is requiring its dealers to invest about \$200,000 to expand their showrooms and create a special demonstration area if they want to sell the luxury auto maker's AMG sports models next year. Those dealers who don't expand risk falling to the end of the line when it comes to getting their vehicle orders fulfilled.

'There is little doubt in my mind that we are at peak...'

—Erin Kerrigan, Kerrigan Advisors

Used-car sales and finance operations often offset weaker profits in new-car departments and service bays, say industry executives.

Despite such pressures, the value of the average dealership with at least three stores increased 10% from 2014 to about \$40 million, according to Kerrigan Advisors, which helps dealers sell their businesses. The typical new-car dealer owns three stores and the real estate their franchises occupy.

Erin Kerrigan, founder of the Irvine, Calif.-based firm, expects a new record for dealership mergers and acquisitions in 2016 because of the large number of dealership groups expected to go on the block.

But she warns that "since car sales aren't going to grow much more than where they are at today, there is little doubt in my mind that we are at peak and many [dealership] sellers are choosing to go to market."

Write to Jeff Bennett at jeff.bennett@wsj.com

Copyright 2014 Dow Jones & Company, Inc. All Rights Reserved

This copy is for your personal, non-commercial use only. Distribution and use of this material are governed by our Subscriber Agreement and by copyright law. For non-personal use or to order multiple copies, please contact Dow Jones Reprints at 1-800-843-0008 or visit www.djreprints.com.



SOUND IDEAS.

Introducing WSJ Podcasts

LISTEN NOW

THE WALL STREET JOURNAL

Read ambitiously

THE WALL STREET JOURNAL.

This copy is for your personal, non-commercial use only. To order presentation-ready copies for distribution to your colleagues, clients or customers visit <http://www.djreprints.com>.

<http://www.wsj.com/articles/residents-want-action-on-gas-leak-1451865579>

U.S.

Residents Want Action on Gas Leak

Ten weeks after rupture in Los Angeles, fumes still spread as people leave area, business slumps



Brian Harper and Christine Katz moved to Thousand Oaks, Calif., after gas fumes prompted them to leave their house in the Porter Ranch neighborhood of Los Angeles. *PHOTO: MICHAL CZERWONKA FOR THE WALL STREET JOURNAL*

By TAMARA AUDI

Jan. 3, 2016 6:59 p.m. ET

LOS ANGELES—After the Naaman family tapped their savings to open a nail salon in 2014, things looked up: They secured a location in the upscale Porter Ranch neighborhood and business grew.

But 10 weeks into the rupture of an underground gas well that continues to spew methane into the air, thousands of residents have left. Business at the salon fell more than 30% in December from a year earlier. The family fears they may not make payroll.

"We were going upward and now we're sliding backward. It's heartbreaking," said Diane Naaman, 45. Her sister-in-law, who owns the Nail Garden Porter Ranch salon with her, has had to relocate, like many other residents, because of health effects from the gas. Ms. Naaman said they feel ignored. "So many people don't even realize this is happening," she said.

Pressure is mounting on Southern California Gas Co. to intensify its response to the leak, which it says may not be plugged until late March. Some residents and activists seek greater political and national attention as the rupture disrupts lives and livelihoods.

SoCalGas, a unit of Sempra Energy of San Diego, said it has relocated 2,157 households and is working to relocate 1,184 more. Some 190 families opted to stay with family or friends. SoCalGas is reimbursing small businesses and residents that install state-approved air filtration systems.

California officials have been in Porter Ranch for weeks to coordinate response among local, federal and state agencies. "Every resource and entity with regulatory authority in the administration has been mobilized, top administration officials are on-site daily and the governor and his office are being briefed daily," said Evan Westrup, a spokesman for Gov. Jerry Brown. "The top priority is allowing the experts, engineers, investigators and regulators to get the job done."

SoCalGas officials said they are doing everything they can to stop the leak, but such work takes time. Engineers are drilling a relief well more than 8,500 feet below ground to intercept the flow of gas from a natural reservoir into the leaking well. Officials believe the rupture possibly occurred at a depth of less than 1,000 feet. They also plan to pump cement into the base of the leaking well to permanently seal it.

Next week, the South Coast Air Quality Management District, which regulates air pollution in the Los Angeles area, will hold a hearing to consider whether SoCalGas should be ordered to take additional steps to monitor and reduce the leak. Melissa Bailey, a SoCalGas spokeswoman, said the utility "will work with the AQMD to address their questions and concerns."

Health agencies say the gas isn't at toxic levels, though some people can be sickened by the chemical added to gas to give it its distinctive rotten-egg smell.

Over the weekend, SoCalGas said it expanded a community resource center for residents to file claims, request temporary housing and air filters. The company also said a doctor would be on site to "provide expert advice on health concerns."

State Assemblyman Mike Gatto, a Democrat from Los Angeles who heads the legislative body's Utilities and Commerce Committee, plans a separate hearing to examine how the rupture occurred and how to prevent future leaks.

"I want the people who are affected by this to feel like they are heard. I want them to feel their elected officials are listening," Mr. Gatto said. He added that he wants to get answers to questions he has been hearing "from around the state: 'Why did this happen? Why was it allowed to go on for so long until it was taken seriously?'"

Tim O'Connor of the Environmental Defense Fund, an activist group monitoring the leak, said such hearings will help focus public attention on the risks and management of the more than 400 natural-gas storage facilities throughout the U.S.

A new aerial video released by EDF using an infrared camera shows a giant plume of gas being released into the air. SoCalGas officials say they won't know how much gas has been released until after the leak is plugged.

The utility has removed gas from the reservoir to try to reduce the amount that can leak from the rupture, a spokeswoman said. The reservoir holds 86 billion cubic feet of gas, and was at 93% of capacity before the leak.

Some residents say the new attention isn't enough. They complain that Mr. Brown has neither visited the site nor declared a state of emergency. State officials say he hasn't made such a declaration in part because SoCalGas is paying to repair the rupture and relocate residents.

Christine Katz, a Porter Ranch resident whose family left the area in December after her 2-year-old daughter was hospitalized for respiratory issues, began a petition calling on Mr. Brown, a Democrat, to declare a state of emergency to provide residents financial help. So far, it has 671 supporters.

"You can't see it [the gas], so there's denial. It's not a fire, it's not a flood. I feel like [political leaders] are ignoring it," said Ms. Katz, 41. The gas company relocated her family to a five-bedroom house costing \$8,000 a month, she said.

Some residents including Ms. Katz have suggested that Mr. Brown has yet to be more engaged because his sister, former California Treasurer Kathleen Brown, sits on Sempra Energy's board.

Mr. Westrup, the Brown spokesman, strongly rebutted the claim. "The focus is the health and safety of residents, period," he said. "To imply otherwise is scurrilous and irresponsible."

A Sempra spokesman said that “we have outside independent directors and we see no conflict” with Ms. Brown serving on the board.

The governor recently sent a letter to SoCalGas complaining it wasn’t responding to the leak quickly enough. Mr. Brown has no visit scheduled, the spokesman said, but in the past has visited other disasters, like major fires, once they are under control.

Those who have stayed in the area said they fear for the long-term health and economic impacts of the leak.

Marnie Nemcoff, who heads the board of the Chatsworth/Porter Ranch Chamber of Commerce and lives in neighboring Chatsworth, said her family so far has decided to stay put despite headaches. Her husband is a voice-over artist who uses a sound booth in their home to work, and moving could mean long commutes to her son’s school.

As more people leave—including her neighbors, who are in the process of relocating—she worries about the future of the community.

“This is a massive emergency. It’s going to go on for months,” she said, adding, “It could be devastating.”

Write to Tamara Audi at tammy.audi@wsj.com

Copyright 2014 Dow Jones & Company, Inc. All Rights Reserved

This copy is for your personal, non-commercial use only. Distribution and use of this material are governed by our Subscriber Agreement and by copyright law. For non-personal use or to order multiple copies, please contact Dow Jones Reprints at 1-800-843-0008 or visit www.djreprints.com.

Welcome to Beer Country

Small breweries are a BIG DEAL—and some cities are courting them. By ALLEN BEST





Raise a glass to Arrogant Bastard Ale or another of the cheekily named brews made by Stone Brewery in metro San Diego.

COURTESY STONE BREWERY



In

the old mining town of Butte, Montana, economic stability in the red-brick downtown comes one craftily brewed mug of beer at a time.

Downtown Butte is called Uptown—because it literally is. It was erected on Butte Hill, once called the “richest hill on Earth” because of its vast deposits of copper and other precious minerals. Early in the 20th century, Butte had a population of 60,000 and maybe more. Then, in 1982, the mine closed, followed by a nearby smelter. Soon after, a Superfund cleanup was ordered.

“The 1980s was a tough decade,” says Jon Sesso, Butte’s planning director. The mine reopened after a few years and Butte’s population has stabilized at 35,000. It’s an ongoing challenge, however, to draw travelers from Interstate 90, which is located a mile away and several hundred feet lower, to Uptown’s historic charms.

Quarry Brewing has been one of those draws. Opened in 2007, it occupies the street level of the five-story Grand Hotel. It was the first new brewery in a long time in a city that once had four major breweries. Another recent venture is Butte Brewing Company. Together the two microbreweries play into the city’s efforts to develop tourist-drawing festivals. “It’s just as much part of our economic development strategy right now as anything else,” says Sesso.

Butte is part of a still-growing national trend: the proliferation of craft breweries and their close cousins, craft distilleries and small wineries. Nationally, the craft brewery sector has added 5,000 jobs annually in recent years, according to the Brewers Association.

In defining craft breweries, the trade group emphasizes traditional ingredients and smaller production. Julia Herz, the association’s craft beer program director, says 94 percent of the nation’s 3,200 breweries produce fewer than 15,000 barrels a year. She also points to local or at least domestic ownership as a distinguishing characteristic.

While overall beer consumption declined two percent in 2013, craft beer production grew 18 percent. Craft brewers now are responsible for 10 percent of all beer production by volume, and the trade group aims to double that to 20 percent by 2020.

In remaking the food-and-beverage landscape, craft brewers have been making it fun. Beer titles and the art created to package them often reflect local themes. Colorado’s Avery Brewery has an Out-of-Bounds Stout, with an image of a skier launched over a cornice, but also the whimsical Hog Heaven, billed as the first installment of the “Holy Trinity of Ales” series.

The settings can be as interesting as the brews. Doing field research one evening at Epic Brewery in Denver, I was sloshing Big Bad Baptist in my jowls, wondering if I was drinking coffee grounds or beer, when our waiter pointed toward the floor. I was astonished to see a set of rails in the concrete, leftovers from Denver’s more blue-collar days, when the building housed a factory serviced by a narrow-gauge railroad. Homogeneity is not a problem in the craft sector.

Brewers (and drinkers) wanted

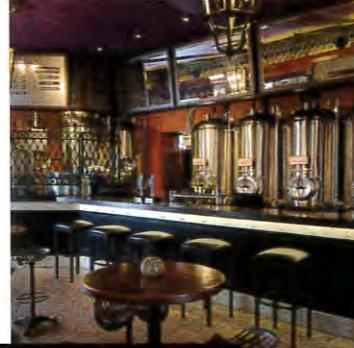
In 1975, there was just one microbrewery in the nation, San Francisco’s Anchor Steam. California continues to lead the way, with its small brewers responsible for nearly 20 percent of all craft beers sold in the U.S. Among the hotspots is San Diego, which as of December had 19 brewpubs and 24 breweries, with dozens more in the metropolitan area. Since 2010, the city’s economic development arm has actively promoted the breweries while serving as an



VAULT BREWING, in Yardley, Pennsylvania, is right at home in a former bank built in 1889. James Cain (right), who is Vault Brewing's co-owner with his brother John, says that the pair tried for six months to start up shop in an old golf ball factory but abandoned the plan because of significant zoning and other regulatory challenges.

"This was, of course, a blessing in disguise in that we were able to make our home in an historic bank building in the same town," Cain says, noting that new businesses such as his still face plenty of similar hurdles.

The brewery, launched in 2012, uses the old bank's 125-year-old vault to age, condition, and tap some of the beers that are created on the other side of the vault wall. "This wonderful piece of history has been integral in the creation of our brand as well as the operation of our business," Cain says.



intermediary between brewers and city planners in such issues as parking requirements and zoning districts.

Craft breweries have proliferated in San Diego because the entry-level costs can be relatively modest and the profit margins highest when beer is sold on-site, says Russ Gibbon, business development manager of the Mayor's Office of Economic Growth Services. "The profit level on the beer itself is highest when selling it by the glass at \$4 to \$6," he says. Most craft breweries start out this way, selling on-site in tasting rooms, where little or no food is served, or in conjunction with restaurants, called brewpubs.

Permits for craft breweries are relatively easy to come by in San Diego except downtown, says Gibbon. About 80 percent of craft breweries are in industrial zones, where brewing is a use by right. "Almost every city allows breweries, even with tasting rooms, by right, in industrial zones, whereas in commercial zones they may not be allowed because brewing is essentially manufacturing," says Gibbon, speaking of the San Diego metropolitan area.

Craft beer represents a chunk of San Diego's economy. A study conducted by the National University System Institute for Policy Research found that in 2011 craft breweries collectively generated \$300 million in economic activity in San Diego County. Part of this is the simple matter of locals quaffing their favorite brews. But there's icing on the cake or, if you will, froth on the brew: The breweries themselves have become tourist attractions.

Like wine connoisseurs at a vineyard, people who know beer will visit San Diego specifically because of the breweries' reputa-

tions, says Gibbon. Tour buses for years have shuttled visitors from brewpub to microbrewery to tasting room, giving them the opportunity to buy shirts, mugs, and growlers, the sealable containers that typically hold 64 ounces of fresh beer.

Metropolitan Los Angeles has half as many craft brewers as San Diego. Tom McCormick, executive director of the California Craft Brewers Association, attributes this anomaly, in part, to steeper regulatory challenges. In contrast, other California jurisdictions—Sacramento, Sonoma County, Rancho Cordova—have actually been soliciting craft brewers.

"Smaller breweries seem to stimulate economic development and revitalization and really create a vibrant economy around them," says McCormick.

A refreshing brew

This brewery-induced revitalization can be found in one-time parched Fort Collins, Colorado. A university town, Fort Collins banned alcohol in 1896, well before prohibition became U.S. law in 1920. But whereas prohibition ended in 1933, Fort Collins remained dry until 1969.

Since the late 1980s, Fort Collins has slaked its thirst with a spate of new breweries. First was Anheuser-Busch, with its giant bottling plant along Interstate 25, but in 1989 two home brewers established small facilities along the railroad tracks just north of downtown. It was a place of grain elevators, cheap rents, and sparse neighbors.

"When these guys first started to come out of the basement, we didn't know what to call them," says Ted Shepard, AICP, the chief planner in Fort Collins. "We just knew the beer was really good and we wouldn't shut them down. We decided to call them light industrial, and they just happened to locate in those areas zoned light industrial."

One of those first microbreweries was Odell Brewing Company, and soon after came New Belgium, the brewer of Fat Tire. New Belgium has expanded six times in Fort Collins and is now the nation's eighth largest brewery, with a second brewery under construction in Asheville, North Carolina.

The emergence of the microbreweries didn't transform Fort Collins' old industrial section overnight. As before, Fort Collins continued to grow southward. But the old part of Fort Collins now has a whole-grained vitality absent in the franchise-dominated look-alike suburbs.

"They did not want to be in the subdivisions. They did not want to be in the strip centers and in the mall," says Shepard. "They were hip, they were young, and they wanted to be where the action was and did not want to be confined by the folks who live under HOAs, surrounded by big-box retail with large evangelical churches. They wanted food with their drink, they wanted bluegrass bands, and they wanted a vibe that wasn't south Fort Collins."

In a fundamental way, brewpubs can serve as trailblazers, much as artists long have led the way in gentrifying decayed neighborhoods. At first, the breweries, their restaurants, and tasting rooms were quite basic. The breweries didn't have money. With success, they became more polished. Of late, more have relocated to residential areas, such as west of the university campus.

Fort Collins now defines 15,000 barrels a year as the upper limit for microbreweries, 100,000 gallons a year for microwineries, and 15,000 gallons for microdistilleries.

"We don't go out and count the gallons," says Shepard. "But our experience has been that they self-select when they get too big and will move to industrial zones. They want the loading dock, the fermentation tanks, and the 24/7 forklifts."

Drinking problems

Can breweries create hassles, as conventional bars and taverns do? Alcohol consumption at craft breweries tends to be tempered. In Montana, tasting rooms have two-drink limits and earlier closings. "You rarely see somebody who is inebriated at a tap room, because you can only have a couple pints," says Butte's Sasso. Food served with beer dulls the effect of alcohol.

But in San Diego, Gibbon remains wary about the long-term effects of microbreweries. "I have my concerns that you won't necessarily revitalize a com-

PORLAND,
OREGON,
has

58

breweries,
more than any
other city in
the world.

Craft brews
make up

38%

of all beer
consumed
there.

OREGON BREWERS
GUILD

TALKBACK

THIS MONTH:
**WHAT'S
THE BEST
(OR WORST)
THING
ABOUT
HAVING
A CRAFT
BREWERY
IN YOUR
CITY?**

#PlanMag

**FOLLOW
THE
CONVERSATION
IN
FUTURE ISSUES
OF
PLANNING**



TWITTER.COM
/APA_PLANNING

munity by pouring alcohol over it. It's not a coffee shop. There's still a possibility for people to get into fights and urinate and all the other things that come with alcohol."

Another possible concern, especially in smaller towns, is whether a microbrewery imposes burdens on wastewater treatment facilities. In Michigan, for example, Jolly Pumpkin Artisan Ales outgrew its 10,000-square-foot quarters in an old warehouse in Dexter. It's a village of 4,000 people near Ann Arbor. Jolly Pumpkin has added a second brewery in an industrial park. Rezoning was required, but more challenging were demands imposed upon the local wastewater treatment plant by microbrewery effluent.

"In that water, there is a lot of biochemical oxygen demand, a lot of suspended solids relative to other types of effluent," explains Ron Jeffries, the brewery founder and co-owner. Bigger municipalities have larger sewage treatment facilities that are not as easily beleaguered by one type of effluent. To address the problem, Jeffries invested in the equipment needed to pretreat his brewery's effluent.

Craft central

Some cities offer tax and other incentives to brewpubs, but not so Pendleton. It's a city of nearly 17,000 in central Oregon and home to the rodeo called the Pendleton Stampede. Few people make a stampede to the downtown district during daylight, though. "I think it's fair to say our downtown is busier after 5 p.m. rather than before," says Evan MacKenzie, senior planner for the city of Pendleton.

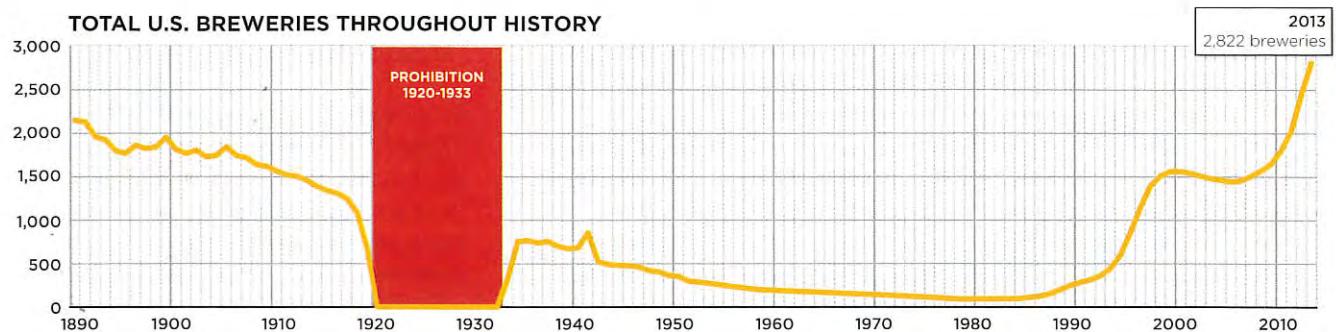
One new face in Pendleton's downtown is the Prodigal Son. Not surprisingly, the microbrewery is located in an old automobile showroom. Microbreweries need sturdy floors, which is one reason they are found so often in industrial areas.

In Pendleton, zoning was amended to allow microbreweries, plus wineries and distilleries. Now, brewpubs of less than 50,000 gallons a year are allowed by right in commercial areas, as long as a tasting room is included. Distilleries are capped at 12,000 gallons a year. "It does give us a little extra tourism," says McKenzie.

To truly wet your whistle, he advises a 210-mile journey west on I-84 to Portland. There, on the banks of the Willamette River, is perhaps the densest congregation of craft breweries on the continent. Craft brews comprise 38 percent of the beer consumption in Portland, which has more breweries, 58 within the city proper, than any other city in the world, according to the Oregon Brewers Guild. Calculated as number of breweries per 100,000 people, Oregon leads the nation, according to the Brewers Association.

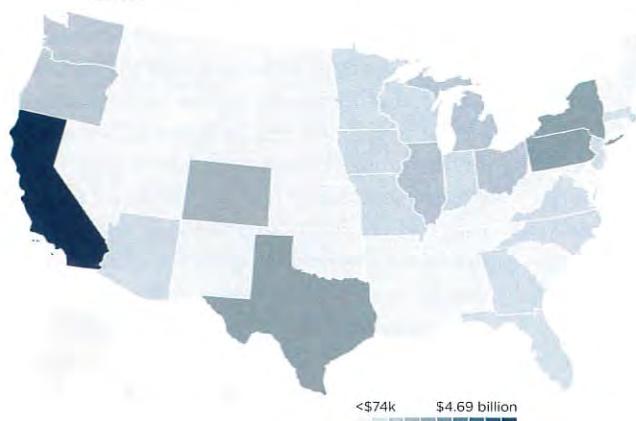
The development commission provides some assistance to craft breweries and other alcohol produc-

Craft Beer By the Numbers

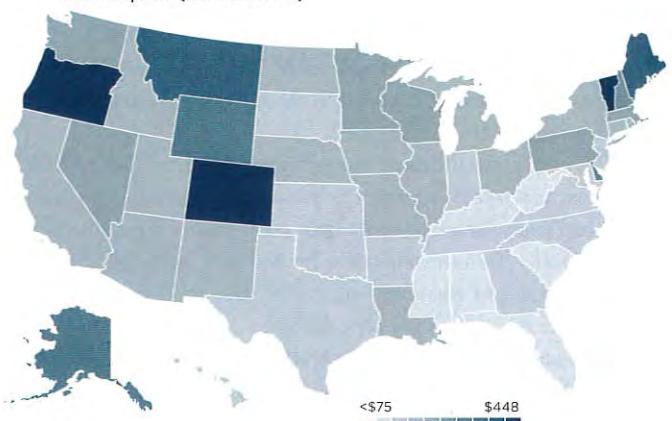


ECONOMIC IMPACT BY STATE (2012)

Total



Per capita (adults 21+)



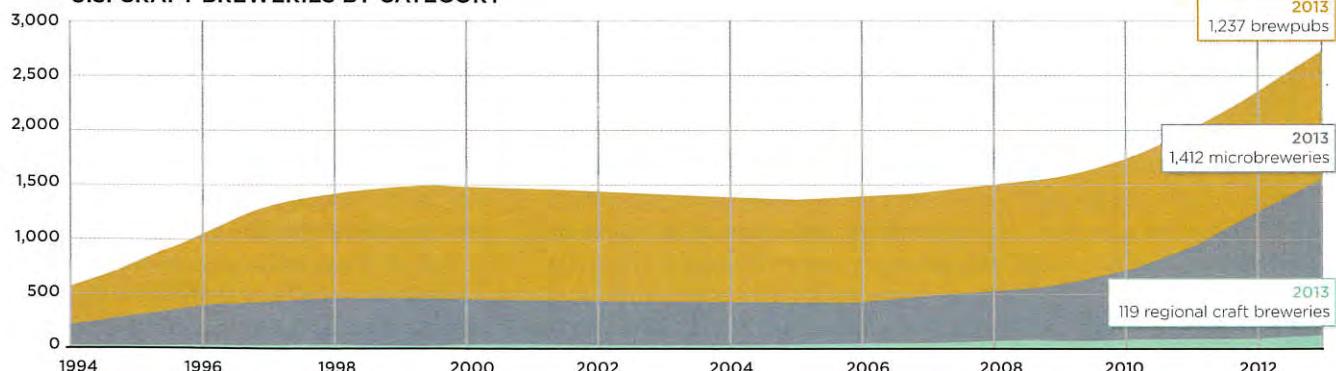
TOP 5 STATES

RANK	STATE	OUTPUT
1.	California	\$4.7 billion
2.	Texas	\$2.3 billion
3.	New York	\$2.2 billion
4.	Pennsylvania	\$2.0 billion
5.	Colorado	\$1.6 billion

TOP 5 STATES

RANK	STATE	OUTPUT
1.	Oregon	\$448.56
2.	Colorado	\$436.50
3.	Vermont	\$418.57
4.	Maine	\$324.36
5.	Montana	\$315.37

U.S. CRAFT BREWERIES BY CATEGORY



REGIONAL CRAFT BREWERY

An independent regional brewery with a majority of volume in "traditional" or "innovative" beers.

MICROBREWERY

A brewery that produces less than 15,000 barrels of beer per year with 75 percent or more of its beer sold off-site.

BREW PUB

A restaurant-brewery that sells 25 percent or more of its beer on-site. The beer is brewed primarily for sale in the restaurant and bar.

GROWING THE RALEIGH FOOD CORRIDOR

By Sarah Barr

On the eastern edge of downtown Raleigh, a string of food-related community projects could help build a healthier city. The city's emerging "food corridor" is bookended by a hunger-relief organization's agriculture training center to the south and an urban farm two miles to the north. In between are restaurants, corner stores, farmers markets, and urban gardens.

It's a geography that a coalition of community groups sees as the backbone for a flourishing local food scene. "It's about energizing this two-mile stretch to bring the benefits of healthy food to these diverse communities," says Erin Sullivan White, the founder and principal of Community Food Lab, a design and consulting firm based in Raleigh that has led the corridor's development.

The corridor runs along Blount and Person streets, through communities with varying resources and needs. It touches Southeast Raleigh—where much of the neighborhood meets the federal government's definition of a food desert—but also passes by the governor's mansion and some of downtown's newest high-end development.

White sees the corridor's current and potential food projects as tools. Used collectively, the tools can help make interesting things happen in this and other neighborhoods, White says. A community garden could supply food to a restaurant, the chef could give a healthy cooking demonstration at the corner store, and a family shopping at the store could think about starting their own vegetable plot.

"If you cluster lots and lots of small- and medium-sized projects together in a city, then the connections are better," White says.

The food corridor idea grew out of early discussions about the city's plan for transportation improvements and economic development along the Blount-Person corridor, which was approved in July 2013.

White, who had previously worked on a minicorridor project along a single block in nearby Durham, and others interested in urban agriculture noticed how food defined the area. By the end of 2013, they had started gathering various stakeholders.

Then, last summer, the concept got another boost when the local Jamie Kirk Hahn Foundation became involved. The foundation collaborated with Community Food Lab to host a series of gatherings, such as tours of the corridor, that

ers for building renovation. One area of Portland seeing a large number of both is called the Central Eastside. Originally settled in 1845, the district is located along the Willamette River, across from downtown Portland, and continues to house warehouses and industrial companies. But the area is also home to an increasing number of architects and other creative sorts, points out Shawn Uhlman, public affairs manager for the Portland Development Commission.

Park City, Utah, drew breweries by offering incentives. A one-time silver mining town, it was reborn into a shiny ski resort. But the reinvention of Main Street remained a steep challenge—literally. The street has a grade of seven percent, and so visitors stayed lower on the street, conveniently close to the ski lifts.

The local government owned land at the top of Main Street, and in 1987 it made an attractive offer to a former journalist named Greg Schirf for sale of the land. Schirf wanted to buy but still had a major hurdle. A native of Milwaukee, he had to persuade state legislators to legalize brewpubs. He jokes that legislators didn't know the difference between a brewpub and a tavern, but in the end they approved the businesses, and 1989 he opened the Wasatch Brew Pub in Park City. It helped draw visitors up Main Street and bolster tax collections.

Despite its domination by the Church of Latter-Day Saints, which does not condone alcohol, Salt Lake City has more breweries than you might expect. Even Provo, home to the church-sponsored Brigham Young University, twitters with rumors of a planned brewery. But then, Utah has always had lots of breweries, some owned by church members.

"It's funny how the more things change, the more they stay the same," says Del Vance, who wrote *Beer in the Beehive*, a book about brewing history in Utah. The state had many breweries in its early years because beer, like food, had to be produced locally. Transportation was limited and refrigeration even more so. "Every little city, town, or whatever had its own brewery close by, if not several," he says. "Most beer was chilled in beer cellars."

Non-ice refrigeration began about 1900, but it was expensive and bulky. Then came prohibition, and about 80 percent of breweries didn't return, says Vance. By the mid-20th century, only a handful of mass-produced, mass-marketed beers remained.

Today, craft brewers continue to grow even as the older, more successful breweries sell their original equipment to a new generation of beer makers. Paul Gatz, director of the Brewers Association, points to state laws that govern liquor production and distribution as important in deciding where brewers locate. Some states have more favorable climates to start a packaging brewery than others.

Craft brewing can be seen as parallel to the local food movement. In California, local food and local suds are coming together literally as a new law allows packaged craft beer to be sold at farmers markets. Too, says the Brewers Association's Herz, there's a feel-good element to the craft sector. "What they do is not just make beer, but they often enhance and help lift up the areas where their breweries are based," she says. They celebrate passion and good causes.

Can this growth be sustained? With places like Asheville, North Carolina, and Richmond, Virginia, actively recruiting brewers, the economic landscape looks promising. The Brewers Association has knowledge of 2,000 new craft breweries planned on top of today's 3,200. Keep in mind that at the end of the 19th century, the U.S. had 4,000-some breweries but a much smaller population. As in so many things, the future looks an awful lot like the past. ■

Allen Best is based in metropolitan Denver, where he edits the e-zine *Mountain Town News*. He is a frequent contributor to *Planning*.

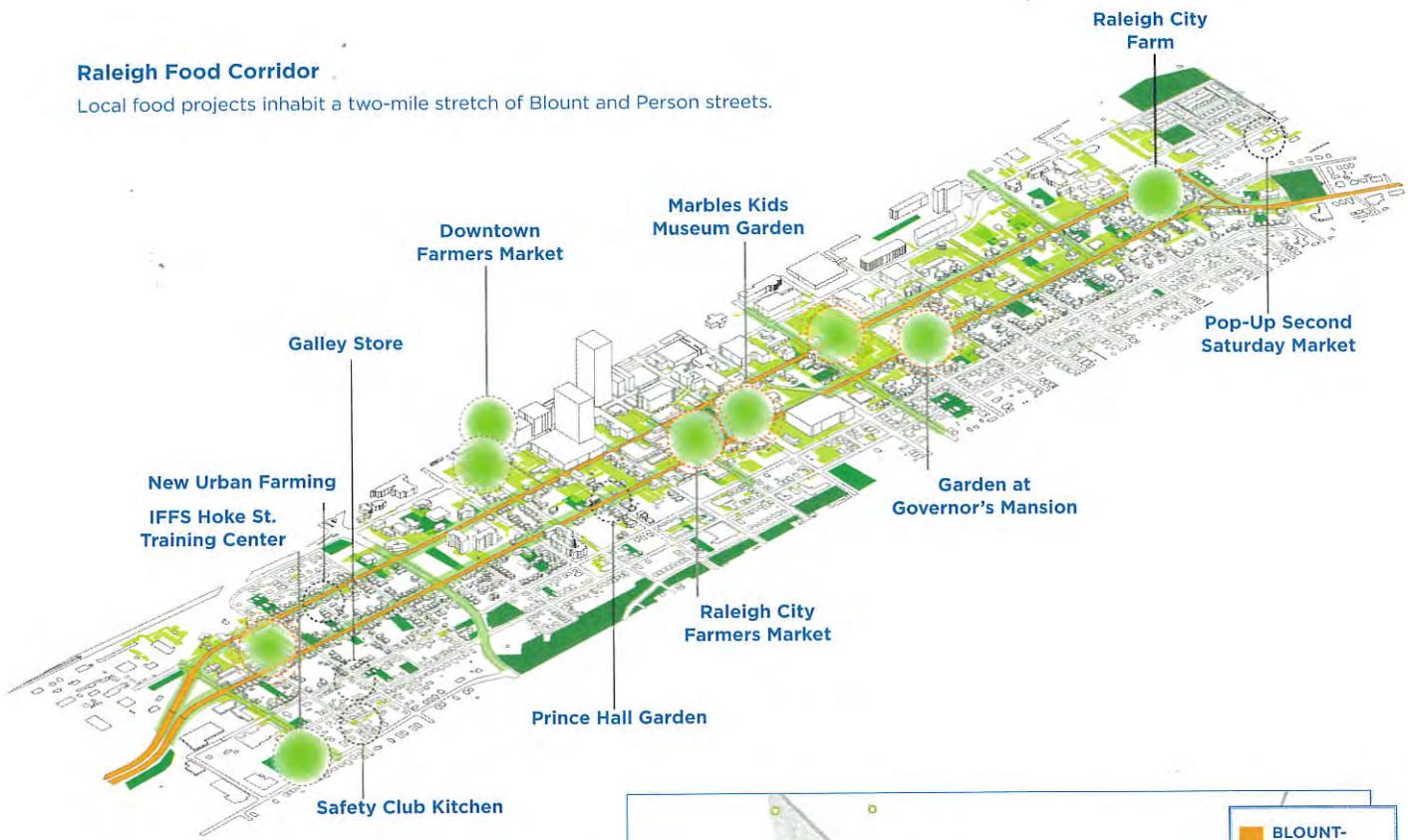
RESOURCES

FROM APA

"Zoning for Small-Scale Alcohol Production: Making Space for Brewpubs, Microbreweries, Microwineries, and Microdistilleries," *Zoning Practice*, March 2014.

Raleigh Food Corridor

Local food projects inhabit a two-mile stretch of Blount and Person streets.



brought the concept to a wider audience.

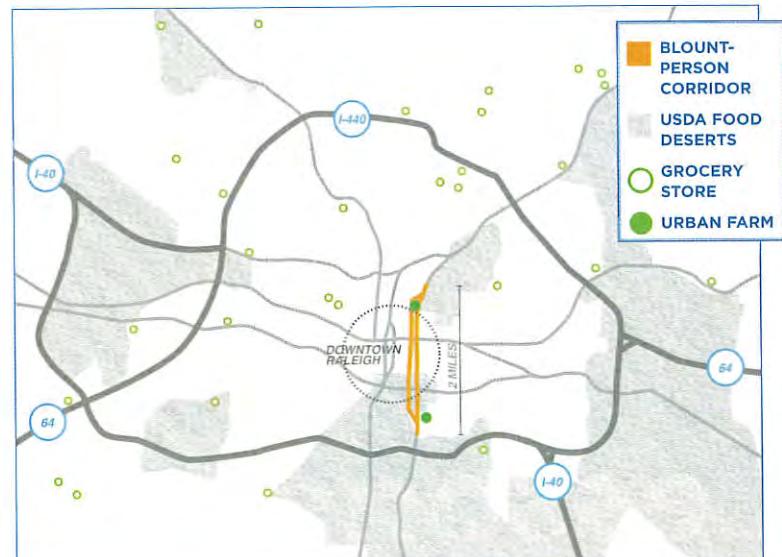
White says that the foundation has given about \$10,000 to help Community Food Lab run "Second Saturday" tours and other meetings. Next, the team is discussing how to fund a strategic plan for the corridor.

Planners' role

City planners have remained at the edges of the discussion about the corridor, watching to see what becomes of the concept. "They have an idea of their own, and I think the worst thing planners can do is force it," says Grant Meacci, planning and design manager at the city's Urban Design Center.

Meacci said it seems best for the groups working on the food corridor to remain nimble until they're sure of their vision and needs. That's when a strong partnership with the city could come into play. Until then, planners are valuable guides, sharing their expertise and even physical spaces, like the Urban Design Center, where groups can gather to hash out their plans, he says. "I think planners are great at helping people build capacity," Meacci adds.

The corridor has caught the attention of Advocates for Health in Action, a group that promotes healthy eating and physical activity in Raleigh and



GRAPHICS COURTESY COMMUNITY FOODLAB

Wake County Director Sara Merz says that the corridor complements her group's work not just by supporting local food but also by encouraging people to get out and about, visiting interesting local destinations. "If we can make public spaces feel good, it reinforces people's desire to be in those places," she adds.

White suggests that a successful food corridor could help inspire change across the city by encouraging an even larger local food system, one

with economic, social, and ecological benefits. "My hope is that it helps drive a bigger conversation about food in Raleigh," he says.

Sarah Barr is a reporter in Raleigh, North Carolina.

HOW LOW SHOULD YOU GO?

The latest on
'undergrounding' utility lines.

By WILLIAM ATKINSON



IT SEEMS TO BE PART OF AMERICANS' STANDARD OPERATING PROCEDURE: After a big, damaging storm it's almost inevitable that there will be a public outcry—or at least a media outcry—calling on the local utility and municipality to put all utility distribution lines underground. It's assumed that future outages will be avoided, because no lines will be damaged and lose power as a result. It's also assumed that underground lines are safer, because children or others won't have contact with live wires above ground.

However, total undergrounding is not always a 100 percent solution. That is, there are pros and cons to both approaches.

Overhead is certainly less expensive to install and maintain than underground, and, when outages occur, they can be located and repaired relatively quickly and inexpensively.

Still, there are a lot of downsides to overhead distribution lines. Most importantly, they are susceptible to outages from falling trees and limbs, especially during storms. And, every so often, errant drivers will plow into poles. Municipalities also occasionally have to deal with negative public opinion about overhead lines, in terms of outages, safety, and even aesthetics.

According to R. John Miner, president of Collaboration Unlimited, a utility consulting firm based in Austin, Texas, overhead lines also are subject to intermittent outages that result from shorts, such as those caused by tree branches or squirrels. "In these instances, the power may only be

off for a few seconds, but it can be a problem for certain commercial and industrial customers with critical expensive equipment that automatically shuts down even if power is off for only a second or two," he says.

Meanwhile, underground distribution lines offer some notable benefits. While underground outages do occur, they are rare. In addition, underground lines provide better public safety, since there are no exposed downed lines or poles falling on homes or vehicles or within easy access of children or unsuspecting adults.

"Everything that is energized and has a shock hazard is not only underground, but also insulated and enclosed, preventing human touch," says Miner.

Finally, an underground system is hidden from view. One tangible benefit is that property values tend to be higher in neighborhoods with underground lines than in comparable (age, location, housing structure) neighborhoods with overhead lines.

Distribution line placement

Certainly, in recent years, most new lines are going underground. While it is more expensive to bury the lines than it is to run them overhead, it is less expensive to do so with new grid extensions than it is to dismantle existing overhead lines and bury them. One reason is that grid extensions occur in areas that do not yet have a lot of ground-level and underground infrastructure in place, such as roads and sidewalks, gas lines, and water and sewer lines, that make trenching time-consuming and expensive.

"It is pretty much universally accepted now that new residential areas in almost all parts of the country go underground," says

Miner. "One reason this is so common is that utilities don't have to add these costs to their rates. Instead, the home owners pay the additional cost of underground in the cost of their lots, which ends up being part of their mortgages."

Another reason underground is on the rise is that costs are decreasing. "While the cost of underground is higher than overhead, a lot of utilities are taking a second look, because some of the pricing on dielectric cable is coming down," says Frank Alonso, manager for transmission line engineering at Leidos Engineering in Orlando, Florida. "It used to be that the cost ratio of underground to overhead was about six times greater. However, this is starting to be reduced," he says.

Despite the benefits of undergrounding, there is no wholesale rush to do it. Besides the expense, there have been some improvements to overhead reliability in recent years.

Following directives from the Federal

Energy Regulatory Commission, the government agency responsible for energy management in the U.S., more and more utilities and municipalities are focusing efforts on "hardening" their overhead lines. Examples include reinforcing poles, becoming more aggressive with vegetation management, and using technology to more quickly identify and address outages. These initiatives are costly, but not as costly as undergrounding everything that is currently overhead.

So how do you decide whether lines should be overhead or underground? "First, utilities and municipalities need to be more aware of public opinion," says Alonso. "This has been increasing a lot because of the recent strong storms."

It's not the only factor, but municipalities should at least take the public's concerns into consideration, according to Alonso. Of course, this first requires that they educate people on the pros and cons of overhead and underground.

Second, while most lines could be buried, there are some specific instances where it's not the best idea. Some lines may traverse swampy, marshy, or otherwise wet lands, where undergrounding may be virtually impossible, or at least where the reliability of underground is likely to deteriorate rather quickly.

Third, while it may not be worth the time, effort, and cost to underground all overhead lines, municipalities should work with the local utilities to identify only those that frequently prove unreliable, and then determine whether it makes sense to bury those select lines, rather than undergrounding everything.

San Marcos: looks count

The city of San Marcos, Texas (pop. 54,000), has a lot to boast about. Archeological research suggests that the area is one of the oldest continuously inhabited sites in North America, with evidence of settlements going back 10,000 years. It's



From left: Pepco workers install underground power lines in Washington, D.C.; overhead lines in Colorado Springs, Colorado; and a transformer upgrade in Palo Alto, California, which has established boundaries for 47 underground utility districts.



also one of the fastest growing cities in the U.S. And the city's beautification initiatives, which include projects to underground utility lines, are aimed at making sure San Marcos maintains its appeal.

"We adopted an undergrounding ordinance about two years ago," says Matthew Lewis, planning and development services director. "It requires that utilities go underground in the downtown area." While a lot of communities are undergrounding utility lines for reliability and safety reasons, San Marcos adopted its ordinance primarily for aesthetic reasons, according to Lewis.

The city adopted a form-based Smart-Code, prioritizing infill development. "Before we launched this, there were about 84 dwelling units downtown," he says. "Now there are about 2,700."

With the goal of luring the type of private development the city wants in the area, San Marcos is making itself more attractive. "One of the most important ele-

ments in creating 'quality of space' is how we handle our public right-of-ways," Lewis says. Before, he adds, "curb lines didn't match, there were broken sidewalks, and there were no street trees to provide shade as a way to encourage people to get out and walk."

Lewis's department helps facilitate new development, partly by coordinating with the city engineers on street design. This involved redoing thoroughfares and lane dimensions, creating new pedestrian crossings, and organizing public rights-of-way.

"We also closed several driveway entrances into the public realm to make it more walkable, so people have less uncertainty when walking, and we pushed loading zones into alleys," says Lewis. "We also added street trees, pedestrian furniture, and street lights."

According to Lewis, the most important key to success has been widespread collaboration. In addition to engineering, "we have been working with our capital

improvement department and our municipal electric utility to move utilities underground," he says. In addition, the cable and phone companies have franchise and pole attachment agreements with the city, so they have committed to burying their lines in conduit installed by the city when electrical wires are undergrounded.

Two undergrounding projects have been completed: University Boulevard and Hutchinson Street. A third phase is underway.

City ordinances do not yet require that new electric lines be buried throughout the city as it continues to grow. However, Lewis says, "At the end of our current projects, we will be doing a full development code rewrite, and we will have that conversation then."

Palo Alto: going all out

Since 1965, the City of Palo Alto (California) Utilities, a municipal utility, has established the boundaries for 47 underground



utility districts. Construction already has been completed on 43 of them.

"Two are in different stages of design and implementation, and the remaining two will start in the next three to five years," says Tom Ting, electric engineering manager. "Additional districts will be determined in agreement with AT&T, which is co-owner of the utility poles with the city of Palo Alto."

Between the work included in the underground utility districts and underground facilities installed with new developments, nearly half of the city's electric facilities are underground.

Establishment of the underground utility districts is handled by the utility company, along with the design, coordination with other utilities, and installation of substructures and electric conversion work, according to Ting. While the city's planning and community environment department is not involved in much of the undergrounding portion of these projects, it does guide the location and placement of the above-ground equipment, such as switches and transformers.

The city council requires underground lines for electric and communications services for virtually all new subdivisions and other construction. However, according to Ting, the council does allow the director of utilities to authorize poles, overhead lines, and associated overhead structures for new construction "when the director determines that an installation in an underground location in any particular instance would not be feasible or practicable."

Colorado Springs: long tradition

Colorado Springs has had an aggressive undergrounding program for decades, according to Carl Schueler, AICP, planning manager of comprehensive planning in the city's land-use review division. "Our distribution lines have been undergrounded as part of our standard development process for at least the last 30 years, and the majority of our city has underground distribution lines," he says. He notes, however, that some existing overhead lines that were too expensive to bury remain in place.

Schueler sees his department's involve-

ment in burying lines as part of a broader effort. "Our role is to look at these projects from the perspectives of community development and urban revitalization," he says. "Our department coordinates with the utilities department on a regular basis in terms of land development policy, annexation policy, and other issues."

"Still, though, when we are involved in a transportation corridor project that involves rebuilding a road, and if there are power lines running along the road, in most cases those lines will end up underground," he says.

The city is also involved in the undergrounding of some transmission lines,

After a number of big storms hit Washington, D.C., and caused power outages, Mayor Vincent Gray began to look for ways to make the electric system more resilient.

'This was especially important in light of the fact that there are indications that the number and severity of the storms is likely to increase.'

BILL GAUSMAN, SENIOR VICE PRESIDENT, STRATEGIC INITIATIVES, PEPCO HOLDINGS

which is a rarity in the U.S. These higher voltage lines that carry electricity longer distances are traditionally placed overhead. "However, the technology is now available to underground these lines," says Schueler. Most of the transmission lines in Colorado Springs are still above ground, but as opportunities arise, they are going under.

As in San Marcos, collaboration is key. "We are in continuous contact and communication with people in the utilities department," Schueler says.

Washington, D.C.: a combo

Another utility that has actively been addressing the overhead-underground issue is Pepco Holdings in Washington, D.C., which has a combination of both. "Overhead systems are not very reliable in heavily treed areas, and the Washington, D.C., area has a lot of very tall and mature trees that are well above overhead lines, which pose a risk to our overhead network," says Bill Gausman, senior vice president, strategic initiatives.

Also, he says, initiatives are under way to increase the city's tree density. "As a result, we are working with the city to make sure this is done in a way that doesn't add additional impact to the overhead system."

While Pepco does have a lot of overhead lines, it also has a long history with undergrounding. "A large portion of our system has always been underground, since congressional regulations prohibited overhead lines being built in certain portions of the downtown area from the beginning of electric service," Gausman says.

There are other challenges, including the higher cost of construction in an urban environment, where concrete-encased

manhole conduit systems are required, says Gausman. "It is also more time-consuming to make repairs when an outage does occur," he adds. However, he notes that with the underground designs that are being used today, service can still be restored relatively quickly because of the redundancy and transfer capabilities in the system.

After a number of big storms hit Washington and caused power outages, Mayor Vincent Gray began to

look for ways to make the electric system more resilient. "This was especially important in light of the fact that there are indications that the number and severity of the storms is likely to increase," says Gausman.

In 2012, the mayor created a committee jointly chaired by the city administrator and the chairman of Pepco Holdings. The committee represented a wide range of interested parties, including a number of city agencies and citizen councils. "Upgrading the district's infrastructure and related services has been a planning and funding priority," says Allen Y. Lew, city administrator for D.C.

All of the parties came up with a plan for legislation (which later was passed) that authorized spending to underground selective lines over the next seven or eight years. In June 2014, Pepco filed a plan with the city's Public Service Commission to move forward. "If we receive approval, we should be starting construction right after the first of the year," he says.

William Atkinson is a freelance writer, specializing in infrastructure and sustainability topics.



PUDs and Master Planned Communities

PLANNING TOOLS

A MODERN ZONING CODE INCLUDES AN OFTEN COMPLEX array of standards and processes. These include use, setback, building height, and coverage requirements for zoning districts, with more progressive codes featuring building and site design standards. A development that complies with these standards can be approved “by right” or through a discretionary process such as a conditional use permit. These can work well for individual lots where the development can feasibly integrate the standards, and variance processes can allow exceptions where the standards create an individual hardship. The trend in modern codes is to expand the range of by-right approvals, with development outcomes described with precise detail.

But what about projects that break the mold? What if an applicant has a better idea? What about large, integrated developments where the community’s zoning (or even form-based) rules don’t work—but that achieve other, important comprehensive planning policies? Many communities have an option for planned unit developments that allow for a negotiated approval process.

The Glen is a PUD developed by the village of Glenview, Illinois, on the site of a former naval air base. It incorporates a mix of housing, recreation, and commercial uses.

Why do communities have PUDs?

PUDs emerged from the desire for developers of master planned communities to avoid the cookie-cutter metrics of conventional zoning. Relief from rigid use, setback, height, parking, and similar restrictions would open communities to more creative master planning. Accordingly, communities developed PUDs to negotiate development approvals with very general, flexible standards. The result was a design outcome produced by negotiations between the applicant and the community, rather than the strict limits of zoning.

These negotiated development approvals were thought to yield the following benefits.

FLEXIBILITY. By negotiating alternative standards, applicants may calibrate their projects more closely to current market conditions, financing demands, topography, and their development program than the existing zoning standards—which may have been written years ago.

COMPATIBILITY. A better designed project is likely to provide a better fit for the neighborhood, with standards suited to current conditions rather than an outdated code.

INTEGRATION. PUDs often allow the negotiation of all facets of a development, from permitted uses to site design to infrastructure. This can ensure that buildings, sites, and streets are integrated, creating a more successful outcome from both a community design and market perspective.

Of course, another cure for many of the issues mentioned above is to update the development code. Putting good, plan- and market-friendly standards in

place can obviate the need to negotiate better developments. Form-based codes can effectively integrate lot, building, and site design with infrastructure. Modern building, site, landscaping, and sustainable development standards can answer many questions about development parameters without resorting to lengthy negotiations.

How are PUDs codified, approved, and enforced?

PUDs are often codified as a separate zoning district, and approval requires rezoning. In most states, this is a legislative decision. If the decision is quasi-judicial, it requires standards—albeit very general ones. Typical standards may include “compatibility with the surrounding area,” “harmony with neighborhood character,” and that “streets are suitable and adequate to carry anticipated traffic. . . .” Some communities also require that exceptions granted through the PUD process are offset by the project’s design and amenities.

Some communities also codify PUDs as a form of discretionary approval, such as a conditional use permit. In states where rezoning is considered legislative, this gives property owners some protection in court if the decision-making body acts in an arbitrary manner. But it offers little advantage in terms of the cost, certainty, or timing of the development approval process.

PUDs are often enforced through staged development approvals (typical of master planned development), zoning conditions followed by traditional enforcement mechanisms, or development agreements. Development agreements are an increasingly popular tool, locking in the developer’s rights on a long-term basis while giving communities contractual remedies that are not available through traditional zoning enforcement.

What are the problems with PUDs?

PUDs are, almost by definition, the exception rather than the rule. Unfortunately, for many communities, PUD approval is the norm.

This can tie up planning commissions, legislative bodies (such as city councils and county commissions), staff, and the general public in endless negotiations. This reduces certainty in the approval process, drives up development costs, and absorbs an inordinate amount of staff time. It also diverts legislative bodies from legislation and planning commissions from planning, involving them in administration. Legislative officials often respond to the immediate gripes of surrounding neighborhoods (i.e., their voters) rather than long-range, comprehensive planning goals. While the PUD projects often demonstrate a high level of design quality, this could come at a cost—from increased expenses to the failure

of good projects that die the death of a thousand cuts.

If this scenario doesn’t sound like good planning to you, there are ways to tame the PUD process. First, update your zoning code. Clear, workable standards are usually a better alternative for all parties than the uncertainty of negotiation. Second, build conditions that are routinely negotiated into the development standards. Finally, clarify in the PUD standards or findings that the PUD is only available when the other standards cannot work for the development—assuming that the existing standards reflect best practices for the community.

Use PUDs with caution

PUDs are a useful tool to process unusual or large developments, and can even produce better design outcomes than traditional zoning standards. However, there are better tools for communities to provide desired outcomes—such as performance- or form-based zoning. Even with a well-designed code, there is always room for unusual developments—those that provide offsetting public benefits and creative master planning. PUDs can also bridge the transition from an old to a new code. In their proper context they are a useful—but costly—tool.

—Mark White, AICP

White is a principal in the firm of White & Smith, LLC, Planning and Law Group.



The Glen, in Glenview, Illinois, planned in the mid-1990s, provides both single-family homes and multifamily housing.

Fairness in Siting of Nontraditional Housing

LAW

Communities build special, nontraditional housing to accommodate populations that are not adequately served by traditional housing. Traditional housing most often includes permanent single- and multifamily housing. It can be market-rate or affordable housing, and either rented or owner-occupied. Special nontraditional housing types include emergency shelters, transitional housing, permanent supportive housing, and group homes. These uses are defined by the status of the populations they serve, their physical characteristics, and the type of ancillary social services provided on the premises.

Communities commonly regulate the placement of nontraditional housing types and their attendant social services by imposing a “spacing requirement.” Whether a court will uphold a spacing requirement depends on the type of social service or housing at issue, the types of individuals served by the program or housing, the way in which the requirement is applied in a particular situation, and the laws of the state in which the community is located. When a community imposes a spacing requirement on a use that is protected by the federal Fair Housing Act, the requirement will typically be struck down unless a community can provide strong support and evidence to overcome the FHA’s “reasonable accommodation” requirement.

The federal Fair Housing Act

The Fair Housing Act prohibits making a dwelling “unavailable” to a person because of race, color, national origin, religion, sex, familial status, or disability (42 U.S.C. §§ 3601-3631). The FHA also protects individuals who are recovering from substance abuse, but it does not cover individuals who are engaged in the current illegal use of or addiction to a controlled substance (42 U.S.C. § 3602(h)(1)). Congress has carved out some other exceptions to the FHA, such as owner-occupied homes, religious organizations, and housing for persons 55 and older, but no such exception exists for social service housing providers. Local governments have violated the FHA in a number of ways, including the enactment and administration of zoning requirements that result in the unavailability of applicable “dwellings” to persons in one of the “protected” classes listed above. In instances where a community imposes a spacing requirement on a social service use that qualifies as a “dwelling” under the FHA, and the requirement is so burdensome that it “make[s] a dwelling unavailable” to a protected class of persons, the requirement will be found to be in violation of the FHA.

The FHA defines a “dwelling” as “any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for the sale or lease for the construction or location thereon of any such building, structure, or portion thereof” (42 U.S.C. § 3602(b)). Unfortunately, a “residence” is not defined by the statute. Courts have concluded that many uses, such as hotels, hospitals, and prisons, do not qualify as “residences” under the FHA. Permanent housing, subject to certain exemptions, always qualifies as a residence. Some nontraditional housing types that include social services, such as permanent supportive housing and group homes, are clearly considered permanent housing to which the FHA applies. Courts are in disagreement as to whether other nontraditional housing types such as emergency shelters and transitional housing qualify as residences. Some courts have broadly construed the FHA to apply to emergency shelters and other social services that generally serve individuals on a transient or temporary basis.

Fair housing and spacing requirements

Despite a community’s best intentions, courts are reluctant to uphold separation requirements between housing types qualifying as “dwellings” under the FHA, including group homes and permanent supportive housing, and sometimes even emergency shelters or

transitional housing. Even if the requirement appears on its face to be nondiscriminatory and intended to be in the best interests of individuals whose housing is subject to the requirement, the court will generally invalidate the requirement.

Three theories of liability exist to establish an FHA violation: (1) disparate treatment (or intentional discrimination); (2) disparate impact (or discriminatory effect); and (3) a failure of a municipality to make a reasonable accommodation.

One way in which communities impose spacing requirements on social services is to require a minimum distance between the social service and some other type of use that is meant to be protected, such as a school or traditional residential uses. This method is generally based on the rationale that the social service use will have an adverse impact on the non-social service use, and thus, the non-social service use should be protected. Without a community’s strong documentation of the potential adverse impacts the social service or nontraditional housing may have on the protected use, this regulation may be considered discriminatory on its face and be invalidated.

A second way in which communities impose spacing requirements on social services is to require a minimum separation between two of the same use, such as a minimum 1,000 foot distance between two group homes. The rationale for this type of separation requirement is twofold. First, similar to the other spacing method, this method may attempt to prevent a concentration of uses that may be adverse to other, non-social service uses. Second, separation requirements may serve to advance the concept of “deinstitutionalization.” By preventing a concentration of a particular class of individuals in one area, such as those with disabilities, separation requirements serve to maximize those individuals’ opportunities for community integration and acceptance. Again, without a strong showing that the separation requirement legitimately serves the best interests of the community, is not

intentionally discriminatory, and does not result in a disparate impact on the population served by the type of housing at issue, this separation requirement will be invalidated.

Communities should thoroughly entertain an applicant's "reasonable accommodation" request made pursuant to the FHA, even instances where the zoning code does not provide for such relief. Where a social service is proposed for a location that does not satisfy a zoning code's minimum distance requirements, typically the only relief available is a variance, special exception, or some other similar type of relief that goes before a community's zoning board and is subject to a public notice and hearing process.

If the social service or nontraditional housing use serves a population that is protected under the FHA and the type of housing is a "dwelling" under the FHA, the community is required to review the reasonable accommodation request according to the FHA. The acceptable burdens of proof and review processes for a reasonable accommodation under the FHA almost never coincide with the notice, hearing, and standards of review provided for a variance, special exception, or the like. In other words, a variance hearing before a zoning board is generally not sufficient "reasonable accommodation" review and may run afoul of a community's obligations under the FHA.

Communities should review the way in which they define and regulate nontraditional housing types within their zoning codes, and should be aware of how the courts in their state and federal districts view the various types of nontraditional housing relative to the FHA. If a community wishes to impose minimum distance requirements on social services and nontraditional housing, they should do so with caution, keeping in mind that the applicant may have a right to a reasonable accommodation under the FHA that supersedes the traditional methods for relief, such as variances and special exceptions.

—Kathleen Farro Ryan

Ryan is an attorney and urban planner with Manley Burke in Cincinnati.



HISTORY

The Rise of Historic Preservation in America. In a recent speech, President Barack Obama remarked, "The notion of a national monument is interesting because it reminds us that America belongs to all of us—not just some of us."

Ever since the Antiquities Act was signed into law by President Theodore Roosevelt in 1906, nearly every president has used this power to designate vast tracts of land and individual structures with national monument status. While local preservation actions appeared as early as the 1850s in New York State, this was the first time the preservation of our historic sites was recognized as a nationally important issue. This act paved the way for further important preservation legislation including the Organic Act of 1916 and the National Historic Preservation Act of 1966. Pictured here is the African Burial Ground National Monument in New York City, designated in 1993.

—Ben Leitschuh

Leitschuh is APA's education associate.

RESOURCE FINDER

Planned unit developments have often been used to accommodate large developments. With the current availability of form-based codes and other tools, consider whether they are the right choice for your community.

In the Zone: Got a legal question about a PUD or an MPC? Dan Mandelker is the man to see.

Ruth Eckdish Knack, AICP
Planning, July 2007
www.planning.org/planning/2007/jul/inthezone.htm

Planned Unit Developments and Master Planned Communities: Review and Approval Processes

Daniel R. Mandelker, FAICP
Zoning Practice, June 2007
www.planning.org/zoningpractice/2007/pdf/jun.pdf

Planned Unit Developments

Planning Advisory Service Report No.545, 2007
 Daniel R. Mandelker, FAICP
www.planning.org/store/product/?ProductCode=BOOK_P545

Understanding Planned Unit Development

PAS QuickNotes, No. 22, 2009
www.planning.org/pas/quicknotes/pdf/QN22.pdf

—Ben Leitschuh