SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, October 10, 2019

Present: Leina Mathis, Chair
James Call
Jason Lindsey
Mark Weston

Staff: Corey Bundy, Community Development Director
Bob Nicholson, City Planner
Devin Snow, City Attorney
Selena Nez, Planning Commission Secretary

Excused: Michael Day
Marv Wilson
Mark Hendrickson
Curtis Whitehead

1. **Call to Order.**

Chair Leina Mathis called the meeting to order at 5:31 p.m.

2. **Opening Ceremony.**

James Call led the Pledge of Allegiance and offered the invocation.

3. **Communications and Appearances.**

   A. **General Citizen Communication.**

There were no citizen comments.

4. **Working Agenda:**

   A. **Public Hearings.**

      1. **None.**

   B. **General Business.**

      1. **Request of Conditional Use Permit Annual Review for Village Rock Gravel Operation; located North of Pioneer Parkway within Lava Rock Area. Melissa Scott with JP Excavation, Applicant.**

Community Development Director, Corey Bundy presented the staff report and stated that a request from JP Excavation Company was approved in 2013 to operate a gravel pit. The Village Rock Gravel
Pit is located on the north side of Pioneer Parkway and immediately west of the Entrada development. In 2014, an additional nearby area was added to the gravel pit operation. The subject property was identified on a map displayed. In October of 2017, the Conditional Use Permit was reviewed and renewed for continued operation subject to an annual review. JP Excavation is now requesting review and renewal of the Conditional Use Permit to continue its operation on the site. The applicant wishes to continue as in the past with no crushing to be done on the site and continued watering of the access road to minimize dust. The gravel pit is located in an area where the majority was previously disturbed. Approval was for the previously disturbed sites. The property was formerly part of the Knolls Master Plan Development. When the first Conditional Use Permit was submitted, the disturbed areas were designated as the take area and where armoring of the banks had occurred. The rock had been used for this purpose. For that reason, they were allowed lava to be harvested from certain areas.

Mr. Bundy identified the following issues:

1. Preservation of lava fields.

   This goal is identified on page 77 of the General Plan. Lava fields in the northeast portion of the City are part of Santa Clara’s signature landscape and the lava terrain is undulating, rugged, and difficult to transverse on foot due to the jagged surface of the rock. The lava veneer, however, is quite thin and easily disturbed with mechanical equipment, which leaves highly visible scars on the barren landscape. Because of its uniqueness, it could become a future attraction throughout the City if property designated, identified, and advertised. The City should consider designating a portion of the lava fields as a permanent park with protective signage, well-planned trails, and specific points of access. There should be efforts to look toward preserving the area in as close to its natural state as possible.

2. Lava rock harvests should be limited to already disturbed areas until there is a visible plan in place to protect this important natural resource.

3. If the Conditional Use is renewed for another year, the necessary findings in Section 10.40.055 and 10.40.060 should be part of any approval.

4. In addition to the above findings, specific conditions and recommendations for the excavation signage shall provide for the following:
   
   • Provide proper dust control at the site; and
   • Maintain good condition of the washout pad area prior to entering the paved public street.

Mr. Bundy reported that the applicants haul the crushed rock from the site. During inclement weather, no tracking should occur on Pioneer Parkway. In the past, the applicants have adhered to the conditions.

Melissa Scott from JP Excavation reported that in the past they have had a SWPPP (Stormwater Pollution Prevention Plan) in place, however, they met with Mike George from the Division of Water Quality who performs inspections annually. Mr. George did not want them to file a No Discharge
Permit because it is in a hole. B&P measures are in place but there is not an actual plan. Ms. Scott noted that they have specific areas in place that they restrict themselves to.

Commissioner Lindsey moved to approve the Conditional Use Permit with the same conditions as in the previous Conditional Use Permit as follows:

1. Provide proper dust control on the site.

2. Maintain in good condition the wash-out pad area prior to entering the paved public streets.

3. The findings of condition number three are met.

Commissioner Weston seconded the motion. The motion passed with the unanimous consent of the Commission.


Mr. Bundy presented the staff report and stated that The Hills at Santa Clara Phase 3 is a 26-lot single-family subdivision on 23 acres in an R-1-10/RA zone located south of the Santa Clara River and west of The Hills Phase 1. The subdivision is on the hillside that begins just south of the Santa Clara River. All of the proposed 23 lots in this phase are larger than 10,000 square feet with the average size being approximately two-thirds of an acre. The proposed lots meet the zoning requirements of the R-1-10/RA zone. The main issues with the proposed phase deal with developing the lots on the hillside.

The Hillside Review Board considered the phase again on September 19, 2019, and recommended approval of the preliminary plat subject to the conditions set forth in the staff report. Mr. Bundy explained that when the subdivision application was originally submitted, there was a requirement that they provide for trails on the Master Trails Plan and install the park. Staff has asked the developer to submit the agreed to park and trail dedication prior to final plat approval. In addition, near the river the City owns a lot for a trail but no trail easement. The developers agreed to provide that. Prior to final plat approval, those areas would need to be dedicated to the City as agreed to as part of Phase 2.

Mr. Bundy acknowledged that significant excavation needs to take place on the hillside to get a more accurate soils report. Preliminary approval would take place after the grading has been completed.

Allen Hall from Rosenberg and Associates stated that they do not anticipate any soils issues but they will know more once the borings and test pits are completed. Commissioner Lindsey asked if there are expansive soils on the site. Mr. Hall stated that there is clay but they have not seen any on this site or the site below.

Mr. Bundy identified where retaining walls will be located to accommodate the walk-out basements and to make other lots buildable. The walls will have to be stepped in some locations with the heights capped at nine feet. Mr. Allen noted that the developer has agreed to dye the concrete or stain the walls.
Commissioner Weston moved to accept the recommendation from the Hillside Review Board for the preliminary plat at The Hills at Santa Clara Phase 3 as drawn with the retaining walls as shown and subject to the following conditions:

1. During grading operations, explorations (boreholes, etc.) shall be done on each lot as per City Code requirement.
2. Lots shall be properly graded so that upon completion of the grading the lots are ready for building.
3. Side lot retaining walls shall be installed by the subdivision developer.
4. The Drainage Plan shall include the systems to collect and discharge any drainage from walk-out basements.
5. Any masonry stacked block walls shall be textured and colored to keep this phase consistent with the development.
6. The Drainage Plan shall be updated to reflect the current grading.
7. Retaining wall plans for the wall behind Lots 318 and 319 should be reviewed to reduce the amount of fill.
8. Side property line walls shall be four feet or taller.
9. The developer will dedicate the park and trail system to the City for its use and maintenance prior to final plat.

Commissioner Lindsey seconded the motion. The motion passed with the unanimous consent of the Commission.

3. **Recommendation to City Council Preliminary Plat for Giovengo Commercial Subdivision with Three Lots located on the SW Corner of Pioneer Parkway and Rachel Drive. Jayleen Giovengo, Applicant.**

City Planner, Bob Nicholson presented the staff report and identified Jayleen Giovengo as the applicant. The property is located on the southwest corner of Pioneer Parkway and Rachel Drive and is zoned PD-Commercial. The parcel is 3.7 acres in size with each of the three lots being over one acre in size. The project had been before the TRC twice in the last several weeks who made recommendations. All three lots have frontage on Pioneer Parkway. Because Pioneer Parkway is an arterial street, the access requires the building be setback 175 feet from the intersection of Rachel Drive and Pioneer Parkway. It seemed that the best option would be to have a shared driveway between Lots 2 and 3. The other access to Lot 3 could be off of Rachel Drive. The intent of tonight’s meeting was to look only at the subdivision plan. When there is an actual development request, the applicants will come back to the Planning Commission to present the site plan and building elevations.

The applicants have been working with a dollar store as a possible tenant. If that materializes, they will be required to submit the renderings and the site plan. The applicant was informed that the City
would like the corner to mimic the development scheme across the street where there are wider sidewalks, buildings closer to the property line, and landscaping. Once the sidewalks are widened the City will place planter boxes in the sidewalk. Mr. Nicholson reported that the City requested that there be an easement along the rear of the property to serve as an access way.

James Call thanked staff for promoting walkability and was pleased with what has been and is planned to be developed there. Access and site circulation issues were reviewed. It was confirmed that the ingress/egress along the rear property lines will be used to provide access to the buildings.

Commissioner Call moved to recommend approval to the City Council of the Preliminary Plat for the Giovengo Commercial Subdivision for three lots located on the southwest corner of Pioneer Parkway and Rachel Drive. Commissioner Lindsey seconded the motion. The motion passed with the unanimous consent of the Commission.

5. Discussion Items

A. Discussion on Update Requirements for the City’s Moderate-Income Housing Plan Per New State Law.

Mr. Nicholson reported that this spring, the Legislature imposed additional requirements on the Moderate-Income Housing Plan. It has been a required element in the City’s General Plan for the last 10 years and this year they have made additions. The requirement for reporting was previously two years but beginning in one year an annual report will be required. The State Code lists 23 possible strategies and requires cities to select at least three. If a City has public transit, they were asked to select four. The City needs three strategies that must be selected and added to the General Plan by December of 2019. In 2020, those strategies are to be implemented with a report to be submitted to the State in one year on the progress. Cities that do not cooperate may be denied transportation funds.

Mr. Nicholson reviewed the proposed the following suggested strategies:

1. Rezone for densities necessary to assure the product of moderate-income housing.

Mr. Nicholson commented that the City has been proactive in doing granting zone changes to increase densities. Over the last two years, there have been several rezones from R-1-10 to PD Residential for various projects. PD Residential is the most feasible way to promote affordable housing. In Santa Clara, a single-family home on a detached lot is not an affordable housing option. Townhomes tend to be the affordable housing option. Mr. Bundy reported that the expected median income for 2019 is $56,862. Multiplying that number by four provides the affordable housing figures for the area. Chair Mathis stated that the affordable housing number is the gross monthly cost including utilities and must be less than or equal to 30% of the household gross income.

Mr. Nicholson remarked that Santa Clara City has been proactive. He explained that medium-density residential allows for attached housing, which encourages affordable housing. The City can simply lay the groundwork to accommodate it. Staff can make a strong case that Santa Clara has and will continue to accommodate densities that encourage more affordable housing. Specifics from recent zone changes would be provided.
2. Create or allow for and reduce regulations related to Accessory Dwelling Units (ADUs) in residential zones.

Mr. Nicholson remarked that Santa Clara City has been proactive in this regard for a number of years because the City has allowed accessory dwelling units in the R-1-10 zones. The City Code includes a similar provision that states that accessory dwelling units are allowed under the following conditions: (1) over a garage; (2) inside the home through internal conversion of the home; or (3) through an addition to the home with an internal connection between the dwelling units. Another option was a detached single-level accessory dwelling unit. He suggested that the City pursue that option. If allowed, it would become the fourth option and make accessory dwelling units more feasible.

Chair Mathis asked if it was realistic to construct a detached accessory dwelling unit and still meet the setback requirements on an R-1-10 lot. Mr. Bundy stated that it is commonly done.

Commissioner Call asked about the requirement that the property owners live in one of the units. Mr. Nicholson stated that having an owner occupy one of the units tends to result in a better maintained property than an absentee landlord. The Planning Commission could make that recommendation in that regard but he was not certain whether that was one the City would want to maintain. Mr. Nicholson stated that the intent would be to modify the zoning ordinance to allow a detached ground level ADUs.

3. Allow for higher density for moderate-income residential developments in commercial and mixed-use zones, commercial centers, or employment centers.

Mr. Nicholson remarked that this is something the City could and should address. It would also help eliminate confusion. He stressed the need for clarity in the ordinance. To meet the State requirement of allowing higher densities rather than have a hard cap in the PD Commercial zone, they could specify that the density will be determined by the Planning Commission and City Council based on the site plan, building designs, and related standards. The height limitation of 35 feet would still apply. Mr. Nicholson explained that in the Code, mixed-use centers are part of the PD Residential or PD Commercial zones.

Jason Lindsey commented that developers always want to qualify for bonus density. He asked if that could be mirrored for this specific item. Mr. Nicholson confirmed that it could. What is not clear is what regulations apply in the PD Commercial zone. The three strategies could be implemented relatively easy at which point they would have the next year to add them to the General Plan and Zoning Code. After one year, a report would be written on the progress made to the Code.

Chair Mathis was not inclined to change the PDR zone. Mr. Nicholson explained that it would be limited to the PD Commercial zone. Chair Mathis was more willing to modify the PD Commercial zone.

An alternative strategy was identified as follows:

4. Eliminate or reduce parking requirements for residential development where a resident is less likely to rely on their own vehicle. For example, residential development near major transit investment corridors or senior living facilities.
Mr. Nicholson stated that the City does not have any major transit corridors but they could attract senior living facilities. Other options were also identified such as offering a density bonus for affordable housing units and reducing impact fees for low and moderate-income housing. Mark Weston agreed and stated that what is most expensive is the cost of land so allowing more units to be developed would be attractive to a developer. The reduction of impact fees will not be enough to drop the price significantly. The best option in his opinion was to find a piece of trust land and ask the State to essentially donate property on which to build affordable housing. Doing so would drop the cost precipitously for every unit.

Mr. Nicholson pointed out that there can be more than three strategies implemented. James Call commented on the Riverwalk project in St. George and found it interesting that they received grants and funding but it was ultimately not that affordable. In addition, one-third of the units are not considered low to moderate-income housing. Mr. Nicholson explained that there are 55 total units. Some are market based to help obtain financing. There were also donations involved in the $10 million project. There were multiple sources of funding and housing tax credits were offered to investors will get a federal income tax credit for putting money toward the project.

Commissioner Call remarked that affordable housing typically involves much smaller units. Many times, homeowners feel there is a conflict between increasing and protecting the value of their property and providing affordable housing. The Commissioners were comfortable with the three strategies and potentially adding a fourth. Staff would continue to refine the strategies and how they will be implemented.

City Attorney, Devin Snow suggested the Commission also consider how to police rents in years to come. Mr. Nicholson agreed and stated that time limits could be imposed. Mr. Snow explained that the legal mechanism is well established. The question pertains to the interest and motivation on the City’s part to monitor it. Some cities outsource to third-part compliance agencies. He wanted the Commission to be aware that there are ongoing obligations they need to be comfortable with going forward.

Mr. Nicholson explained that the State’s Housing Finance Agency has put restrictions on their loans so that when someone purchases a home and resells it, the owner does not just get a windfall gain and some of the profits go back to the Housing Agency. In addition, the St. George Housing Authority could extend its service to Santa Clarita.

A comment was made that more than likely, the accessory homes being built will be much more common in the community than new development. He stressed the importance to have a policing component in place. Doubt was expressed that that would be the case. In addition, ADUs tend to self-regulate in terms of pricing because there are size limitations. Chair Mathis asked if the intent when the actual ordinance is written will be to restrict the detached ADUs to low and moderate-income housing. Mr. Nicholson did not personally think they would and agreed that they will self-regulate and limit rental values. He reported that St. George is proposing to allow ADUs, which they have not done in the past. The belief was that going forward ADUs will be much more common than they are today. Chair Mathis stated that one challenge with ADUs will be ensuring that they are not used as short-term rentals.
Mr. Nicholson remarked that in the Historic District the City is much more accommodating to short-term rentals and ADUs because there is not a specific requirement for recreational amenities and they are easier to do than in PD Residential. Mr. Snow commented that the intent was to foster an environment where lower and middle-income individuals can find housing. They cannot guarantee that what they do will always have the desired result but they should get as close as possible.

The Commission Members were invited to attend a conference on Saturday, November 2 from 9:00 a.m. to 1:00 p.m. in St. George.

6. Approval of Minutes

A. Request Approval of September 12, 2019, Regular Meeting Minutes.

Commissioner Weston moved to approve the minutes of September 12, 2019. Commissioner Call seconded the motion. The motion passed with the unanimous consent of the Commission.

7. Adjournment.

Commissioner Call moved to adjourn. Commissioner Weston seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at approximately 6:54 p.m.

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Corey Bundy
Community Development Director

Approved: November 14, 2019