



Minutes

Lakewood City Council

Adjourned Regular Meeting held
September 10, 2002

MEETING WAS CALLED TO ORDER at 6:33 p.m. by Mayor Van Nostran in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

PLEDGE OF ALLEGIANCE was led by Planning and Environment Commissioner Steve Croft

ROLL CALL: PRESENT: Mayor Larry Van Nostran
Vice Mayor Joseph Esquivel
Council Member Wayne Piercy
Council Member Todd Rogers
Council Member Robert Wagner

Chairman Joy Janes
Vice Mayor Ron Wade
Commissioner Steve Croft
Commissioner Diane DuBois
Commissioner Marc Titel

Mayor Larry Van Nostran announced for the record, that all members of the City Council and the Planning and Environment Commission were present.

JOINT SESSION WITH THE PLANNING AND ENVIRONMENT COMMISSION FOR REVIEW OF HOUSING ELEMENT RECOMMENDATIONS

The Director of Community Development, Chuck Ebner, stated the City's Housing Element had been adopted in 1990 and updated in 1994. The proposed Housing Element had been presented to the Commission last year and a first draft had been transmitted to the State Department of Housing and Community Development (HCD). The Housing Element had been returned by HCD with questions regarding the City's ability to accommodate its share of the regional housing need identified in the Regional Housing Needs Assessment (RHNA) and requested that additional detail be provided on certain programs. Revisions had been made and the plan was again reviewed by the Commission.

John Oshimo of GRC Associates stated that the two key issues initially identified by HCD were on the City's demonstration of its ability to meet its RHNA numbers and a need to expand the Plan's discussion of governmental restraints. He reported on the housing survey that had been conducted and reviewed the formulas used to calculate the City's ability to comply with the RHNA.

JOINT SESSION WITH THE PLANNING AND ENVIRONMENT COMMISSION FOR REVIEW OF HOUSING ELEMENT RECOMMENDATIONS - Continued

Responding to a question from Council Member Wagner, Mr. Oshimo stated that the study had looked at vacant lots, underutilized lots such as those in the Multi-Family Residential zone that have a single-family home on them, and properties that because of their conditions could be expected to be demolished to make way for the construction of additional housing units.

Jack Gonsalves, Assistant Director of Community Development, stated that a conservative approach had been used to determine how many additional housing units could be reasonably accommodated in Lakewood.

Council Member Wagner remarked that the fact that the initial numbers provided to HCD had turned out to be conservative ones merely demonstrated that HCD had been unreasonable to require that an extensive housing study be done.

Mr. Ebner continued by reporting that the majority of changes in the Housing Element were actually those which incorporated policies and programs that have been implemented over the last several years, many coming from the Redevelopment Housing Strategy.

Mr. Gonsalves reported that while demographic and land use data had been updated and many of the programs were continuing from the previous Element, there were a number of new programs through the Housing Implementation Program such as Neighborhood Clean-up Program, Fix Up/Paint Up Program, and Scattered Lot Acquisition Program that had been newly incorporated into the updated Element. He stated that the new programs required by HCD included a study of governmental restraints on housing for persons with disabilities, a density bonus program that would be applicable to smaller projects, and an emergency shelter program for the homeless. He noted that even though a need for emergency shelter had not been apparent, HCD was requiring a that we make accommodation for them in one zoning classification.

Mr. Ebner stated that even though no one had ever approached the City to express any need for emergency shelter for the homeless, HCD was insistent on requiring a provision be made unless the City could demonstrate that there were no homeless in the City at all - an assertion impossible to prove, given the transient nature of the homeless population. He stated that the language drafted for the Element, which had already received preliminary approval by HCD, would set a goal for the City to establish an appropriate zone classification for emergency shelters by the end of 2004.

Responding to a question from Council Member Wagner, Mr. Ebner stated that HCD had been notified of the action taken by the Planning and Environment Commission to the revised wording and responded with a letter stating the Element would be approved.

JOINT SESSION WITH THE PLANNING AND ENVIRONMENT COMMISSION FOR REVIEW OF HOUSING ELEMENT RECOMMENDATIONS - Continued

Council Member Piercy inquired about the long list of groups and individuals receiving copies of correspondence from HCD. Mr. Ebner stated that there were many advocacy groups monitoring the compliance of cities with the State housing mandates. Mr. Ebner also advised that without a certified Housing Element, the City would be open to certain types of legal challenges and that an approved General Plan was required as part of certain grant applications.

Council Member Rogers asked if there were any cities currently facing legal challenges or that were attempting to defy HCD requirements. Mr. Oshimo stated that he was not aware of any active legal challenges at this time. He indicated that 52 percent of the cities in Los Angeles County had completed the HCD certification process, with 27 percent somewhere in the process, like Lakewood, and only 21 percent had not addressed the issue at all.

Council Member Wagner stated that HCD had gone to extremes and that their interpretation of emergency shelter was absurd. He remarked that in that area as well as density bonuses, HCD had pushed beyond what State law really required. He stated that the position on emergency shelter made no sense when there was not even an identified problem and could create other problems, such as the location of a shelter in one city which was intended to serve other, outlying areas. He concluded by stating he felt the matter was a political issue that should be addressed by the State Legislature.

City Attorney John S. Todd stated that while Council Member Wagner had many valid points, there was the real possibility that the City's General Plan could be attacked if the Housing Element was not certified by the State.

Commissioner Titel queried staff to determine what would be the most extreme effect should the Housing Element be adopted as presented. Mr. Ebner stated that after completing a zone classification study, an ordinance would be presented to the Commission and then the City Council to establish a zone classification for emergency shelters. Commissioner Titel noted that even with the establishment of an appropriate zone, a Conditional Use Permit could be required so that appropriate conditions of use could be set for any potential site.

Commissioner Wade inquired if there was the possibility for an exemption based on the extremely small number of homeless individuals. Mr. Ebner responded by stating that HCD had refused to consider offering any exemption, but had expressed interest in a concept whereby cities in a local area might pool resources to meet an identified need.

Council Member Rogers determined from Mr. Ebner that since Lakewood's neighboring cities of Long Beach, Cerritos, Signal Hill, Downey and Artesia already had certified Housing Elements and Bellflower and Paramount were currently in the review process, it was unlikely that approval of the Housing Element revisions would create any incentive to locate a homeless shelter in Lakewood.

JOINT SESSION WITH THE PLANNING AND ENVIRONMENT COMMISSION FOR REVIEW OF HOUSING ELEMENT RECOMMENDATIONS - Continued

Commissioner DuBois stated that the impacts of not having an approved General Plan due to an uncertified Housing Element, especially potential difficulty in obtaining grant funding, weighed heavily in the decision of the Commission on this matter. Mr. Oshimo responded by stating that although there were no grant requirements of which he was aware that referenced the Housing Element specifically, there were existing requirements that proposals be consistent with the General Plan. And the General Plan could not be approved without a certified Housing Element.

Commissioner Croft, noting that the City would have until the end of 2004 to come up with an ordinance establishing the appropriate zoning for emergency shelter, inquired what would happen if the City was unable to complete the process by the deadline. Mr. Ebner responded by stating that in that event, the next General Plan update would have to report that the goal had not been accomplished. Commissioner Croft stated that the revised language was a promise to address the issue, not a guarantee that it would be completed.

Council Member Piercy stated that the entire issue of emergency shelter for the homeless seemed to be more of a regional issue and inquired if Long Beach, being the largest city in the local area, had specific needs identified in its Housing Element. Mr. Ebner agreed that it is an issue that would be best addressed on a regional basis since most homeless were transient in nature, thus making it difficult to identify needs on a city-by-city basis. He stated that there was interest at the State level with having cities in a local area develop a regional plan.

Responding to a question from Council Member Rogers, Mr. Ebner stated that the requirements for Housing Elements had been stable and provided for updates every five years; however, there were advocacy groups pressing the State to make more changes. Council Member Rogers stated that there should be adequate time for cities to lobby their State legislators for changes that would make sense for cities.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Van Nostran adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk