



CITY OF BELL GARDENS PLANNING COMMISSION

City Council Chambers, 7100 Garfield Ave., Bell Gardens

WEDNESDAY, JANUARY 15, 2020, 6:00 PM

AGENDA

LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS, CA

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) 806-7704. Notification 48 business hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Any writings or documents provided to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Receptionist Counter, City Hall, 7100 Garfield Avenue, Bell Gardens, CA, during normal business hours.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING COMMISSIONERS

Jorgel Chavez, Commissioner
Dianne Flores, Commissioner
Alexander Villalobos, Commissioner
Ernesto Ramirez, Vice Chairperson
Tony Rivera, Chairperson

PUBLIC COMMENT ON NON-AGENDA ITEMS

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 manner may appear as an item on a forthcoming agenda.

CONSENT CALENDAR (Item No. 1)

All matters listed under the Consent Calendar are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the Planning Commission request specific items to be removed from the Consent Calendar for separate action. Items called for separate discussion will be heard as the next order of business.

1. APPROVAL OF NOVEMBER 20, 2019 PLANNING COMMISSION MINUTES

November 20, 2019 - Regular Meeting Minutes.

Recommendation:

It is recommended that the Planning Commission approve the attached minutes.

DISCUSSION (Item No. 2-3)

2. 2019 HOUSING LEGISLATION

A presentation regarding 2019 Housing Legislation.

Recommendation:

It is staff's recommendation that the Planning Commission receive and file this report.

3. REQUEST FOR DIRECTION CONCERNING OUTDOOR EQUIPMENT AT WEI-CHUAN U.S.A., INC.

A request for direction concerning outdoor equipment at Wei-Chuan U.S.A. Inc. located at 6655 Garfield Avenue.

Recommendation:

It is staff's recommendation that the Planning Commission recommend to the City Council to:

1. Concur with Director Determination to administratively review and take action on the replacement of 35-foot high existing tower silo (identified as outdoor equipment) with a new 45-foot high tower silo at 6655 Garfield Avenue.

Alternative Actions:

2. Request that the item be presented to the Planning Commission for action, or
3. Request that the item be presented to the Planning Commission for recommendation to the City Council for action.

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

Posted by: EG__Date: _1/9/20____ Time: _5:00 p.m.____



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

Item 1.

TO:	Planning Commissioners
BY:	Erika Gutierrez, Planning Secretary
FROM:	Gustavo Romo, Director of Community Development
SUBJECT:	APPROVAL OF NOVEMBER 20, 2019 PLANNING COMMISSION MINUTES
DATE:	January 15, 2020

RECOMMENDATION:

It is recommended that the Planning Commission approve the attached minutes.

BACKGROUND:

Every Planning Commission meeting, the staff liaison summarizes the actions and comments made by the Planning Commission.

CONCLUSION:

If approved, the minutes of the Regular Planning Commission will be archived in the City Clerk's Office.

FISCAL IMPACT:

No fiscal impacts.

ATTACHMENTS:

Exhibit 1- Minutes of November 20, 2019

APPROVED ELECTRONICALLY BY:

Gustavo Romo, Director of Community Development
Marc Tran, Assistant City Attorney for Rick R. Olivarez, City Attorney
Carmen H. Morales, City Planner

**CITY OF BELL GARDENS
PLANNING COMMISSION REGULAR MEETING
WEDNESDAY, NOVEMBER 20, 2019
MINUTES**

LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS

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.

CALL TO ORDER – Chairperson Rivera called the meeting to order at 6:00 p.m.

INVOCATION – was led by the Building Services Supervisor, George Suarez.

PLEDGE OF ALLEGIANCE – was led by City Planner, Carmen Morales.

ROLL CALL OF PLANNING COMMISSIONERS

Present: Commissioner Flores, Commissioner Villalobos, Vice-Chairperson Ramirez, and Chairperson Rivera

Absent: Commissioner Chavez

Staff Present: Marc Tran, Assistant City Attorney, Carmen H. Morales, City Planner, Yalini Siva, Associate Planner, Erika Gutierrez, Planning Secretary, and Samantha Lubrani, Translator

PUBLIC COMMENT ON NON-AGENDA ITEMS

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

PUBLIC HEARING- SUBSTANDARD PROPERTY (ITEM NO. 1)

1. 6640-44 GAGE AVE.

Mr. Suarez gave the presentation on the Substandard Property located at 6640-44 Gage Ave.

Mr. Tran, Assistant City Attorney asked the Commission if anyone had gone out to visit the subject site in relation to this agenda item and asked for a roll call.

Commissioner Flores – No
Commissioner Villalobos – Yes
Vice Chairperson Ramirez - No
Chairperson Rivera – Yes

Mr. Tran stated that Commissioner Chavez had arrived at 6:15 p.m.

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

Commissioner Villalobos asked Mr. Suarez for clarification on the correspondence that was received from the applicant dated June 26, 2019 in reference to an inspection that was done on-site without the consent of the property owner stating that was considered trespassing. Mr. Suarez stated that being that the City received two complaints pertaining to the subject site, City staff has the legal right to enter the property within common areas as any visitor.

Mr. Tran also indicated that staff has the right to do inspections from the public right-a-way.

Commissioner Flores asked Mr. Suarez in reference to the correspondence that was received from the applicant in reference to building permits that were obtained for the property, and asked Mr. Suarez if building permits were obtained, if so were they included as part of the Agenda. Mr. Suarez indicated building permits were obtained but were not attached to the Agenda due to the fact that the permits do not reflect the current issue, the conversion from a commercial to a residential property. Mr. Suarez further indicated that the permits that are mentioned in the correspondence pertain to eight windows that were changed out in the property.

With no further comments, Chairperson Rivera opened the public hearing.

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

A motion was made by Commissioner Villalobos and seconded by Commissioner Flores recommending that the substandard building and property conditions exist, the property is substandard, and all conditions must be abated by December 20, 2019. After a roll call vote, the motion was passed with a 5-0 vote.

CONSENT CALENDAR (ITEM NO. 2-3)

2. APPROVAL OF SEPTEMBER 18, 2019 PLANNING COMMISSION MINUTES

Chairperson Rivera asked for a motion on the Minutes of September 18, 2019. A motion was made by Commissioner Villalobos and seconded by Commissioner Flores to approve the Minutes of September 18, 2019. Motion carried by a vote of 5-0.

3. APPROVAL OF OCTOBER 16, 2019 PLANNING COMMISSION MINUTES

Chairperson Rivera asked for a motion on the Minutes of October 16, 2019. A motion was made by Commissioner Chavez and seconded by Commissioner Villalobos to approve the Minutes of October 16, 2019. Motion carried by a vote of 5-0.

4. UPDATE REGARDING LEGISLATIVE ENACTMENTS

Mr. Tran gave the presentation regarding legislative enactments.

Staff recommended the Planning Commission receive and file this report as recommended by staff.

STAFF COMMENTS – Ms. Morales introduced and welcomed the new Associate Planner, Yalini Siva.

Ms. Morales also advised the Commission that City email addresses had been created for each Commissioner and further indicated that Mrs. Gutierrez would reach out to each Commissioner to arrange for I.T. to set up their email on their laptops, cell phones or both. Ms. Morales further indicated that email addresses would be used to communicate with City staff, as well as for any City business.

Mr. Tran also advised the Commission that City email addresses should only be used for City business and also once City email addresses are set up, to please discontinue using personal accounts when interacting City staff and or involving any City business.

COMMISSION INFORMATION ITEMS – Commissioner Chavez updated the Commissioners on City related events he had attended during the past month.

ADJOURNMENT – Commissioner Chavez moved to adjourn the meeting and was seconded by Commissioner Villalobos at 6:49 p.m.

RECORDED BY:

ERIKA GUTIERREZ, PLANNING SECRETARY



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

Item 2.

TO:	Planning Commissioners
BY:	Gustavo Romo, Community Development Director
FROM:	Veronica Tam, Veronica Tam and Associates, Inc.
SUBJECT:	2019 HOUSING LEGISLATION
DATE:	January 15, 2020

RECOMMENDATION:

It is staff's recommendation that the Planning Commission receive and file this report.

BACKGROUND:

Recognizing the crisis of housing shortage in California, the State legislature has been aggressively pursuing and passing new legislation to foster housing production by local jurisdictions. Between 2017 and 2019, numerous housing-related bills were passed, mostly with the objectives to:

- Redesign the Regional Housing Needs Assessment (RHNA) process and methodology to accommodate future housing needs and to make up for housing shortage that had been accumulated over the last two decades
- Remove governmental constraints to encourage housing production – objective standards, by-right approval, and streamlining
- Incentivize housing production by providing planning and affordable housing grants
- Hold local jurisdictions accountable for noncompliance of Housing Element law and nonproduction of housing units – litigation by Attorney General, mandatory fines with court order, ineligibility for funding.

In September 2019, the Governor signed 18 new housing bills. This summary report focuses on some of the new housing bills signed into law in 2019.

Density Bonuses for Affordable Housing (AB 1763)

Increased density bonus for a 100% affordable projects (previously 35% bonus)

- If project within ½ mile of major transit stop
 - A height increase of 3 additional stories or 33 feet
 - A density bonus of 80% and not subject to density limit
- Eligible for 4 incentives and concessions
- Up to 20% of total units can be moderate housing, remaining 80% very low and low income housing

Accessory Dwelling Units (AB 68, 671, 881, and 587, and SB 13)

The Legislature passed several bills that may require a city to amend its existing ordinance regarding development of ADUs and Junior ADUs. A copy of the amended ordinance must be submitted to HCD within 60 days of adoption.

Locations

- No minimum lot size requirement
- ADUs allowed on lots with multi-family structures
- Only three permitted ways to prohibit ADUs in certain areas: water adequacy, sewer adequacy,

and public safety

- Maximum 4-foot setback (if not converted from an existing structure)
- Cannot require replacement parking for garage conversions

Size Regulations

- Cannot establish size requirements that prohibit construction:
 - Minimum 220 square feet for efficiency units
 - Maximum 850 square feet for 0-1 bedrooms
 - Maximum 1,000 square feet for 2+ bedrooms
- Must allow at least an ADU of 800-square-foot/16-foot tall/4-foot rear and side setbacks
- Maximum is 50% of existing primary dwelling

Parking

- Cannot require parking for:
 - Garage conversion
 - ½ mile of public transit

Impact Fees

- Less than 750 square feet: No impact fees
- 750 square feet or more: 25% of impact fees

Occupancy

- Owner occupancy not required until January 1, 2025
- Short-term rentals of ADUs is prohibited (minimum longer than 30 days)

Multi-Family

- Multifamily structures – conversion of space not used for residential – storage room, boiler room, passageway, etc., up to 25% of the units if meeting California building codes
- Must allow a JADU (Junior Accessory Dwelling Unit) and either a converted or detached ADU (Accessory Dwelling Unit)
- Voids CC&R of an HOA that prohibits/unreasonably restrict ADUs or JADUs

Housing Element

- Must include plan to incentivize/promote ADUs

Housing Data (AB 1483)

- Requires jurisdictions to post on website:
 - A current schedule of fees applicable to a proposed housing development project,
 - All zoning ordinances and development standards
 - All nexus studies (that support the fee schedule amounts)

Housing Crisis Act of 2019 (SB 330)

Definition of Housing Development

- Residential projects;
- Mixed use projects with 2/3 of residential square footage; and
- Transitional and supportive housing

Application Process

- New preliminary application process
- Jurisdictions must compile of checklist for application
- Developer has 180 days from submittal to submit a development application
- Jurisdiction cannot request anything not identified in application checklist

Streamlining

- No more than 5 public meetings if project complies with General Plan and Zoning
- Cannot require rezoning if it meets General Plan standards
- 90 days following certification of EIR to approve project, but 60 days for projects seeking LIHTC

No Net Loss of Housing

- No net loss of housing availability.

- No downzoning housing without also upzoning housing.
- Cannot require residential unit demolition (unless replacement units)
- No Housing Moratoria
 - No moratoria on housing (including mixed use developments)
 - Exception – imminent threats to public health and safety
 - No growth control measures adopted after 2005 that caps permitted housing.

Housing (SB 113)

- Attorney General may request the court issue an order of judgment directing a jurisdiction to bring Housing Element in compliance

Transitional Housing/Housing Element (AB 101)

- Housing Element Enforcement
 - Potential mandatory fines for city non-compliance with court order
 - Before filing lawsuit Attorney General must offer 2 meetings with city
- For 2021 Housing Element Cycle
 - Requires Department of Finance to list cities not in compliance
 - Cities are awarded additional points in the scoring of program applications for housing and infrastructure programs pursuant to guidelines adopted by HCD, as provided
- Grant Funding
 - Homeless: \$650 million
 - Housing Element \$250 million local government planning support grants
 - CalHome: \$300 million for ADUs
 - Income Tax Credit: Low Income Housing Tax Credit
- Low Barrier Navigation Centers
 - A service-enriched housing or shelter facility that focuses on moving the homeless into permanent housing
 - A permitted use by right in mixed use or nonresidential zones where multifamily uses are permitted

FISCAL IMPACT:

No fiscal impact.

APPROVED ELECTRONICALLY BY:

Gustavo Romo, Director of Community Development

Marc Tran, Assistant City Attorney for Rick R. Olivarez, City Attorney

Carmen H. Morales, City Planner



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

Item 3.

TO:	Planning Commissioners
BY:	Yalini Siva, Associate Planner
FROM:	Gustavo Romo, Community Development Director; and Carmen Morales, City Planner
SUBJECT:	REQUEST FOR DIRECTION CONCERNING OUTDOOR EQUIPMENT AT WEI-CHUAN U.S.A., INC.
DATE:	January 15, 2020

RECOMMENDATION:

It is staff's recommendation that the Planning Commission recommend to the City Council to:

1. Concur with Director Determination to administratively review and take action on the replacement of 35-foot high existing tower silo (identified as outdoor equipment) with a new 45-foot high tower silo at 6655 Garfield Avenue.

Alternative Actions:

2. Request that the item be presented to the Planning Commission for action, or
3. Request that the item be presented to the Planning Commission for recommendation to the City Council for action.

BACKGROUND:

Wei-Chuan U.S.A., Inc., a manufacturing and distribution company of various Asian food products, has been headquartered in Bell Gardens since 1982. Over the years, the company has obtained permits to improve and expand the business at 6655 Garfield Avenue. A 35-foot flour tower silo was approved and installed in 1988 in the rear of the property for the purposes of storing flour. Representatives of the subject business have inquired as to the permitting process regarding the replacement of this existing tower silo with a new approximately 45-foot tower silo.

PROJECT/SITE DESCRIPTION:

Silos are used in agriculture to store grain or fermented feed. They are sometimes built as towers and other times as pits.

The existing silo contains a bin vent located on top of the tower. The total height amounts to an approximate height of 40 feet with the bin vent. The proposed silo would amount to approximately 52 feet in height (45-foot tower with 7-foot bin vent). The existing silo is surrounded by a tubular steel fence and located in the rear of the property behind the warehouse/manufacturing building, which is 6 feet in height. Thus, the tower is not readily visible from Garfield Avenue. However, it is

adjacent to single-family homes in the rear and somewhat visible from the residential street (Toler Avenue)(Refer to Exhibit 4, Photo Simulations).

Exhibit 1 is a site plan of the existing property and Exhibit 2 provides approximate elevations of the existing and proposed silos. As part of the Administrative Site Plan Review, staff intends to provide courtesy notice with a copy of the plans to the residents located adjacent to the silo for comment before any action is taken on the applicant's request. The Director intends to establish a written policy pertaining to outdoor equipment, which would identify allowable height projections, locations, and camouflaging requirements. In this case, the allowable height projection above the maximum height limit of 35 feet in this commercial-manufacturing zone would amount to 30%. The new policy would require photo simulations from the public right-of-ways to ensure no negative aesthetic impacts to the community.

FISCAL IMPACT:

No fiscal impacts.

ATTACHMENTS:

Exhibit 1- Site Plan

Exhibit 2- Elevation View and Plan View

Exhibit 3- Aerial Photograph

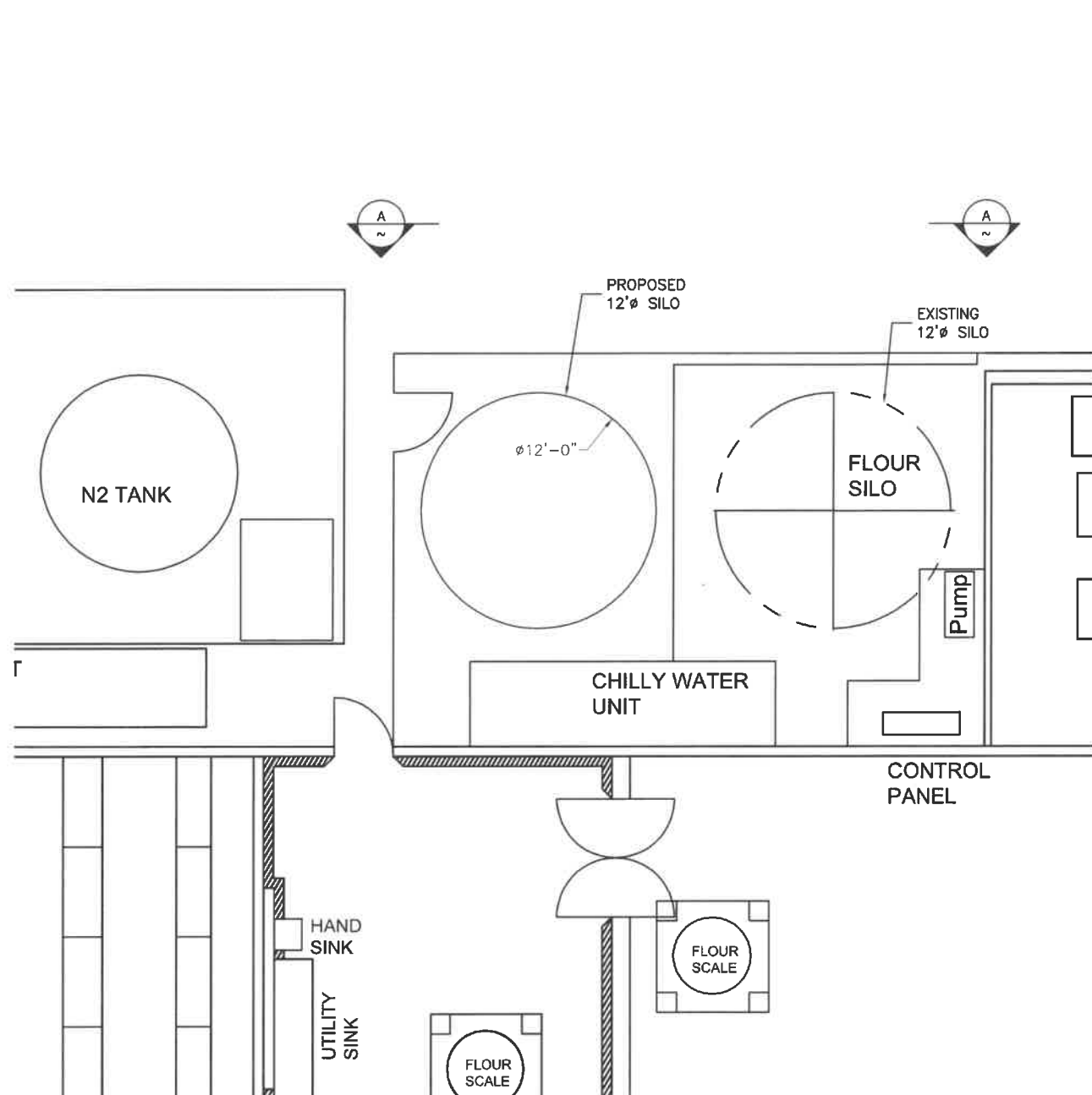
Exhibit 4- Photo Simulations

APPROVED ELECTRONICALLY BY:

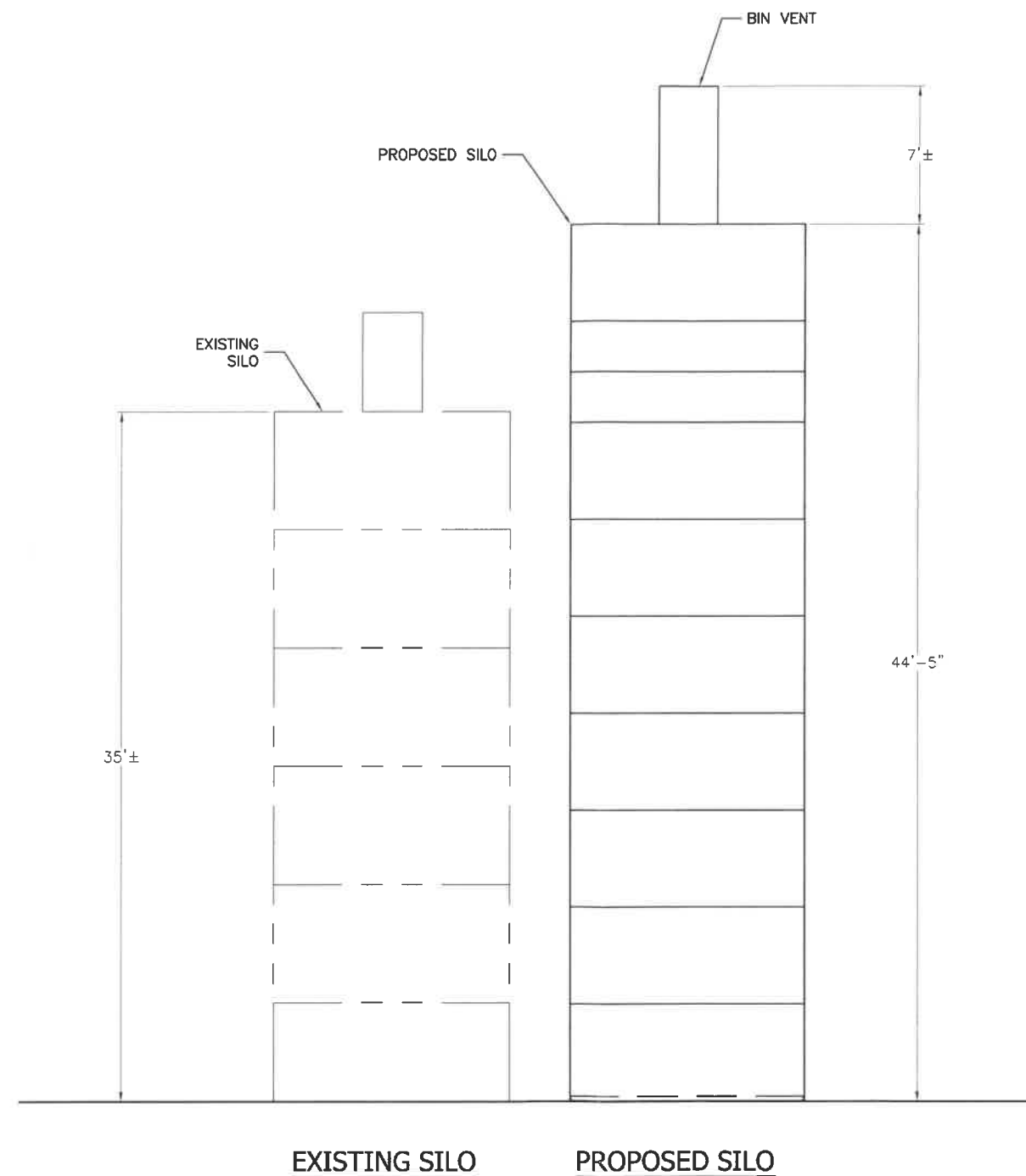
Gustavo Romo, Director of Community Development

Marc Tran, Assistant City Attorney for Rick R. Olivarez, City Attorney

Carmen H. Morales, City Planner



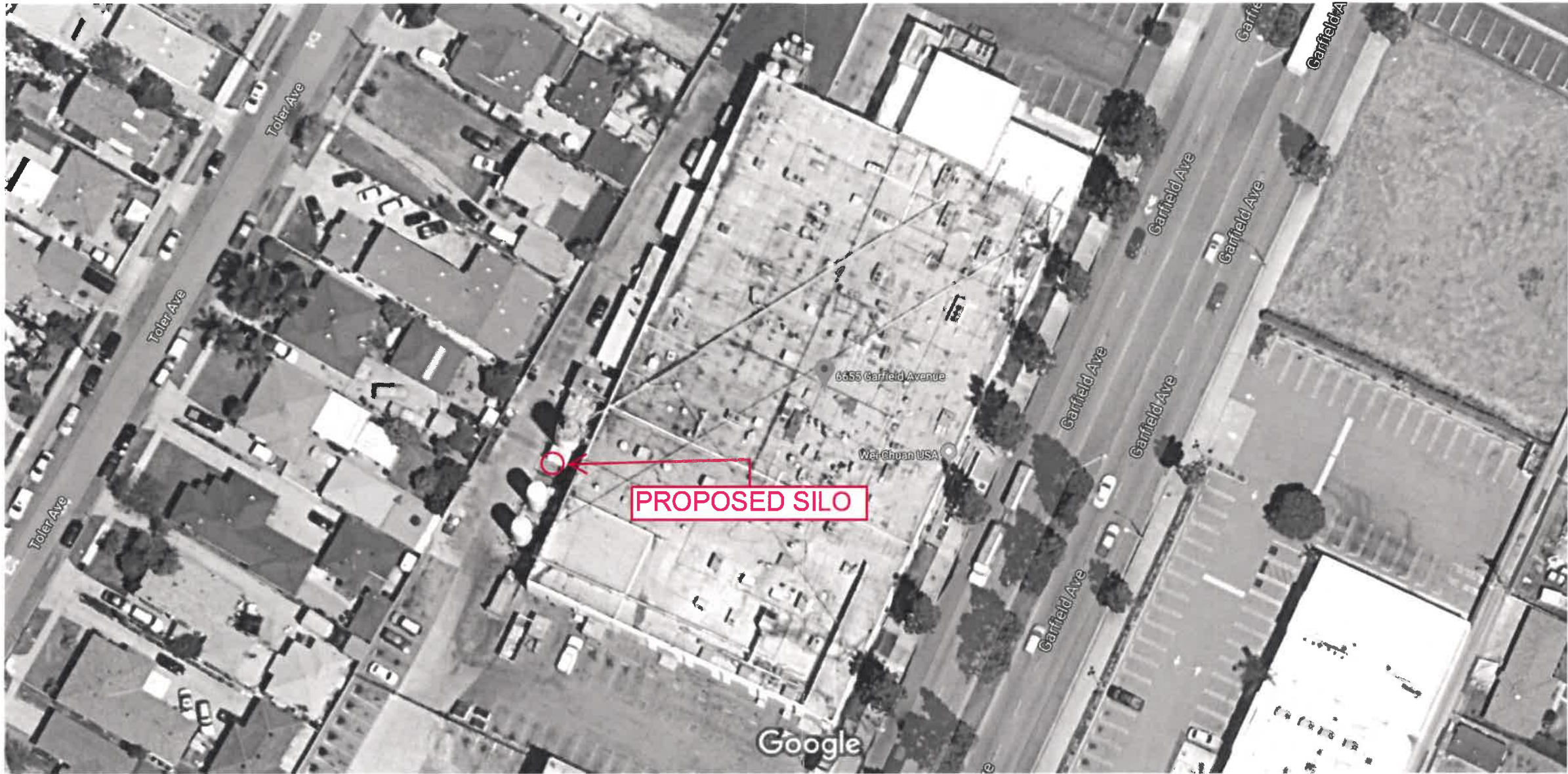
1
1 PLAN VIEW-SILOS
SCALE: 1/4"=1'-0"



A-A
~ ELEVATION VIEW - SILOS
SCALE: 1/4"=1'-0"

			<div><p>SOLIDS PROCESSING EQUIPMENT CO., INC.</p><p>8471 Maple Place Rancho Cucamonga, CA 91730 PHONE (909)980-4903 FAX (909)980-4923</p></div>	CLIENT: WEI-CHUAN USA, INC. 6655 S. GARFIELD AVENUE BELL GARDENS, CA 90201		
				PROJECT: INSTALL NEW SILO —	SCALE: AS SHOWN	
				DESCRIPTION: SITE PLAN		
XX-XX-XX	—	XXXXX		DATE: 17DEC19	SHEET: —/—	FILENAME: 7902 Master.dwg
DATE	REVISION	DESCRIPTION				

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Map data ©2019 , Map data ©2019 20 ft

WEI-CHUAN
PROPOSED SILO
6655 S. GARFIELD AVE.



