



CITY OF BELL GARDENS
PLANNING COMMISSION
7100 Garfield Ave., Bell Gardens CA 9021
WEDNESDAY, FEBRUARY 15, 2023, 6:00 PM
AGENDA

LOCATION: CITY COUNCIL CHAMBERS, 7100 GARFIELD AVENUE, BELL GARDENS, CA 90201

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), which was effective immediately and amends Government Code section 54953 to allow a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to AB 361, please be advised that members of the Bell Gardens Planning Commission may participate in meetings telephonically. The meeting will be held at Bell Gardens City Hall in the Council Chambers. The public may attend the meeting in person or may view the meeting online. The meeting will be recorded and live streamed on the City's website at <https://www.bellgardens.org/i-want-to/watch-city-commission-meetings>.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting the Community Development Department by telephone at 562-806-7722 or via email to planning@bellgardens.org no later than 72-hours before the scheduled meeting.

PUBLIC PARTICIPATION: The members of the public may address the Planning Commission on any item listed on the agenda or on matters which are not listed on the agenda but are within the subject matter jurisdiction of the Planning Commission. Public comments are limited to three (3) minutes per person. Public comments for non-agenda items will be limited to a total of 30 minutes. Public comments can be made by any of the following ways:

IN-PERSON: Members of the public can provide in-person comments at the podium in the Council Chamber. The Council Chamber will have seating available for members of the public to attend the meeting in-person. For your safety, space is currently limited to 50 members of the public. Masking is required for all in attendance. Public comments are limited to three (3) minutes per speaker, unless a different time is announced by the presiding chair. Speakers who wish to address the Commission should do so by submitting a "Public Comment Card" card by 5:00 p.m. for Closed Session items and by 6:00 p.m. for all other designated public comment periods as listed.

BY TELEPHONE: Phone Number: (669)900-9128 Webinar ID: 892 6467 1097# Passcode: *2021#
To address the Commission press *9 to raise your hand then *6 to unmute yourself when instructed.

VIRTUALLY LIVE: Members of the public may participate via Zoom by clicking here and entering the Zoom Meeting ID: 892 6467 1097 Passcode: 2021

Comments may also be made via the Zoom app by using the "Raise Hand" feature when it is your turn to speak the host will unmute you. Comments will not be accepted in the QandA Chat function of the zoom app.

WRITTEN COMMENTS: Public comments may be emailed to planning@bellgardens.org or mailed to: Community Development Department, 7100 Garfield Ave., Bell Gardens, CA 90201. To ensure distribution to the members of the Planning Commission prior to consideration of the agenda, please submit comments no later than one (1) hour prior to the meeting. Those comments, as well as any comments received after, will be distributed to the members of the Planning Commission and will be part of the official public record of this meeting.

For more information, you may contact the Community Development Department during regular business hours 7:30 a.m. to 6:00 p.m., Monday through Thursday at (562) 806-7722.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING COMMISSIONERS

Armando Barcena, Commissioner
Miguel De La Rosa, Commissioner
Gabriela Gomez, Commissioner
Alexander Villalobos, Vice Chairperson
Tony Rivera, Chairperson

PUBLIC COMMENT ON AGENDA ITEMS ONLY

During this time, the members of the public may address the Planning Commission regarding any items listed on the agenda. Public comments are limited to 3 minutes per person.

PUBLIC HEARING (Item No. 1)

1. ZONING CODE AMENDMENT NO. 2023-003 - ART IN PUBLIC PLACES- ORDINANCE NO. 931

Recommendation:

It is recommended that the Planning Commission:

1. Find that recommendation on the proposed ordinance is not subject to the provisions of the California Environmental Quality Act (CEQA) for the reasons stated herein, and;
2. Adopt Resolution #PC 2023-01 (Exhibit 1) recommending to the City Council approval of Zoning Code Amendment No. 2023-003 and adoption of Ordinance No. 931 (Exhibit 2) amending Title 9 of the Bell Gardens Municipal Code (BGMC) to add Chapter 9.71, "Art in Public Places"; and
3. Direct staff to include one of the following standards for appointing a community member as a member of the art in public places committee, as a recommendation to City Council:

Option 1: a community member shall be appointed to be a part of the committee by the Planning Commission, or

Option 2: a community member shall be appointed to be a part of the committee by the committee chair.

CONSENT CALENDAR (Item No. 2)

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.

2. APPROVAL OF NOVEMBER 16, 2022 PLANNING COMMISSION MINUTES

November 16, 2022 - Regular Meeting Minutes

Recommendation:

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

DISCUSSION (Item No. 3-4)

3. DRAFT 2022 BELL GARDENS GENERAL PLAN ANNUAL PROGRESS REPORT (FILE NO. 2023-006)

Government Code Section 65400 mandates that certain cities and all 58 counties submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1 of each year. Only charter cities are exempt from the requirement to prepare Annual Progress Reports (APRs) unless the charter stipulates otherwise (Government Code Section 65700).

Recommendation:

It is staff's recommendation that the Planning Commission:

1. Receive and file this report; and
2. Adopt Resolution #PC 2023-02 (Exhibit 1) recommending to the City Council receive, file, and consent to submission of the 2022 Bell Gardens General Plan Annual Progress Report.

4. REPORT ON ENVIRONMENTAL JUSTICE ELEMENT TO THE BELL GARDENS GENERAL PLAN

On November 14, 2022, the City Council approved a professional services agreement to authorize Impact Sciences to begin work on an Environmental Justice Element to the Bell Gardens General Plan to identify and address public health risks and environmental concerns for vulnerable populations in disadvantaged communities which have long suffered public health effects from geographical inequities.

Recommendation:

It is recommended that the Planning Commission receive and file this report.

PUBLIC COMMENTS ON NON-AGENDA ITEMS ONLY

During this time, the members of the public may address the Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission. Public comments are limited to 3 minutes per person subject to an overall 30-minute period for non-agenda items. Government Code Section 54590 prohibits the Successor Agency from taking action or engaging in discussion on a specific item unless it appears on the agenda.

STAFF COMMENTS - ENTITLED PROJECTS UPDATE

COMMISSIONER COMMENTS

ADJOURNMENT

Posted by: Erika Gutierrez, Planning Secretary Date: 2/9/23



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

Item 1.

TO:	Honorable Chair and Members of the Planning Commission
FROM:	Steven Jones, City Planner
BY:	Adrian Flores, Assistant Planner
SUBJECT:	ZONING CODE AMENDMENT NO. 2023-003 - ART IN PUBLIC PLACES- ORDINANCE NO. 931
DATE:	February 15, 2023

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Find that recommendation on the proposed ordinance is not subject to the provisions of the California Environmental Quality Act (CEQA) for the reasons stated herein, and;
2. Adopt Resolution #PC 2023-01 (Exhibit 1) recommending to the City Council approval of Zoning Code Amendment No. 2023-003 and adoption of Ordinance No. 931 (Exhibit 2) amending Title 9 of the Bell Gardens Municipal Code (BGMC) to add Chapter 9.71, "Art in Public Places"; and
3. Direct staff to include one of the following standards for appointing a community member as a member of the art in public places committee, as a recommendation to City Council:

Option 1: a community member shall be appointed to be a part of the committee by the Planning Commission, or

Option 2: a community member shall be appointed to be a part of the committee by the committee chair.

BACKGROUND:

During the October 24, 2022, City Council meeting, staff guidance was requested for establishing an ordinance for a public art program to expand the City's artistic and cultural resources and to enhance the built environment and quality of life as new development occurs. Staff researched the feasibility of establishing a public art program or including an in-lieu payment as an impact mitigation and found that implementation of a program and/or collection of distinct fees are separate from collection of public facilities fees authorized by the state's Act. It was recommended that an independent ordinance with distinctive methodology and guidelines would be appropriate. The Art in Public Places (AIPP) Ordinance would be suitable as a stand-alone ordinance amending Title 9 Zoning and Planning Regulations of the BGMC to add a new chapter for art in public places.

The ordinance would further the goals and objectives of and be consistent with the Bell Gardens General Plan to ensure the needs of the residents are met by expanding the opportunities for residents and visitors to experience artistic, historic, and cultural aspects of the City through the placement of artwork associated with new and revitalization development.

The neighboring cities that currently have public art programs are Alhambra, Bellflower, Commerce, Downey, South Gate, and Whittier.

PROJECT/SITE DESCRIPTION:

Ordinance No. 931 proposes to amend Title 9 of the Bell Gardens Municipal Code to add Chapter 9.71, "Art in Public Places," (Chapter) and would include standards and guidelines for the implementation of the proposed public art program.

Pursuant to General Plan Land Use Element Policy No. 2, the Chapter would encourage pride in the community, increase property values, and enhance the quality of life through artistic opportunities that aim to unite the community through shared cultural experiences. The implementation of the ordinance would help to create a cultural legacy, community stability, and economic vitality for future generations through the collection and exhibition of high-quality art pieces reflective of the diverse styles referenced in General Plan Land Use Element Policy No. 5.

Occasions to develop cultural and artistic resources diminish as growth and projects resulting in physical change and increased footprints occur. Chronicling history through the collection of artifacts, documents, and memorabilia would acknowledge the past, relate the present, and foster connection to the future.

New development or renovation projects would be subject to the provisions of the ordinance. Project applicants would be required to install approved artwork in conjunction with their project on the subject property, donate artwork to the City, or pay an in-lieu contribution equal to a minimum percentage of the total building valuation on site. Surrounding cities that have adopted public art program ordinances have all used one percent (1%). Therefore, staff believes it is in the City's best interest to remain consistent with the region and implement the same one percent 1% building valuation percentage.

Projects subject to this Chapter would be all new residential development projects of five units or more, and all new commercial, industrial, and public building development projects. However, a building/project valuation threshold would be implemented to further identify projects that would be subject to the AIPP ordinance. The proposed levels are as follows:

1. New development with a building valuation of \$500,000 or more.

Surrounding cities have adopted various building valuation thresholds ranging from \$50,000 to \$500,000. To ensure that future development would be encouraged, the AIPP ordinance valuation threshold of \$500,000 would be suitable for the community because surrounding municipalities have a similar figure in place with no report of negative impact to the rate of development. The valuation would be based on the total project building construction costs, excluding land value. Therefore, a project with a \$500,000 valuation would require artwork or an in-lieu fee equal to an amount of \$5,000.

2. Exterior modifications, alterations, and additions with a project valuation of \$250,000 or more.

Surrounding cities have adopted various project valuation thresholds ranging from \$50,000 to \$250,000. The building valuation threshold of \$250,000 would be suitable for the community because surrounding municipalities, such as Commerce, Whittier, and Alhambra, have similar valuation amounts in place for similar projects. A remodel project with a total rehabilitation or renovation building valuation of \$250,000 or less would be exempt from the requirements set forth in the AIPP chapter.

Developments exempt from the requirements of this Chapter would be those that involve the rehabilitation or renovation work as a result of a natural disaster, nonprofit organization facilities, development containing a minimum of twenty-five percent (25%) covenanted affordable housing units for very low, lower, or moderate-income households, senior citizen housing, projects dedicated to performing art spaces and all public work and governmental agency

projects.

The Chapter would establish an “Art in Public Places Fund” that would be used to hold the contributions paid through the in-lieu of artwork installation provisions of this Chapter. In lieu of the placement of artwork, the project applicant would have the option to pay the art in public places fund an amount equal to one percent (1%) of the total building valuation. The contributions deposited in the fund would be designated to carry out intent and purposes contained in the chapter to include installation of artwork in public places, maintenance, support of performing arts, and administration.

An AIPP review committee (Committee) would be established to administer and fulfill the administrative duties established in the Chapter. The Committee would consist of the Community Development Department Director as chair, the Director of Recreation and Community Services, other city officers, and public or private agencies, in the opinion of the chair of the Committee, who would have an interest in the public art program.

General Plan Land Use Element Policy No. 1 puts forth that the City shall always maintain open communication with the community and shall seek input from residents and property owners regarding the future of the city. In an effort to maintain openness, transparency and clear communication for input, staff has provided two options for the Planning Commission to consider:

Option 1: a community member who would have interest in the art in public places review and approval process could be appointed to be a part of the Committee by the Planning Commission.

Option 2: a community member who would have interest in the art in public places review and approval process could be appointed to be a part of the Committee by the chair, dependent upon project location and resident permanent living proximity. Resident proximity would be defined as a minimum owner or resident occupancy within the city limits and within ½ mile of the project subject property.

Approval for placing artwork on private property would be subject to the guidelines included in the Chapter regulating the type, style, location, and qualifications of the proposed artwork. The Committee would review and approve proposed artwork on private property. Recommended City Council action for the donation and/or installation of artwork on public property, performing arts, outside art projects, and purchase of real property for public art would be submitted by the Committee pursuant to guidelines in the Chapter.

ENVIRONMENTAL REVIEW:

Proposed Zoning Code Amendment No. 2023-003 and Ordinance No. 931 are exempt from the California Environmental Quality Act (CEQA) under the following provisions of the CEQA Guidelines: Section 15061(b)(3) because there is no possibility that it may have a significant effect upon the environment; and under Section 15378, as the Ordinance is not a project under CEQA because it will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because it does not authorize any specific activity.

CONCLUSION:

It is recommended that the Planning Commission provide guidance on Committee membership and adopt Resolution #PC 2023-01, recommending to the City Council approval of Zoning Code Amendment No. 2023-003 and adoption of Ordinance No. 931.

FISCAL IMPACT:

None

ATTACHMENTS:

Exhibit 1- Resolution No. 2023-01

Exhibit 2- Ordinance No. 931- Art in Public Places

Exhibit 3- Public Hearing Notice

APPROVED ELECTRONICALLY BY:

Steven Jones, City Planner

Lloyd Pilchen, Deputy City Attorney for Rick R. Olivarez, City Attorney

Gustavo Romo, Director of Community Development

RESOLUTION #PC 2023-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL GARDENS RECOMMENDING CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT NO. 2023-003 AMENDING BELL GARDENS MUNICIPAL CODE TITLE 9 (ZONING AND PLANNING REGULATIONS) TO ADD CHAPTER 9.71 “ART IN PRIVATE AND PUBLIC PLACES” TO ESTABLISH PUBLIC ART REQUIREMENTS FOR CERTAIN DEVELOPMENT PROJECTS WITHIN THE CITY

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, the Bell Gardens General Plan (“Plan”) articulates the community’s vision and is implemented by an effective Zoning Code;

WHEREAS, the proposed zoning text amendment is consistent with furthering the goals and objectives of the Plan to ensure the needs of the residents are met;

WHEREAS, the Plan’s Land Use Element Policy No. 2 emphasizes the City’s commitments to the community to promote compatible, quality development, emphasize neighborhood identity, and increase pride in neighborhoods within the City;

WHEREAS, the Plan’s Land Use Element Policy No. 5 records that cultural and artistic resources, including artwork and performing arts increase property values, community stability, and enhance the quality of life for individuals living in, working in, and visiting the City;

WHEREAS, opportunity to develop these resources is diminished as growth and projects resulting in physical change and increased footprints occur;

WHEREAS, cultural and artistic resources can enhance the City’s appearance, the potential economic vitality, and revitalization by encouraging diversity of distinct design within the City;

WHEREAS, the purpose of the Art in Public Places (AIPP) Ordinance is to ensure the incorporation of public art into the community and into development projects within the City;

WHEREAS, pursuant to California Government Code Sections 65854 and 65090, the Planning Commission duly noticed, agendized, and conducted the public hearing on this matter on February 15, 2023;

WHEREAS, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by City staff, the relevant staff

report, and all other pertinent documents regarding the proposed Zoning Code Amendment No. 2023-003; and

WHEREAS, after the close of such public hearing, the Planning Commission adopted Planning Commission Resolution #2023-01 recommending to the City Council the approval of Zoning Code Amendment No 2023-003.

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

SECTION 1. The recitals set forth above are hereby incorporated by this reference as if set forth in full herein.

SECTION 2. In recommending approval of Zoning Code Amendment No. 2023-003 and adoption of Ordinance No. 931 the Planning Commission finds as follows:

- i. The above recitals are true and correct and hereby incorporates them herein by this reference.
- ii. Ordinance No. 931 serves the public health, safety, and welfare of the residents and businesses within the City by regulating the development of cultural and artistic resources, the placement of artwork, and performing arts.
- iii. Ordinance No. 931 serves the public health, safety, and welfare of the residents and businesses within the City to regulate land use within the City.
- iv. Ordinance No. 931 is consistent with the City's General Plan.
- v. Ordinance No. 931 amending the City of Bell Gardens Municipal Code, will not present any risk to the public health and safety.

SECTION 3. The Planning Commission hereby adopts this Resolution recommending to the City Council the approval of Zoning Code Amendment No. 2023-003 and adoption of Ordinance No. 931.

SECTION 4. Zoning Code Amendment No. 2023-003 recommending City Council adopt Ordinance No. 931, are exempt from the California Environmental Quality Act (CEQA) under the following provisions of the CEQA Guidelines: Section 15061(b)(3) because there is no possibility that it may have a significant effect upon the environment; and under Section 15378 as the Ordinance is not a project under CEQA because it will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because it does not authorize any specific activity.

SECTION 5. The Planning Commission of the City of Bell Gardens hereby transmits and recommends to the City Council approval of Zoning Code Amendment

2023-003 and adoption of Ordinance No. 931 amending the Bell Gardens Municipal Code (Zoning and Planning).

PASSED, APPROVED AND ADOPTED this 15th day of February 2023.

TONY RIVERA, *CHAIRPERSON*

ATTEST:

ERIKA GUTIERREZ, PLANNING SECRETARY

APPROVED AS TO FORM:

LLOYD PILCHEN
ASSISTANT CITY ATTORNEY

ORDINANCE NO. 931

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS, CALIFORNIA ADDING CHAPTER 9.71 “ART IN PUBLIC PLACES” TO TITLE 9 (ZONING AND PLANNING REGULATIONS) OF THE BELL GARDENS MUNICIPAL CODE ESTABLISHING PUBLIC ART REQUIREMENTS FOR CERTAIN DEVELOPMENT PROJECTS WITHIN BELL GARDENS

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, the Bell Gardens General Plan articulates the community’s vision and is underscored by an effective Zoning Code;

WHEREAS, the proposed zoning text amendment is consistent with furthering the goals and objectives of the Bell Gardens General Plan to ensure the needs of the residents are met;

WHEREAS, Policy No. 2 of the Land Use Element of the Bell Gardens General Plan emphasizes the City’s commitments to the community to promote compatible, quality development, emphasize neighborhood identity, and increase pride in neighborhoods within the City;

WHEREAS, Policy No. 5 of the Land Use Element of the Bell Gardens General Plan records that cultural and artistic resources, including artwork and performing arts increase property values, community stability, and enhance the quality of life for individuals living in, working in, and visiting Bell Gardens;

WHEREAS, opportunity to develop these resources is diminished as growth and projects resulting in physical change and increased footprints occur;

WHEREAS, cultural and artistic resources enhance the City’s appearance, the potential economic vitality, and revitalization by encouraging diversity of distinct design within the City;

WHEREAS, the City determined that public art is a critical element of providing a culturally rich environment to residents and visitors which also enriches the community with aesthetic qualities;

WHEREAS, the purpose of an Art in Public Places (AIPP) ordinance is to ensure the incorporation of public art into the community and into development projects within the City;

WHEREAS, the Planning Commission conducted a duly noticed public hearing on February 15, 2023, and reviewed all facts and evidence, both written and testimonial, pertaining to this Ordinance; and

WHEREAS, the City finds it necessary to amend the Bell Gardens Municipal Code (“BGMC”) to establish guidelines for the development of cultural and artistic assets, including artwork and performing arts which will enhance the quality of life in Bell Gardens.

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. The above recitals are true and correct and incorporated.
- ii. Ordinance No. 931 serves the public health, safety, and welfare of the residents and businesses within the City by regulating the development of cultural and artistic resources, the placement of artwork and performing arts.
- iii. Ordinance No. 931 is consistent with the Bell Gardens General Plan.
- iv. Ordinance No. 931, amending the City of Bell Gardens Municipal Code, will not present any risk to the public health and safety.

SECTION 2. Chapter 9.71 entitled “Art in Public Places” is hereby added to Bell Gardens Municipal Code Title 9, Planning and Zoning, Division 5 Administration, as follows:

**Chapter 9.71
ART IN PUBLIC PLACES**

Sections:

9.71.010 Intent and purpose.

9.71.020 Definitions.

9.71.030 Development subject to provisions of chapter.

9.71.040 Exemptions.

9.71.050 Requesting exception.

9.71.060 Allocation requirement.

9.71.070 Art in public places fund created.

9.71.080 Art in public places review committee.

9.71.090 Timing of compliance.

9.71.100 Removal of artwork.

9.71.110 Guidelines for artwork.

9.71.120 Private places artwork.

9.71.130 Donated public places artwork.

9.71.140 Public places artwork.

9.71.150 Artwork ownership and maintenance.

9.71.160 Criteria for approving architecture as artwork.

9.71.170 Procedure for approving architecture as artwork.

9.71.180 Return of fees.

9.71.010 Intent and purpose.

The purpose of this chapter is to promote the general welfare by encouraging pride in the community, increasing property values, enhancing the quality of life through development of cultural and artistic resources. This chapter may be known and cited as the “Bell Gardens Art in Public Places Program.” The intent of the program is to create a cultural legacy for future generations through the collection and exhibition of high-quality art pieces that reflect diverse styles to unite the community through shared cultural experiences. Art in Public Places will further these goals by chronicling history by facilitating collection of artifacts, documents, and memorabilia that will acknowledge the past, relate the present and foster a connection to the future.

9.71.020 Definitions.

“Art” or “Artwork” means original creations of art including, but not limited to, the following categories: sculpture, murals, mosaics, monuments, fountains, or other pieces that will have a positive aesthetic impact and/or provide a positive perception of the City. These categories may be realized through such mediums as steel, bronze, stained glass, concrete, wood, ceramic tile, stone, and other suitable materials.

“Developer” means any person or entity that is financially and legally responsible for the planning, development, and construction of any development or development project covered by the Art in Public Places Program, who may or may not, be the owner of the subject property.

“Development” or “Development Project” means any man-made change to improved or unimproved real property, the use of any principal structure or land, or any other activity that requires the issuance of a building permit.

“Director” shall be defined as in BGMC 9.04.040.

“Public Place” means any area on public or private property, which must be fully visible to the general public.

“Project Applicant” means the property owner, developer, or other responsible party proposing the project.

“Valuation” means the total value of the improvements approved for a development project, as indicated on the building permit application or applications submitted to the City in order to obtain a building permit or permits for the development project.

9.71.030 Development subject to provisions of chapter.

- A. All new residential Development of more than five (5) units, and all commercial, industrial, and public building Development Projects, with a building valuation exceeding \$500,000 shall be subject to the provisions of this chapter.
- B. Including but not limited to exterior modifications, alterations and additions, all remodeling of existing residential buildings of more than five (5) units, and all remodeling of existing commercial, industrial, and public buildings, shall be subject to the provisions of this chapter when such remodeling has a valuation exceeding \$250,000.

9.71.040 Exemptions.

- A. The following developments or modifications, alterations, and additions to the developments are exempt from this chapter:
 - 1. Residential, mixed use, commercial, or industrial development consisting exclusively of rehabilitation work required for seismic safety, as a result of a natural disaster, declared federal or state emergency or major disaster, or to comply with applicable building requirements, and governmental mandates, including, but not limited to, the Americans With Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), as amended, regardless of valuation.

2. Repair intended to upgrade an existing building or structure that does not change the use or type of such building or structure and does not alter the size or occupancy load of the building or structure.
 3. Commercial or industrial development projects owned solely by a nonprofit organization under Internal Revenue Code Section [501\(c\)\(3\)](#), provided the premises are operated by a nonprofit organization and used exclusively in furtherance of nonprofit purposes.
 4. New residential or mixed-use development containing a minimum of 25 percent (25%) covenanted affordable housing units for very low, lower, or moderate income households as defined in Health and Safety Code commencing with Section [50050](#).
 5. All senior citizen housing projects as defined in BGMC 9.59.020, "Senior citizen housing development."
 6. Buildings and projects designed and dedicated to performing arts spaces or facilities including theaters, performance art centers, or other similar facilities as determined by the Director, or museums. This exemption does not include commercial movie theaters, private recreation facilities, or buildings or spaces dedicated to primarily administrative activities.
 7. All public work and governmental agency projects.
- B. These exemptions shall apply only as long as a valid building permit and the exempt use is maintained.

9.71.050 Requesting exception.

- A. Requesting an Exception. When a Project Applicant seeks an exception from the requirements of this chapter, that applicant shall:
1. Within thirty (30) days of being notified that a Project art in public places requirement applies, send a letter to the Director stating the reasons why the Project should not be subject to the requirements established in this chapter and that an exception is requested.
 2. The Director shall, within thirty (30) days of receipt of such letter, conduct a Type 2 site plan review, as defined in BGMC section 9.58.030, for an exception request.
 - a. A request for an art in public places exception shall require the submittal of the exception request letter and additional information, forms, and/or documents necessary to determine compliance with provisions of this title or any conditions that the Director may require in granting approval of the request including but not limited to evidence of Project valuation.
 3. The Director shall notify the applicant of the action taken on the Type 2 site plan review exception request. Said notification of action taken shall be made in writing by first class mail or email by the Director or the Director's

designee.

- B. Appeal. The action of the Director on a Type 2 site plan review exception request may be appealed to the planning commission. All appeals shall be filed and reviewed per the provisions of Chapter [9.60](#) of BGMC, Appeals.
- C. Expiration. A Type 2 site plan review exception request approval, and all rights thereunder, shall terminate and become null and void within twelve (12) months from the date of the approval by the Director or Planning Commission under appeal unless action is taken to secure building permits and maintain active building permits with the building division beginning with the submittal of plans for plan check review. The Director may consider extending the expiration date of any Type 2 site plan review exception request for a period not to exceed twelve (12) months, provided an application requesting the extension is submitted to the Director prior to the expiration date.

9.71.060 Allocation requirement.

All applicable Development identified in Section 9.71.030 of this chapter, shall be required to acquire, place, and install approved Artwork, subject to the guidelines of this chapter, concurrently with the completion of the Development/modification Project, consistent with the standards of Sections 9.71.030 & 9.71.040 of this chapter.

- A. Artwork Allocation. The value of the placed and installed approved Artwork shall be equal to a minimum of one percent (1%) of the total proposed Development building valuation, in addition to any costs for the installation of the Artwork.
 - 1. Placement and Fees. The applicant shall be permitted to purchase, place, and install an approved Artwork in an amount less than the required value, provided that the applicant pays an in-lieu contribution to the Art in Public Places Fund equal to the difference between the required value and the costs of acquisition and installation of such Artwork.
- B. In-Lieu Contribution. In lieu of placement of approved Artwork, the Project applicant may pay the Art in Public Places Fund an amount equal to one percent (1%) of the total proposed Development building valuation.

9.71.070 Art in public fund created.

- A. Any money collected in accordance with the in-lieu contribution provisions of this chapter shall be deposited in a separate account denominated as the "Art in Public Places Fund." The City Manager or his/her designee shall establish accounting records sufficient to identify and control these funds.

- B. Expenditure. The Art in Public Places fund shall be used to provide works of art in Public Places in order to further the intent and purpose of this chapter as set forth in Section 9.71.010 of this chapter. The expenditures of funds shall be limited to the following uses:
1. For the design, acquisition, commission, installation, improvement, maintenance, and insurance of Artwork. Design fees may include any fee paid to an appropriate party for the development of a design concept and preparation of construction drawings, which are separate and apart from the cost of the fabrication and installation of Artwork;
 2. To sponsor or support performing arts;
 3. For the acquisition and improvement of real property for the purpose of displaying Artwork, which has been or may be subsequently approved by the City;
 4. During a fiscal year, for maintenance of and utility charges related to the Artwork purchased pursuant to division (B)(1), above; provided, that the total amount of expenditures made in any year from the Art in Public Places Fund for the purpose set forth in this division (B)(4), shall not exceed ten percent (10%) of the total available amount of in-lieu contributions deposited, pursuant to this chapter, during the City's fiscal year immediately preceding the expenditure; or
 5. For costs associated with administering this chapter, in an amount not to exceed fifteen percent (15%) of the allocation as set forth in section 9.71.060 of this chapter.
- C. Return of in-lieu contributions shall be subject to the standards set forth in section 9.71.180 of this chapter.
- D. If real property purchased with monies from the Art in Public Places Fund is subsequently sold, then the proceeds from the sale shall be returned to the Art in Public Places Fund.

9.71.080 Art in public places review committee.

Art in Public Places Review Committee. An arts committee or surrogate body shall be established by the City to administer this chapter and fulfill the duties established herein. There is hereby created an Art in Public Places Review Committee consisting of the following officers or their duly authorized representatives:

- A. Director.
- B. Recreation and Community Services Director.
- C. Building and Safety Division Representative.

D. Such other City officers, representatives of other public or private agencies, or community members who, in the opinion of the Community Development Director, have an interest in this chapter.

E. The Director shall be the chair of the Art in Public Places Review Committee.

9.71.090 Timing of compliance.

A. If an applicant elects to satisfy its obligations hereunder through the payment of an in-lieu contribution, identified in section 9.71.060(B), such payment shall be made prior to issuance of a building permit.

B. If an applicant elects to satisfy its obligations hereunder through donation of an approved Artwork, or installation of an approved Artwork on private property, the Artwork shall be approved, as provided herein, prior to issuance of a building permit.

C. Installation of approved Artwork shall be completed prior to issuance of a final building permit.

D. Financial security in an amount equal to the acquisition and installation costs of any approved Artwork, in a form approved by the Director, must be posted prior to issuance of a final building permit.

E. Any approved donated Artwork must be accepted by the City Council prior to issuance of final building permit.

F. The Developer shall record a covenant and an approved Artwork maintenance agreement which provides for the length of time approved Artwork must be displayed to the satisfaction of the Director prior to issuance of a final building permit.

G. The replacement of an existing installed Artwork with a new Artwork must enter a new review and approval process prior to removal and installation of the existing Artwork.

H. In the event that any Artwork placed on the Development as a result of the provisions of this chapter is removed or destroyed, Developer shall, within one hundred eighty (180) days of the removal or destruction, replace it with Artwork which meets the requirements of this chapter and is equal to the removed/destroyed Artwork's fair market value immediately prior to its removal or destruction.

9.71.100 Removal of artwork.

A. Request. A request for the removal of any approved Artwork shall be submitted

to the Art in Public Places Review Committee in a form of a letter for review and approval. If the removal request is approved, a building demolition permit shall be pulled with the Building & Safety Division.

- B. Approval. Approval of removal of Artwork will be subject to the condition of the Artwork and the required length of time indicated in the recorded covenant.

9.71.110 Guidelines for artwork.

Standards for the approval, siting, and installation of Artwork shall include, but are not limited to, the following criteria:

- A. The Artwork shall be displayed in an area that is open and freely accessible to the public for at least ten (10) hours each day or displayed in a manner which otherwise provides public accessibility in an equivalent manner based on the characteristics of the Artwork or its placement on the site. The Type 2 site plan review shall include a site plan showing the location of the Artwork, complete with landscaping, lighting, and other appropriate accessories to complement and protect the Artwork.
- B. Installation of the Artwork shall be planned and implemented to enhance the piece and allow for unobstructed viewing from as many angles as possible. Once the Artwork has been installed the property owner shall not obstruct viewing of any or all of the pieces. Owner may temporarily obstruct the piece in order to maintain the piece during construction of the Development.
- C. The Artwork shall be permanently affixed to the property.
- D. The composition of the Artwork shall be of a permanent type of material in order to be durable against vandalism, theft, and weather and requiring a low level of maintenance.
- E. The Artwork shall be related in terms of scale, material, form and content to immediate and adjacent buildings and landscaping so that it complements the site and surrounding environment.
- F. The Artwork shall be designed and constructed by an artist(s) experienced in the production of such Artwork and recognized by critics and by the artist's peers as one who produces works of art.
- G. The artist's qualifications will be reviewed by the Art in Public Places Review Committee. There must be examples of past work, which can be documented. Solo and group exhibit records, records of the artist work in public collections, art training, art education and printed critiques of past work would be helpful in providing documentation. Slides of similar work by the artist will be reviewed by the Art in Public Places Review Committee. Verification of the purchase price

of past works will serve to help validate the fair market price of the proposed commissioned Artwork. The proposed Artwork should be submitted in the form of a model whenever possible. Multiple view drawings and photographs are also acceptable.

- H. Expressions of obvious bad taste or profanity, which would likely be offensive to the general public are unacceptable in the opinion of the Director.
- I. Each piece of Artwork shall be identified by a plaque at the site of an appropriate size and scale to the piece. The plaque shall be made of cast metal and then placed in a location near the art piece listing the title of the piece, the artist, and the date as well as the City.
- J. Unless otherwise permitted in the sole discretion of the City Council, the following items are not to be considered as works of Art:
 - 1. Art objects which are mass produced from a standard design;
 - 2. Reproductions of original Artwork, although limited editions are acceptable;
 - 3. Decorative, ornamental, or functional elements which are designed by the building architect as opposed to an artist commissioned for the purpose of creating the Artwork;
 - 4. Landscape architecture and landscape gardening except where these elements are designed or approved by the artist and are an integral part of the Artwork by the artist; or
 - 5. Services or utilities necessary to operate or maintain the Artwork.

9.71.120 Private places artwork.

- A. Application procedures. A Type 2 site plan review application for placement of Artwork on private property shall be submitted to the Director pursuant to Section 9.71.110 of this chapter and shall include:
 - 1. Preliminary sketches, photographs, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed Artwork;
 - 2. An appraisal or other evidence of the value of the proposed Artwork, including acquisition and installation costs;
 - 3. Preliminary plans containing such detailed information as may be required by the City to adequately evaluate the location of the Artwork in relation to the proposed Development and its compatibility with the proposed Development, including compatibility with the character of adjacent conforming developed parcels and existing neighborhood if necessary to evaluate the proposal; and
 - 4. A narrative statement demonstrating that the Artwork will be displayed in an area open and freely available to the general public at least ten (10) hours each day or otherwise provide public accessibility in an equivalent manner based on the characteristics of the Artwork or its placement on the

site.

B. Approval.

1. Completed applications shall be submitted to the City Art in Public Places Review Committee for review and approval of the Artwork, considering the aesthetic quality and harmony of the Artwork with the existing on-site improvements and the proposed location of and public accessibility to the Artwork.
2. Any person may seek a review of an Art in Public Places Review Committee decision made pursuant to division (B)(1) by filing an appeal in accordance with Chapter [9.60](#), Appeals, of the BGMC.

9.71.130 Donated public places artwork.

A. Application procedure. An application for acceptance of Artwork to be donated to the City for placement on public property shall be submitted to the Director or their designee and shall include the following information, at a minimum:

1. Preliminary sketches, photographs, models, site plan, lines of sight, or other documentation of sufficient descriptive clarity to indicate the nature of the proposed Artwork;
2. An appraisal or other evidence of the value of the proposed Artwork, including acquisition and installation costs;
3. A written agreement in a form approved by the Director, executed by or on behalf of the artist who created the Artwork, which expressly waives his or her rights under the California Art Preservation Act or other applicable law; and
4. Other information may be required by the City Council to adequately evaluate the proposed donation of Artwork.

B. Review of application.

1. Completed applications shall be submitted to the Director for review and recommendation to the City Council.
2. Recommendations shall be forwarded to the City Council, which shall have the sole authority to approve, conditionally approve, or disapprove Artwork.

9.71.140 Public places artwork.

A. The Art in Public Places Review Committee may recommend to the City Council the purchase of Artwork to be displayed on public property, monetary support for the performing arts, support for outside art projects, and the purchase and improvement of real property to be used for the display of Artwork. A recommendation shall include:

1. The type of Artwork considered, an analysis of the constraints applicable to the placement of the Artwork on a site, the need for and practicality of the maintenance of the Artwork, and the costs of acquisition and installation of the Artwork; or
 2. The type of performance and amount recommended; or
 3. A description of the outside art project and the amount recommended; or
 4. The estimated costs of acquisition and improvements of the real property proposed to be purchased.
- B. An expenditure from the Art in Public Places Fund may be made for the performing arts, provided that the performance occurs at a location in the City or owned or controlled by the City.

9.71.150 Artwork ownership and maintenance.

- A. All Artwork placed on the site of an applicant's Project shall remain the applicant's property; the obligation to provide all maintenance necessary to preserve the Artwork in good condition shall remain with the site's owner.
- B. Maintenance of Artwork, as used in this chapter, shall include, without limitation, preservation of the Artwork in good condition to the satisfaction of the City, protection of the Artwork against physical defacement, mutilation, or alteration, and securing and maintaining fire and extended coverage insurance and vandalism coverage in an amount to be determined by the City Prosecutor pursuant to BGMC Chapter 1.16. Prior to the issuance of a final building permit, the applicant and owner of the site shall execute and record a covenant in a form approved by the City for maintenance of the Artwork. Failure to maintain the Artwork as provided herein is hereby declared to be a public nuisance.
- C. In addition to all other remedies provided by law, in the event the owner fails to maintain the Artwork, upon reasonable notice, the City may perform all necessary repairs, maintenance, or secure insurance, and the costs therefor shall become a lien against the real property.
- D. All Artwork donated to the City shall become the property of the City upon acceptance by the City Council.

9.71.160 Criteria for approving architecture as art.

The following criteria shall be used to determine, on a case-by-case basis, whether architecture can be considered Art for purposes of fulfilling this chapter's requirements:

- A. The architect shall be substantially recognized by the art world in shows, museums, and/or publications.

- B. When reviewing architecture as Art, the underlying concept of the architecture shall be expressive as more than mere utilitarian architecture. The architecture as a whole or certain architectural features shall express ideas or meaning and have cultural significance or conceptual complexity in relation to the totality of the object.
- C. In the alternative, architecture can be considered Art if it is created as a collaborative effort with an artist, the artist does the majority of the work, the artist has major design control of the portions of the architecture to be considered art, and the artist has been brought in early in the process. The artist shall have experience and knowledge of monumental scale and sculpture.
- D. The architecture must meet all the general criteria regarding the placement of Artwork on private property as defined in section 9.71.110 of this chapter.

9.71.170 Procedure for approving architecture as art.

The following procedure must be followed by the Developer to fulfill the public art requirement with the building's architecture.

- A. A Developer must make two presentations to the Art in Public Places Review Committee:
 - 1. The first presentation shall be made prior to the development application being deemed complete. The Developer must submit a maquette and other materials which satisfactorily illustrate the proposed conceptual Development. The Developer and architect must submit a conceptual statement expressing why the architecture should be considered art, including an explanation of the ideas, meaning, cultural significance, or conceptual complexity expressed in the architecture.
 - 2. The second presentation shall be made at the completion of the City approval process. The Developer must submit a maquette and other materials that satisfactorily illustrate the to-be-built Development.
 - 3. If a development application was received prior to the adoption of this section, the above requirements for the timing of a Developer's presentation to the Art in Public Places Review Committee shall not apply, provided the first presentation is made at the Planning Commission meeting at which the Project's approval is considered.
- B. The Developer and architect shall demonstrate that there will be high-quality materials and craftsmanship used in the execution of the construction.
- C. If all of the foregoing criteria are met, the Art in Public Places Review

Committee shall make the recommendation to the City Council to accept the architecture as art only if, in its judgment, the architectural work is of extremely high artistic merit and would make a substantial cultural contribution to the City.

- D. The Developer and/or architect shall be responsible for demonstrating that all of the foregoing criteria are met.

9.71.180 Return of fees.

- A. In-lieu contributions paid into the Art in Public Places Fund that are not committed within ten (10) years from the date of payment may be returned to the current owner of the Development Project with all interest actually earned thereon if a written request for return is filed with the Department of Finance and Administrative Services during the tenth year after payment and refund of the fees is approved by the City Council. The request for return shall be verified and shall include the date of payment, the amount paid and method of payment, the location of the Development for which the fee was paid, and a statement that the applicant is the payer of the fees and/or the current owner of the Development Project.
- B. The City Council shall determine if return of the then uncommitted portion of the fees and interest is appropriate and, if so, the method of refund. No refund shall be appropriate if the City Council determines any one of the following applies:
1. The City Council finds the fee is needed for art in public places.
 2. The administrative costs of refunding the uncommitted fees pursuant to this chapter exceeds the amount to be refunded, provided that at least ten (10) days prior to the hearing, a notice of public hearing on this issue has been published and posted on the site of the Development Project in not less than three places.
- C. Expenditure of fees shall be subject to the standards set forth in section 9.71.070 of this chapter.

SECTION 3. Compliance with California Environmental Quality Act. The City Council finds that this Ordinance amending the Bell Gardens Zoning Code is exempt from the California Environmental Quality Act (CEQA) under the following provision of the CEQA Guidelines: Section 15061(b)(3) because there is no possibility that it may have a significant effect upon the environment; and under Section 15378, this Ordinance is not a project under CEQA because it will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because it does not authorize any specific activity.

SECTION 4. If any section, subsection, 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 might subsequently be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law, which shall take full force and effect thirty (30) days from its adoption.

PASSED, APPROVED, AND ADOPTED this 10th day of April 2023.

THE CITY OF BELL GARDENS

Alejandra Cortez, Mayor

APPROVED AS TO FORM:

ATTEST:

Rick R. Olivarez
City Attorney

Daisy Gomez
City Clerk



PUBLIC NOTIFICATION

NOTICE OF PUBLIC HEARING



A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL GARDENS RECOMMENDING CITY COUNCIL APPROVAL AND ADOPTION OF AN ORDINANCE AMENDING BELL GARDENS MUNICIPAL CODE TITLE 9 "ZONING AND PLANNING REGULATIONS," ADDING CHAPTER 9.71 (ART IN PUBLIC PLACES) TO ESTABLISH PUBLIC ART REQUIREMENTS FOR CERTAIN DEVELOPMENT PROJECTS WITHIN BELL GARDENS

NOTICE IS HEREBY GIVEN, the Planning Commission of the City of Bell Gardens will conduct a public hearing to consider the adoption of a resolution, recommending approval of Zoning Code Amendment No. 2023-003 and adoption of an ordinance amending Title 9 of the Bell Gardens Municipal Code to add Chapter 9.71 to establish requirements, criteria, and guidelines for public art for certain development projects within the city. Copies of the proposed changes are available for review at Bell Gardens City Hall and on our website at <https://www.bellgardens.org/government/city-departments/public-notifications>

DATE OF HEARING: Wednesday, February 15, 2023

TIME OF HEARING: 6:00 P.M., or as soon thereafter as possible.

ENVIRONMENTAL DETERMINATIONS: Proposed Zoning Code Amendment No. 2023-003 is not subject to the California Environmental Quality Act in that pursuant to CEQA Guidelines. The adoption of the proposed ordinance constitutes an activity not considered a project according to section 15060(c) (3) since there is no anticipation of a direct or reasonably foreseeable indirect physical change in the environment pursuant to section 15060(c)(2).

INVITATION TO BE HEARD/PUBLIC PARTICIPATION: The public hearing will be held before the City of Bell Gardens Planning Commission on Wednesday, February 15, 2023, at 6:00 p.m. Pursuant to AB 361, please be advised that members of the Bell Gardens Planning Commission may participate in meetings telephonically. The public may attend the meeting in person or may view the meeting online. The meeting will be recorded and live streamed on the City's website at <https://www.bellgardens.org/i-want-to/watch-commission-meetings>. Public comments for the public hearing are limited to three (3) minutes per person. Members of the public can access and participate in the meetings as follows:

IN-PERSON: Members of the public can provide in-person comments at the podium in the Council Chamber. The Council Chamber will have seating available for members of the public to attend the meeting in-person. For your safety, space is currently limited to PUBLIC NOTIFICATION 50 members of the public. Masking is required for all in attendance. Public comments for the public hearing are limited to three (3) minutes per speaker unless a different time is announced by the presiding chair. Speakers who wish to address the Planning Commission should do so by submitting a "Public Comment Card" card by 6:00 p.m. for each designated public comment period(s) as listed.

BY TELEPHONE: Phone Number: (669) 900-9128 Webinar ID: 892 6467 1097# Passcode: *2021# to address the Planning Commission press *9 to raise your hand then *6 to unmute yourself when instructed. VIRTUALLY LIVE: Members of the public may participate via Zoom by clicking here and entering the **Zoom Meeting ID: 892 6467 1097 Passcode: 2021** Comments may also be made via the Zoom app by using the "Raise Hand" feature when it is your turn to speak the host will unmute you. Comments will not be accepted in the QandA Chat function of the zoom app.



PUBLIC NOTIFICATION

WRITTEN COMMENTS: Public comments may be emailed to planning@bellgardens.org or mailed to the Community Development Department Office. To ensure distribution to the members of the Planning Commission prior to consideration of the agenda, please submit comments no later than one (1) hour prior to the meeting. Those comments, as well as any comments received after, will be distributed to the members of the Planning Commission and will be part of the official public record of this meeting.

Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such service by contacting the Community Development Department Office no later than 72-hours before the scheduled meeting.

The Planning Commission staff report will be available Thursday, February 9, 2023, in the Community Development Department Office and posted on the City's website at <https://www.bellgardens.org/i-want-to/view-agendas> 72-hours prior to the meeting.

For more information, you may contact the Community Development Department Office located at 7100 Garfield Avenue, Bell Gardens, CA 90201 during regular business hours 7:30 a.m. to 6:00 p.m., Monday through Thursday at (562) 806-7722 or via email to planning@bellgardens.org.

Erika Gutierrez
Planning Commission Secretary

Posted: **February 2, 2023**
Bell Gardens City Hall
Bell Gardens John Anson Ford Park
Bell Gardens Veterans Park - Ross Hall Auditorium
Bell Gardens Department of Public Works
Daily Journal Corporation (Bell Gardens News Paper) – General Circulation



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

Item 2.

TO:	Honorable Chair and Members of the Planning Commission
FROM:	Steven Jones, City Planner
BY:	Erika Gutierrez, Planning Secretary
SUBJECT:	APPROVAL OF NOVEMBER 16, 2022 PLANNING COMMISSION MINUTES
DATE:	February 15, 2023

RECOMMENDATION:

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

BACKGROUND:

The staff liaison summarizes the actions and comments made by the Planning Commission at every Planning Commission meeting.

CONCLUSION:

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

FISCAL IMPACT:

None

ATTACHMENTS:

Exhibit 1- Minutes of November 16, 2022

APPROVED ELECTRONICALLY BY:

Steven Jones, City Planner

Lloyd Pilchen, Deputy City Attorney for Rick R. Olivarez, City Attorney

Gustavo Romo, Director of Community Development

**CITY OF BELL GARDENS
PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, NOVEMBER 16, 2022
MINUTES**

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

CALL TO ORDER – Pursuant to Assembly AB 361, The Planning Commission held a regular meeting of November 16, 2022, in the Council Chambers, 7100 Garfield Avenue, Bell Gardens, CA via teleconference with Chairperson Tony Rivera presiding. Chairperson Rivera called the meeting to order at 6:00 p.m.

INVOCATION – was led by Associate Planner, Mona Mossayeb

PLEDGE OF ALLEGIANCE – was led by Assistant Planner, Adrian Flores

ROLL CALL OF PLANNING COMMISSIONERS

Present: Commissioner De La Rosa, Commissioner Leon, Vice-Chairperson Villalobos and Chairperson Rivera

Absent: Commissioner Flores

Staff Present: Gustavo Romo, Director of Community Development, Steven Jones, City Planner, Mona Mossayeb, Associate Planner, Adrian Flores, Assistant Planner, Lloyd Pilchen, Assistant City Attorney, Erika Gutierrez, Planning Secretary, and Samantha Lubrani, Translator

Mrs. Gutierrez stated that Commissioner Flores arrived at 6:04 p.m.

PUBLIC COMMENT ON AGENDA ITEMS

No comments.

PUBLIC HEARING (ITEM NO. 1)

1. GENERAL PLAN LAND USE/ ZONING MAP CONSISTENCY UPDATE

Ms. Mossayeb and planning consultant representing Infrastructure Engineers, Albert Armijo gave the presentation on this item.

Chairperson Rivera opened the public hearing.

Mrs. Gutierrez stated there were no comments from the public nor were there anyone in the chat line wishing to speak on this item.

Chairperson Rivera closed the public hearing and asked the Commission if there were any comments for staff on the item.

Mr. Romo informed the Commission the purpose of the General Plan Update.

Chairperson Rivera had a question regarding the mixed corridor use and asked staff if this use would be an addition to or an existing land use. Ms. Mossayeb stated it was an existing land use that would now being identified in the zoning map and can be used for both, residential and commercial uses.

With no further comments, Chairperson Rivera asked for a motion to adopt Resolution #PC 2022-13 to approve the General Plan Land Use/Zoning Map Consistency Update. A motion was made by Commissioner Flores and was seconded by Vice Chairperson Villalobos.

The motion carried 5-0 by the following vote:

AYES: Commissioner De La Rosa, Commissioner Flores, Commissioner Leon,
Vice Chairperson Villalobos and Chairperson Rivera
NOES: None
ABSENT: None
ABSTAIN: None

CONSENT CALENDAR (ITEM NO. 2)

2. APPROVAL OF SEPTEMBER 21, 2022, PLANNING COMMISSION MINUTES

Chairperson Rivera asked for a motion to approve the items listed in the consent calendar. A motion was made by Vice- Chairperson Villalobos and seconded by Commissioner De La Rosa.

Recommendation:

It is recommended that the Planning Commission approve the minutes of September 21, 2022.

The motion carried 5-0 by the following vote.

AYES: Commissioner De La Rosa, Commissioner Flores, Commissioner Leon,
Vice-Chairperson Villalobos and Chairperson Rivera
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC COMMENT ON NON-AGENDA ITEMS

No comments.

STAFF COMMENTS

Mr. Romo advised the Commission that city hall would be closed on Thursday, November 24, 2022 for Thanksgiving and for the month of December for the holidays, city hall would be closed beginning December 26, 2022 to January 2, 2023. Lastly, Mr. Romo advised the Commission that moving forward, he would only be attending Planning Commission meetings on special circumstances, but the meeting would be conducted by the City Planner, Steven Jones.

Mr. Jones provided updates to the Commission regarding items that went before the November 14, 2022 City Council meeting, the upcoming Planning Commission Training held by the Institute for Local Government in Orange County on November 18, 2022, information about the rent stabilization forms that are now available on the city's website, and advised the Commission on a tentatively scheduled Planning Commission meeting on Wednesday, December 21, 2022 to ensure there would be a quorum.

COMMISSION ITEMS

None

ADJOURNMENT – Chairperson Rivera moved to adjourn the meeting. A motion was made by Chairperson Rivera and was seconded by Commissioner Flores at 6:36 p.m.

RECORDED BY:

ERIKA GUTIERREZ, PLANNING SECRETARY



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

Item 3.

TO:	Honorable Chair and Members of the Planning Commission
FROM:	Steven Jones, City Planner
BY:	Steven Jones, City Planner
SUBJECT:	DRAFT 2022 BELL GARDENS GENERAL PLAN ANNUAL PROGRESS REPORT (FILE NO. 2023-006)
DATE:	February 15, 2023

RECOMMENDATION:

It is staff's recommendation that the Planning Commission:

1. Receive and file this report; and
2. Adopt Resolution #PC 2023-02 (Exhibit 1) recommending to the City Council receive, file, and consent to submission of the 2022 Bell Gardens General Plan Annual Progress Report.

BACKGROUND:

California Government Code Section 65400 mandates that certain cities and all 58 counties submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1 of each year. Only charter cities are exempt from the requirement to prepare Annual Progress Reports (APRs) unless the charter stipulates otherwise (Government Code Section 65700).

The objective of the APR is to summarize the promotion of infill development, reuse, and redevelopment. This emphasis is especially focused on underserved areas, keeping at the forefront the preservation of cultural and historic resource(s), protection of the natural environment and resources, and encouragement of efficient development patterns within the city.

The APR provides local legislative bodies with information regarding the implementation of the General Plan for their city or county. APRs must be presented to the local legislative body for its review and acceptance, usually as a consent or discussion item on a regular meeting agenda. Therefore, the APR should provide enough information for decision makers to assess how the General Plan was implemented during the 12-month reporting period - either calendar year or fiscal year. More specifically, APRs explain how land use decisions relate to adopted goals, policies, and implementation measures of the General Plan. The APRs should provide enough information to identify necessary "course adjustments" or modifications to the General Plan and means to improve local implementation.

PROJECT/SITE DESCRIPTION:

OPR updated its General Plan APR guidance and process for reporting year 2022 to streamline the process and minimize the time and resources spent. Changes from previous years include detailed agency contact and a strong recommendation to follow the format as described in the Annual Progress Report Memo – 2022 Reporting Year (Exhibit 3).

OPR suggests that an introduction with relevant General Plan dates, and a report body to include implementation measures, legislative priorities, proposed adjustments, and community planning activities.

The state uses this information to survey the status of the General Plan and the progress that Bell Gardens has made in the implementation of goals, policies and programs outlined in its General Plan and subsequent element amendment and to identify statewide trends in land use decision-making and how local planning and development activities relate to statewide planning goals and policies.

During the 2022 Calendar Year, the Planning Division serviced:

Planning Division	
Over the Counter Assistance	264
Site Plan Reviews	99
Plot Plan Reviews	27
Conditional Use Permits	3
Variances	2
Business License Zoning Compliance	78

In addition to public safety activity, capital improvement projects, building permits for new construction, accessory dwelling units (ADUs), additions, and commercial tenant improvements in Bell Gardens, the Planning Commission held eight (8) meetings and considered fourteen (14) public hearing agenda items. Major items considered included:

- Sixth Cycle 2021-2029 Housing Element Update;
- 2022 Transportation and Circulation Element Update;
- General Plan Land Use and Zoning Map Consistency Amendment;
- Two development variances; and
- Two ABC conditional use permits.

Once a local legislative body has accepted the APR, local governments must submit a copy to OPR and HCD. The APR gives OPR the opportunity to identify statewide trends in land use decision making and how local planning and development activities relate to statewide planning goals and policies. APRs may identify needed modifications and improvements to OPR’s General Plan Guidelines. In addition, OPR is able to track progress on a local jurisdiction’s comprehensive General Plan update using information provided in the APR.

Providing a copy of the APR to HCD fulfills statutory requirements to report certain housing information, including the local agency’s progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing.

FINDINGS:

The Bell Gardens General Plan was updated and implemented during the 12-month reporting period with various goals, policies, programs, and community-engaging activities.

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA), Guideline Section No. 15306 (Class 6, Information Collection), this report is categorically exempt from CEQA. *Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.* Categorical exemptions are for projects that have been determined not to have a significant effect on the environment, and as this report is solely for the purpose of information sharing, no CEQA documentation is required.

CONCLUSION:

The report has been prepared in accordance and compliance with California Government Code Section 65400 et. seq., mandating the preparation and submission of an annual progress report to the Planning Commission for review, acceptance, and annual submission to the Bell Gardens City Council and OPR.

Planning Commission Resolution #PC 2023-02 recommends that the City Council receive and file the 2022 Bell Gardens General Plan APR prepared in accordance with state requirements. Should the City Council act in accordance with this recommendation, the adopted APR will be submitted to OPR final review and acceptance.

FISCAL IMPACT:

None. Preparation of the Draft 2022 General Plan Annual Progress Report was done by Community Development Department – Planning Division – staff, in collaboration with input from Bell Gardens Police Department, Bell Gardens Public Works and Bell Gardens Recreation and Community Services.

ATTACHMENTS:

Exhibit 1- Planning Commission Resolution #PC 2023-02

Exhibit 2 - Draft 2022 Bell Gardens General Plan Annual Progress Report

Exhibit 3- Annual Progress Report Memo

APPROVED ELECTRONICALLY BY:

Steven Jones, City Planner

Lloyd Pilchen, Deputy City Attorney for Rick R. Olivarez, City Attorney

Gustavo Romo, Director of Community Development

RESOLUTION #PC 2023-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL GARDENS RECOMMENDING THE CITY COUNCIL ACCEPT AND CONSENT TO THE SUBMISSION OF THE BELL GARDENS GENERAL PLAN DRAFT 2022 ANNUAL PROGRESS REPORT (FILE NO. 2023-006)

WHEREAS, the Bell Gardens (“City”) General Plan is required by State Law and is a blueprint for meeting the community’s long-term vision for the future;

WHEREAS, the consent to, and submission of, the City’s General Plan Annual Progress Report (“APR”) is necessary pursuant to California Government Code Section 65400 et seq. that requires all municipalities and jurisdictions within the state to annually review and provide General Plan APRs by April 1 each year;

WHEREAS, the objective of the APR is to summarize improvement activity and encourage efficient development patterns within the City;

WHEREAS, the APR provides the legislative body with information to explain how land use decisions relate to the General Plan’s adopted goals, policies, and implementation measures;

WHEREAS, a draft APR has been prepared for review, presentation and discussion, and the Planning Commission has assessed how the General Plan was implemented during the 12-month reporting period;

WHEREAS, the Planning Commission supports forwarding the draft APR to the City Council for review, presentation, and discussion on a regular meeting agenda for its submission to the State Office of Planning and Research (“OPR”) and the State Department of Housing and Community Development (“HCD”);

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), Guideline Section No. 15306 (Class 6, Information Collection), the APR’s preparation, presentation and submission are categorically exempt from CEQA; and

WHEREAS, the Planning Commission considered Resolution #PC 2023-02 recommending that the City Council review and accept the APR and consent to its submission (File No. 2023-006).

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

SECTION 1. The Planning Commission hereby finds the above recitals are true and correct and incorporates them herein by this reference.

SECTION 2. The Draft 2022 General Plan APR was prepared pursuant California Government Code Section 65400 et seq. that requires all municipalities and jurisdictions within the state to annually review the General Plan.

SECTION 3. There is no anticipation that the Draft 2022 General Plan APR would be detrimental to the health, safety, and welfare of the general public, or effect the environment, and the APR is categorically exempt from CEQA.

SECTION 4. The Planning Commission hereby transmits and recommends review, acceptance, and consent to submission of the Draft 2022 General Plan APR to the Bell Gardens City Council.

PASSED, APPROVED AND ADOPTED this 15th day of February 2023.

THE CITY OF BELL GARDENS

Tony Rivera, Chairperson

APPROVED AS TO FORM:

ATTEST:

Lloyd Pilchen
Assistant City Attorney

Erika Gutierrez,
Planning Secretary



2022 *General Plan* ***Annual Progress Report***

Prepared by:

Community Development Department –
Planning Division
7100 Garfield Avenue
Bell Gardens, CA 90201

Submitted to:

City of Bell Gardens – Planning Commission,
February 15, 2023



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Introduction

Executive Summary:

California Government Code Section 65400 et seq. requires all municipalities and jurisdictions within the state to annually review the General Plan. An annual report should be prepared for review and approval by the Planning Commission/City Council and forwarded to the State Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD) office.

The General Plan Progress Report provides for the annual review of the General Plan to assess the level of implementation and effectiveness of the General Plan as a guide for each of its individual elements (land use, circulation, housing, conservation, open space, noise, and safety), and the efficient expenditure of public funds. This General Plan Progress Report summarizes the General Plan implementation progress for 2022. The General Plan Progress Report also provides information regarding the City's progress in meeting its share of RHNA objectives.

Pursuant to State law, this report must be submitted to the City Council, OPR and HCD by April 1st of each year. The Annual Progress Report includes the following elements:

1. Overview of General Plan background and status, including a summary of recently completed and active General Plan Amendments; and
2. A summary of recently completed and active Zoning Text Ordinance amendments, and Active Long-Range Projects; and
3. A summary of 2022 Active Development Projects of Interest; and
4. A review of the City's progress in meeting the regional housing need allocation objective.

This report is prepared by the Community Development Department's (CDD) Planning Division to provide information on the measurable outcomes and actions associated with the implementation of all the General Plan elements. It will also review the activities of the CDD inclusive of the Planning Division, Building and Safety, Economic Development and Housing, and Code Enforcement.

Background:

The General Plan is the City's official policy that sets out a vision to guide future development in the City. Local governments are required to keep their General Plan current and internally consistent, and City actions must be consistent with this plan.

Every municipality has a general plan that guides the local government for meeting the community's long-term vision and goals for the future. It serves as a foundational resource to help jurisdictions draft and update their plans of action.



The General Plan contains the seven mandatory elements – including: Land Use, Open Space, Conservation, Housing, Circulation, Noise, and Safety (including seismic). Table 1 reflects the Bell Gardens General Plan updates, and an added optional element: Environmental Justice. Two General Plan elements were updated in as many General Plan amendments in 2022 to help implement adopted goals and policies.

Table 1: Bell Gardens General Plan Elements and Updates

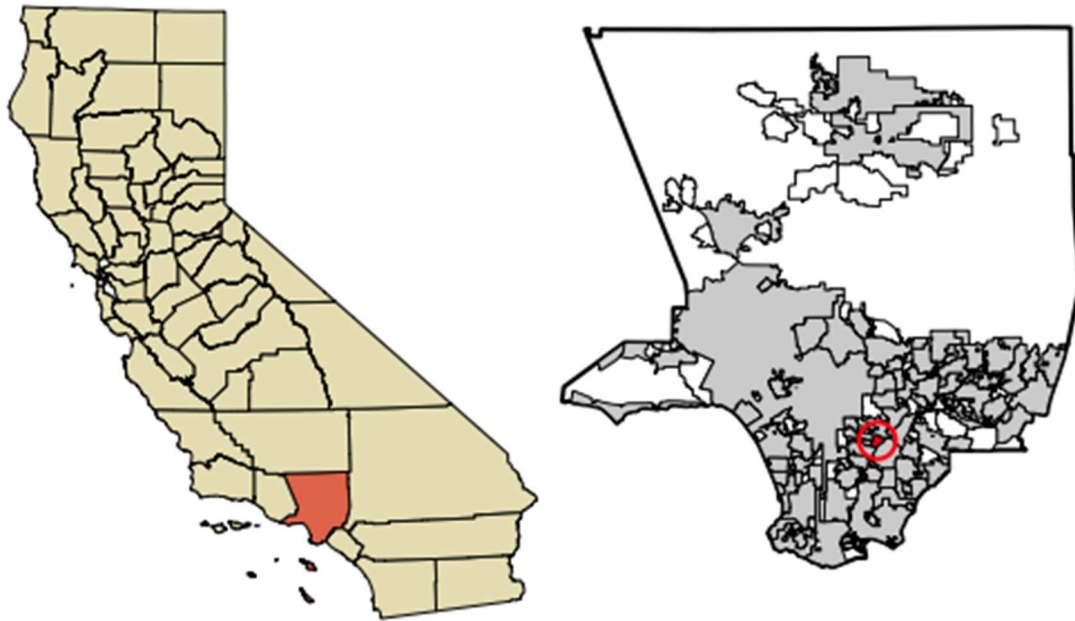
Bell Gardens City Incorporation	1961
ELEMENT	YEAR ADOPTED UPDATED
General Plan – Comprehensive	1995
Chapter 1 – Land Use	1995
Chapter 2 – Housing	6 th Cycle, 2022
Chapter 3 – Circulation	2022
Chapter 4 – Open Space and Recreation	1995
Chapter 5 – Conservation	1995
Chapter 6 – Safety	1995
Chapter 7 – Noise	1995
<i>Chapter 8 – Environmental Justice</i>	<i>Forthcoming 2023</i>
Community Plans / Overlays / General Updates	
<i>Land Use and Zoning Map Consistency Update</i>	<i>Forthcoming 2023</i>
<i>Land Use Language Amendment</i>	<i>Forthcoming</i>

Bell Gardens was incorporated as a general law city in 1961, and at the time of incorporation the City's population was approximately 27,000. The City of Bell Gardens has a total land area of 1,536 acres, or 2.4 square miles. According to the 2018 ACS five-year estimates, there were 9,877 housing units in the City and a population of 42,449.

The City of Bell Gardens is located in the southern portion of Los Angeles County, approximately 13 miles southeast of the Los Angeles Civic Center. The City is bounded by the City of Commerce on the north, Downey on the east, South Gate on the south, and the Cities of Bell and Cudahy on the west. The City's corporate boundaries are generally delineated by man-made barriers, including the Southern Pacific Railroad to the north, the Rio Hondo River flood control channel to the east, and the Los Angeles River flood control channel and Interstate 710 to the west.

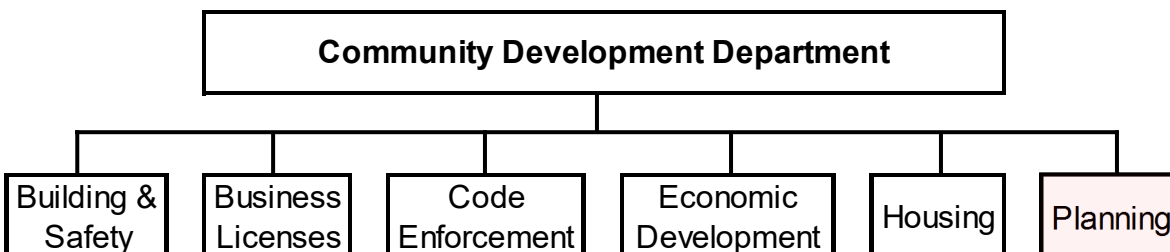


Figure 1: Bell Gardens Regional Location



The majority of the new residential construction will occur on land that is presently developed since few vacant sites within the city remain. Efforts to provide updated commercial, industrial and adequate and affordable housing continues to be a priority of the City as reflected in the updated Housing and Circulation Elements, as well as forthcoming Land Use Element and Zoning Code amendments.

Department Organizational Chart:



Acceptance Date:

The 2022 General Plan Annual Progress Report was reviewed by the Planning Commission on MONTH, DAY 2023, and adopted by the City Council on _____, 2023.



Overview of General Plan

Overview:

The General Plan is the City's official policy that sets out a vision to guide future development in the City. Local governments are required to keep their General Plans current and internally consistent, and City actions must be consistent with this plan.

Though General Plans must be kept current, there is no specific requirement by the state that a local government update its General Plan on any particular timeline, with the exception of the Housing Element, which is required to be updated every eight years. The City's most recent Housing Element update was adopted by City Council February 14, 2022, and certified by HCD August 18, 2022 for the state's 2021-2029 Sixth Cycle Housing Element planning period.

The Bell Gardens General Plan was adopted in July 1995. The Circulation Element was updated in April 2022 and, the Housing Element in February 2022. The adopted Housing Element was then certified by HCD in August 2022. The City's official Land Use and Zoning Maps were adopted on January 23, 2023., An Environmental Justice Element (anticipated to be presented to the Planning Commission by late2023) is currently underway for development.

Summary of Recently Completed and Active Zoning Amendments, and Active Long-Range Projects

General Plan Amendments in 2022:

In 2022 there were several resolutions pertaining to the General Plan, City-wide and site specific.

Table 2: 2022 General Plan Related Resolutions

Resolution Number	Address	Description	File Number
2022-01	City-wide	To adopt the Draft 2021-2029 General Plan Housing Element Update.	2021-062
2022-02	City-wide	To adopt the General Plan Circulation and Transportation Element.	2021-068



2022-10	8000 Bell Gardens	To adopt a resolution finding General Plan Consistency for a proposed summary street vacation.	2018-080
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Housing Element:

The Housing Element update was approved by Planning Commission January 19, 2022, adopted by City Council February 14, 2022, and certified by HCD August 18, 2022.

The Housing Element is a statutory element of the General Plan that requires regular updates submitted to HCD for certification every eight years. This update must address the City's plan to adequately meet existing and projected housing needs of all economic segments of the community. These updates are referred to as "cycle," and the 2022 certification of Bell Gardens Housing Element marks its Sixth Cycle.

This cycle of Housing Element updates for cities and counties within the Southern California Area of Governments (SCAG) region will cover the planning period from 2021 to 2029. The first phase of this process is the development of the RHNA distribution methodology. Housing targets are established, the City then required to identify land available to accommodate the development of a specific number of lower-, moderate-, and above moderate-income dwelling units.

Table 3: 2021-2029 6th Cycle RHNA Allocation

Income Category	No. of Units	% of Units
Extremely Low (30% AMI)	50	9.9%
Very Low (50% AMI)	50	9.9%
Low (80% AMI)	29	5.8%
Moderate (120% AMI)	72	14.3%
Above Moderate (>120% AMI)	302	60.0%
Total Units	503	100.0%

Source: SCAG 6th Cycle Final RHNA Adopted 3/4/2021, approved by HCD on 3/22/21.

AMI = Area Median Income.

Note: * The City has a RHNA allocation of 99 very low-income units (inclusive of extremely low-income units). Pursuant to State law (AB 2634), the City must project the number of extremely low-income housing needs based on Census income distribution or assume 50 percent of the very low income units as extremely low.

Circulation Element:

On February 14, 2022, the City approved the General Plan Circulation and Transportation Element Update which provides a blueprint for establishing a convenient, safe, and sustainable transportation network in Bell Gardens, which serves users of all modes including walking, biking, rolling, riding transit, and driving. The purpose of the element is to improve the current infrastructure in Bell Gardens as a foundation for an integrated and



comprehensive transportation network, which will reduce reliance on the private automobile and enhance other transportation options. The element establishes goals, policies, and programs to support connectivity in the context of the land uses set forth in the existing Land Use Element. The element update fully assesses existing conditions and resources and aids the City in providing pedestrians, bicyclists, transit users and motorists a convenient, efficient, and safe way to travel by performing the necessary research and studies required to achieve the City's overall vision for a comprehensive transportation system. The City conducted thorough community outreach to garner the public's input about the City's existing and future circulation and transportation systems, policies, and goals.

The General Plan Consistency for a Proposed Summary Street Vacation of Street Segment of Bell Gardens Ave was approved by Planning Commission August 17, 2022. This street vacation would facilitate development of a residential housing project where a condition of approval for Tentative Tract Map No. 78222 required a street vacation. City Council Resolution No. 2018-57 provided the applicant with the option to finalize the segment's vacation by recording the vacation with the final map or through a separate instrument referenced on the final map. Acting on his General Plan consistency finding helped to streamline the final map process.

Government Code Section 65402 requires a report on the consistency of any proposed summary street vacation. The City found the summary street vacation to be consistent with the Circulation Element of the City of Bell Gardens General Plan.

Development Impact Fees:

With the passage of the 1987 Mitigation Fee Act (Act) [Government Code Section 66000 and following], the State of California recognized both the rising costs associated with the infrastructure to serve the built environment communities need and the impact of population increase on local jurisdictions. The Mitigation Fee Act secured a system for identifying and collecting a development impact fee (DIF) exaction charged by local government to a developer in connection with implementation of approved projects. With understanding that property developers budget for such fees and expect them as part of a growing city, the Bell Gardens City Council adopted the DIF Ordinance on October 24, 2022.

Pending General Plan Amendments in 2023:

- General Plan / Zoning Consistency Update

The Bell Gardens General Plan's Land Use Element was last revised in 1995 and indicates the location and extent of permitted land uses and development within the City, whilst the Housing Element and Circulation and Transportation Element updates were both adopted in 2022.

The City Council unanimously adopted an ordinance amending Title 9 of the Bell Gardens Municipal Code (the General Plan / Zoning Consistency Update) on January 23, 2023. The amendments are anticipated to improve the Zoning Code by increasing the user accessibility



and more closely aligning with the Bell Gardens General Plan, and by facilitating development economic viability through streamlined permit processing.

- Environmental Justice Element

Bell Gardens was awarded a Local Economic Assistance Program (LEAP) grant, which is administered by the California Department of Housing and Community Development (HUD). application for the. To address the City's need for a Sustainability/EJ Element as mandated by SB 1000 and SB 379 and abide by the LEAP grant requirements, the City Council adopted a resolution authorizing a Professional Services Agreement with Impact Sciences to prepare an EJ Element to be incorporated into the Bell Gardens General Plan.

Work on the EJ Element is under way and anticipated to go before the Planning Commission and City Council this year.

Ordinance Amendments:

- Electronic Billboards

February 14, 2022 - City Council adopted Ordinance No. 921 that requires a finding and demonstration that electronic billboard artificial light and glare impacts be less than significant for electronic billboards proposed to be located closer than 150 feet to a residential use.

- Rent Increase Restrictions and Tenant Protections

April 25, 2022 - City Council adopted Ordinance No. 922-U that placed a ninety- (90) day prohibition of rental increases on certain residential rental units.

July 11, 2022 - City Council adopted Ordinance No. 924-U that extended the rental increase moratorium for another 90 days on certain residential rental units.

September 12, 2022 - City Council adopted Ordinance No. 925, establishing permanent rent stabilization and tenant eviction protection regulations that would become effective / codified October 12, 2022.

September 26, 2022 - City Council adopted an extension of the rental increase moratorium via Ordinance No. 927-U, until October 12, 2022, when the permanent protections would become effective.

- Military Equipment Policy

May 9, 2022 - City Council adopted Ordinance No. 923 that enacted policy for reporting on the Bell Gardens Police Department use and cost of certain equipment.



- Development Impact Fees

During its December 12, 2022 meeting, the City Council adopted a resolution to adopt fee rates to offset the costs of upgrading and expanding public facilities and services necessitated by the construction of new developments as authorized by the ordinance.

Pending Ordinance Amendments in 2023:

- Art in Public Places Ordinance

The City Council

requested guidance for establishing an ordinance for a public art program to expand the City's artistic and cultural resources and to enhance the built environment and quality of life as new development occurs.

The ordinance would further the goals and objectives of and be consistent with the Bell Gardens General Plan to ensure the needs of the residents are met by expanding the opportunities for residents and visitors to experience artistic, historic, and cultural aspects of the City through the placement of artwork associated with new and revitalization development and is under way to be released to the public within the coming weeks.

- Zoning Code Updates

The California legislature requires the local government to amend its zoning ordinance to meet the requirements of updated recently updated goals, policies, quantified objectives, identified financial resources, and scheduled programs to facilitate the preservation, improvement, and development of housing within one year of the adoption of the Housing Element. The amending the ordinances for new zones, updated development standards, and clarification of housing types is required.

Bell Gardens residents have been experiencing limited on-street parking availability throughout residential neighborhoods, adjacent to commercial or industrial zones. The limitation of on-street parking in residential areas are a result of the following: dense neighborhoods, densely occupied living situations, collection and storage of multiple personal vehicles, unutilized parking garages, and/or (more pressingly) storage of vehicles from automobile repair shops located within the vicinity of residential areas. These existing situations are causing residents to park vehicles at an unreasonable distance before arriving home. The City has been exploring options to address this issue.

- Short Term Rentals, Transient Occupancy Tax



Currently, five hotel facilities are located within Bell Gardens:

1. Parkwest Bicycle Casino – 888 Bicycle Casino Drive
2. Motel 6 – 6344 Eastern Avenue
3. Quality Inn & Suites – 7330 Eastern Avenue
4. Erth Inn By Aga – 8320 Eastern Avenue
5. Bell Gardens Inn & Suites – 6328 Eastern Avenue

The number of short-term rental units and shared housing within the City of Bell Gardens is unknown, and the transient occupancy tax (TOT) has not been enforced on such units. Since there is no registry in place for such units, and no business license applied, staff is conducting research and a survey of surrounding jurisdictions for regulation or administration that may be appropriate to ensure the interests of the public health, safety, and general welfare. The Bell Gardens Municipal Code (BGMC) Chapter 3.24.080 establishes that operator of a hotel must pay a TOT of eight percent (8%) of rent charged.

Fair application of TOT to short-term rentals would both protect equity, property owners, and guests, and generate revenue for the City.

- Parking

Bell Gardens has been exploring options to increase private property parking requirements associated with collection and storage of multiple personal vehicles, unutilized parking garages, and/or storage of vehicles from automobile repair shops located within the vicinity of residential areas. Bell Gardens residents have been experiencing limited on-street parking availability throughout dense residential neighborhoods, adjacent to commercial or industrial zones to facilitate resident, customer, and visitor access to parking spaces within the public right-of-way.

Long-Range Project of Interest:

- 8000 Bell Gardens – To create one multifamily residence lot developed with 48 residential condominium dwelling units on approximately 2.5 acres.
- Shull Street – To create two multifamily residence lots developed with 18 for sale affordable housing set-aside dwelling units in several detached buildings and 82 for rent affordable housing set-aside dwelling units in several detached buildings on approximately 3.9 acres.
- EJ Element – To address health effects, risks, and environmental concerns in disadvantaged communities and vulnerable populations.
- Climate Action Plan – To adopt strategies and priority actions to meet greenhouse gas (GHG) reduction emission targets and align with regional goals.

Summary of 2022 Active Development Interests

During the 2022 Calendar Year, the Planning Division provided:



Table 4: 2022 Planning Division Activities

Over the Counter Assistance	264
Site Plan Reviews	99
Plot Plan Reviews	27
Conditional Use Permits	3
Variances	2
Business License Zoning Compliance	78

Included in the services provided, the below table calls out additional dwelling unit statistics:

Table 5: 2022 Additional Dwelling Unit Statistics

Planning Applications Received	26
Conversions (Building) Permits (no Planning review required)	10
New ADU Building Permits Issued	17

Review of the City's Progress in Meeting the Regional Housing Need Allocation Objectives

Bell Gardens Community Development Staff have been collaborating with various developers and the City grant consultant towards facilitating the production of housing for all income levels. The Planning Division maintains and implements the Bell Gardens Municipal Code, Zoning Ordinance, General Plan, and prepares other specialized planning documents. The division reviews development requests for conformance with the City's planning policies and standards and conducts environmental review under the provisions of the California Environmental Quality Act (CEQA).

- **Applications**

The list below outlines the activities of the Planning Division from January 2022 through December 2022. The day-to-day planning activities include:

- Administrating the City's Zoning Ordinance (Zoning Code).
- Answering public inquiries on the telephone and over the public counter.
- Processing entitlement applications for the Planning Commission and City Council.
- Reviewing and approving business license applications for zoning compliance.
- Reviewing development plans for compliance with City standards (Site Plan Review).



Planning applications in 2022, including administrative, Planning Commission, and legislative items to the City Council, totaled 126. Also, Planning staff reviewed 78 business licenses zoning conformance requests and conducted plan check review to ensure the proposed business, improvement and new construction complied to zoning code.

PLANNING APPLICATIONS BREAKDOWN	
Type 1 & 2 Site Plan Review	9
Type 3 Site Plan Review	83
Conditional Use Permits	3
Variances	2
Ordinance	1
Zone Changes	1
Special Event Type 1	24
Environmental Documents	2
Business License Zoning Compliances	79

- Entitlements

Planning Commission held eight (8) meetings and considered fourteen (14) items. Major items considered were:

- 2021 Sixth Cycle Housing Element Update;
- 2022 Transportation and Circulation Element Update;
- General Plan Land Use and Zoning Map Consistency Amendment;
- Two development variances; and
- Two Department of Alcoholic Beverage Control (ABC) conditional use permits.

- Permits

The Bell Gardens General Plan's Land Use Element was last revised in 1995 and indicates the location and extent of permitted land uses and development within the City, whilst the Housing Element and Circulation and Transportation Element updates were both adopted in 2022.

The City's Planning Commission held a duly noticed public hearing on November 16, 2022, to consider a recommendation of approval of the General Plan and the Zoning Code amendments, the adoption of an official zoning map, and the adoption of the environmental document to the Council.

The City Council, upon second hearing, adopted Ordinance No. 929 (amending Title 9 of the Bell Gardens Municipal Code – General Plan / Zoning Consistency Update) on January 23, 2023 (by a vote of 5-0).



The amendments would improve the Zoning Code, make it more user-friendly and consistent with the Bell Gardens General Plan, and economically viable since fewer discretionary entitlements will be necessary due to land use and zoning inconsistencies, and create greater opportunities for housing and higher density development.

Implementation Status

The General Plan consists of seven mandated elements: Land Use, Open Space, Conservation, Housing, Circulation, Noise, and Safety.

Chapter 1: Land Use

The Land Use Element is a long-range vision for development throughout the City. As with other elements contained in the general plan, the Land Use Element guides the goals and policies relative to the location, intensity, and type of development. The last comprehensive update of this element was in 1995. However, in 2023 the planning division updated the land use and zoning maps of the City to make consistent with all amendments and 6th Cycle Housing Element that were adopted in 2022 by City Council.

The Land Use Element defines the physical spaces in the City that serve the community (residents, businesses, and visitors), while ensuring the public health, safety, and welfare. Staff uses tools to include:

- Promoting housing and mixed-use (residential and commercial) projects, with a focus on affordable housing.
- Amending codes, policies, and regulations in response to evolving land use trends and needs.
- Encouraging conforming uses and developments, whilst phasing out legally non-conforming uses.
- Incentivizing the development of very low- and low-income housing through density bonuses

It is anticipated that work will begin in 2023 to update the Land Use Element.

Chapter 2: Housing (6th Cycle – 2021-2029)

The Housing Element is an integral component of the City's General Plan. It addresses existing and future housing needs of all types for persons of all economic groups in the City. The Housing Element is a tool for use by citizens and public officials in understanding and meeting the housing needs in Bell Gardens.

Meeting the housing needs established by the State of California is an important goal for the City of Bell Gardens. As the population of the State continues to grow and scarce resources decline, it becomes more difficult for local agencies to create adequate housing opportunities



while maintaining a high standard of living for all citizens in the community. State law recognizes that housing needs may exceed available resources and, therefore, does not require that the City's quantified objectives be identical to the identified housing needs. This recognition of limitations is critical, especially during this period of financial uncertainties in both the public and private sectors.

Section 65583(b)(2) states, "It is recognized that the total housing needs ... may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements ... Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved..."

This Housing Element (2021-2029) was created in compliance with State General Plan law pertaining to Housing Elements.

This Housing Element recommends specific changes to the Land Use Element in order to meet the needs of the community. The City will begin the work in 2022 to amend the Land Use Element. The City will also be updating the Safety Element pursuant to State law. As individual elements of the General Plan are updated in the future, the City will ensure internal consistency among the various General Plan Elements.

The Community Development Department, in order to ensure effective RHNA achievement, hired a full-time housing specialist in 2022. This role will identify opportunities, partnerships, and prioritized activities that will aid in accomplishing the objectives of the 6th Cycle Housing Element.

Chapter 3: Circulation (2022 update)

The Circulation Element provides a blueprint for establishing a convenient, safe, and sustainable transportation network in Bell Gardens, which serves users of all modes including walking, biking, rolling, riding transit, and driving. The purpose of the element is to hone the current infrastructure in Bell Gardens as a foundation for an integrated and comprehensive transportation network, which will reduce reliance on the private automobile and enhance other transportation options. The element sets forth goals, policies, and programs to support this robust connectivity in the context of the land use set forth in the Land Use Element.

Streets and Highways

The State of California requires jurisdictions to create plans for a multimodal transportation network which meets the needs of all roadway users, including motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and public transit users. The Complete Streets approach aims to achieve this goal by reducing reliance on the personal automobile and considering the needs of diverse roadway users. Increased access to safe and comfortable public transit and active transportation



infrastructure included in Complete Streets can help reduce greenhouse gas emissions and increase safety and equity.

Public Transportation

Appealing and affordable public transit contributes to increased sustainability and equity within a community. Public transit, in general, is more space-efficient and energy-efficient as it moves more people in one vehicle than through numerous personal automobiles. Further, it supports density and caters to compact, mixed-use communities. It is also important to ensuring Bell Gardens residents of all socioeconomic statuses have access to opportunity, especially for those without access to a car or with differing mobility needs, such as children and the elderly.

Transit that efficiently connects employment centers, commercial areas, residential neighborhoods, and public uses can improve roadway operations, bolster safety, and reduce transportation costs for cities. It does so by consolidating passengers, reducing space requirements for vehicle infrastructure, and decreasing auto-dependency, which may reduce vehicle miles traveled (VMT).

In the 2022 Circulation Element update, the public transportation plans and initiatives in Bell Gardens considered the regional transportation plan and policies context and integrated regional goals.

Four bus providers have lines that serve Bell Gardens: Metro, City of Montebello, City of Commerce, and City of Bell Gardens. These lines travel as far north as Highland Park, as far east as Norwalk, as far south as Paramount, and as far west as Westchester, connecting with other bus and rail lines along the way.

In a 2021 survey referenced in the 2022 Circulation Element update, the residents of Bell Gardens expressed that they would utilize the Bell Gardens Trolley more frequently if it operated as an on-demand service, rather than following its current fixed route.

The City of Bell Gardens also offers a Dial-a-Ride service for people aged 55 and older and people with disabilities. It is available Monday through Friday from 7:30 am to 7:00 pm. Fare costs 25 cents, and caretakers can ride along with no additional cost.

The Metro L (Gold) Line's Atlantic Station is located directly north of Bell Gardens. Bell Gardens residents may access via a 15-minute car ride or an approximately 35-minute bus ride on Montebello bus lines. This rail line offers direct connection to Downtown Los Angeles, Highland Park, Arcadia, Azusa, and intermediate stops along the way.

Metro is developing a new West Santa Ana Branch, with a stop at Florence Avenue and Salt Lake Avenue. This stop will be accessible from Bell Gardens by a 10-minute car ride or an approximately 15-minute bus ride on Metro bus lines. This line will offer connections to other gateway cities and beyond.

Active Transportation



Active transportation, such as walking, bicycling, and rolling, reduces VMT and improves public health. By decreasing VMT, it reduces emissions and congestion. Further, people who use active transportation have healthier lifestyles and present less of a risk to others as they travel through the City. As such, active transportation is encouraged within Bell Gardens. Improvements such as pleasant streetscapes, continuous and well-maintained sidewalks, more frequent and visible crossings, and protected and connected bike facilities help to make active transportation more convenient and appealing.

Parking Management

Parking is an important element in the mobility landscape, which has been integrated into municipal transportation policy. Parking enables drivers to access destinations conveniently. However, it is important that the supply of parking does not only consider the needs of drivers, but also supports a multi-modal network. Oversupply of parking hinders pedestrian-friendly design and wastes space, resulting in negative environmental impacts. Therefore, it requires balance to ensure sufficient, but not excessive, parking is provided. At least one variance request for reduced parking was received, processed, considered, and approved by the Bell Gardens Planning Commission. Other opportunities to develop underutilized spaces on private property was researched in 2022 and the results are being analyzed.

According to a 2019 parking study used in the 2022 Circulation Element update, Bell Gardens has 1,365 on-street parking spaces. Utilization of these spaces varied by land-use and location within the City.

Parking patterns varied based on time of day and day of the week. Parking utilization was greatest in the early morning, evening, and on the weekends. In 2022, staff used observed patterns that reflected accessibility, excess inventory, lack, or need to consider unique ways to provide housing, including affordable housing, jobs, and access to services and public transit.

Table 6: 2022 Circulation and Transportation Element Policies and Programs

Policies		Programs
MOBILITY GOALS & VISION		
M 1	Establish a multi-modal transportation network which offers safe, comfortable, and convenient travel for users of all modes including drivers, transit riders, bicyclists, walkers, and rollers.	
M 2	Employ transit-oriented land use planning and provide appealing, safe, and widely accessible alternatives to private automobile use in order to reduce vehicle miles traveled per capita with the goals of reducing risk of traffic	



	collisions, lowering greenhouse g emissions, and improving pub health.		
ROADWAY PERFORMANCE STANDARDS			
M 2.1	<p>Performance Standards. Performance standards used to evaluate roadways will utilize both LO and vehicle miles traveled (VMT). The desired LOS for roadways will be LOS D or less, although exceptions will be made where this is infeasible due to other mobility policy priorities. VMT will be considered to prioritize reductions in emissions and improvements to roadway safety. Amendments to Bell Gardens roadway plans will pursue reductions in VMT.</p> <p>If the VMT analysis determines mitigation measures and/or proportional share costs to address impacts from the proposed development, all mitigation measures and collection of proportional share of costs are to be completed within the City of Bell Gardens or deposited with the City of Bell Gardens into a trust account until such quantity of funds are accrued to complete the shared cost mitigation measure.</p>	M 2.a	<p>Capital Improvement Program. Regularly update the Capital Improvement Program based on adopted mobility policies, funding opportunities, and community needs.</p>
M 2.2	<p>Funding. Diverse funding sources will be sought out to maintain, operate, and improve the roadway network and reduce cost to public.</p>	M 2.b	<p>Development. Assist applicants in demonstrating compliance with mobility policies and require developments to include roadway network improvements in line with Bell Gardens mobility goals. Accommodating active Transportation users (through bicycle parking) or transit users (by providing information on transit and vanpool/carpooling options) should also be encouraged.</p>
M 2.3	<p>Regional Coordination. Local project plans will coordinate with Caltrans, SCAG, and Metro to integrate local and regional</p>	M 2.c	<p>Transportation Impact Analysis. Ensure that transportation impact analyses are conducted in a manner which assesses</p>



	improvements and further local and regional mobility goals.		contributions to desired local, regional, and environmental mobility goals. The City should update its traffic analysis guidelines incorporate Vehicle Miles Traveled (VMT) metrics and associated thresholds of significance.
M 2.4	Complete Streets. Apply a Complete Streets Approach to roadway network improvements, which utilize innovative design solutions for mobility. The 2020 Bell Gardens Complete Streets Plan will be used to guide upcoming improvements.	M 2.d	Design Standards. Develop design standards consistent with Complete Streets, which support the needs of all roadway users to more efficiently guide future designs and plans.
M 2.5	Prioritize Improvements. Streets that are currently overcapacity – segments of Eastern Avenue, Garfield Avenue, and Clara Street, and all of Gage Avenue – will be prioritized for infrastructure improvement, as set out in the Complete Streets Plan. Traffic signal improvements and other vehicle flow treatments can be explored to reduce gridlock and congestion.	M 2.e	Safety Records. Gather and utilize thorough collision data to assess safety issues and develop plans to improve safety for vulnerable roadway users.
M 2.6	Public Safety. Place high priority on safety and reduction of collisions.	M 2.f	Review Circulation Element. Review the Circulation Element as new state, local, and regional policies and initiatives are developed to ensure that it reflects current conditions and priorities.
M 2.7	Active Transportation. Promote active transportation infrastructure such as bicycle lanes, increased sidewalk lighting, and improved pedestrian crossings on classified streets.		
M 2.8	Green Infrastructure. Incorporate green infrastructure in roadway design when possible.		
M 2.9	Infrastructure Installation. Minimize operational disruptions by consolidating the installation of future infrastructure needs and projects, with opportunities for upgrades.		



M 2.10	Driveway Consolidation. Minimize the number of curb cuts along classified streets in order to improve active transportation safety and roadway function.	
PUBLIC TRANSPORTATION		
M 3.1	Regional Coordination. Collaborate with other local transportation agencies, along with Metro and SCAG to create a convenient and affordable regional transit network that provides access to Bell Gardens residents.	M 3.a Transit Stops. Provide attractive, convenient bus stops which include shelters, benches, trashcans, and transit information. Bicycle racks should also be explored at bus stops to encourage multi-modal use. Ensure that stops are also ADA accessible and have safety measures such as lighting and police contact.
M 3.2	Rail Access. Work with adjacent cities, such as Huntington Park, South Gate, and unincorporated Los Angeles County to create convenient bus service to existing and upcoming rail stops.	M 3.b Enhance Service. Participate in funding programs to enhance bus service to improve routes, offer more frequent service, and conduct periodic evaluation.
M 3.3	Rail Expansion. Support Metro's development of the West Santa Ana Branch rail, with upcoming rail service which would serve the city.	M 3.c New Development. Work with developers and transit agencies to facilitate transit-oriented design and enhance accessibility.
M 3.4	Land Use. Integrate land use and transportation planning in order to prioritize density and transit-oriented design. Locate key destinations such as commercial districts, employment centers, and public resources near transit routes.	M 3.d Promote Transit. Encourage the use of transit by publishing transit maps and information, implementing marketing programs, and enhancing integration with active modes.
		M 3.e Carpool. Offer car- and vanpooling for public employees and incentivize private businesses to do the same.
		M 3.f Electric Car Share. Invest in an electric car share in order to encourage resource sharing and improve mobility options for residents without access to a vehicle.
		M 3.g Enhance Service on Garfield and Florence Avenues. Improve service on Garfield and



			Florence Avenues to bolster connections to service offered by other transit agencies, especially rail.
		M 3.h	On-Demand Service. Convert the Town Trolley to an on-demand service to encourage its use and provide more direct connections to destinations for residents.
ACTIVE TRANSPORTATION			
M 4.1	Regional Coordination. Support regional goals as set forth by Los Angeles County and SCAG.	M 4.a	Development Review. Facilitate the demonstration of conformance to pedestrian and bicycle initiatives in development applications.
M 4.2	New Development. Require that new development contribute to active transportation goals and are cohesive with the existing network. Requirements may include adequately sized sidewalks, outdoor seating options, bike parking, and/or bike share facilities.	M 4.b	Funding. Pursue diverse funding sources for the implementation of bicycle and pedestrian infrastructure.
M4.3	Low-Stress Network. Prioritize active transportation infrastructure improvements on low-stress streets as identified in the 2020 City of Bell Gardens Complete Street Plan, which will serve to connect Local and regional destinations. Low stress streets will have reduced vehicle speeds, decreased cut-through traffic, and safety improvements.	M 4.c	Capital Improvement Program. Integrate pedestrian and bicycle goals into the Capital Improvement Program.
M 4.4	Land Use. Prioritize density in land use planning in order to make walking and bicycling more convenient modes of transit.	M 4.d	Encourage Active Transportation. Create appealing and convenient infrastructure which is clear of obstructions, appropriately located, and readily usable in order to facilitate increased walking and biking.
		M 4.e	Traffic Calming. Implement measures to reduce traffic speeds and increase pedestrian visibility such as high-visibility crosswalks, curb extensions, and speed humps on streets with destinations that generate pedestrian trips such as schools, parks, churches, and local-serving commercial use.
		M 4.f	Bicycle Access on Key Corridors. Improve bicycle access on key



			corridors, especially those such as Garfield Avenue, Eastern Avenue, Jaboneria Road, and Clara Street, which provide paths across the City.
	M 4.g		Regional Bike Network. Increase connections to and public information about river bike paths, especially the Rio Hondo River Bike Path.
	M 4.h		Bicycle Storage. Ensure that key destinations such as shopping centers and recreation/social venues have sufficient and reliable bicycle parking.
	M 4.i		Expand Crossing Guard Program. Expand the existing crossing guard program in collaboration with schools to allow stakeholders to request crossing guards at new locations.
PARKING MANAGEMENT			
M 5.1	Balanced Supply. Establish a balanced supply that meets needs of drivers, but does not do so in excess, in order to reduce vehicle trips and encourage active transportation.	M 5.a	Shared Parking. Identify and allow shared parking Opportunities to use underutilized lots more effectively.
M 5.2	New Development. Require that new developments provide off-street parking for new residential units. Reduce requirement in high density, mixed-use, and transit-rich areas.	M 5.b	Electric Vehicle Charging. Increase access to electric vehicle charging opportunities by including on-street charging spaces in highly traveled areas such as in commercial corridors or near public facilities.
M 5.3	Development Policy. Restrict the overprovision of on-street parking for private developments.		
M 5.4	Public Awareness. Publicize the City's current parking program more widely, on the City website and stakeholder meetings.		
M 5.5	Electric Vehicle Charging. Require private developers to include electric vehicle charging spaces in their parking provisions.		

No new programs or policies were implemented in the active 2022 year.



Chapter 4: Open Space and Recreation

The Open Space and Recreation Element outlines strategies that aim at preserving remaining open spaces in the City, and to meet the recreational needs of the community. The majority of open space in Bell Gardens is in the form of public parks and school playgrounds. Other spaces include undeveloped land, building setbacks, utility easements and flood control channels.

Table 7: Bell Gardens Parks

Bell Gardens Park	15-Acres	Bell Gardens City
Darwell Park	.24-Acres	Bell Gardens City
Gallant Park	.27-Acres	Bell Gardens City
Julia Russ Asmus Park	.6-Acres	Bell Gardens City
Marlow Park	.61-Acres	Bell Gardens City
John Anson Ford Park	12.5-Acres	Regional

In 2022, the Recreation and Community Services Department implemented the General Plan through offered and available service to all residents including senior citizens, area youth, and families with athletic and social events, cooling centers, food distribution, and other programming to engage the community and improve the quality of life in Bell Gardens.

- The Department of Recreation and Community Services implemented online staff scheduling software to streamline the staff scheduling process and allow for more efficient use of staff time.
- A social media policy was developed and implemented in the RCS Department which creates a standard for posting appropriate information and engaging the community on every social media platform possible. This tool helps staff communicate events, programs, and activities to the community.
- In 2022 the RCS Department secured approximately \$13.5 million in grant funds for the Ford Park Aquatic Center, approximately \$30,000 in ARPA funds as well as other local grants for Social Services, and a Kaboom! Playground grant for the new Playground at the Neighborhood Youth Center which was installed in the fall of 2022.
- A partnership with the City of Montebello was entered into for exclusive use of Montebello's Chet Holifield Park pool. The City of Bell Gardens is now allowed exclusive access to this pool and able to offer a full aquatics program to residents and community members.
- To enhance the quality of life of the Bell Gardens residents the RCS Department expanded programming and added a Holiday Parade to the annual events hosted by the Department, as well as brought back the 5K event and introduced an Art Expo as part of the 5K event. After the ban on Fireworks, the RCS Department hosted the Independence Day Celebration and provided the residents with a fun and unique multi-media laser show.



- The RCS Department added a second Senior Center at Veterans Park to accommodate the needs and desires of the seniors in the surrounding area.

2023

- In 2023 the RCS Department will bring the Adaptive Recreation (STAR Program) program back in full swing. Student Government Day will be implemented as well as the reintroduction of Adult and Senior Sports after being cancelled from the Pandemic.
- The Community Family Services Center will continue to seek Grant funding and opportunities to provide needed resources to the Bell Gardens Community.
- Partnerships will continue to be built and strengthened as programs, events and resources are added to the Recreation and Community Services Department.

Chapter 5: Conservation

The City of Bell Gardens has a rich history that goes back to the development of the first ranchos that led to the establishment of settlements during the previous century. While a number of significant sites and structures remain in the City, past developments have been lost through development (such as the original Lugo Adobe).

The City, through the Conservation Element, would maintain its links to the past through the implementation of policies that focus on four key issue areas:

1. Cultural Resources,
2. Ecological Resources,
3. Geological Resources, and
4. Water Resources

Table 8: Conservation Element Policies and Programs Matrix

Policies		Programs
Cultural Resources	The City of Bell Gardens shall safeguard the community's heritage by identifying and preserving appropriate structures and sites which have historical significance.	<ul style="list-style-type: none"> • Archaeological and Paleontological Resources • Cultural Awareness • Environmental Review • Historical Building Codes • Historical Preservation District
Ecological Resources	The City of Bell Gardens shall, to the extent possible, protect remaini ecological resources and enhance the resources through programs in the Open Space and Recreation Element and the Circulation and Transportation Element.	<ul style="list-style-type: none"> • City Energy Conservation • County Coordination • Drought Tolerant Landscaping • Energy Conversation Guidelines • Environmental Review
Water Resources	The City of Bell Gardens shall protect t quality of water in the underground	<ul style="list-style-type: none"> • Water/Landscape Conservation Ordinance



	water basin by optimizing open spa areas with programs adopted as part of the Open Space and Recreation Element.	<ul style="list-style-type: none"> • County Coordination • Drought Tolerant Landscaping • Environmental Review
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Chapter 6: Safety

The Safety Element is concerned with the health and welfare of persons living, working, and visiting the City. Successful implementation of policies may result in a significant reduction of loss of life, injury, property damage, and the economic and social dislocation resulting from hazards (natural and man-made).

To address the Safety Elements/Programs the Bell Gardens Police Department (BYPD) developed and implemented the following in 2022:

- The Department purchased spike, paths, interfaces, data, rules (SPIDR) software application. SPIDR provides new seamlessly integrated technology with the existing law enforcement customer service technology platform to leverage BYPD's data to effectively communicate with and engage the community.

The SPIDR platform contains three modules, which provided automatically generated and customized investigation processing, helpful information, proactive communication, survey soliciting, and improved service to the community.

- Another software system the Bell Gardens Police Department purchased was the **Emergency Communication System / Mass Notification System (ECS/MNS) and an Access Control System (ACS) for the Montebello Unified School District (MUSD)**.

This new ECS/MNS and ACS system is an awareness and response coordination system that provided a more proactive approach to security by identifying suspicious or unusual behavior before an incident occurs and facilitated quick response.

- BYPD applied for, and was awarded, \$31,000 in grant funding from The California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Prop. 56) and administered by the California Department of Justice (DOJ) to support local efforts to reduce the illegal sale of tobacco products to minors in the City of Bell Gardens. The **Grant** funding will be used for related tobacco educational and enforcement operations.
- In 2022, BYPD implemented the **National Faith & Blue Weekend**. The National Faith & Blue Weekend facilitates safer and stronger communities by engaging law enforcement officers and local residents through the connections of faith-based organizations. Faith & Blue is based on the premise that strong communities are built through mutual respect and understanding. Law enforcement and faith



institutions are key pillars of each community, and when they work together, neighborhoods thrive. Sixty-five million Americans attend weekly gatherings and services at more than 350,000 houses of worship nationwide.

The depth and breadth of influence held by houses of worship present an unrivaled, unique, and powerful gateway to the hearts of local communities where there is shared, mutual interests in realizing effective police-community engagement. BGPD and St. Gertrude the Great Catholic Church joined forces to bring the community a collaborative Faith & Blue “Stronger Together” event on Sunday, October 9, 2022, from 1500-1800 hours.

- In 2022, BGPD continued with its **Citizens Police Academy (CPA) program**. The CPA program is designed to educate residents and local citizens on the various aspects of law enforcement. This program allows the citizens an opportunity to learn about how the Bell Gardens Police Department functions and operates. There are many misconceptions about police duties and the CPA help dispel these notions and allow community members/citizens a closer at the Bell Gardens PD. The goal of the program is to open the lines of communication and encourage interaction between our police officers and the citizens.

Graduates of the CPA acquired a solid foundation of public safety information to share with others in the community.

Chapter 7: Noise

Noise ranges from ambient to that which is hazardous and may lead to hearing loss. Every day, people are subjected to a multitude of sounds associated with common day-to-day activities to those connected with events. The effect noise has on people generally depends on its loudness, duration, and the time of day. Individual annoyance and distraction are the most common effects of noise. Physical health, psychological stability, social cohesion, property values, and economic productivity can also be affected by excessive amounts of noise.

The Bell Gardens Noise Element addresses noise by implementing policies related to:

1. Land Use Compatibility,
2. Other Noise Sources,
 - Airplane,
 - Railroad,
 - Traffic,
 - Construction,
 - Trash collection, and
 - Mobile noises
3. Noise Measurements,
4. Noise Impact Areas, and
5. Noise Standards



As no updates have been made since 1995, the policies proposed in the Noise element are monitored through code enforcement, permitting, policing and land use regulations as noted in Table 6: Noise Element Policies and Programs Matrix.

Table 9: Noise Element Policies and Programs Matrix

Policies	Programs
Policy 1: The City of Bell Gardens shall discourage the incompatible use of property along major transportation lines, and encourage noise reduction measures for existing uses.	<ul style="list-style-type: none">• Acoustical Analysis• Barrier Construction• Building Codes• Department of Labor (OSHA)• Freeway Noise Affecting Classrooms• Trash Collection Noise• U.S. Department of Housing and Urban Development
Policy 2: The City of Bell Gardens shall ensure that the noise caused by sources other than traffic is at acceptable levels.	<ul style="list-style-type: none">• Department of Labor (OSHA)• Train Noise Mitigation• Source Control

Conclusion

The 2022 General Plan Annual Progress Report has been prepared in accordance and compliance with California Government Code Section 65400, and the report will be presented to the Planning Commission public meeting on DATE, and City Council public meeting on March 13, 2023. If adopted by City Council, the APR will be submitted to the State Office of Planning and Research and the State Department of Housing and Community Development by April 1, 2023.



EXHIBIT A: FILE LOG

File	SPR	CUP	VAR	CITY	OTHER	DATE	STATUS	DATE
2022-001	X					01/03/22	Approved	01/04/22
2022-002	X					01/04/22	Approved	01/11/22
2022-003	X					01/06/22	Approved	01/31/22
2022-004	X					01/11/22	Approved	04/28/22
2022-005	X					01/25/22	Approved	07/11/22
2022-006	X					01/25/22		
2022-007	X					01/27/22	Approved	01/31/22
2022-008	X					01/31/22	Approved	03/10/22
2022-009	X					01/31/22		
2022-010	X					02/01/22		
2022-011	X					02/02/22	Approved	06/14/22
2022-012	X					02/07/22	Approved	11/22/22
2022-013	X					02/09/22	Approved	02/09/22
2022-014	X					02/10/22		
2022-015	X					02/16/22		
2022-016	X	X				02/17/22		
2022-017	X					02/24/22	PENDING	
2022-018	X					02/28/22	Approved	01/03/23
2022-019	X					03/01/22		
2022-020	X	X				03/09/22	Approved	10/31/22
2022-021						03/10/22		
2022-022	X		X			03/14/22	Approved	06/15/22
2022-023	X					03/14/22		
2022-024					Notice Exemption	03/22/22		
2022-025					Notice Exemption	03/22/22		
2022-026	X					03/24/22		
2022-027	X					03/24/22	Approved	10/18/22
2022-028	X					03/31/22		
2022-029	X					04/07/22		
2022-030	X					04/07/22	Approved	04/20/22
2022-031	X					04/11/22	Approved	06/27/22
2022-032	X					04/28/22		
2022-033	X					05/03/22		
2022-034	X					05/09/22	Approved	08/15/22
2022-035	X					05/11/22		
2022-036	X					05/12/22	Approved	09/06/22
2022-037	X					05/17/22		



2022-038	X					05/23/22		
2022-039	X					06/01/22	Approved	06/21/22
2022-040	X					06/06/22	Approved	06/06/22
2022-041	X					06/09/22		
2022-042	X					06/13/22	Approved	07/13/22
2022-043	X					06/13/22	Approved	06/29/22
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2022-057				X	Ordinance	07/07/22		
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2022-061	X					07/12/22		
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2022-067	X					07/21/22		
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2022-069	X		X			07/28/22		
2022-070	X					07/28/22		
2022-071	X					08/01/22		
2022-072				X	ZCA	08/02/22		
2022-073	X					08/02/22	Approved	08/22/22
2022-074	X					08/09/22	Approved	01/11/23
2022-075	X					08/17/22	Approved	12/21/22
2022-076						08/23/22	Approved	11/29/22
2022-077	X					09/01/22	Approved	10/06/22
2022-078		X				09/06/22		



2022-079	X					09/07/22		
2022-080	X					09/19/22	Approved	11/09/22
2022-081	X					09/20/22		
2022-082	X					09/21/22		
2022-083	X					09/26/22		
2022-084	X					09/29/22		
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2022-086	X					10/17/22		
2022-087	X					10/17/22		
2022-088	X					10/17/22		
2022-089	X					10/20/22	Approved	11/15/22
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2022-093	X					11/14/22		
2022-094	X					11/17/22		
2022-095	X					11/17/22	Approved	11/29/22
2022-096	X					11/28/22		
2022-097	X					11/30/22		
2022-098	X					11/30/22	Approved	01/03/23
2022-099	X					12/19/22		



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research



Kate Gordon
Director

March 4, 2020

To: All California Cities and Counties

From: Helen Campbell, AICP, Senior Projects Analyst
Governor's Office of Planning and Research

RE: General Plan Annual Progress Report Guidance

The Governor's Office of Planning and Research has updated the *General Plan Annual Progress Report Guidance*. This edition reflects the change in address for reporting to the Department of Housing and Community Development. This *Guidance* document is also available on our website at opr.ca.gov/planning/general-plan/

If you have questions regarding the *General Plan Annual Progress Report Guidance*, please contact Helen Campbell, AICP, Senior Projects Analyst at (916) 341-7371 or e-mail at Helen.Campbell@opr.ca.gov.

ANNUAL PROGRESS REPORTS (APRs)

Government Code Section 65400 and 65700 mandates that all cities and counties submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1 of each year. The guidance that follows is intended to assist local governments with the development of the General Plan Annual Progress Report (APR). This guidance is intentionally general to allow maximum flexibility in the form and content of APRs, which may need to vary based on individual circumstances, resources, and constraints.

PURPOSE OF THE APR

The APR provides local legislative bodies and the public with information regarding the implementation of the General Plan for their city or county. APRs also inform the public of the progress in meeting the community's goals. Accordingly, local agencies should make a diligent effort to include the public when preparing their APRs.

APRs must be presented to the local legislative body for its review and acceptance, usually as a consent or discussion item on a regular meeting agenda. Therefore, the APR should provide enough information for decision makers to assess how the General Plan was implemented during the 12-month reporting period, either calendar year or fiscal year. More specifically, APRs should explain how land use decisions relate to adopted goals, policies, and implementation measures of the General Plan. The APRs should provide enough information to identify necessary "course adjustments" or modifications to the General Plan and means to improve local implementation. It is important for local governments and their legislators to legislative bodies to engage stakeholders and the public in sharing APRs and in making adjustments necessary to reach local planning goals.

HOUSING ELEMENT APR

State law requires that all General Plans include a Housing Element which provides a plan for accommodating future housing production needs. State law further requires that all cities and counties create an annual progress report that describes that community's progress toward implementing their Housing Element. The Housing Element APR must be delivered to OPR and HCD by April 1 of each year and must cover the previous calendar year¹. As of 2018, charter cities must submit a Housing Element APR. Legislation passed in 2017 added new data requirements for the Housing Element APRs beginning with calendar year 2018. Updated instructions and standardized forms for

¹ The General Plan APR 12 month reporting period can be either a fiscal or calendar year, but the Housing Element APR 12 month reporting period must be a calendar year.

submitting the Housing Element APR can be found at the following HCD website: <http://www.hcd.ca.gov/community-development/housing-element/index.shtml>).

The Housing Element APR fulfills statutory requirements to report certain housing information, including: the local agency's progress in meeting its share of regional housing needs (i.e., applications, entitlements, permits and certificates of occupancy), certain rezoning activities, actions taken towards completion of housing element programs, and local efforts to remove governmental constraints to the development of housing (Government Codes Section 65584.3(c) and 65584.5(b)(5)). California's housing element law acknowledges that in order for the private market to adequately address the state's housing needs, local governments must adopt plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy rests largely on the effective implementation of local general plans and housing elements.

HOW THE STATE USES THE GENERAL PLAN APR and HOUSING ELEMENT APR

The General Plan APR gives OPR the opportunity to identify statewide trends in land use decision-making and how local planning and development activities relate to statewide planning goals and policies. APRs may also inform modifications to OPR's *General Plan Guidelines*. In addition, OPR is able to track progress on a local jurisdiction's comprehensive General Plan update using information provided in the APR. Whether a jurisdiction has submitted a recent Housing Element APR is a threshold requirement for several State funding programs.

FORMAT GUIDANCE FOR THE GENERAL PLAN and HOUSING ELEMENT APR

There is no standardized form or format for the preparation of the General Plan APR. The following recommendations serve as guidance in developing an APR that is useful to your specific jurisdiction. The APR prepared for your city or county is not required to incorporate all of the elements suggested and need not be an elaborate and time-consuming task. Instead, the APR may make use of available sources of information that may contain information pertinent to General Plan annual reporting such as: "annual reports," "performance reports," "budget reports," or "state of the city/county reports." OPR encourages jurisdictions to include these types of reports or portions thereof in the APR so long as they specifically address implementation of the General Plan. This approach enables General Plan implementation to be discussed in the broader context of the jurisdiction's overall programs and activities, including redevelopment, economic development, and other topics.

Reporting on planning activities related to the General Plan is required even when a city or county may be undertaking a General Plan comprehensive update. Therefore, status on

these activities should still be reported to local legislative bodies and to both OPR and HCD.

General Contents

Each jurisdiction should determine what locally relevant issues are important to include in the General Plan APR. The following are suggested contents for the report:

1. Introduction.
2. Table of Contents.
3. Date of presentation/acceptance by the local legislative body (agenda item or resolution).
4. Measures associated with the implementation of the general plan with specific reference to individual element.
5. Housing Element APR reporting requirements – Each jurisdiction is required to report certain housing information in accordance with state housing law (refer to Government Code Sections 65400, 65583 and 65584) and HCD’s housing element guidelines (see <https://www.hcd.ca.gov/community-development/housing-element/index.shtml> or email APR@hcd.ca.gov for more information).
6. The degree to which the General Plan complies with OPR’s General Plan Guidelines, including environmental justice considerations, collaborative planning with the military lands and facilities, and consultation with Native American tribes.
7. The date of the last update to the General Plan².
8. Priorities for land use decision making that have been established by the local legislative body (e.g., passage of moratoria or emergency ordinances).
9. Goals, policies, objectives, standards or other plan proposals that need to be added or were deleted, amended, or otherwise adjusted.
10. One or more lists of the following, including reference to the specific general plan element or policy, status (i.e., approved/denied, initiated/ongoing/completed, etc.), and brief comment on how each advanced the implementation of the General Plan during the past year:
 - a. Planning activities initiated – These may include, but are not limited to, master plans, specific plans, master environmental assessments, annexation studies, and other studies or plans.

² According to Government Code Section 65040.5(a) and (b), OPR is tasked with notifying a city or county if a general plan has not been revised within eight years and will notify the Attorney General if a general plan has not been revised within ten years.

- b. General Plan amendments³ – These may include agency-driven as well as applicant-driven amendments.
- c. Major development applications processed

Additional Content

The following are additional suggestions to make the APR a more comprehensive tool for illustrating planning and development activities within the jurisdiction. Some jurisdictions may not have the resources to address them annually. However, they are mentioned here as examples of how some jurisdictions have effectively incorporated other types of information into their APRs. Cities and counties should feel free to incorporate this information into their APRs, where available and as deemed appropriate.

1. Review of:
 - a. Interagency or intergovernmental coordination efforts and identify areas for improvement. This may include participation in a regional blueprint or partnerships with State or Federal programs.
 - b. The implementation of mitigation measures from the General Plan Final Environmental Impact Report or Negative Declaration.
 - c. Equity planning considerations of the General Plan, such as impacts on particular ethnic or socioeconomic population groups (i.e., environmental justice issues).
2. Summarize efforts to:
 - a. Promote infill development, reuse, and redevelopment particularly in underserved areas while preserving cultural and historic resources.
 - b. Protect environmental and agricultural resources and other natural resources
 - c. Encourage efficient development patterns
3. Describe the jurisdiction's strategy for:
 - a. Economic development – Depending on the needs of your jurisdiction, this analysis could include information on the ratio of jobs to dwelling units, tax revenues, demographics, census information, etc.
 - b. Monitoring long-term growth – For example: population growth, employment growth, land use development, and the provision of adequate supporting public services and infrastructure.
4. Other actions:

³ Except as provided in Government Code Sections 65358(c) and (d), no mandatory element of the General Plan may be amended more than four times during a calendar year.

- a. Outline department goals, objectives, activities and responsibilities, as they relate to land use planning.
- b. Perform a regional or sub-regional outlook of population growth, housing, job generation, and other socioeconomic trends.
- c. Summarize the comments of other boards and commissions on the general plan implementation.
- d. Identify and monitor customer service improvements and methods to encourage public involvement in planning activities.
- e. Review and summarize grant administration for land use planning activities.
- f. Provide a technology review such as implementation of Geographic Information Systems (GIS) or establishment of web sites.

SUBMITTING THE GENERAL PLAN APR

Jurisdictions must submit a General Plan APR and a Housing Element APR to both OPR and HCD by April 1 of each year.

To OPR: Submit the APR as an attachment in an MS Office application or PDF to opr.apr@opr.ca.gov. A printed copy of the APR can be mailed to the State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044, or 1400 10th Street, Sacramento, CA 95814. If your city or county posts the APR electronically, please notify OPR of your website address so that we may review it online.

To HCD: A copy of the APR should also be submitted as an attachment in an MS Office application or PDF to apr@hcd.ca.gov. A printed copy of the APR can be mailed to the Housing and Community Development, Housing Policy Development Division, 2020 West El Camino Ave., Sacramento, CA 95833.

SUBMITTING THE HOUSING ELEMENT APR

To OPR and HCD: Submit the new APR form via email to opr.apr@opr.ca.gov and apr@hcd.ca.gov. Send the APR form as an Excel workbook attachment, do not send a scanned or PDF version of the new form via email. The HCD has developed an online portal system as an alternative to emailing the APR. To use the online system, email apr@hcd.ca.gov and request login information for your jurisdiction.

PUBLIC INPUT

OPR welcomes suggestions on how to make this guidance more meaningful and useful to local planning agencies. Please contact Helen Campbell, AICP, Senior Projects Analyst at (916) 341-7371 or e-mail at Helen.Campbell@opr.ca.gov



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

Item 4.

TO:	Honorable Chair and Members of the Planning Commission
FROM:	Steven Jones, City Planner
BY:	Steven Jones, City Planner
SUBJECT:	REPORT ON ENVIRONMENTAL JUSTICE ELEMENT TO THE BELL GARDENS GENERAL PLAN
DATE:	February 15, 2023

RECOMMENDATION:

It is recommended that the Planning Commission receive and file this report.

BACKGROUND:

On June 8, 2020, the Bell Gardens City Council adopted a resolution authorizing the submittal of a grant application for the Local Economic Assistance Program (LEAP), which is administered by the California Department of Housing and Community Development (HUD).

The City was awarded \$150,000 to be used for projects addressing accessibility, sustainability, and resiliency aimed at protecting the public's health, safety, and welfare. The award was given based on the department's application that demonstrated proposed activities to foster an increase in housing-related planning activities, facilitate accelerated housing production within the City, and promote environmental justice.

To address the City's needs for a Sustainability/EJ Element as mandated by SB 1000 and SB 379 and abide by the LEAP grant requirements, staff prepared and released a Request for Proposals (RFP) on August 1, 2022.

A significant community-level impact policy and framework document in the form of the new Sustainability/EJ Element would help accelerate housing production appropriate for the neighborhoods and identify the areas where "priority populations" are located that will be the focus of the policies in the element. Impact Sciences is anticipated to conduct the necessary stakeholder and community engagement to ensure there will be extensive and diverse community input throughout each phase of work for the element. The work is 100 percent funded by the LEAP grant.

SITE DESCRIPTION:

The document would apply city-wide.

PROJECT/SITE DESCRIPTION:

Environmental Justice is guided by Government Code Section 65040.12, which aims to minimize the adverse effects of environmental hazards to create a healthy environment for all people, especially those groups, populations, and communities who had been impacted by pollution. The aim of EJ is to reduce burdens for communities experiencing adverse effects, promote meaningful participation of those communities in all phases of the environmental and land use decision making process, and providing meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

ANALYSIS:

The EJ Element development process will consist of a background report, public engagement, policy development, and achievable goals and policies in an implementation plan. The implementation plan will provide tools and resources to the City on how to implement the policies included in the EJ Element.

FINDINGS:

EJ Element work will be on-going throughout the year. Staff anticipates bringing a draft document to the Commission in the coming months for review, analysis and a recommendation to the City Council.

ENVIRONMENTAL REVIEW:

Appropriate CEQA review will be conducted.

CONCLUSION:

This report is to keep the item in the Commission's remembrance for future recommended action.

FISCAL IMPACT:

The EJ element work is funded 100% by the LEAP grant. Sufficient funds are also in place for staff's administration of the grant.

ATTACHMENTS:

Exhibit 1 - Impact Sciences Memorandum RE: EJ Element Preparation

APPROVED ELECTRONICALLY BY:

Steven Jones, City Planner

Lloyd Pilchen, Deputy City Attorney for Rick R. Olivarez, City Attorney

Gustavo Romo, Director of Community Development



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MEMORANDUM

To: Steven Jones, City Planner, City of Bell Gardens
From: Jessica Kirchner Flores, Principal In Charge, Impact Sciences, Inc.
Subject: Environmental Justice Element
Date: January 9, 2023
Job No. 1468.001

This memo is intended to serve as a brief overview of the purpose of an Environmental Justice (EJ) element and the process proposed by Impact Sciences to develop the City of Bell Gardens' EJ Element.

Environmental Justice Element

State Definition/Requirements

To address health effects in low-income communities and communities of color, the California State Legislature passed Senate Bill (SB) 1000 into law in 2016, requiring local governments to identify environmental justice communities (called "disadvantaged communities") in their jurisdictions and address Environmental Justice (EJ) in their general plans. When a city adopts two elements to its General Plan, the city must either include EJ policies or develop an EJ Element.

The purpose of the EJ Element is to identify and address public health risks and environmental concerns for vulnerable populations in disadvantaged communities which have long suffered public health effects from geographical inequities. Environmental Justice is guided by Government Code Section 65040.12, which aims to minimize the adverse effects of environmental hazards to create a healthy environment for all people, especially those groups, populations, and communities who had been impacted by pollution. The aim of EJ is to reduce burdens for communities experiencing adverse effects, promote meaningful participation of those communities in all phases of the environmental and land use decision making process, and providing meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

Local Significance

The City of Bell Gardens contains a minority-majority population with 95.6% Hispanic residents. ¹ The median household income in the City is \$50,311, which is below the Los Angeles County median of \$76,367. Approximately, 58% of residents are considered Housing Cost Burdened, with housing costs accounting for more than 30% of their household income.

The City of Bell Gardens is exposed to air pollution, given its proximity to industrial land uses, the I-710 Freeway, and the I-5 Freeway. The California Communities Environmental Health Screening Tool (CalEnviroScreen) is a mapping tool that helps identify community health scores, by census tract, based on 20 indicators. These indicators include pollution exposure, location of toxic chemicals in or near

¹ Bell Gardens City, California. The U.S. Census Bureau. Available online at: <https://www.census.gov/quickfacts/bellgardenscitycalifornia>, accessed December 21, 2022.

communities, sensitive populations in a community, and socioeconomic factors. Each census tract within the state is assigned a score out of 100 based on these indicators. According to CalEnviroScreen, the pollution burden percentile assigned to census tracts within the City range from 80 to 100, with a citywide average of 95.4.

EJ Element Development Process

Background Report

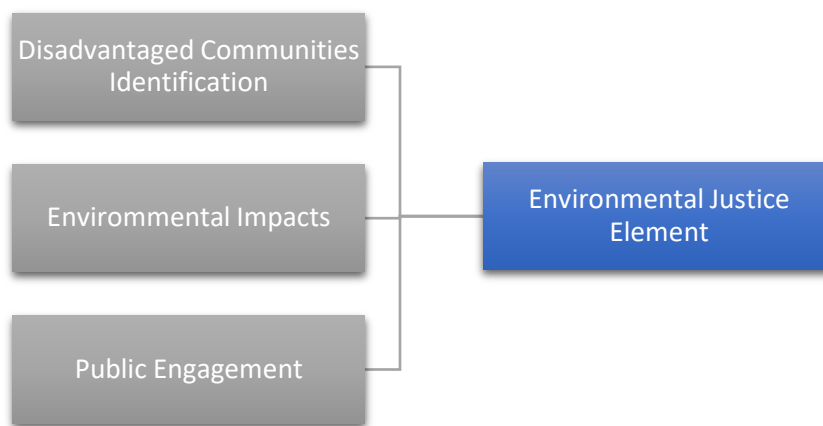
In order to identify the existing public health risks and environmental concerns, Impact Sciences will develop a background report that identifies disadvantaged communities based on a variety of indicators. Some of the indicators that may be used, include educational attainment, employment, housing burdened low-income households, income, linguistic isolation, poverty, race and ethnicity, single parent households, U.S. citizenship, violent crime rate, and ability to vote.

Public Engagement

Simultaneously, the Los Angeles Neighborhood Initiative (LANI) will engage residents, business owners and the community at large to help frame what environmental justice is and what it means to the City. This initial feedback will guide the development of the Draft EJ Element including the goals and policies. Once the draft EJ Element has been developed, LANI will engage stakeholders to gain insight and feedback on the proposed goals and policies and work with the stakeholders to gain consensus on the City's vision for environmental justice.

Policy Development

Based on the findings from the background report and initial results of the public outreach efforts by LANI regarding the community's definition of environmental justice, Impact Sciences will work with City Staff to outline possible goals and policies to include in the EJ Element. In collaboration with the City and stakeholders, Impact Sciences will finalize the EJ Element to include achievable goals and policies to implement the City's environmental justice goals.



Implementation

A key outcome of the EJ Element will be an implementation plan. The implementation plan will provide tools and resources to the City on how to implement the policies included in the EJ Element. Just like any other element to the City's General Plan, the EJ Element and its implementation plan should be updated regularly to ensure it reflects the needs and desires of the community.