

**AGENDA**

**REGULAR MEETING OF THE PLANNING COMMISSION  
CITY OF BELL GARDENS  
CITY COUNCIL CHAMBERS, 7100 GARFIELD AVENUE  
BELL GARDENS, CALIFORNIA**

**WEDNESDAY, July 19, 2017  
6:00 P.M.**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (562) 806-7706. Notification 48 business hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

***COMPLETE AGENDA PACKETS ARE AVAILABLE FOR PUBLIC INSPECTION AT THE FOLLOWING LOCATIONS: City Hall, Ross Hall Auditorium, Police Department, and Public Works Department***

**PLANNING COMMISSION**

**Tony Rivera**  
Chairperson

**Bartolome Carrillo**  
Vice- Chairperson

**Jose Hernandez**  
Commissioner

**Andrew Leon**  
Commissioner

**CITY STAFF**

**Abel Avalos**  
Director of Community  
Development

**John W. Lam**  
Assistant City Attorney

**Carmen Morales**  
City Planner

**Erika Gutierrez**  
Planning Secretary

**Hailes Soto**  
Associate Planner

**I. OPENING CEREMONIES**

- 1) Call to Order
- 2) Invocation
- 3) Pledge of Allegiance

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

June 21, 2017

**IV. PUBLIC COMMENT**

*Citizens wishing to address the Commission on any matter not on the Agenda may do so at this time. Please STATE YOUR NAME AND ADDRESS CLEARLY for the record.*

*Please note that while the Commission values your comments, pursuant to January 1, 1987 amendments of the Brown Act, the Commission cannot respond nor take any action until such time as the matter may appear as an item on a forthcoming agenda.*

**V. PUBLIC HEARING**

**A. Planning Commission**

1. **18 Unit Density Bonus Residential Apartment Project  
Density Bonus No. 2017-020 & Site Plan Review No. 2017-020  
5945 – 5953 Live Oak Street  
(File No. 2017-020)**

**Recommendation:** It is staff's recommendation that the Planning Commission adopt Planning Commission Resolution PC #2017-04:

1. Density Bonus No. 2017-020 for the 35% Density Bonus that grants an increase of residential dwelling units from 13 Base Density Units to 18 Density Bonus Units;
2. Three development concessions pursuant to Bell Gardens Municipal Code Chapter 9.59 (Affordable Housing Density Bonus and Incentives) in exchange for providing two very-low income dwelling units:
  - o Increase the maximum number of stories from two-stories to three-stories;
  - o Increase the maximum lot coverage of 45%; and
  - o Reduction in the required additional second and third story side yard setbacks.
  - o The Density Bonus No. 2017-020 is also requesting to use the Alternative Parking Standards by only providing two parking spaces per unit.
3. Approve and authorize the execution of the Density Bonus Agreement consistent with the City's Density Bonus Ordinance and State law and in a form approved by the City Attorney's Office; and
4. Site Plan Review No. 2017-020 to allow the development of an 18 unit residential apartment project at 5945 – 5953 Live Oak Street, Bell Gardens.

**2. Zoning Code Amendment No. 2017-035 – Ordinance No. 882  
(File No. 2017-035) – Accessory Residential Dwelling Units**

**Recommendation:** It is staff's recommendation that the Planning Commission adopt Planning Commission Resolution PC #2017-05 recommending the City Council:

1. Approval of Zoning Code Amendment No. 2017-035 adopting Ordinance No. 882 amending BGMC, Title 9 "Zoning and Planning Regulations" as follows:
  - a) Chapter 9.10 Residential Zones, Section 9.10.030, "Permitted Land Uses, Table 9.10A: Residential Land Use Matrix" deleting "Dwelling Second Unit" and adding "Dwelling Accessory Unit" and "Dwelling Accessory Unit-Junior," and
  - b) Chapter 9.20 "Special uses and Applicable Standards," adding Section 9.20.036 entitled "Accessory Dwelling Units."

**Substandard Properties – None**

**VI. DISCUSSION ITEMS**

**VII. STAFF COMMENTS**

**VIII. COMMISSIONER COMMENTS**

**ADJOURNMENT**

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**MINUTES OF THE REGULAR MEETING OF THE  
PLANNING COMMISSION OF THE CITY OF BELL GARDENS  
7100 GARFIELD AVENUE, BELL GARDENS, CA 90201**

**Wednesday, June 21, 2017**

**CALL TO ORDER**

The meeting was called to order in City Hall Council Chambers by Chairperson Rivera at 6:00 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Associate Planner, Hailes Soto gave the invocation.

City Planner, Carmen Morales led the Pledge of Allegiance.

**ROLL CALL**

Present: Commissioner Hernandez, Commissioner Leon, Vice-Chairperson Carrillo and Chairperson Rivera.

Absent: None

Staff Present: Abel Avalos, Director of Community Development, John W. Lam, Assistant City Attorney, Carmen H. Morales, City Planner, Erika Gutierrez, Planning Secretary and Samantha Lubrani, Translator

**APPROVAL OF MINUTES**

Chairperson Rivera asked for a motion on the minutes of May 17, 2017. A motion was made by Vice-Chairperson Carrillo and seconded by Commissioner Hernandez to approve the minutes of May 17, 2017. Motion carried by a vote of 4-0.

**PUBLIC COMMENT**

With no one wishing to speak, Chairperson Rivera closed public comment.

**PUBLIC HEARING**

**A. Planning Commission**

- 1. Eight Unit Apartment Development  
Site Plan Review No. 2017-021 and Variance No. 2017-021  
5734 Fostoria Street (File No. 2017-021)**

Mr. Soto gave the presentation on Site Plan Review No. 2017-021 and Variance No. 2017-021.

Chairperson Rivera asked the Commission if there were any comments for staff on the Public Hearing Item.

Chairperson Rivera asked staff if the existing fence located on the east side of the property would be demolished and replaced with a new one.

Mr. Soto stated a new six foot high double side split face block wall is being proposed around the perimeter of the site. Ms. Morales also stated that condition No. 34 of Resolution #PC 2017-03 pertains to the proposal of the new block wall.

Chairperson Rivera stated that the existing parkway sidewalk is very old and damaged and considering that the driveway will be moved as part of the new proposal, Chairperson Rivera asked staff if a condition could be added that the sidewalk be replaced with a new one.

Ms. Morales advised Chairperson Rivera that condition No. 26 of Resolution No. 2017-03 pertains to the public parkway sidewalk and curb and gutters to be field reviewed by the City Engineer's office to determine the condition of the right-of-way.

Mr. Lam advised Chairperson Rivera that condition No. 26 allows the City's Engineering office to go out to the site and inspect what portions of the sidewalk needs to be replaced, if any.

Ms. Morales stated that condition No. 25 references the applicant having to submit to the Public Works Department detailed engineering plans indicating all on-site and off-site improvements. Ms. Morales further indicated that the proposed project calls for the existing driveway and approach to be replaced; therefore, it would be a good idea to have the sidewalk replaced as well.

Chairperson Rivera recommended having staff add this condition as part of the approval of the project. Chairperson Rivera further stated that although condition No. 26 does state the sidewalk could be removed, it's not guaranteed it would be.

Ms. Morales stated it would not be uncommon to have this condition added for a new development.

Mr. Lam stated condition No. 26 could be modified to read:

***“Replace existing sidewalk, curb, gutter, and adjacent pavement along the front of the property to be reconstructed and replaced per City standards subject to permits and approval by the Public Works Department”.***

With no further questions from the Commission, Chairperson Rivera opened the public hearing.

Mr. James Iwamasa, representative of Form B Studio, approached the podium giving a brief description of the proposed project.

Hearing no one wishing to speak on the matter, Chairperson Rivera closed the public hearing.

A motion was made by Vice-Chairperson Carrillo with the amendment to condition No. 26 and was seconded by Commissioner Hernandez, to approve Site Plan Review No. 2017-021 and Variance No. 2017-021. Motion carried by a 4-0.

**B. Substandard Properties – None**

**DISCUSSION ITEMS – None**

**STAFF INFORMATION ITEMS – None**

**COMMISSION INFORMATION ITEMS – None**

**ADJOURNMENT**

Chairperson Rivera made a motion to adjourn the meeting at 6:28 p.m.

***RECORDED BY:***

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ERIKA GUTIERREZ, PLANNING SECRETARY

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**CITY OF BELL GARDENS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**AGENDA REPORT**

**TO:** Planning Commissioners

**FROM:** Abel Avalos, Director of Community Development  
Carmen H. Morales, City Planner *AM* *CHM*

**BY:** Hailes H. Soto, Associate Planner *H.S.*

**SUBJECT:** **18 Unit Density Bonus Residential Apartment Project  
Density Bonus No. 2017-020 & Site Plan Review No. 2017-020  
5945 – 5953 Live Oak Street  
(File No. 2017-020)**

**DATE:** July 19, 2017

**RECOMMENDATION:**

It is staff's recommendation that the Planning Commission adopt Planning Commission Resolution PC #2017-04 (Exhibit A), approving:

1. Density Bonus No. 2017-020 for the 35% Density Bonus that grants an increase of residential dwelling units from 13 Base Density Units to 18 Density Bonus Units;
2. Three development concessions pursuant to Bell Gardens Municipal Code Chapter 9.59 (Affordable Housing Density Bonus and Incentives) in exchange for providing two very-low income dwelling units:
  - a. Increase the maximum number of stories from two-stories to three-stories;
  - b. Increase the maximum lot coverage of 45%; and
  - c. Reduction in the required additional second and third story side yard setbacks.
  - d. The Density Bonus No. 2017-020 is also requesting to use the Alternative Parking Standards by only providing two parking spaces per unit.
3. Approve and authorize the execution of the Density Bonus Agreement consistent with the City's Density Bonus Ordinance and State law and in a form approved by the City Attorney's Office; and
4. Site Plan Review No. 2017-020 to allow the development of an 18 unit residential apartment project at 5945 – 5953 Live Oak Street, Bell Gardens (Subject Site).

**SITE DESCRIPTION:**

The Subject Site is located on the north side of Live Oak Street (Exhibit B) between Jaboneria Road and Ira Avenue. The Subject Site is zoned R-3 (High Density Residential) with a General Plan Land Use designation of "High Density Residential." The Subject Site consists of two regular-shaped parcels with a flat topography and a combined

total land area of 26,350 square feet. Access to the Subject Site is gained via two existing driveways along Live Oak Street. Currently, the Subject Site is developed with seven structures with an attached two-car garage. The dwelling units are currently not occupied. Table No. 1 below summarizes the land uses for the Subject Site's surrounding properties.

Table No. 1. Surrounding Land Uses

North	
Zone	R-3 (High Density Residential)
General Plan	High Density Residential
Use	Residential

East	
Zone	R-3 (High Density Residential)
General Plan	High Density Residential
Use	Residential

South	
Zone	R-3 (High Density Residential)
General Plan	High Density Residential
Use	Live Oak Street and Residential

West	
Zone	R-3 (High Density Residential)
General Plan	High Density Residential
Use	Residential

**BACKGROUND:**

Developing affordable housing is difficult due to the cost of land, permitting, and construction. When combined, these costs can be greater than the expected return on investment from affordable housing units. The State of California has recognized that affordable housing units can cost more than they can be rented or sold for, and so created the State Density Bonus Law in 1979.

In 2004, the California State Legislature revised the previous law by enacting SB 1818 revising several aspects of the density bonus law related to the provision of affordable housing (Government Code Section 65915) in an attempt to increase its use. These changes included creating a range of density bonuses of up to 35% for which affordable housing projects would be eligible based on the percentage of affordable units provided, and level of affordability in a project; requiring localities to offer a minimum of one to three incentives based on the type of affordable housing project; introducing land donations, and inclusion of child care facilities in developments as a means of obtaining a density bonus. State housing law requires jurisdictions to provide density bonuses and development incentives to all developers who propose to construct affordable housing on a sliding scale, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided, and the level of affordability, consistent with the provisions of Government Code Section 65915.

On May 13, 2013 the City Council adopted the City of Bell Gardens 2008-2013 General Plan Housing Element Update which included a program objective to amend the City's Zoning Code to incorporate the new State density bonus law (SB 1818) and the types of

incentives and/or regulatory concessions to be considered by the City. Specifically, Housing Element Program Objective 3 "Density Incentives," states the following:

*"Amend the Zoning Code to incorporate the new State density bonus law (SB 1818) and the types of incentives and/or regulatory concessions to be considered by the City."*

On November 25, 2013, the City Council adopted Zoning Code Amendment No. 2013-066 – Ordinance No. 855 that added new provisions to the City's Zoning Code to establish a procedure for the granting of density bonuses and incentives and/or regulatory concessions to applicant's proposing to develop affordable housing.

**PROJECT DESCRIPTION:**

To get the Project ready, the Applicant proposes to demolish all of the existing structures on the two parcels of land and combine both parcels into a single parcel of land through a lot merger that will be approved administratively pursuant to BGMC Chapter 9.88 (Parcel Mergers). Subsequently, the Applicant proposes to construct 18 residential apartment units at 5945 – 5953 Live Oak Street through the use of the State Density Bonus and three Incentives in exchange of dedicating two of the 18 units for very-low income residents for a period of 55 years. Two detached, three-story buildings will be built and each building will have nine townhome style apartment units. The apartment units range in size from 1,302 to 1,552 square feet which includes an attached 2-car garage for each unit. The two front units will consist of three bedrooms and two bathrooms, and the remaining 16 units will consist of three bedrooms and two and a half bathrooms. A total of 36 parking spaces will be provided inside the attached garages and two open guest parking spaces will be provided on the Subject Site. Access to the Subject Site will be gained via a 26 foot wide driveway off Live Oak Street, which will allow two-way traffic and provide the required backup distance. The project also includes the construction of new block walls on the perimeter of the Subject Site along with the construction of a new driveway approach and new landscaping throughout the property and public parkway.

**ANALYSIS:**

In reviewing the Applicant's request for Density Bonus No. 2017-020 and Site Plan Review No. 2017-020, staff has conducted a thorough analysis of this matter and associated components which are set forth below.

**Density Bonus No. 2017-020**

State Density Bonus law grants an increase of residential dwelling units and development concessions in exchange for providing below market rate dwellings. Title 9, Chapter 9.59 (Affordable Housing Density Bonus and Incentives) of the City's Municipal Code is consistent with state law (Section 65915 of the Government Code).

**Granting Density Bonus**

Pursuant to Chapter 9.59 of the Bell Gardens Municipal Code, the Density Bonus procedure is available to housing projects with five or more units. The Density Bonus allows up to a 35% dwelling unit density bonus for housing projects that provide a

percentage of units at affordable rates. The percentage of additional housing density granted is set by the State and based on the number of affordable units provided, and the level of affordability. Consequently, the City has no discretion whether to approve the increased density within a project if a certain number of units are set-aside as affordable. The intent of density bonuses is to encourage developers to include affordable housing in their projects in exchange for concessions from local municipalities, such as allowing an increase in the density of a development above the maximum limit.

The Density Bonus may be approved only in conjunction with a development permit (*i.e.*, Tentative Tract Map, Conditional Use Permit, Site Plan Review, et cetera). Under State law, a jurisdiction must provide a density bonus, and incentives will be granted at the Applicant's request based on specific criteria as will be discussed below.

#### Very Low Income Restricted Units

Applicant proposes to restrict two (2) residential units to Very Low Income Households. The income limits and maximum rent levels for affordable units are regulated by the California Department of Housing and Community Development (HCD). On an annual basis, HCD publishes the State income limits, which are used to qualify eligible households and to determine the maximum rents and/or housing costs permitted for affordable units (Exhibit C).

The Applicant proposes to designate two (2) units as affordable for very-low income households. Very-Low income households are defined as those earning 50% of the median family income (MFI) for Los Angeles County, based upon the size of the family. The maximum rent levels are determined by a formula defined in Sections 50052.5 and 50053 of the California Health and Safety Code. Based on the current income limits, and the unit size, the maximum rent would be \$750 per month adjusted for household size.

#### Base Density Calculation

In order to determine how much of a density bonus is allowed, the "Base Density" (the density allowed under the City's Zoning Ordinance without the density bonus), must first be calculated. Residential density regulations in City of Bell Gardens vary by zoning district. In residential districts, residential density is regulated by a ratio of units to lot area, such as one unit per 2,500 square feet of lot area in an R-3 zoned lot. The base density for the purposes of a Density Bonus would be measured based on the factor listed above.

The Subject Site consists of two parcels with a combined total land area of 26,350 square feet. Since the Subject Site is zoned R-3 and the lot square footage is within the 15,000 – 43,560 square foot range, the Base Density is one unit per 2,000 square feet of land area. Therefore, the Base Density on the Subject Site is 13 units (26,350 square feet / 2,000 square feet).

#### Density Bonus Calculation

The State Law provides a clear and non-negotiable metric for determining the permitted density bonus, up to 35% above the base density. The table below summarizes the Density Bonus and Incentives that will be granted based on the level of affordability.



Table No. 2. Density Bonus and Incentives

Restricted Affordable Units Category	Minimum % of Restricted Affordable Units	% of Density Bonus Granted	Number of Incentives
<b>Very Low Income</b> 50% AMI or below	5%	20%	1
	10%	32.5%	2
	<b>15% or above</b>	<b>35%</b>	<b>3</b>
Lower Income 80% AMI or below	10%	20%	1
	20%	35%	2
	30% or above	35%	3
Moderate Income 120% AMI or below	10%	5%	1
	20%	15%	2
	30%	25%	3
Senior Housing	100%	20%	3

In calculating the overall number of required affordable units, any decimal fraction shall be rounded up to the nearest whole number. Any additional units granted as a density bonus will not be counted in determining the required number of affordable units. In calculating the bonus to be received, any decimal fraction shall be rounded up to the nearest whole number.

As discussed in the Base Density Calculation and Density Bonus Calculation sections of this staff report, the following formulas are derived using the red and bold text numbers in Table No. 2:

- Construction of 13 Base Density new units to be offered for rent.
- 13 Base Density units x 15% Affordable Units = 1.9 = 2 very low income units
- 13 Base Density units x 35% Density Bonus = 4.5 = 5 unit density bonus

A 13 Base Density new unit project must provide a total of two very low income units to receive a five unit bonus. Therefore, the project may be constructed with a total of 18 units, 16 of which may be offered for rent at market rates. It should be noted that one of the 16 non-affordable units will be designated as a managers unit.

Granting Development Incentives

In addition to the housing density provided, a housing developer can request development incentives intended to improve the feasibility of building the proposed affordable housing. Chapter 9.59 defines the incentives that a developer may request, or the City may offer, to include:

- Reduced development standards (lot coverage, setbacks, parcel size)
- Other regulatory incentives or concessions that would result in cost reductions

Up to three concessions or incentives may be granted, depending on the amount and level of affordability in the project. The concessions and incentives must financially

benefit the project. Although the same Zoning Code section may be the subject of a concession or incentive, it is important to note that under the State Law concessions or incentives should offset financial costs of providing the affordable housing, and only up to three must be granted.

The State Density Bonus Law allows a developer to propose any incentive that they believe will help make the provision of affordable housing feasible. When an incentive, such as the ones requested below are requested and the request is coupled with the requisite number of affordable housing units, the City must grant the incentive unless a finding, which is based on substantial evidence, can be made that the incentive would not be necessary to provide the affordable housing or have a specific adverse effect on public health and safety.

### Three Incentives

As discussed above, since the Applicant is proposing 15% of the Base Density units to be restricted as affordable units, the Applicant will provide a total of two very low income units in exchange of receiving the 35% Density Bonus. The Applicant will be granted five bonus dwelling units on the project. The Applicant has requested three incentives as part of the project. The three incentives requested are: 1) Three Stories; 2) Lot Coverage; and 3) Second and Third Story Side Setbacks.

#### 1. Three Stories

The first incentive that the Applicant is requesting is to allow a three story project. Pursuant to BGMC Section 9.10.04, Table 9.10B (Residential Development Standards Matrix) the maximum height of structures is two stories. As such, the three stories proposed exceeds the City's code requirement which went into effect in 2007. In order for the Applicant to construct 18 dwelling units on the Subject Site, the Applicant had to minimize the building foot print. Due a smaller foot print, the Applicant had to resort to a three story building that will contain dwelling units that range in size from 1,302 to 1,552 square feet of living space.

#### 2. Lot Coverage

The second incentive that the Applicant is requesting is to allow the lot coverage to exceed 45% of the net lot area. Pursuant to BGMC Section 9.10.04, Table 9.10B (Residential Development Standards Matrix) the maximum lot coverage is 45%. Lot coverage is defined as the total building area (including breezeways, patio covers, and decks higher than 30 inches at any point) divided by the total lot area, but not including the required front yard. Lot coverage shall not include pools or wall/fence enclosures less than six feet in height and shall be calculated as follows:

- C = Percent of lot coverage
- B = Sum of all building areas
- L = Lot area
- F = Required front yard area

Formula: 
$$C = \frac{B}{(L - F)} \times 100.0$$

The Lot Coverage calculation is 26,350 sq. ft. – (Front Yard Setback of 15 foot depth x 120 foot width = 1,800 square feet of Required Front Yard Area) = 24,550 x 45% = 11,047.5 sq. ft. maximum lot coverage. The total building foot prints for both structures is 6,048 square feet which is the Sum of All Building Areas. Therefore, the lot coverage is approximately 12,096 sq. ft. which exceeds the maximum lot coverage by 1,048.5 square feet. As proposed, the lot coverage is 54.74% which exceed the maximum lot coverage permitted by the Zoning Code by 9.7%. In order for the Applicant to construct 18 dwelling units on the Subject Site, the Applicant had to minimize the building foot print. Even with a small foot print, the extra density on the property is contributing to the lot coverage exceeding the maximum 45%.

3. Second and Third Story Side Yard Setbacks

The third incentive that the Applicant is requesting is to allow a reduction in the required additional second and third story side yard setbacks on both buildings. Pursuant to BGMC Section 9.10.04, Table 9.10B (Residential Development Standards Matrix) the additional second and third story side yard setback applies to the entire second and third-story side elevation when the structure is greater than 50 feet in length. Forty percent of the second and third story side building elevation may remain on the same plane as the first story on the side. The second and third floors are cantilevered which is the opposite of a setback. A minimum of 60% (189 feet of building length x 60% = 113.4 feet) needs to be recessed a minimum of three feet) of the second and third story side building needs to be setback. In order for the Applicant to construct 18 dwelling units on the Subject Site, the Applicant had to minimize the building foot print. The first floor was designed with the smallest square footage of the three stories simply because the Applicant had to ensure all of the remaining development standards were met.

Alternative Parking Standards

An Applicant proposing a project that complies with the Density Bonus criteria found in BGMC Section 9.59.030, may request and is entitled to the parking ratios noted in Table No. 3 below. Parking may be provided through tandem parking or uncovered parking on the project site but not through on-street parking.

Table No. 3. Alternative Parking Standards

Number of Bedrooms	Minimum On-Site Parking Required
0 – 1	1/du
2 – 3	2/du
4 or more	2.5/du

The Applicant is proposing two parking spaces in a garage per unit. Therefore, a total of 36 parking spaces will be provided. Although not required, the Applicant is proposing two bonus open guest parking spaces at the rear of the property.

**Conditions of Approval**

To ensure that the Applicant constructs the project and restricts two of the units for very low income households, several conditions of approval are included in Planning Commission Resolution #PC 2017-04, including but not limited to:

1. Prior to issuance of a building permit, the applicant shall enter into an Affordable Housing Agreement with the City to the satisfaction of the City Attorney guaranteeing the affordability of the rental or ownership units for a minimum of 55 years, identifying the type, size and location of each affordable unit and containing requirements for administration, reporting and monitoring. Such Affordable Housing Agreement shall be recorded in the Los Angeles County Recorder’s Office.
2. Affordable units must be constructed concurrently with market-rate units and shall be integrated into the project. Affordable units shall be of equal design and quality as the market rate unit. Exteriors and interiors, including architecture, elevations, floor plans, interior finishes and amenities of the affordable units shall be equal to the market rate units. The number of bedrooms in the affordable units shall be consistent with the mix of market rate units.
3. Since only two guest parking spaces are proposed, the Applicant shall require all tenants to keep the garage spaces free and clear of any storage to ensure the residents use the garage for vehicle parking. Compliance requirements for the on-going inspection and monitoring of the parking will be included in the Affordable Housing Agreement.

**Site Plan Review No. 2017-021**

Pursuant to Chapter 9.58 of the Bell Gardens Municipal Code (“BGMC”), a Site Plan Review is established to provide a visual and factual document that may be used to determine and control the physical layout, design or use of a lot or parcel of land, buildings or structures. A site plan is required to determine whether or not a proposed development will properly comply with the provisions and development standards prescribed in the BGMC or as determined by the Planning Commission.



Although all the issues to be considered under Site Plan Review No. 2017-020 are closely related to each other, to facilitate the analysis of the Project, the Applicant's request will be analyzed under five major components: (1) Development Standards Compliance; (2) Site Layout; (3) Floor Plan Layout; (4) Building Design, Color, and Material; and (5) Traffic and Circulation.

1. Development Standards Compliance

The Project is consistent with the R-3 (High Density Residential) zone in which it is located. All development standards including but not limited to minimum dwelling unit size are met with the inclusion of the Density Bonus Incentives. As part of this proposal, the Applicant is also providing each unit with private open space in the form of a balcony and is providing common open space situated on both side yards and rear yard areas of the Subject Site. However, the Applicant is requesting approval of three incentives as part of the Density Bonus No. 2017-020 application: 1) Three Stories; 2) Lot Coverage; and 3) Second and Third Story Side Setbacks.

2. Site Layout

The Project consists of two buildings, three-stories high, fronting Live Oak Street. Both buildings consist of four attached townhome style apartment units and will be provided with a two-car garage (Exhibit D). Access to the site is gained off Live Oak Street via a 26 foot wide driveway and driveway approach located in the middle of the Subject Site. There are a total of 36 parking spaces to be provided inside the attached garage for each of the units. Although there are no requirements for the Applicant to provide any guest parking spaces, two open guest parking spaces will be provided at the rear yard area of the Subject Site.

A trash enclosure structure will be located by the guest parking spaces. The Applicant will be required to construct a new six foot high block wall along the perimeter of the Subject Site. The setback areas will be landscaped throughout the property. Pedestrian walkways are proposed within the side yard areas of the Subject Site. The Applicant will be required to provide a lighting plan to ensure that all walkways are both adequately illuminated as well as aesthetically pleasing. The common open space will be located in the rear yard of the property.

3. Floor Plan Layout

The proposed apartment units will be three stories high. Both Building #1 Building #2 are mirror images of each other and consist of three bedrooms with an attached two-car garage (Exhibit E). The two front units in each building consist of three bedrooms and two bathrooms with an attached two-car garage. The typical first floor is approximately 233 square feet of living space that includes a living area. Approximately 608 square feet is proposed for the second story consisting of a grand room, kitchen, and bathroom (only the front units will have a bedroom on the second floor). Approximately 461 to 711 square feet is proposed for the third floor

consisting of the bedrooms and bathroom(s). Each unit is designed with approximately 81 to 126 square feet of private open space in the form of a balcony.

4. Building Design, Color, and Material

The Applicant has worked closely with staff in creating a development that reflects the characteristics of the City and the existing adjacent developments. The proposed project has been designed to incorporate a combination of traditional architecture including the use of stucco-finished walls, wood siding, concrete slate tile roofs, and brick veneer (Exhibit F and Exhibit G). The balconies are fabricated out of wood and wrought iron. The final selection of colors and materials will be subject to review and approval by the Community Development Department.

5. Traffic and Circulation

The site accommodates a total of 38 parking spaces that are accessible from the primary drive aisle and driveway. A total of 36 parking spaces are provided in the form of garages attached to each apartment unit and two open parking spaces are provided for guest parking. Ingress and egress is gained to the property via a 26 foot wide driveway and driveway approach off Live Oak Street.

Both the City Engineer and the Los Angeles County Fire Department have reviewed the proposed project and have issued comments relating to access of the site. Furthermore, the project will be required to meet all access and fire flow requirements.

The Applicant has requested approval of Site Plan Review No. 2017-020 which, if approved, will allow the proposed development on the Subject Site. After thorough analysis, staff finds that all applicable information required per Chapter 9.59 has been submitted and all standards of development per Section 9.10.040, Table 9.10B have been met. Staff supports granting approval of Density Bonus No. 2017-020 based on the fact that the improvements proposed on the Subject Site will provide additional housing. Site Plan Review No. 2017-020 and Density Bonus No. 2017-020 must both be approved by the Planning Commission since the Site Plan Review can only be in full compliance with all of the provisions of the Bell Gardens Municipal Code if the Density Bonus is approved to allow the deviation from BGMC Section 9.10.040.

**FINDINGS:**

**Density Bonus No. 2017-020 - Findings for Rejecting a Development Incentive**

The Planning Commission shall grant the requested density bonus together with any requested incentive(s) or concession(s) for a project if the requests are found to be in compliance with all applicable sections of Chapter 9.59 of the Bell Gardens Municipal Code and state law, unless specific denial findings can be made, which based on staff's analysis of the Project cannot.

## Site Plan Review No. 2017-020

Approval or disapproval of any site plan shall be used upon the following findings and principles and set forth in Section 9.58.060 of the Bell Gardens Municipal Code:

1. **That every use, development of land and application of development standards shall take place in compliance with all applicable provisions of this Ordinance.**

**Finding:** The proposed use, development of land and application of development standards shall take place in compliance with all applicable provisions of this Ordinance because the Project is consistent with the R-3 (High Density Residential) zone. Moreover, as mentioned in the analysis section of this staff report, the Project will be developed in accordance with all development standards located in Table 9.10A: Residential Land Use Matrix of the Zoning Code with the inclusion of the Density Bonus Incentives.

2. **That every use, development of land, and application of development standards shall be considered on the basis of the suitability of this site for the particular use or development intended.**

**Finding:** Every use, development of land, and application of development standards shall be considered on the basis of the suitability of this site for the particular use or development intended because Staff has analyzed the proposed project and has determined that the project is consistent with the provisions of the R-3 Zone in which the Subject Site is located. All existing structures will be demolished in order to accommodate the proposed 18 new units with the inclusion of the Density Bonus Incentives. Adjacent properties to the north, south, west, and east are developed with similar uses. Moreover, the proposed Project is consistent with the General Plan Land Use designation of High Density Residential. Therefore, the subject site is suitable for the particular use/development intended.

3. **That the total development, including the application of prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, and prevent adverse effects on neighboring property and shall be in general accord with all elements of the General Plan.**

**Finding:** The total development, including the application of prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property because the proposed project has been designed to ensure the proper on-site and off-site circulation and is consistent with the General Plan Land Use designation of "High Density Residential." To that end, access to the site is gained via a proposed 26 foot wide driveway and driveway approach off Live Oak Street with sufficient parking for tenants and their guests with the

inclusion of the Density Bonus Incentives. Live Oak Street is designated as a Local Street in the General Plan Circulation Element and is adequate in width to accommodate on-site and off-site circulation for forecasted traffic. Moreover, all agencies reviewed the proposed Project and, in certain cases, issued conditions of approval, all of which have been incorporated into Planning Commission Resolution PC #2017-04.

4. **That every use, development of land and application of development standards shall be considered on the basis of suitable and functional development design, but it is not intended that such approval be interpreted to require a particular style or type of architecture.**

**Finding:** Every use, development of land and application of development standards have been considered on the basis of suitable and functional development design for this project. Staff worked with the applicant to ensure every use, development of land and application of development standards is considered on the basis of suitable and functional development design. Specifically, staff worked with the architect to create a design that will not only enhance the overall appearance of the area but is consistent with the overall style of architecture within the City. Adjacent residential uses are similarly developed with multi-family dwelling units.

#### **ENVIRONMENTAL REVIEW:**

In accordance with the provisions and guidelines of the California Environmental Quality Act ("CEQA"), the project qualifies for a Class 32 Categorical Exemption pursuant to Section 15332 (In-Fill Development) and a Class 3 Categorical Exemption pursuant to Section 15303(b) (New Construction or Conversion of Small Structures) of the State CEQA Guidelines. The proposed project is (1) consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations because the property is zoned R-3 and the proposed residential development is consistent with the R-3 zoning designation, the Land Use Element, and the Housing Element; (2) the proposed project occurs within the City limits and the project site is only 26,350 square feet; (3) the project site is currently developed with three single family dwelling units with an attached two-car garage in a fully urbanized area and has no value as habitat or endangered, rare, or threatened species; (4) the approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (5) the site can be adequately served by all required utilities and public services. The proposed project consists of 18 residential apartment units, two of which will be restricted to very low income households, located on a site that is in an urbanized area. Moreover, to the extent that the requested concessions and incentives are not discretionary pursuant to Density Bonus Law and the BGMC, the granting of the concessions and incentives are ministerial acts not subject to CEQA.

#### **CONCLUSION:**

The development of the Property will allow the City to achieve several objectives. First, the construction of the project will increase the amount of housing stock in the City and will also enhance the general appearance of the neighborhood. Second, the project will

be developed in accordance to Section 9.10.040 (High Density Residential) and Chapter 9.59 (Affordable Housing Density Bonus and Incentives) of the Bell Gardens Municipal Code, increasing the City's supply of affordable housing. Moreover, the Project will meet the communities need for large family housing dwelling units.

The proposed project has been routed to all public agencies and City departments for review. The Building & Safety and Police Departments have commented that they have no objection to the proposed project. The Los Angeles County Fire Department has granted preliminary approval of the site plan layout. Planning Commission Resolution #PC 2017-04 contain conditions of approval that address any concerns from the various agencies and City departments.

**FISCAL IMPACT:**

None.

**ATTACHMENTS:**

- Exhibit A – Resolution #PC 2017-04
- Exhibit B – Vicinity Map (with 500-foot Radius Map)
- Exhibit C – State Income Limits for 2017
- Exhibit D – Proposed Site Plan
- Exhibit E – Floor Plans
- Exhibit F – Elevations (Building 1)
- Exhibit G – Elevations (Building 2)
- Exhibit H – Public Hearing Notice

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# **EXHIBIT A**

**Resolution  
#PC 2017-04**

**RESOLUTION #PC 2017-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF BELL GARDENS APPROVING DENSITY BONUS NO. NO. 2017-020  
AND SITE PLAN REVIEW NO. 2017-020  
(File No. 2017-020)**

**WHEREAS**, the Applicant and property owner, Manuel Rincon and Luis Rincon, have requested the approval of Density Bonus No. 2017-020 and Site Plan Review No. 2017-020 to allow the development of 18 residential apartment units at 5945 – 5953 Live Oak Street (“Property”) in the City of Bell Gardens (“City”) through the use of the State Density Bonus and three Incentives in exchange of dedicating two of the 18 units for very low income residents;

**WHEREAS**, the Subject Site is presently zoned R-3 (High Density Residential) and the General Plan Land Use Designation is “High Density Residential”;

**WHEREAS**, developing affordable housing is difficult due to the cost of land, permitting, and construction. When combined, these costs can be greater than the expected return on investment from affordable housing units;

**WHEREAS**, the State of California has recognized that affordable housing units can cost more than they can be rented or sold for, and so created the State Density Bonus Law in 1979;

**WHEREAS**, in 2004, the California State Legislature revised the previous law by enacting SB 1818 revising several aspects of the density bonus law related to the provision of affordable housing (Government Code Section 65915) in an attempt to increase its use;

**WHEREAS**, these changes included creating a range of density bonuses of up to 35% for which affordable housing projects would be eligible based on the percentage of affordable units provided in a project; requiring localities to offer a minimum of one to three incentives based on the type of affordable housing project; introducing land donations, and inclusion of child care facilities in developments as a means of obtaining a density bonus;

**WHEREAS**, State housing law requires jurisdictions to provide density bonuses and development incentives to all developers who propose to construct affordable housing on a sliding scale, where the amount of density bonus and number of incentives vary according to the amount of affordable housing units provided consistent with the provisions of Government Code Section 65915;

**WHEREAS**, on May 13, 2013 the City Council adopted the City of Bell Gardens 2008-2013 General Plan Housing Element Update which included a



program objective to amend the City's Zoning Code to incorporate the new State density bonus law (SB 1818) and the types of incentives and/or regulatory concessions to be considered by the City;

**WHEREAS**, on November 25, 2013, the City Council adopted Zoning Code Amendment No. 2013-066 – Ordinance No. 855 that added new provisions to the City's Zoning Code to establish a procedure for the granting of density bonuses and incentives and/or regulatory concessions to applicant's proposing to develop affordable housing;

**WHEREAS**, the Applicant is proposing to construct 18 residential apartment units at 5945 – 5953 Live Oak Street through the use of the State Density Bonus and three Incentives in exchange of dedicating two of the 18 units for very low income residents;

**WHEREAS**, the two parcels will be merged to accommodate this project;  
and

**WHEREAS**, on July 19, 2017, the Planning Commission held a public hearing and has fully reviewed and considered all facts and evidence, both written and testimonial, pertaining to Density Bonus No. 2017-020 and Site Plan Review No. 2017-020.

**NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and are incorporated herein.

**SECTION 2.** Pursuant to Title 9, Section 9.58.060 of the Bell Gardens Municipal Code, the Planning Commission makes the following findings in support of the proposed Site Plan Review to allow for the development of 18 apartment units on the Subject Site based on the following findings:

- a. **That every use, development of land and application of development standards shall take place in compliance with all applicable provisions of this Ordinance.**

**Finding:** The proposed use, development of land and application of development standards shall take place in compliance with all applicable provisions of this Ordinance because the Project is consistent with the R-3 (High Density Residential) zone. Moreover, as mentioned in the analysis section of this staff report, the Project will be developed in accordance with all development standards located in Table 9.10A: Residential Land Use Matrix of the Zoning Code with the inclusion of the Density Bonus Incentives.

- b. **That every use, development of land, and application of development standards shall be considered on the basis of the suitability of this site for the particular use or development intended.**

**Finding:** Every use, development of land, and application of development standards shall be considered on the basis of the suitability of this site for the particular use or development intended because Staff has analyzed the proposed project and has determined that the project is consistent with the provisions of the R-3 Zone in which the Subject Site is located. All existing structures will be demolished in order to accommodate the proposed 18 new units with the inclusion of the Density Bonus Incentives. Adjacent properties to the north, south, west, and east are developed with similar uses. Moreover, the proposed Project is consistent with the General Plan Land Use designation of High Density Residential. Therefore, the subject site is suitable for the particular use/development intended.

- c. **That the total development, including the application of prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, and prevent adverse effects on neighboring property and shall be in general accord with all elements of the General Plan.**

**Finding:** The total development, including the application of prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property because the proposed project has been designed to ensure the proper on-site and off-site circulation and is consistent with the General Plan Land Use designation of "High Density Residential." To that end, access to the site is gained via a proposed 26 foot wide driveway and driveway approach off Live Oak Street with sufficient parking for tenants and their guests with the inclusion of the Density Bonus Incentives. Live Oak Street is designated as a Local Street in the General Plan Circulation Element and is adequate in width to accommodate on-site and off-site circulation for forecasted traffic. Moreover, all agencies reviewed the proposed Project and, in certain cases, issued conditions of approval, all of which have been incorporated into Planning Commission Resolution PC #2017-04.

- d. **That every use, development of land and application of development standards shall be considered on the basis of suitable and functional development design, but it is not intended that such approval be interpreted to require a particular style or type of architecture.**

**Finding:** Every use, development of land and application of development standards have been considered on the basis of suitable and functional development design for this project. Staff worked with the applicant to

ensure every use, development of land and application of development standards is considered on the basis of suitable and functional development design. Specifically, staff worked with the architect to create a design that will not only enhance the overall appearance of the area but is consistent with the overall style of architecture within the City. Adjacent residential uses are similarly developed with multi-family dwelling units.

**SECTION 3.** In accordance with the provisions and guidelines of the California Environmental Quality Act ("CEQA"), the project qualifies for a Class 32 Categorical Exemption pursuant to Section 15332 (In-Fill Development) and a Class 3 Categorical Exemption pursuant to Section 15303(b) (New Construction or Conversion of Small Structures) of the State CEQA Guidelines. The proposed project is (1) consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations because the property is zoned R-3 and the proposed residential development is consistent with the R-3 zoning designation, the Land Use Element, and the Housing Element; (2) the proposed project occurs within the City limits and the project site is only 26,350 square feet; (3) the project site is currently developed with three single family dwelling units with an attached two-car garage in a fully urbanized area and has no value as habitat or endangered, rare, or threatened species; (4) the approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (5) the site can be adequately served by all required utilities and public services. The proposed project consists of 18 residential apartment units, two of which will be restricted to very low income households, located on a site that is in an urbanized area. Moreover, to the extent that the requested concessions and incentives are not discretionary pursuant to Density Bonus Law and the BGMC, the granting of the concessions and incentives are ministerial acts not subject to CEQA.

**SECTION 4.** Density Bonus No. 2017-020 and Site Plan Review No. 2017-020 are hereby approved to allow for the development of 18 residential apartment units on the Subject Site, subject to the following Conditions of Approval:

1. The property shall be improved and maintained in accordance with;
  - a. All application material on file in the Community Development Department and Exhibits A through H included in the staff report and incorporated herein by this reference.
  - b. All applicable laws, including but not limited to the Bell Gardens Municipal Code and the Bell Gardens Zoning Ordinance.
  - c. All conditions of approval as set forth in this Planning Commission Resolution for Density Bonus No. 2017-020 and Site Plan Review No. 2017-020.

2. All conditions stated herein shall be binding upon the Applicant's, their successors and assigns; shall run with the land; shall limit and control the issuance and validity of certificates of occupancy; and shall restrict and limit the construction, location, use and maintenance of all land and structures adjacent to or within the subject property.
3. Density Bonus No. 2017-020 and Site Plan Review No. 2017-020 and all rights hereunder shall terminate within one (1) year of the effective date of the permit, unless operations are commenced or a written time extension is granted by the Planning Commission based on a written request submitted to the Bell Gardens Community Development Department prior to the expiration of the one (1) year period as provided in Section 9.50.160 of the Bell Gardens Municipal Code.
4. The abandonment or non-implementation of the conditions stated in the Density Bonus and Site Plan Review for a consecutive period of one (1) year shall terminate the Permit, and any privileges granted thereunder shall become null and void.
5. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed in writing of this use and development of said property as set forth by this permit together with all conditions, which are a part thereof.
6. Pursuant to BGMC Chapter 9.62 (Revocations), violation of any of the conditions of this approval shall be cause for revocation and termination of all rights hereunder.
7. The Director of Community Development and/or his/her designee are hereby authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same result as would strict compliance with said plans and conditions.
8. The property shall be developed and maintained in a neat, quiet and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
9. Graffiti on buildings, walls, and other associated equipment or other private property shall be removed within 48 hours of its discovery. If painting is required, the paint shall match existing color.

**Lot Merger**

10. Prior to submitting structural plans for the project to Building and Safety plan check, the Applicant shall submit a complete Lot Merger application to the Community Development Department.

11. Prior to the final inspection by the City, the Applicant shall record or cause to be recorded a Merger of Parcels for [APN 6228-003-013] and [APN 6228-003-014] with the Los Angeles County Recorder Office. Furthermore, the applicant shall submit a copy of the recorded document to the Community Development Department and the Los Angeles County Fire Department.

### **Affordability**

12. Prior to issuance of a building permit, the Applicant shall enter into an Affordable Housing Agreement with the City to the satisfaction of the City Attorney guaranteeing the affordability of the rental units for a minimum of 55 years, identifying the type, size and location of each affordable unit and containing requirements for administration, reporting and monitoring. Such Affordable Housing Agreement shall be recorded in the Los Angeles County Recorder's Office.
13. Affordable units must be constructed concurrently with market-rate units and shall be integrated into the project. Affordable units shall be of equal design and quality as the market rate unit. Exteriors and interiors, including architecture, elevations, floor plans, interior finishes and amenities of the affordable units shall be equal to the market rate units. The number of bedrooms in the affordable units shall be consistent with the mix of market rate units.
14. As part of the Affordable Housing Agreement, the Applicant shall have a Parking Management Plan which shall require all tenants to keep the garage spaces free and clear of any storage to ensure the residents use the garage for vehicle parking. The Parking Management Plan shall provide for City staff to conduct regular inspections and monitoring of the garages to ensure compliance with this condition.

### **Construction Measures**

15. Hours and days of construction and grading shall be as follows: Monday through Saturday, not before 8:00 A.M. and not after 7:00 P.M. of the same day. No construction or grading of the site shall take place on Sundays and holidays.
16. The construction activities within the portion of the development site shall comply with the City's noise control regulations.
17. The following construction practices shall be implemented by all Project contractors to reduce construction noise levels:

- a. Ensure that construction equipment is properly muffled according to industry standards. All power construction equipment shall utilize noise shielding and muffling devices.
  - b. Locate the construction staging area and noise-generating equipment away from adjacent residents as much as feasible.
18. Vehicles associated with the construction of the proposed project shall not be permitted to park on the public right-of-way.
  19. The construction of the project shall conform to the provisions contained in the California Building Code including the California Green Building Code Construction and Demolition Diversion Requirements.
  20. The Applicant shall comply with all Americans with Disabilities Act (ADA) requirements as part of the Building and Safety plan check process.
  21. The Applicant shall obtain all required permits from the City of Bell Gardens Building and Safety Division prior to commencing construction of the project.
  22. Storage of building materials related to construction activities shall be contained within the project site.
  23. Contractors and subcontractors engaged in the construction activities of the project shall obtain a business license and all required permits from the City of Bell Gardens.
  24. A six foot high chain link fence and gate shall be installed around the perimeter of the property during the entire construction and demolition of existing structures on the project. The gate shall be closed and locked after construction hours.

**Building / Site Improvements**

25. All on-site electrical service connections to the proposed development shall be installed underground. If transformers are required, they shall be placed in underground vaults. The Applicant is responsible for contacting Southern California Edison and arranging electrical service at the appropriate stage of construction. Installation is subject to approval of the Customer Service Planner at Southern California Edison Company.
26. All on-site cable television service connections to each apartment unit shall be installed underground. Cable shall be provided at a minimum of three locations within the dwelling units. All cable and connectors shall be screened completely from view within the building served. Visible cabinet and boxes shall be treated to match the materials and colors of the building. The Applicant is responsible for contacting the cable provider and arranging

cable installation at the appropriate stage of construction. Type and location of cable installation is subject to approval of the Construction Coordinator of the City's Cable Franchisee.

27. All on-site gas service connections to each apartment unit shall be installed underground. All surface or ground mounted gas meters and mechanical equipment shall be screened from public view and treated to match the materials and colors of the building. The installation is subject to approval of the Southern California Gas Company.
28. Prior to the issuance of a building permit, the Applicant shall be responsible for contacting, and complying with the conditions imposed by Southern California Edison, Golden State Water Company, L.A. County Sanitation District and the Los Angeles County Fire Department.

#### **LA County Fire Department**

29. The Applicant shall conform to all specifications and standards from the Los Angeles County Fire Department and shall secure all required approvals and permits prior to commencing the construction of the project.

#### **Public Works Department**

30. Prior to commencing construction of the project, the Applicant shall obtain approval for the connection to the Sanitary Sewer System.
31. The Applicant shall comply with all requirements according to the NPDES rules.
32. The Applicant shall submit to the Public Works Department detailed engineering plans indicating all on-site and off-site improvements. The off-site improvements shall include the construction, removal and replacement of standard sidewalks, driveways, ADA ramps, curbs and gutters.
33. The existing sidewalk, curb, gutter, and pavement along the front of the property shall be reconstructed in accordance to City standards and subject to permits and approval by the Public Works Department.
34. A new driveway and driveway approach shall be constructed with a minimum of six inch concrete in accordance to City Standards. Removal of the existing driveway approach and the construction of new driveway and driveway approach shall conform to City standards and shall be subject to permits and approval by the Public Works Department.
35. The Applicant shall obtain permits from the Department of Public Works/Engineering prior to all off-site improvement work.

**Landscaping**

36. Prior to the issuance of a building permit, the Applicant shall submit to the Community Development Department four sets of landscaping and irrigation plans prepared by a licensed landscape architect.
37. The Applicant shall be responsible for the payment of all landscaping and irrigation plan check fees. Payment of said fees shall be made to the City at the time of plan submittal to the Community Development Department.
38. A permanent automatic landscaping irrigation system shall be installed for all landscaped areas. Details of the proposed irrigation system shall be included as part of the plans to be submitted for review to the Community Development Department. A separate electrical, gas and water meter shall be installed for all common areas.
39. All planters and landscaped areas, unless otherwise specified on the plans, shall be protected with a six (6) inch high concrete curb.
40. All designated landscaped areas shall be fully planted prior to the issuance of a building final and Certificate of Occupancy by the City. The type, number, size, and location of all planting material, including but not limited to trees, shrubs, groundcover and sod shall be subject to review and approval of the Community Development Department.
41. Two twenty four inch (24") box trees shall be planted in the parkway area located in front of the Subject Site as per City standards. The tree specimen shall be approved by the Public Works Department.

**Fence/Walls**

42. A six foot high double side split face block wall fence shall be constructed along both sides and rear property lines of the site. The height of the wall shall be decreased to 42 inches in height if located within the required front yard setback area. The new walls shall be provided with a concrete cap of the same color and material as the block walls. The type and color of the block and wrought iron fencing material shall be subject to review and approval by the Community Development Department. The block wall shall be constructed in accordance to the Bell Gardens Municipal Code. The height of all new walls shall be measured from the highest finished grade level on either side of the property line.
43. The Applicant shall work closely with the Community Development Department staff to address any finished grade differences between the



Subject Site and the public right-of-way in order to determine the final height of all fences.

44. Prior to the issuance of a building permit, the Applicant shall submit three sets of fence plans to the Community Development Department for review and approval. The plans shall include details on the construction of all block wall fences and gates proposed on the property.
45. The Applicant shall obtain all permits from the City prior to the construction of all new fences and gates. The height of the all new fences shall be measured from the highest finished grade level on either side of the property line.

### **Parking / Driveway**

46. Guest parking spaces shall be striped in accordance to City Standards. The new driveway and guest parking space area shall be constructed of concrete. Guest parking spaces shall be provided with a concrete wheel stop at the front of the stall.
47. Decorative colored concrete bands shall be placed at different locations along the driveway for accents. The final design selection layout and material selection to be utilized on the driveway surface shall be subject to review and approval by the Community Development Department.

### **Architecture**

48. Prior to the issuance of a Building Permit for construction of the project, the Applicant shall submit, for review and approval to the Community Development Department, a lighting plan for all exterior areas of the site. New light standards, light fixtures, and building security lights shall be shielded, directed downward, and have sharp cutoff qualities at property lines, in order to minimize light spillover effects and glare onto neighboring properties. The Applicant shall submit copies of manufacturer's brochure for all light fixtures proposed on the Subject Site to the Community Development Department for review and approval prior to the issuance of building permits by the City. The final selection of all light fixtures shall be subject to review and approval by the Community Development Department. A separate electrical meter shall be installed for all common areas.
49. The exterior elevations of the building shall be provided with stucco finish (including eaves), hardie panel sidings, brick veneer, concrete tile roofs, wrought iron balcony railings, and precast door and window moldings. Final selection of color and material to be used on the building shall be subject to review and approval by the Community Development Department.

50. The Applicant shall work closely with staff to determine the final architectural design of the proposed balcony railings. The Applicant shall submit shop drawings for the wrought-iron balcony railings that shall include a screening material such as perforated metal. The final selection of colors and materials shall be subject to review and approval by the Community Development Department.
51. The second floor balconies proposed on all units shall be restricted to serve as private open space for the residents of these units and shall not be utilized for outdoor storage at any time.
52. All new mechanical equipment, including but not limited to air compressor units located on the balcony of each unit, shall be screened.
53. Any outside utility equipment such as gas meters, water heater, etc. shall be screened from public view and shall not be visible from the public right-of-way. If the utility equipment is enclosed, the structure shall be painted to match the exterior color of the new dwelling units on the property.
54. Vents, flashing, pipes and water heater enclosures shall be painted with the same color as the surface to which they are attached to and in accordance with the approved color and material sample board.
55. The doors to be installed on the proposed garages shall be of a "Sectional" type and provided with an automatic door opening mechanism. The design of the doors shall compliment the overall architectural design of the new dwelling units proposed on the Subject Site. Garage doors must have solid "sections," without any glass or plastic windows.
56. The Applicant shall work closely with City staff to coordinate appropriate accommodations for waste service on the Subject Site. The trash enclosure structure shall be constructed with a six foot high split face concrete block wall and shall match the proposed perimeter walls. A six foot high solid metal gate shall be installed and provided with a self-closing and self-latching mechanism. The top of the enclosure structure shall be protected with a metal decorative trellis and painted the same color as the building. The metal gates and skills shall be painted the same color as the building. Minimum of 4 inches of concrete with a 6 inch concrete curb shall surround the walls to prevent dumpster from damaging walls. Trash trucks are required to pick up trash bins within the Subject Site.
57. The final location and design of the trash enclosure shall be subject to the approval of the Community Development Department.

58. The Applicant shall work closely with the United State Postal Office and the Community Development Department in developing the exact location and type of mailboxes to be installed on the property. The location and type of mailboxes shall be subject to the approval of the Community Development Department.

**Miscellaneous**

59. The Project shall be completed in one phase. All required site improvements indicated on the approved plans and this Resolution shall be completed prior to final inspection by the City.
60. The project site shall be cleared of all debris prior to the issuance of a final building inspection by the City.
61. The Applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding (collectively referred to as "Proceedings") brought against the City, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the Applicant's project or application. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred in connection with the Proceedings whether incurred by the Applicant, the City and/or the parties initiating or bringing such Proceedings. This indemnity provision shall include the Applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City's interest in the Proceedings.
62. The Applicant shall sign, notarize, and return to the Community Development Department an affidavit accepting all Conditions of Approval on Density Bonus No. 2017-020 and Site Plan Review No. 2017-020 within 15 days from the date of approval of the Planning Commission Resolution #PC 2017-04. The Applicant acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the Commission's grant of approval and failure to comply with any condition contained herein shall render this Density Bonus and Site Plan Review non-binding as against the City and shall confer the Applicant no legal rights under the law.

**SECTION 5.** Pursuant to BGMC Section 9.59.110, the Planning Commission hereby approves and authorizes the City to execute of the Density Bonus Agreement consistent with the City's Density Bonus Ordinance, State law,

and this Resolution in a form approved by the City Attorney's Office.

**SECTION 6.** The Commission Secretary shall certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

**PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of July, 2017.**

\_\_\_\_\_  
*TONY RIVERA, CHAIRPERSON*

ATTEST:

\_\_\_\_\_  
*ERIKA GUTIERREZ, SECRETARY*

APPROVED AS TO FORM:

\_\_\_\_\_  
*JOHN LAM, ASSISTANT CITY ATTORNEY*

# **EXHIBIT B**

## **Vicinity Map (with 500-foot Radius Map)**

# VICINITY MAP

## Density Bonus & Site Plan Review No. 2017-020 5945 - 5953 Live Oak Street (File No. 2017-020)

Subject Site



# **EXHIBIT C**

## **State Income Limits for 2017**



## EXHIBIT C

### State Income Limits for 2017

Attached are the State Income Limits for 2017. Income limits reflect updated median income and household income levels for extremely low-, very low-, low-, and moderate-income households for Los Angeles County.

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8
Los Angeles County	Extremely Low	18950	21650	24350	27050	29250	32960	37140	41320
	<b>Very Low Income<sup>1</sup></b>	<b>31550</b>	<b>36050</b>	<b>40550</b>	<b>45050</b>	<b>48700</b>	<b>52300</b>	<b>55900</b>	<b>59500</b>
4-Person Area Median Income: <b>\$64,800</b>	Low Income *	50500	57700	64900	72100	77900	83650	89450	95200
	<b>Median Income</b>	45350	51850	58300	<b>64800<sup>2</sup></b>	70000	75150	80350	85550
	Moderate Income	54450	62200	70000	77750	83950	90200	96400	102650
*Low income exceeding median income is due to HUD adjustments to the Very Low-Income income limit to account for high housing costs.									
<sup>1</sup> Used to qualify households, adjusted for household size.									
<sup>2</sup> Used to calculate maximum rent.									

The State's Official 2017 Income Limits can be downloaded on the Department of Housing and Community Development's website at <http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml>.



# **EXHIBIT D**

## **Proposed Site Plan**

CONSULTANT:

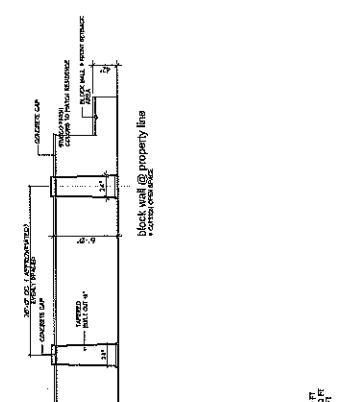
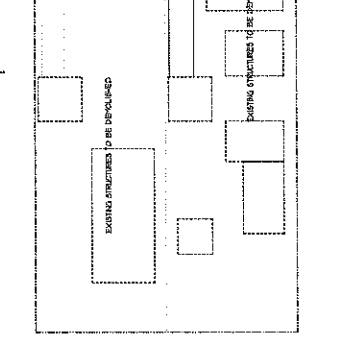
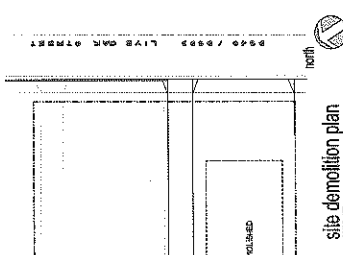
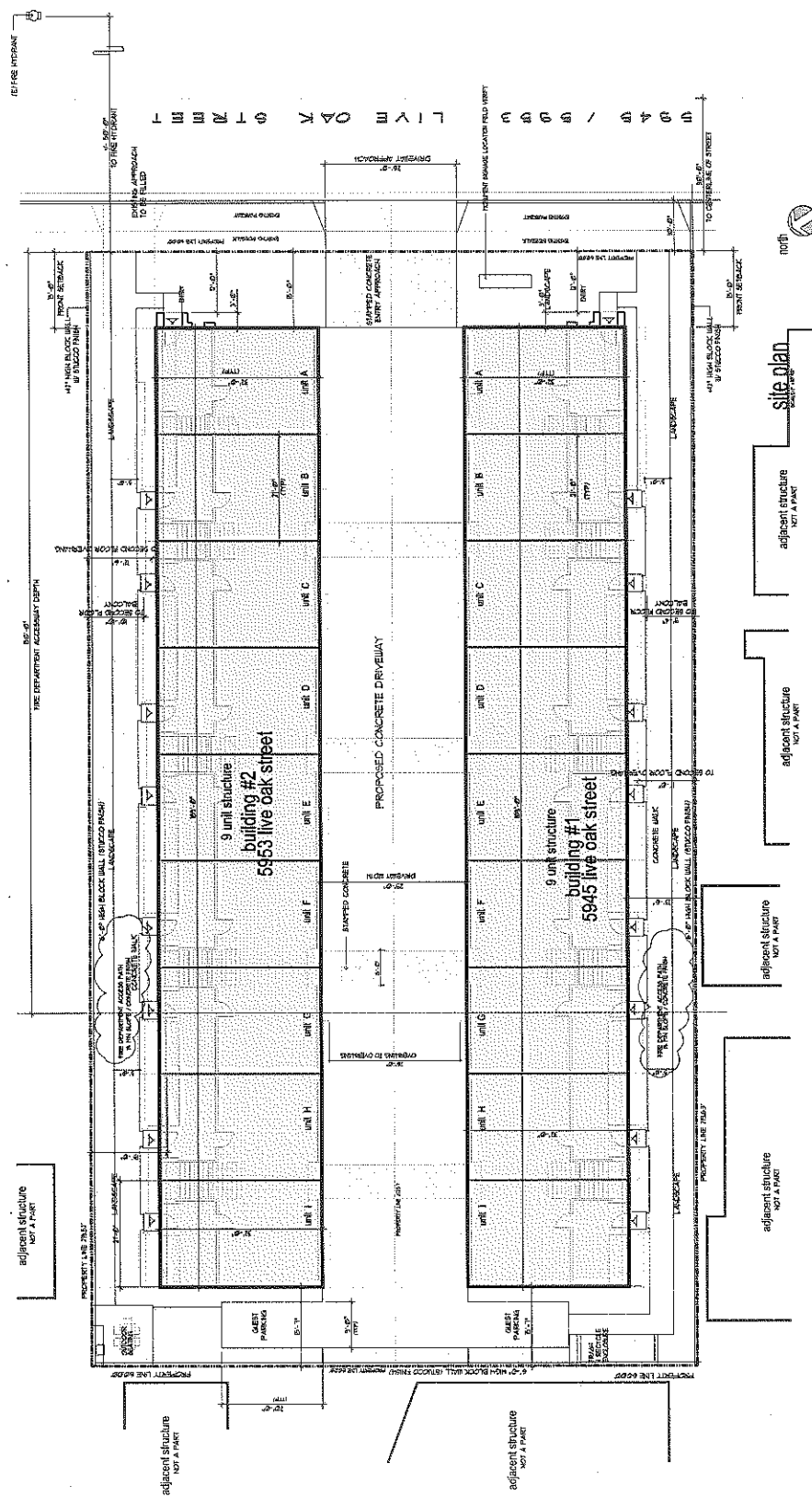
OWNER/DEVELOPER:  
 BANCAMER VILLAS  
 100 WEST 11TH STREET  
 NEW YORK, NY 10011  
 PROJECT LOCATION:  
 5945 LIVE OAK STREET  
 BROOKLYN, NY 11220

ISSUE DATE:  
 10/01/2019  
 10/01/2019

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF FORM STUDIOS ARCHITECTS. NO PART OF THESE PLANS OR SPECIFICATIONS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF FORM STUDIOS ARCHITECTS. ANY REPRODUCTION OR TRANSMISSION OF THESE PLANS OR SPECIFICATIONS WITHOUT THE WRITTEN PERMISSION OF FORM STUDIOS ARCHITECTS IS STRICTLY PROHIBITED. THIS AGREEMENT SHALL BE GOVERNED BY THE LAWS OF THE STATE OF NEW YORK.

DATE: 10/01/2019  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]  
 SITE PLAN

SHEETING:  
 SP1



UNIT SUMMARY	UNIT #1	UNIT #2	UNIT #3	UNIT #4	UNIT #5	UNIT #6	UNIT #7	UNIT #8	UNIT #9	UNIT #10	UNIT #11	UNIT #12	UNIT #13	UNIT #14	UNIT #15	UNIT #16	UNIT #17	UNIT #18	UNIT #19	UNIT #20
NET FLOOR AREA	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT	235 SQ FT
NET FLOOR AREA	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT	470 SQ FT
TOTAL AREA	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT	1365 SQ FT
BALCONY	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT	81 SQ FT

**PROJECT SUMMARY**  
 GROSS LOT AREA: 24,000 SQ FT  
 LOT COVERAGE: 40%  
 GROSS GROUND FLOOR AREA: 9,600 SQ FT  
 GROSS GROUND FLOOR AREA: 9,600 SQ FT  
 GROSS GROUND FLOOR AREA: 9,600 SQ FT

**UNIT DENSITY CALCULATION (APARTMENTS)**  
 20 UNITS PER LOT

**DENSITY BONUS CALCULATION FOR VERY LOW INCOME UNITS**  
 10 UNITS PER LOT

# **EXHIBIT E**

## **Floor Plans**

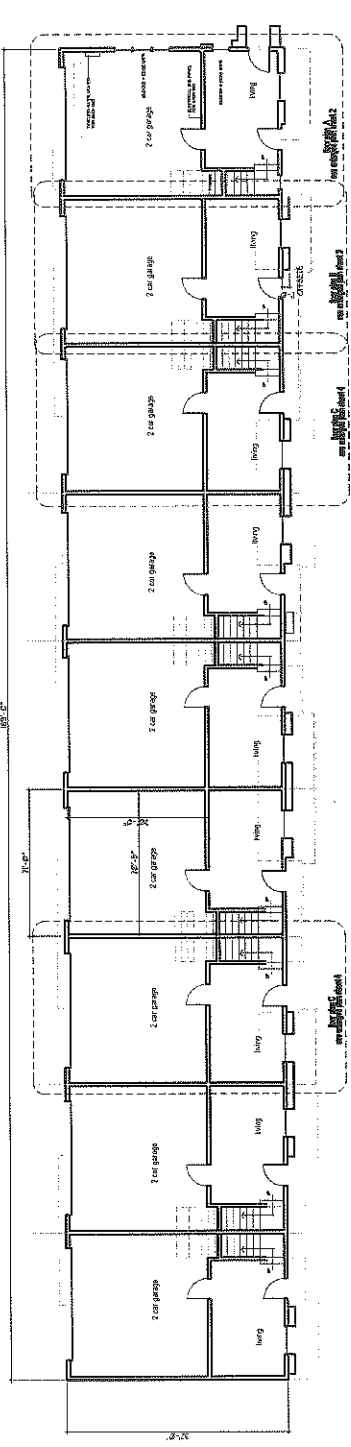
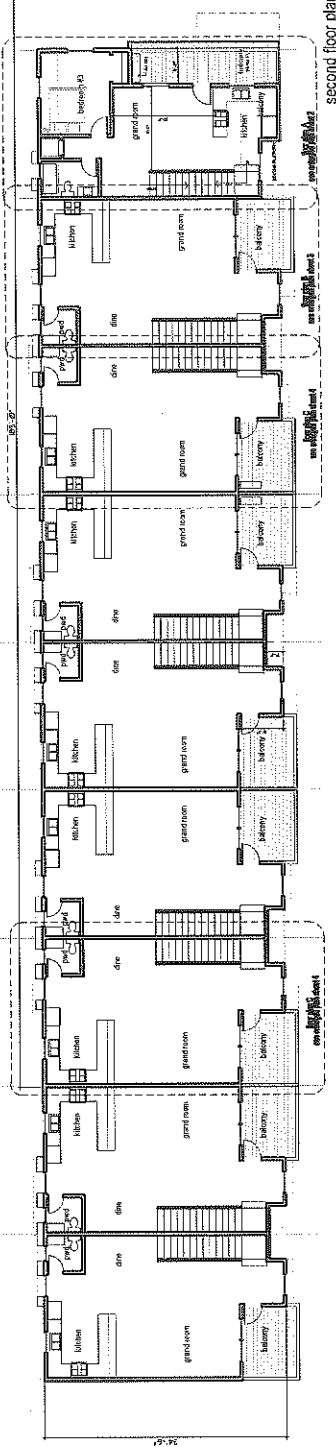
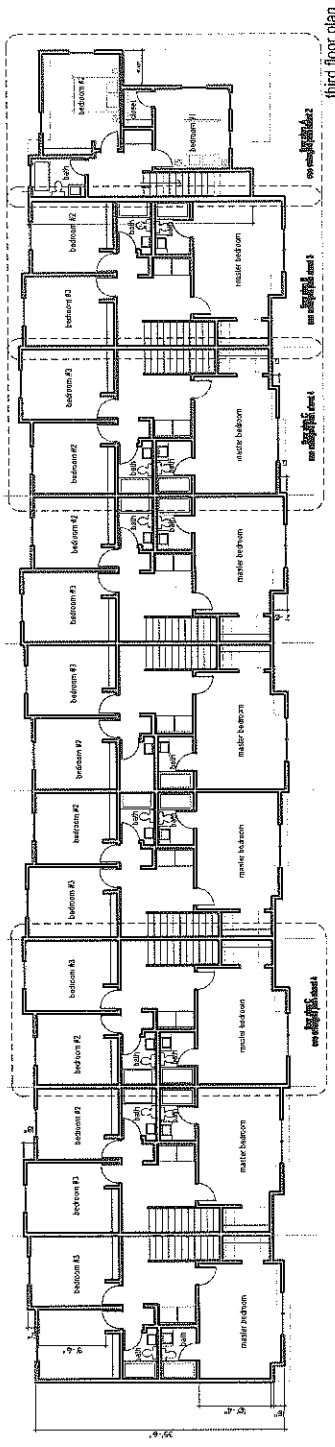
CONSULTANT:

OWNER INFORMATION:  
 HANCOCK HILL VILLAS  
 20811 HANCOCK  
 DUBLIN, OHIO 43017  
 PROJECT LOCATION:  
 1800 W. STATE STREET  
 BELLEVILLE, MO

ISSUE DATE:

PROJECT NO.  
 PHASE  
 DATE  
 DRAWN BY  
 CHECKED BY  
 OVERALL FLOOR PLAN

SHEET NO. 1  
 7055-SC-1107



FLOOR PLANS SIMILAR TO BOTH STRUCTURES



OWNER: INTERIOR UNIT  
 ARCHITECT: USMC SAGELE WILKUS  
 CONSULTANT: JEFF HARRISON  
 CONSULTING: JEFF HARRISON  
 PROJECT LOCATION: BALANCED PLAN  
 PROJECTS STARTED: BALANCED PLAN

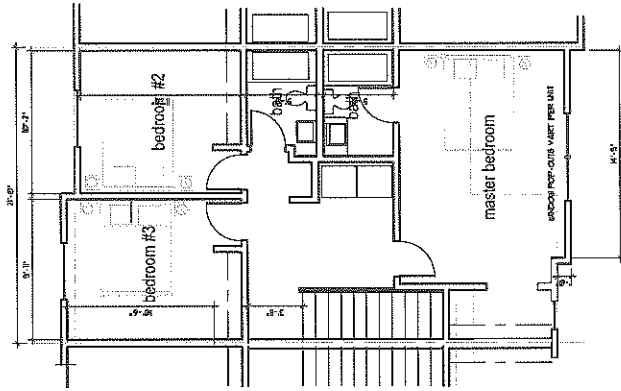
ISSUE DATE:

This document is the final design and construction documents for the project. It is the property of the architect and shall remain the property of the architect. It is to be used only for the project and site identified herein. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.

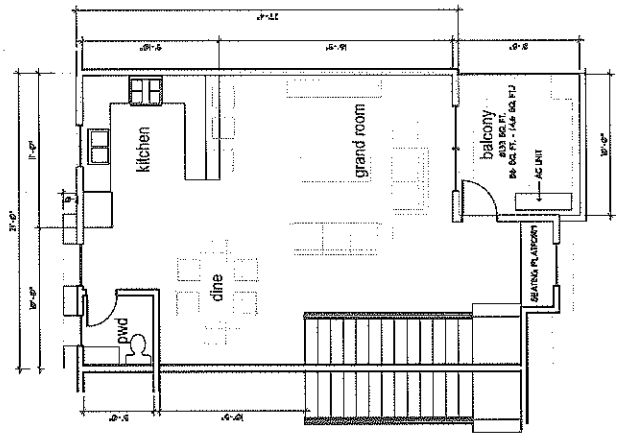
PROJECT NO.:  
 DATE:  
 DRAWN BY:  
 CHECKED BY:  
 SCALE: 1/4" = 1'-0"  
 SHEET TITLE: BALANCED PLAN  
 INTERIOR UNIT B

SHEET NO. 3

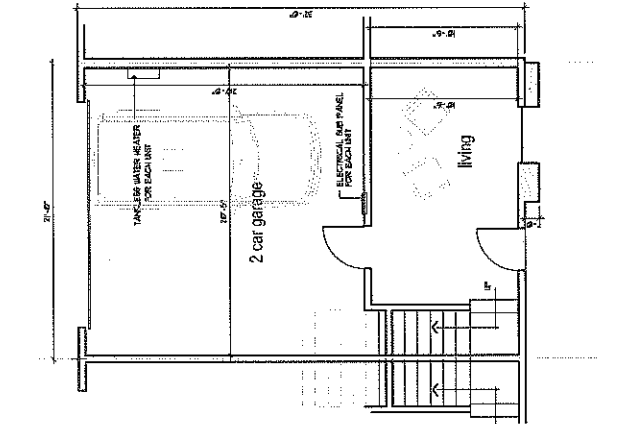
795-SSC-1107



third floor plan  
 livable space 711 sq ft  
 SCALE: 1/4" = 1'-0"



second floor plan  
 livable space 688 sq ft  
 balcony 87.33 sq ft  
 SCALE: 1/4" = 1'-0"



first floor plan  
 livable space 233 sq ft  
 garage 479 sq ft  
 SCALE: 1/4" = 1'-0"

floor plan B-interior unit

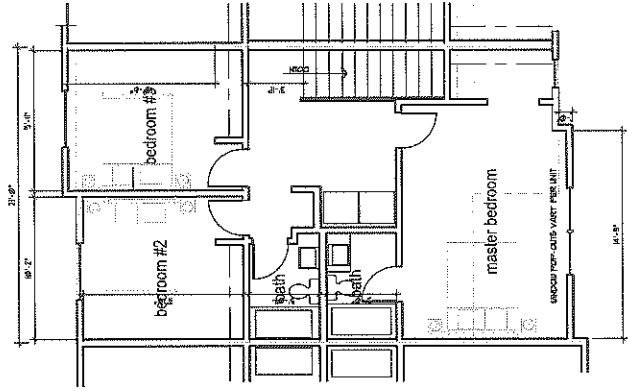
NOTE: INTERIOR UNIT ARE MIRRORRED VERSIONS OF INTERIOR UNIT FLOOR PLAN

CONSULTANT:

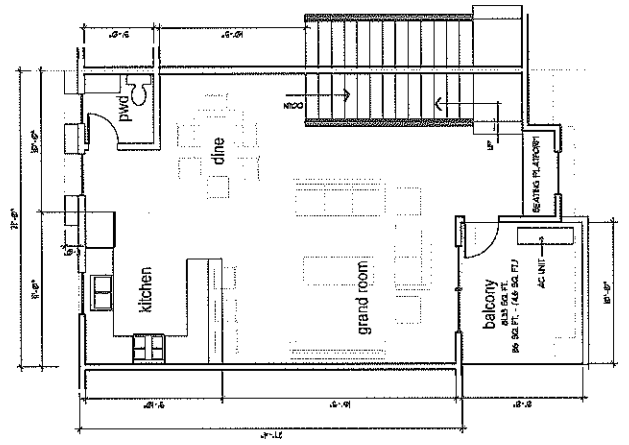
OWNER: THE BANCORP  
 10000 ORANGE AVENUE #410  
 ORANGE, CA 92667  
 PROJECT LOCATION:  
 10000 ORANGE AVENUE #410  
 ORANGE, CA

DATE:

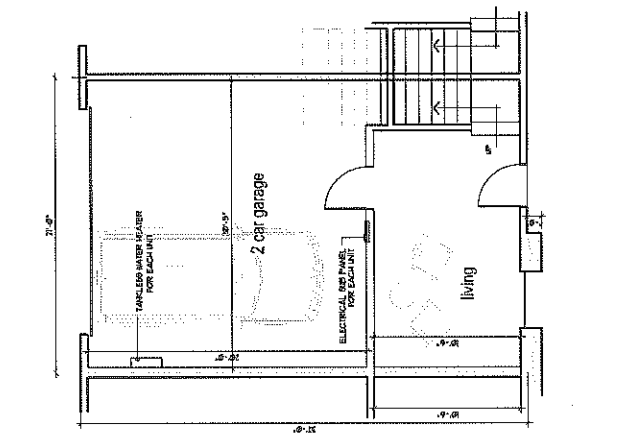
PROJECT NO.:  
 SHEET NO.:  
 DRAWN BY:  
 CHECKED BY:  
 ENGINEER: [Signature]  
 ARCHITECT: [Signature]



third floor plan livable spaces 711 sq ft  
 SCALE: 1/4"=1'-0"



second floor plan livable spaces 608 sq ft  
 SCALE: 1/4"=1'-0"



first floor plan livable spaces 233 sq ft  
 garage 479 sq ft  
 SCALE: 1/4"=1'-0"

floor plan C-interior unit mirrored

NOTE: INTERIOR UNIT ARE MIRRORRED VERSIONS OF INTERIOR UNIT FLOOR PLAN

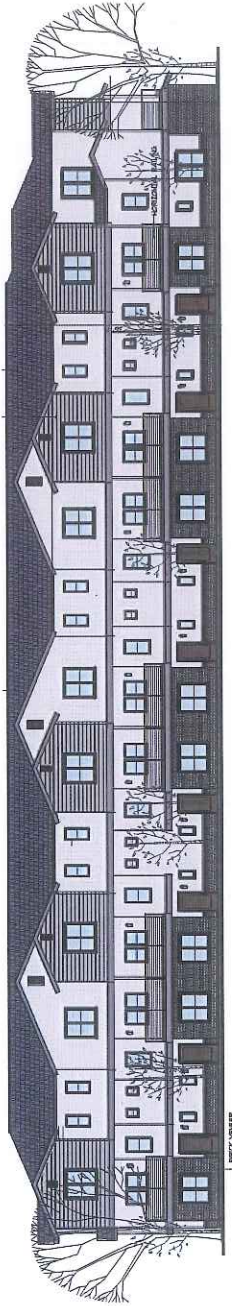
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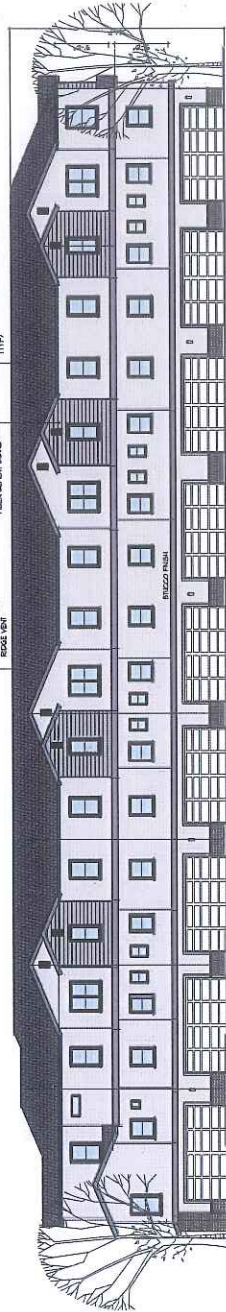
# **EXHIBIT F**

## **Elevations (Building 1)**

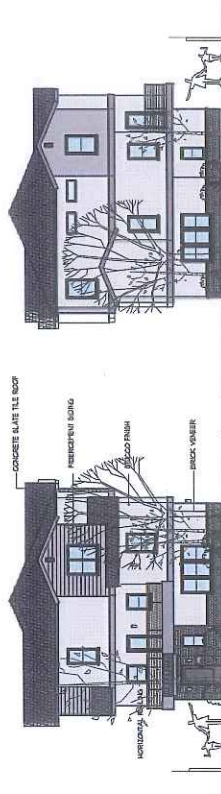
# Building 1



south elevation



north elevation



west elevation

street elevation  
east elevation

**isaac samuel rincon villas**  
18 unit development  
Building 1  
5945-5953 fire oak street, bell gardens, ca

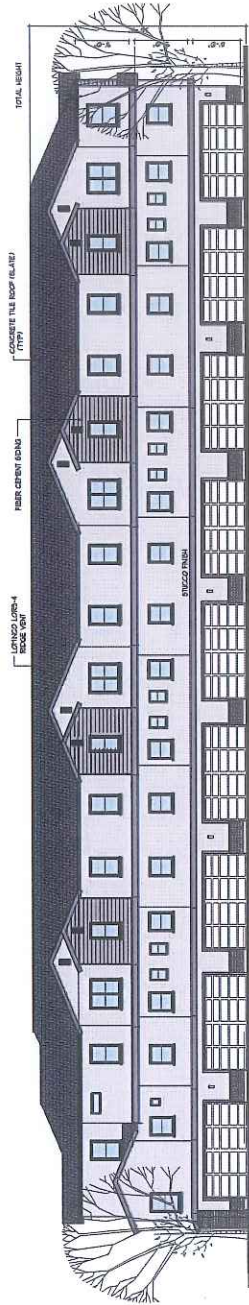
owner:  
isaac rincon  
10081 hawthorn avenue  
dunsmuir, ca

designer:  
**FORM** studios  
1807 denny avenue #4  
seattle, wa 98101  
206.461.5191  
www.formstudios.com  
1.733.261.1721

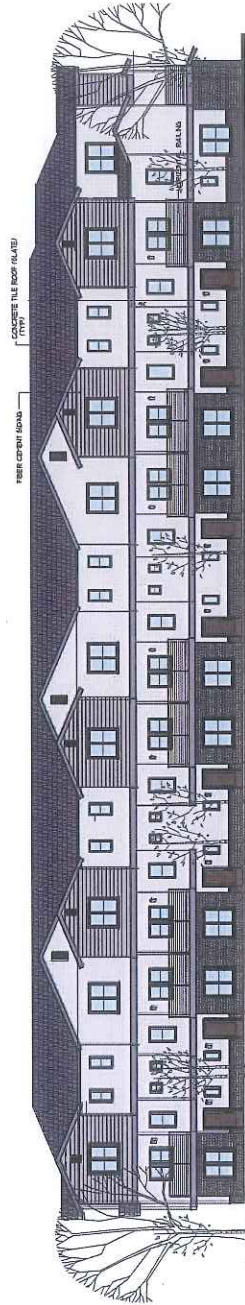
# **EXHIBIT G**

## **Elevations (Building 2)**

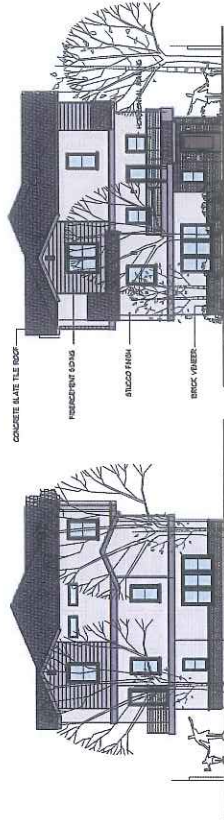
# Building 2



south elevation



north elevation



street elevation  
west elevation

east elevation

**isaac samuel rincon villas**  
 18 unit development  
 building 2  
 5945 - 5953 live oak street, bell gardens, ca

designer: **FORM STUDIOS**  
 3002 Century Avenue #6, Santa Ana, CA 92701  
 (714) 382-1810  
 www.formstudios.com

owner: **isaac rincon**  
 10388 Redwood Avenue  
 Compton, CA

# **EXHIBIT H**

## **Public Hearing Notice**



**CITY OF BELL GARDENS  
NOTICE OF PUBLIC HEARING  
DENSITY BONUS NO. 2017-020  
SITE PLAN REVIEW NO. 2017-020  
(FILE NO. 2017-020)**

**POSTED**  
7/6/17  
EG

Notice is hereby given that the Planning Commission of the City of Bell Gardens will hold a public hearing to consider Density Bonus No. 2017-020 and Site Plan Review No. 2017-020. Site Plan Review No. 2017-020 is requested to allow the development of an 18 unit residential apartment project on the property located at 5945 – 5953 Live Oak Street, Bell Gardens. Density Bonus No. 2017-020 is requested to allow a 35% Density Bonus that grants an increase on the number of residential dwelling units from 13 Base Density Units to a total of 18 Density Bonus Units, including three development concessions pursuant to Bell Gardens Municipal Code Chapter 9.59 (Affordable Housing Density Bonus and Incentives). In exchange for four below market rate dwelling units the following density bonus concessions are being requested by the applicant:

- a. Increase the maximum number of stories from 2-stories to 3-stories;
- b. Increase the maximum lot coverage of 45%;
- c. Reduction in the required additional second and third story side setbacks.

The Density Bonus No. 2017-020 is also requesting to use the Alternative Parking Standards by only providing two parking spaces per unit. The subject site is zoned R-3 (High Density Residential) and designated by the General Plan as "High Density Residential." The subject property is identified in the Los Angeles County Assessor's Book No. 6227, Page 032, Parcel 013 and Parcel 014.

In accordance with the provisions and guidelines of the California Environmental Quality Act ("CEQA"), the project qualifies for a Class 32 Categorical Exemption pursuant to Section 15332 (In-Fill Development) and a Class 3 Categorical Exemption pursuant to Section 15303(b) (New Construction or Conversion of Small Structures) of the State CEQA Guidelines.

The public hearing will be held before the Planning Commission of the City of Bell Gardens, in Council Chambers at City Hall, 7100 Garfield Avenue, Bell Gardens, CA 90201, on Wednesday, July 19, 2017 at 6:00 P.M., at which time proponents and opponents of the proposed Density Bonus and Site Plan Review will be heard. Questions may be directed to the Community Development Department at (562) 806-7700, extension 7722.

Per Government Code Section 65009, if you challenge this Density Bonus and Site Plan Review in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or prior to the public hearing.

**THE PLANNING COMMISSION**

Tony Rivera, Chairperson

**Published: Bell Gardens Sun, July 6, 2017**

**Posted: July 6, 2017**

Bell Gardens City Hall

Bell Gardens John Anson Ford Park

Bell Gardens Veterans Park – Ross Hall Auditorium

Bell Gardens Department of Public Works





**CITY OF BELL GARDENS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**AGENDA REPORT**

**TO:** Planning Commissioners

**FROM:** Abel Avalos, Director of Community Development 

**BY:** Carmen H. Morales, City Planner 

**SUBJECT:** Zoning Code Amendment No. 2017-035 - Ordinance No. 882  
(File No. 2017-035) – Accessory Residential Dwelling Units

**DATE:** July 19, 2017

**RECOMMENDATION:**

It is recommended that the Planning Commission adopt Resolution #PC 2017-05 recommending the following action to the City Council:

1. Approval of Zoning Code Amendment No. 2017-035 adopting Ordinance No. 882 amending BGMC, Title 9 “Zoning and Planning Regulations” as follows:
  - a) Chapter 9.10 Residential Zones, Section 9.10.030, “Permitted Land Uses, Table 9.10A: Residential Land Use Matrix” deleting “Dwelling Second Unit” and adding “Dwelling Accessory Unit” and “Dwelling Accessory Unit-Junior,” and
  - b) Chapter 9.20 “Special uses and Applicable Standards,” adding Section 9.20.036 entitled “Accessory Dwelling Units.”

**BACKGROUND:**

In 2007 the City adopted a comprehensive Zoning Code Update establishing land use and development regulations for residential zones in the City including regulations governing the establishment of second dwelling units in the R-1 zone consistent with the requirements of Government Code Section 65852.2. On January 1, 2017 certain amendments adopted by the state legislature went into effect changing Government Code Section 65852.2 (Government Code) to expand the ability of homeowners to create second units in zones in which they are authorized by local ordinance. The amended Government Code renames “second dwelling units” to “accessory dwelling units,” requires that accessory dwelling units be approved through a ministerial process, and establishes new development regulations governing accessory dwelling units.

The term “accessory dwelling unit” (ADU), refers to a second separate residence located on a property which has an existing primary residential structure on the same property. ADUs are viewed by the State as an important alternative housing option to address the housing shortage. ADUs are units which are smaller in size than the primary unit and which potentially offer better affordability for family members or young people. Additionally, an ADU can provide a homeowner with rental income to assist with mortgage

payments. The Government Code allows for an ADU to be constructed as a new separate unit either attached to or detached from the primary residential structure, as a separate unit within the walls of an existing primary residential structure, as a separate unit within the walls of an existing accessory structure on a lot, such as a garage conversion, or as a separate unit attached to an accessory structure on a lot.

Government Code Section 65852.2 deems null and void any existing local ordinance not in conformance with the statute; however, local jurisdictions may amend their zoning ordinance to incorporate additional provisions applicable to the creation of an ADU as long as the provisions are consistent with the statutory limitations contained within the Government Code. Until a compliant local ordinance is adopted, the City would be required to approve an application for a proposed ADU pursuant to the ADU regulations established in the Government Code.

**PROJECT DESCRIPTION:**

Zoning Code Amendment No. 2017-035 proposes an amendment to BGMC, Title 9, Zoning and Planning Regulations relating to ADUs.

**ANALYSIS:**

Zoning Code Amendment No. 2017-035 is proposed to amend BGMC Title 9, Zoning and Planning Regulations in order to bring the City's Zoning Code into conformance with recently enacted state legislation while maintaining local land use controls governing the creation of accessory dwelling units in the City. Ordinance No. 882 proposes amended Zoning Code text in an underlined/strikethrough format and proposed new text in a final black format. Zoning Code Amendment No. 2017-035 is summarized below.

1. An amendment to the Zoning Code Residential Land Use Matrix is proposed to delete residential second units from the Land Use Matrix and to add ADUs as permitted uses in the R-1, R-2, and R-3 zones consistent with state requirements to allow for such units in single family and multi-family zones and to add Junior ADUs as a permitted use in the R-1 zone consistent with state requirements to allow for such units in single family zones.
2. A new Section 9.20.036, entitled "Accessory Dwelling Units," is proposed establishing the regulations governing ADUs. The key components of Section 9.20.036 are summarized below.
  - a. Definitions – Definitions for ADUs and Junior ADUs consistent with state definitions are proposed along with definitions of key terms referenced within the regulations.
  - b. Applicability - ADUs of no more than 600 square feet, or 500 square feet for a Junior ADU, would be allowed on owner occupied single family residential lots of 7,500 square feet or greater which have only one existing single family residential unit on the lot. ADUs would not be allowed to be rented for a period of less than 30 days or sold separately from the primary residential unit. A covenant would be required to be recorded to run with the land obligating current and future property owners to comply with the owner occupancy requirement and the sale and rental restrictions.



- c. Approval Process - The Government Code requires a ministerial approval process for ADUs and does not allow for discretionary review of applications. An ADU or Junior ADU proposed to be created within the existing walls and roof of an existing single family dwelling unit or accessory structure on a lot would be permitted subject to approval of a building permit. An ADU proposed as a newly constructed attached or detached unit would be permitted subject to ministerial approval by the Community Development Director of an application to include a site plan, floor plans, and building elevations.
- d. Development Standards – Specific development standards are proposed for any newly constructed attached or detached ADU. Development standards include a maximum unit size requirement of 600 square feet and setback, lot coverage, and building height regulations similar to those already established in the Zoning Code for the R-1, R-2, and R-3 zones. Per the Government Code, an ADU or Junior ADU created within the walls of an existing single family dwelling unit or accessory structure are not subject to local zoning development standards, however such units must comply with setback requirements adequate for fire safety.

Off-street parking requirements for ADUs are established by the Government Code. The proposed ordinance requires one parking space per ADU or per each bedroom within the ADU, whichever is more, and requires that any existing parking demolished as a result of the creation of an ADU be replaced. The Government Code requires that local government zoning ordinances provide flexibility in the configuration of required parking allowing for use of tandem parking and parking with designated setback areas. Covered parking demolished as part of the construction of an ADU and which is required to be replaced may be configured as tandem parking or provided through use of an automatic parking lift. However, pursuant to the Government Code, the above requirements to provide new parking for an ADU or to provide replacement parking cannot be imposed on any ADU that is located:

1. Within the walls of an existing primary residential unit or accessory structure; or
2. Within one-half mile of public transit; or
3. Within an architecturally and historically significant historic district; or
4. In an area where on-street parking permits are required but not offered to the occupant of the ADU; or
5. In an area where a car share vehicle is located within one block of the ADU.

Adoption of Ordinance No. 882 would be consistent with the goals and policies of the City's General Plan Housing Element because it encourages new housing construction in a mixture of price ranges and housing types, serves as a change in the zoning and other applicable codes which facilitate and encourage affordable housing construction, supports equal housing opportunities for all segments of the population, and supports housing that meets the special needs of large households, elderly, disabled, and single parents. Lastly, the proposed Ordinance is also consistent with California Government Code Sections 65852.2 and 65852.22 and their mandates.

**ENVIRONMENTAL REVIEW:**

Zoning Code Amendment No. 2017-035 recommending City Council adoption of Ordinance No. 882 is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) constituting an activity that is not a project as defined in Section 15378.

**CONCLUSION:**

Staff recommends that the Planning Commission adopt Resolution #PC 2017-05 recommending to the City Council approval of Zoning Code Amendment No. 2017-035 and adoption of Ordinance No. 882 to amend Title 9, Zoning and Planning Regulations, amending Bell Gardens Municipal Code, Title 9, Zoning and Planning Regulations, Chapter 9.10 Residential Zones, Section 9.10.030, "Permitted Land Uses, Table 9.10A: Residential Land Use Matrix" and Chapter 9.20 "Special uses and Applicable Standards," adding Section 9.20.036 entitled "Accessory Dwelling Units."

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

- Exhibit A - Planning Commission Resolution #PC 2017-05
- Exhibit B - Draft Ordinance No. 882
- Exhibit C - Public Hearing Notice

# **EXHIBIT A**

**Resolution  
#PC 2017-05**

**RESOLUTION #PC 2017-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL GARDENS RECOMMENDING CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT NO. 2017-035 AMENDING THE CITY OF BELL GARDENS MUNICIPAL CODE, TITLE 9, ZONING AND PLANNING REGULATIONS, CHAPTER 9.10 RESIDENTIAL ZONES, SECTION 9.10.030 PERMITTED LAND USES, TABLE 9.10A: RESIDENTIAL LAND USE MATRIX AND CHAPTER 9.20 SPECIAL USES AND APPLICABLE STANDARDS ADDING SECTION 9.20.036 ENTITLED "ACCESSORY DWELLING UNITS," (ZONING CODE AMENDMENT NO. 2017-035)**

**WHEREAS**, the City of Bell Gardens ("City") is a general law city, incorporated under the laws of the State of California;

**WHEREAS**, pursuant to its police power, the City may enact and enforce laws within its boundaries which promote the public health, morals, safety, or general welfare of the community, and are not in conflict with general laws;

**WHEREAS**, comprehensive zoning regulations lie within the police power of the City;

**WHEREAS**, in 2007, the City Council adopted a comprehensive update to BGMC Title 9, Zoning and Planning Regulations (Zoning Code), establishing land use and development regulations in the City which include regulations governing the establishment of residential second dwelling units in the R-1 zone in accordance with Government Code Section 65852.2.

**WHEREAS**, on January 1, 2017 certain amendments to Section 65852.2 and new regulations pursuant to Section 65852.22 of the California Government Code went into effect replacing State regulations for residential second dwelling units with new regulations requiring cities to ministerially permit "accessory dwelling units" and allowing cities to adopt by ordinance land use regulations designating allowable zones and development standards for "accessory dwelling units".

**WHEREAS**, the City finds it necessary to amend the Zoning Code to regulate the location and development of accessory dwelling units within the City;

**WHEREAS**, pursuant to California Government Code Section 65854, the Planning Commission duly noticed and agendized a public hearing and conducted the public hearing on this matter on July 19, 2017 and adopted Planning Commission Resolution #2017-05 recommending to the City Council the approval of Zoning Code Amendment No. 2017-035 to adopt Ordinance No. 882 amending the Bell Gardens Municipal Code, Title 9, Zoning and Planning Regulations, Section 9.10.030 Permitted

Land Uses, Table 9.10A: Residential Land Use Matrix,” and Chapter 9.20, “Special Uses and Applicable Standards” adding Section 9.20.036 entitled “ Accessory Dwelling Units.”

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF BELL GARDENS HEREBY RESOLVES AND DETERMINES AS FOLLOWS:**

**SECTION 1.** In recommending approval of Zoning Code Amendment No. 2017-035 and adoption of Ordinance No. 882 the Planning Commission finds as follows:

- i. That the above recitals are true and correct and hereby incorporates them herein by this reference.
- ii. Ordinance No. 882 serves the public health, safety, and welfare of the residents and businesses within the City to regulate land use within the City.
- iii. Ordinance No. 882 is consistent with the City's General Plan.
- iv. Ordinance No. 882 amending the City of Bell Gardens Municipal Code, will not present any risk to the public health and safety.

**SECTION 2.** The Planning Commission hereby adopts this Resolution recommending to the City Council the approval of Zoning Code Amendment No. 2017-035 adopting Ordinance No. 882.

**SECTION 3.** Zoning Code Amendment No. 2017-035 recommending City Council adoption of Ordinance No. 882 is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) constituting an activity that is not a project as defined in Section 15378.

**SECTION 4.** The Planning Commission of the City of Bell Gardens hereby transmits and recommends to the City Council adoption of Ordinance No. 882 amending the Bell Gardens Municipal Code (Zoning and Planning).

*[Signatures on the following page]*

**PASSED, APPROVED AND ADOPTED this 19th day of July 2017.**

\_\_\_\_\_  
TONY RIVERA, *CHAIRPERSON*

ATTEST:

\_\_\_\_\_  
*ERIKA GUTIERREZ, PLANNING SECRETARY*

APPROVED AS TO FORM:

ALVAREZ-GLASMAN & COLVIN

\_\_\_\_\_  
*JOHN LAM, ASSISTANT CITY ATTORNEY*

# **EXHIBIT B**

**Draft Ordinance No.  
882**

**ORDINANCE NO. 882**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS, CALIFORNIA AMENDING THE BELL GARDENS MUNICIPAL CODE, TITLE 9, ZONING AND PLANNING REGULATIONS, CHAPTER 9.10 RESIDENTIAL ZONES, SECTION 9.10.030 PERMITTED LAND USES, TABLE 9.10A: RESIDENTIAL LAND USE MATRIX, AND CHAPTER 9.20 SPECIAL USES AND APPLICABLE STANDARDS ADDING SECTION 9.20.036 "ACCESSORY DWELLING UNITS" (ZONING CODE AMENDMENT NO. 2017-035)**

**WHEREAS**, the City of Bell Gardens ("City") is a general law city, incorporated under the laws of the State of California;

**WHEREAS**, pursuant to its police power, the City may enact and enforce laws within its boundaries which promote the public health, morals, safety, or general welfare of the community, and are not in conflict with general laws;

**WHEREAS**, comprehensive zoning regulations lie within the police power of the City;

**WHEREAS**, in 2007, the City Council adopted a comprehensive update to BGMC Title 9, Zoning and Planning Regulations (Zoning Code), establishing land use and development regulations in the City which include regulations governing the establishment of residential second units in the R-1 zone in accordance with Government Code Section 65852.2.

**WHEREAS**, on January 1, 2017 certain amendments to Section 65852.2 and new regulations in Section 65852.22 of the California Government Code went into effect replacing Government Code regulations for residential second units with new regulations requiring cities to ministerially permit "accessory dwelling units" and allowing cities to adopt by ordinance land use regulations designating allowable zones and development standards for "accessory dwelling units."

**WHEREAS**, the City finds it necessary to amend the Zoning Code to regulate the location and development of accessory dwelling units within the City;

**WHEREAS**, pursuant to California Government Code Section 65854, the Planning Commission duly noticed and agendized a public hearing and conducted the public hearing at on this matter on July 19, 2017 and adopted Planning Commission Resolution #2017-05 recommending to the City Council the approval of Zoning Code Amendment No. 2017-035; and

**WHEREAS**, the City Council held a duly noticed public hearing on this Ordinance on \_\_\_\_\_ 2017 at which time it considered all evidence presented, both written and oral.



**NOW, THEREFORE,** the City Council of the City of Bell Gardens does hereby ordain as follows:

**SECTION 1.** Findings and Purpose. In adopting this Ordinance, the City Council finds and declares as follows:

- i. That the above recitals are true and correct and hereby incorporates them herein by this reference.
- ii. Ordinance No. 882 serves the public health, safety, and welfare of the residents and businesses within the City to regulate land use within the City.
- iii. Ordinance No. 882 is consistent with the City's General Plan.
- iv. Ordinance No. 882 amending the City of Bell Gardens Municipal Code, will not present any risk to the public health and safety.

**SECTION 2.** Bell Gardens Municipal Code Title 9, Planning and Zoning, Chapter 9.10 Residential Zones, Section 9.10.030, "Permitted Land Uses, Table 9.10A: Residential Land Use Matrix", is amended and enacted as follows:

**Table 9.10A: Residential Land Use Matrix**

Uses	R-1 Zone	R-2 Zone	R-3 Zone	Supplemental Requirements
<i>A: Accessory Use C: Conditional Use P: Principal Use S: Site Plan Review T: Temporary Use</i>				
Dwelling, one-family	P	P	P	Refer to Division 4 of this title, Supplemental Development Standards, for manufactured housing standards.
Dwelling, second unit (per state provisions)	P	-	-	Property requirements: 1. Minimum 10,000-sf area 2. Not designated as historic Second unit requirements: 3. Minimum 600-sf area 4. Maximum 1,000-sf area, but no more than 50% of primary unit living area 5. Located behind primary unit 6. Complies with primary unit setbacks 7. Complies with primary unit parking requirements

				8. Limited to one-story unless primary unit is two-story
<u>Dwelling, accessory unit</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Refer to Section 9.20.036 "Accessory Dwelling Units"</u>
<u>Dwelling, accessory unit-junior</u>	<u>P</u>			<u>Refer to Section 9.20.036 "Accessory Dwelling Units"</u>

**SECTION 3.** Bell Gardens Municipal Code Title 9, Planning and Zoning, Chapter 9.20, "Special Uses and Applicable Standards" is amended and enacted to add Section 9.20.036 entitled "Accessory Dwelling Units," as follows:

**9.20.036 Accessory Dwelling Units.**

In addition to compliance with all other applicable statutes, ordinances and regulations, the following regulations shall apply to accessory dwelling units:

A. Intent and Purpose.

1. The intent of this section is to implement Sections 65852.2 and 65852.22 of the California Government Code (Government Code) and to establish standards to regulate the placement and design of accessory dwelling units in compliance with the Government Code.

B. Definitions.

For purposes of this section the following terms and phases shall be defined as described herein:

"Accessory Dwelling Unit" shall mean a unit that is no more than 600 square feet in size which is either a newly constructed separate dwelling unit located on a lot with no more than one single family dwelling (as that term is defined in BGMC Section 9.04.040), or is a separate dwelling unit created within the existing walls of an existing single family dwelling or accessory structure (as that term is defined in this Section) on a lot with no more than one single family dwelling and which provides complete independent living facilities for one or more persons including permanent provisions for a separate entrance and separate living, sleeping, eating, cooking, and sanitation facilities. Accessory dwelling units may include an efficiency unit as defined in Section 17958.1 of Health and Safety Code or a manufactured home as defined in Section 18007 of the Health and Safety Code. An accessory dwelling unit shall not be considered in the calculation of density for the lot upon which it is located, except as described in Section 9.20.036 (C)(1).

“Accessory Dwelling Unit – Junior ” shall mean a unit that is no more than 500 square feet in size, created entirely within the existing walls of a single family dwelling located on a lot with no more than one single family dwelling, and which incorporates an existing bedroom. A junior accessory dwelling unit shall be provided with a separate exterior entrance and shall provide interior entry to the accessory dwelling unit from the main living area of the primary residential structure. Junior accessory dwelling units may share sanitation facilities with the existing single family structure. Junior accessory dwelling units shall provide cooking facilities which include at a minimum: 1) a sink with a maximum waste line diameter of 1.5 inches, 2) a cooking facility with appliances that do not require electrical service greater than 120 volts or natural or propane gas, 3) a food preparation counter, and 4) storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit. A junior accessory dwelling unit shall not be considered in the calculation of density for the lot upon which it is located.

“Accessory Structure” shall mean an existing detached structure with a roof and four walls; or in the case of a detached garage, a roof, three walls, and a garage door, located on the same lot as a single family dwelling unit.

“Newly Constructed” means the construction of new walls and roofs either attached to an existing single family dwelling unit or accessory structure or detached from an existing single family dwelling unit on a lot.

“Tandem Parking” means two or more automobiles parked on a driveway, or in any other parking location on a lot, lined up behind one another.

### C. Applicability

1. A maximum of one accessory dwelling unit shall be permitted on a residential lot of 7,500 square feet or greater containing no more than one existing single family dwelling. An accessory dwelling unit shall not be considered in the calculation of density on a lot. An accessory dwelling unit shall be considered in the calculation of density if additional units are developed on the lot upon which the primary single family dwelling and the accessory dwelling unit are located.

2. Accessory dwelling units shall only be permitted on an owner occupied lot where the property owner occupies either the existing single family dwelling or the accessory dwelling unit, and no accessory dwelling unit shall be rented for a period of less than 30 days or be sold separate from the primary single family dwelling on the lot. A covenant to run with the land shall be recorded by the applicant agreeing to the above restrictions and shall be enforceable against future purchasers in a form approved by the City Attorney.

3. An accessory dwelling unit shall not be permitted on any residential lot which is the subject of any pending written notice(s) of code violations or enforcement actions by the City.

D. Permit Requirements. The following shall apply to all accessory dwelling units in the City:

1. Accessory dwelling units and junior accessory dwelling units created within the existing walls and roof of an existing single family dwelling or accessory structure shall be subject to approval of a building permit with no further review by the Community Development Director, provided that the proposed accessory dwelling unit has independent exterior access and the side and rear setbacks are sufficient for fire safety.

2. Newly constructed detached or attached accessory dwelling units shall be subject to ministerial approval by the Community Development Director of an application submitted to the Community Development Department containing the following information:

a. A fully dimensioned site plan containing the following information:

1) Name and address of the applicant and of all persons owning any or all of the subject property.

2) Evidence that the applicant is the owner of the property involved or has written permission of owner or owners to make such application.

3) Address and assessor parcel number(s) of subject property.

4) Property dimensions and square footage of the subject property.

5) The use, location and size of all existing buildings and structures on the property and the proposed accessory dwelling unit, yards, driveways, access and parking areas, landscaping, walls or fences, and other similar features.

b. A fully dimensioned floor plan of the existing residence and the proposed accessory dwelling unit.

c. A roof plan for all existing and proposed structures.

d. A set of fully dimensioned building elevations of all sides of all existing structures on the property and the proposed accessory dwelling unit.

E. Standards of Development.

1. The following standards apply all newly constructed detached and attached accessory dwelling units.

a. General

1) Any new landscaping shall comply with BGMC Chapter 9.34, "Landscaping."

2) The exterior of an accessory dwelling unit shall match the existing primary or accessory structures on the lot in material, texture, paint color, trim, and window and door details.

3) The roof of the accessory dwelling unit shall match the roof of the existing primary dwelling unit or accessory structure in style, material and color.

4) All new mechanical equipment associated with the accessory dwelling unit shall be located on the ground no less than three feet from the side and rear property lines. Any existing equipment located on the roof or exterior walls of the existing single family dwelling unit or accessory structure shall be provided with a decorative screen to shield such equipment from view and shall be placed at least six inches below the top of the lowest building parapet or decorative screen. No plumbing line shall be placed upon the exterior wall of a structure unless such line is enclosed or otherwise screened from view.

b. Development Standards Matrix – Newly Constructed Accessory Dwelling Units

Maximum Floor Area	600 sf.
Location:	Shall not be located forward of the front building elevation of the primary residential structure.
First Story Setbacks Side Streetside Rear	5' 10' 10'

<p>Second Story Setback From First Story Building Elevation</p>	<p>a. For a unit constructed above a garage - 5' side and rear.  b. All other units - 5' for the entire second-story front elevation greater than 25' in width and 3' for the entire second-story side elevation greater than 50' in length. A maximum of 40 percent of the second story may remain on the same plane as the first story on the front and side.</p>
<p>Allowable projections</p>	<p>Per BGMC 9.46.050</p>
<p>Maximum Lot Coverage</p>	<p>45%</p>
<p>Maximum Height</p>	<p>2 stories or 25' total combined height of existing structure and accessory dwelling unit.</p>
<p>Minimum Building Separation</p>	<p>10' between accessory dwelling unit and any other structure on the same lot.</p>
<p>Parking</p>	<ol style="list-style-type: none"> <li>1. One space per accessory dwelling unit or each bedroom within the accessory dwelling unit whichever is more. An existing garage, carport or other form of covered parking demolished as part of the construction of an accessory dwelling unit shall be replaced.</li> <li>2. Parking shall be provided with a minimum 25' clear back up distance.</li> <li>3. Open parking spaces shall be a minimum dimension of 9'x20'. Open parking spaces abutting a wall or other obstruction and carport</li> </ol>

	<p>spaces shall be a minimum dimension of 10'X 20'. Each garage parking space shall be a minimum clear interior dimension of 10'X20.'</p> <p>4. Parking may be configured as tandem parking or within the rear setback area of a lot. Replacement of covered parking demolished as part of the creation of an accessory dwelling unit may be provided within a mechanical automobile lift provided the highest point of the auto when lifted remains below the lowest roofline on the property.</p> <p>5. Parking and/or replacement parking is not required for any accessory dwelling unit located:</p> <ul style="list-style-type: none"> <li>a) Within one-half mile of public transit; or</li> <li>b) Within an architecturally and historically significant historic district; or</li> <li>c) Within an existing accessory structure; or</li> <li>d) In an area where on-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or</li> <li>e) In an area where a car share vehicle is located within one block of the accessory dwelling unit.</li> </ul>
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**SECTION 4.** CEQA. City Council approval of Zoning Code Amendment 2017-035 and adoption of Ordinance No. 882 are not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and

pursuant to Section 15060(c)(3) constituting an activity that is not a project as defined in Section 15378.

**SECTION 5.** If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 6.** To the extent the provisions of the Bell Gardens Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**SECTION 7.** The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published in the manner prescribed by law.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_ day of \_\_\_ 2017.

\_\_\_\_\_  
Pedro Aceituno, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristina Santana, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney

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# **EXHIBIT C**

## **Public Hearing Notice**

**POSTED**  
7/6/17  
EG

**CITY OF BELL GARDENS  
NOTICE OF PUBLIC HEARING  
ZONING CODE AMENDMENT NO. 2017-035 – ORDINANCE NO. 882 RELATING TO  
ACCESSORY DWELLING UNITS  
(FILE NO. 2017-035)**

Notice is hereby given that the Planning Commission of the City of Bell Gardens will conduct a public hearing to consider recommending Zoning Code Amendment No. 2017-035 to the City Council for the adoption of Ordinance No. 882 amending Bell Gardens Municipal Code, Title 9, Zoning and Planning Regulations, Chapter 9.10 Residential Zones, Section 9.10.030, "Permitted Land Uses, Table 9.10A: Residential Land Use Matrix" deleting "Dwelling Second Unit" and adding "Dwelling Accessory Unit" and "Dwelling Accessory Unit-Junior," and Chapter 9.20 "Special Uses and Applicable Standards," adding Section 9.20.036 "Accessory Dwelling Units," (Zoning Code Amendment No. 2017-035)

Zoning Code Amendment No. 2017-035 recommending City Council adoption of Ordinance No. 882 is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c) (2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c) (3) constituting an activity that is not a project as defined in Section 15378.

The public hearing will be held at the regular Planning Commission meeting of the City of Bell Gardens, in Council Chambers at City Hall, 7100 Garfield Avenue, Bell Gardens, CA 90201, on Wednesday, July 19, 2017 at 6:00 P.M., at which time proponents and opponents of the proposed Zoning Code Amendment No. 2017-035 and Ordinance No. 882 may be heard. Questions may be directed to the Community Development Department at (562) 806-7700, extension 7722.

Per Government Code Section 65009, if you challenge this Zoning Code Amendment No. 2017-035 and Ordinance No. 882 in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

**THE PLANNING COMMISSION**

Tony Rivera, Chairperson

**Published: Bell Gardens Thursday, July 6, 2017**

**Posted: July 6, 2017**

Bell Gardens City Hall

Bell Gardens John Anson Ford Park

Bell Gardens Veterans Park - Ross Hall Auditorium

Bell Gardens Department of Public Works