



staff report

TO: Honorable Chairman and Members of the Planning Commission

ATTENTION: Elizabeth Corpuz, Director of Planning and Building Services

FROM: Kathryn Brun, Assistant Planner

SUBJECT: Consideration and possible action to conduct a public hearing to consider a Zoning Ordinance Text Amendment; and adopt Resolution No. PC 18-10 – A Resolution recommending the City Council approve Zoning Ordinance Text Amendment Case No. ZOTA 18-03 amending Chapter 17.48 of the Bellflower Municipal Code (BMC) regarding parking standards for public assembly uses in the Town Center (TC) District, including but not limited to, allowing public assembly uses in the TC District to transfer required on-site parking spaces to off-site parking areas subject to a parking agreement, establish implementation criteria for the use of public parking facilities, correctly reference the parking fee as an “in-lieu fee” instead of an “impact fee,” and correctly reference “Parking District No. 1” instead of “TC Parking District.”

DATE: August 6, 2018

RECOMMENDATION

1. Open the public hearing, receive testimony, close the public hearing, consider the evidence, and adopt Resolution No. PC 18-10; or
2. Alternatively, discuss and take other action related to this item.

PUBLIC NOTICE

A Notice of Public Hearing was published in the Herald American (Bellflower Edition) newspaper on July 26, 2018. Public hearing notices were posted at City Hall, Brakensiek Library, Bellflower Substation, Thompson Park, Simms Park, and Caruthers Park on July 23, 2018. As of the writing of this staff report, the City has not received any correspondence.

CEQA STATUS

Pursuant to the authority and criteria of the California Environmental Quality Act (CEQA), it has been determined that the ZOTA does not have the potential to cause significant effects on the environment and, therefore, the project is exempt from CEQA pursuant to 14 Cal. Code Regs. § 15061(b)(3). This ZOTA would not result in any development or changes to the physical environment. Following an evaluation of possible adverse impacts, it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment (**Attachment A**).

BACKGROUND

On January 24, 2011, the City Council adopted Ordinance No. 1208 that amended Bellflower Municipal Code (BMC) Chapter 17.48 Town Center (TC) District to provide definitions, development standards, and/or performance standards pertaining to public assembly uses. Public assembly uses are conditionally permitted in the TC District, and some public assembly uses may be allowed with a Minor Conditional Use Permit if the total gross floor area proposed is less than 5,000 square feet. Ordinance No. 1208 also included provisions associated with parking locations and fees. The requirement is that parking must be located on the same property where the public assembly use is proposed, with the exception of properties located within the TC Parking District. Therefore, properties not located within the TC Parking District must provide parking for public assembly uses on-site.

The “TC Parking District” is synonymous with “Parking District No. 1” which was established in 1960. Parking District No. 1 includes properties located west of Bellflower Boulevard, between the southerly portion of Mayne Street and northerly portion of Flower Street. For public assembly uses located within Parking District No. 1, the required parking may be located within the public parking lot, provided the use does not result in additional parking demand. However, in the event that the public assembly use requires additional parking, a fee must be paid for those additional parking spaces. Unlike the properties located west of Bellflower Boulevard, similarly zoned properties to the east of Bellflower Boulevard are not afforded the same parking relief, and are required to provide parking on site.

In addition, existing overlay zones (Bellflower Village Overlay Zone [BVOZ] – established in 2008) and Bellflower Village Overlay Zone – North [BVOZ-N] – established in 2011) that encompass a portion of the TC District offer alternative development parking standards that are available for new development projects. Projects located within either the BVOZ or BVOZ-N overlay zone may propose to transfer their on-site parking obligations to public parking lots, subject to an agreement with the City of Bellflower, which are approved on a case-by-case basis. Implementation criteria related to transferring parking obligations to public parking lots are outlined in Resolution No. 17-52 (**Attachment B**).

DISCUSSION

Public assembly uses tend to have higher parking demand, which could pose some parking challenges because several existing buildings within the TC District were built up to the property lines and without on-site parking to support such uses. The proposed ZOTA would amend Chapter 17.48 of the BMC to allow public assembly uses in the TC District to provide parking in a separate lot, subject to a covenant or a City Council-approved document that demonstrates alternative means of providing required off-street parking. Additionally, the proposed ZOTA would establish implementation criteria to assist in the uniform application of parking requirements for the use of public or private parking facilities. Also, as a clean-up, the ZOTA will correctly reference the parking fee as “in-lieu fee” instead of an “impact fee”; the reason for this change is that an in-lieu fee is a fee offered as an alternative to providing the required on-site parking and correctly reference “Parking District No. 1” instead of “TC Parking District” to avoid confusion.

CONCLUSION

The draft Ordinance is written in the following format: ~~strikeout~~ to indicate language being deleted and underline to indicate language being added. The adoption of Resolution No. PC 18-10 recommends that the City Council adopts the proposed Ordinance, amending Chapter 17.48 in Title 17 of the BMC. The proposed amendments and necessary findings are included in the attached Resolution No. PC 18-10.

ATTACHMENT

- A. Resolution No. PC 18-10
- B. Resolution No. 17-52 (without exhibit)
- C. Maps (TC District and Parking District No. 1)

ATTACHMENT A

Resolution No. PC 18-10 (Findings/Exhibit A)

CITY OF BELLFLOWER

RESOLUTION NO. PC 18-10

A RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE ZONING ORDINANCE TEXT AMENDMENT CASE NO. ZOTA 18-03 AMENDING CHAPTER 17.48 OF THE BELLFLOWER MUNICIPAL CODE (BMC) REGARDING PARKING STANDARDS FOR PUBLIC ASSEMBLY USES IN THE TOWN CENTER (TC) DISTRICT, INCLUDING BUT NOT LIMITED TO, ALLOWING PUBLIC ASSEMBLY USES IN THE TC DISTRICT TO TRANSFER REQUIRED ON-SITE PARKING SPACES TO OFF-SITE PARKING AREAS SUBJECT TO A PARKING AGREEMENT, ESTABLISH IMPLEMENTATION CRITERIA FOR THE USE OF PUBLIC PARKING FACILITIES, CORRECTLY REFERENCE THE PARKING FEE AS AN "IN-LIEU FEE" INSTEAD OF AN "IMPACT FEE," AND CORRECTLY REFERENCE "PARKING DISTRICT NO. 1" INSTEAD OF "TC PARKING DISTRICT";
APPLICANT: CITY OF BELLFLOWER

THE PLANNING COMMISSION RESOLVES AS FOLLOWS:

SECTION 1. *Recitals.* The Planning Commission finds and declares as follows:

- A. The City of Bellflower is proposing Zoning Ordinance Text Amendment Case No. ZOTA 18-03, to amend Chapter 17.48 of the Bellflower Municipal Code (BMC) regarding parking standards for public assembly uses in the Town Center (TC) District, including but not limited to, allowing public assembly uses in the TC District to transfer required on-site parking spaces to off-site parking areas subject to a parking agreement, establish implementation criteria for the use of public parking facilities, correctly reference the parking fee as an "in-lieu fee" instead of an "impact fee," and correctly reference "Parking District No. 1" instead of "TC Parking District";
- B. The City reviewed this Zoning Ordinance Text Amendment (ZOTA) pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"); CEQA, CEQA Guidelines and Bellflower Guidelines collectively referred to as "CEQA Regulations");
- C. Notice of Public Hearing before the Planning Commission was duly given and published in the time, form, and manner as required by law;
- D. The Planning Commission held a public hearing to consider the information provided by City Staff and public testimony. This Resolution, and its findings, are made based upon the evidence presented to the Planning Commission at its August 6, 2018 hearing including, without limitation, the staff report; and
- E. On August 6, 2018, the Planning Commission adopted Resolution No. PC 18-10 recommending the City Council approve ZOTA 18-03.

SECTION 2. *Factual Findings and Conclusions.* The Planning Commission finds as follows:

- A. The purpose of the Town Center (TC) District is to provide for the development and redevelopment of the City's downtown area including the objective to promote entertainment activities such as public assembly uses;
- B. On January 25, 2011, the City Council adopted Resolution No. 1208, providing definitions, development standards, and performance standards pertaining to public assembly uses in the TC District;
- C. On August 28, 2017, the City Council adopted Resolution No. 17-52, establishing uniform parking requirements for developments in the Bellflower Village Overlay Zone-North (BVOZ-N) in order to allow the use of public parking facilities;
- D. The Planning Commission determines that the BMC requires updating in order to promote the TC District as the commercial, entertainment, social, and civic hub of the community and to establish uniform parking requirements; and
- E. The proposed ZOTA will amend the parking standards for public assembly uses in the TC District by allowing public assembly uses in the TC District to transfer required on-site parking spaces to off-site parking areas subject to a parking agreement, establish implementation criteria for the use of public parking facilities, correctly reference the parking fee as an "in-lieu fee" instead of an "impact fee," and correctly reference "Parking District No. 1" instead of "TC Parking District."

SECTION 3. *Environmental Assessment.* Pursuant to the authority and criteria of the California Environmental Quality Act (CEQA), it has been determined that the ZOTA does not have the potential to cause significant effects on the environment and, therefore, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. § 15061(b)(3). This ZOTA would not result in any development or changes to the physical environment. Following an evaluation of possible adverse impacts, it can be seen with certainty that there is no possibility that the ZOTA will have a significant effect on the environment.

SECTION 4. *Zoning Ordinance Text Amendment Findings.* Pursuant to BMC §17.104.010, the Planning Commission, based on the facts and evidence set forth above, in the accompanying staff report, and in the entire administrative record, finds that any provision of Title 17 may be amended whenever the public necessity, convenience or general welfare requires it. The ZOTA will promote public health, safety and general welfare by, among other things, allowing for alternative means of providing required off-street parking; establishing implementation criteria to assist in the uniform application of parking requirements; and avoiding confusion due to incorrect references.

SECTION 5. *General Plan Findings.* Pursuant to Government Code § 65860, the changes implemented by this ZOTA are consistent with the General Plan. Among other things, this ZOTA will help implement General Plan – Land Use Element Goal 2, Policy 2.4, which is to promote recreational, cultural, entertainment, and employment opportunities to meet the needs of the community. The ZOTA is intended to promote entertainment activities in the City's downtown area and are consistent with Town Center Policy 1, to promote Town Center as the commercial, entertainment, social, and civic hub of the community; this action will not frustrate any goal or policy set forth in the General Plan. Furthermore, the ZOTA will establish implementation criteria for the use of public parking lots; will contribute to the City's commitment of being business-friendly; and will eliminate any potential misinterpretations and confusion by the public.

SECTION 6. *Recommendation.* Based on the above findings, the Planning Commission recommends the City Council approve Zoning Ordinance Text Amendment Case No. ZOTA 18-03 in a form substantially similar to the draft attached as Exhibit "A."

SECTION 7. *Construction.* This Resolution must be broadly construed in order to achieve the purposes stated in this Resolution. It is the Planning Commission's intent that the provisions of this Resolution be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Resolution.

SECTION 8. *Reliance On Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 9. *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the ZOTA is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 10. *Severability.* If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the Planning Commission intends that such invalidity will not affect the effectiveness of the remaining provision or application and, to this end, the provisions of this Resolution are severable.

SECTION 11. *Preservation.* This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 12. This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 13. The Planning Commission Secretary is directed to mail a copy of this Resolution to any other person requesting a copy.

SECTION 14. The Planning Commission Chairman, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the Planning Commission of the City of Bellflower, and the Planning Commission Secretary is directed to attest thereto.

**PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION
OF THE CITY OF BELLFLOWER THIS 6th DAY OF AUGUST 2018.**

John B. Nowlin, Chairman

Attest:

Elizabeth Corpuz, Secretary

Approved as to form:

David King, Assistant City Attorney

**Attachment:
Exhibit A – Draft Ordinance**

EXHIBIT A

CITY OF BELLFLOWER

ORDINANCE NO. 13XX

AN ORDINANCE APPROVING ZONING ORDINANCE TEXT AMENDMENT CASE NO. ZOTA 18-03 AMENDING CHAPTER 17.48 OF THE BELLFLOWER MUNICIPAL CODE (BMC) REGARDING PARKING STANDARDS FOR PUBLIC ASSEMBLY USES IN THE TOWN CENTER (TC) DISTRICT, INCLUDING BUT NOT LIMITED TO, ALLOWING PUBLIC ASSEMBLY USES IN THE TC DISTRICT TO TRANSFER REQUIRED ON-SITE PARKING SPACES TO OFF-SITE PARKING AREAS SUBJECT TO A PARKING AGREEMENT, ESTABLISH IMPLEMENTATION CRITERIA FOR THE USE OF PUBLIC PARKING FACILITIES, CORRECTLY REFERENCE THE PARKING FEE AS AN "IN-LIEU FEE" INSTEAD OF AN "IMPACT FEE," AND CORRECTLY REFERENCE "PARKING DISTRICT NO. 1" INSTEAD OF "TC PARKING DISTRICT."

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds and declares as follows:

- A. The City of Bellflower is proposing Zoning Ordinance Text Amendment Case No. ZOTA 18-03, to amend BMC Chapter 17.48 (Town Center [TC] District);
- B. The City reviewed this Ordinance pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"); CEQA, CEQA Guidelines and Bellflower Guidelines collectively referred to as "CEQA Regulations");
- C. Notices of Public Hearings before the Planning Commission and City Council were duly given and published in the time, form, and manner as required by law;
- D. On August 6, 2018, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including information provided to the Planning Commission by City staff and public testimony;
- E. On August 6, 2018, the Planning Commission adopted Resolution No. PC 18-10 recommending the City Council approve ZOTA 18-03;
- F. On _____ 2018, the City Council held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including information provided by City staff and public testimony; and

G. This Ordinance and its findings are made based upon the entire administrative record including testimony and evidence presented to the City Council at its _____ 2018 hearing and the staff report submitted by the Planning Department.

SECTION 2. *Zoning Ordinance Text Amendment Findings.* Pursuant to BMC §17.104.010, the City Council, based on the facts and evidence set forth above, in the accompanying staff report, and in the entire administrative record, finds that any provision of Title 17 may be amended whenever the public necessity, convenience or general welfare requires it. The Ordinance will promote public health, safety and general welfare by, among other things, allowing for alternative means of providing required off-street parking; establishing implementation criteria to assist in the uniform application of parking requirements; and avoiding confusion due to incorrect references.

SECTION 3. *General Plan Findings.* Pursuant to Government Code § 65860, the changes implemented by the Ordinance are consistent with the General Plan. Among other things, this Ordinance will help implement General Plan – Land Use Element Goal 2, Policy 2.4, which is to promote recreational, cultural, entertainment, and employment opportunities to meet the needs of the community. The Ordinance is intended to promote entertainment activities in the City’s downtown area and is consistent with Town Center Policy 1, to promote Town Center as the commercial, entertainment, social, and civic hub of the community; this action will not frustrate any goal or policy set forth in the General Plan. Furthermore, the Ordinance will establish implementation criteria for the use of public parking lots; will contribute to the City’s commitment of being business-friendly; and will eliminate any potential misinterpretations and confusion by the public.

SECTION 4. The proposed revisions will be illustrated with ~~striketrough~~ for existing language that is proposed for deletion, and underlined for new language.

SECTION 5. Bellflower Municipal Code (“BMC”) § 17.48.125 (Public Assembly Uses) is amended as follows:

“A. Notwithstanding any other provisions of this Code, public assembly use is defined as any use that is established for the purpose of: 1) gathering, deliberating, worshiping, educating, entertaining, or conducting workshops including, without limitation, banquet halls, educational institutions (which are to be permitted on second floor and above only), fitness centers, martial arts/karate studios, commercial recreational facilities (e.g., bowling alleys, skating), dance studios, and theaters; or 2) establishing a permanent, headquarters-type and meeting facility for organizations including, without limitation, bridge/chess/go clubs, religious facilities, and fraternal halls.

- AB. All public assembly uses must provide at least one (1) parking space for every four (4) permanent seats. A "seat" means eighteen lineal inches of seating space when seats are arranged in rows or pews. Where there are no fixed seats, a "seat" means seven square feet of floor area. Parking must be located on the same property where the public assembly use is proposed, with the exception of the properties located within the TC Parking District. Any required parking spaces may be located in a separate lot from the property where the public assembly use is proposed, subject to the provisions of Section 17.88.090.
- C. For properties located within the ~~TC Parking District No. 1~~, in addition to Subsection B, if the Code required parking spaces for the public assembly use is more than the Code required parking for the immediate previous use, then a parking impact the parking requirement may be satisfied by the payment of an in-lieu fee must be paid for every additional required parking space that exceeds the number of parking spaces required for the immediate previous use. The amount and calculation of the parking impact in-lieu fee will be established by City Council resolution.
- D. Any public assembly use may apply to utilize the public parking lots to meet some, or all, of the on-site parking requirements, subject to Subsection 17.48.210.B.
- BE. Early discussion with the Planning Director, or designee, is required to review the scope of the project and to clarify the City's requirements, as applicable. All applications must be processed through the standard City review process established by this Code. In addition to any other person, an application may be filed by the Planning Director, or designee; the Town Center District Review Committee; the Planning Commission; or the City Council.
- CF. The public assembly use must comply with Section 17.48.240 of the Bellflower Municipal Code."

SECTION 6. Subsection A of BMC § 17.48.210 (Parking and Driveway Requirements) is amended as follows:

- "A. Parking. Parking requirements for new development within the Town Center District are intended to maintain a minimum ratio of one (1) parking space (stall) for every four hundred (400) gross square feet of floor area. This section requires that all newly constructed, expanded, or redeveloped buildings and structures provide adequate parking to maintain this minimum ratio. Should new parking be required to maintain the minimum parking ratio, it shall be located within the Town Center District but need not necessarily be at the same location of the new development and it may be located off-site pursuant to Section 17.48.125.

B. Any use may apply to utilize the public parking lots to meet some, or all, of the on-site parking requirements. The request will be evaluated based on such considerations as: the ease of pedestrian access, the reasonable distance (i.e., adjacent or proximate) to the public parking lot, the parking assessment report, and the feasibility of transferring the parking obligation. The Requestor will be required to prepare and submit a Parking Assessment Report containing the following components:

1. An assessment of the proposed development's highest parking demand time periods;

2. A determination of available public parking locations during high parking demand time periods; and

3. A plan to include the use of maps, guides, or other wayfinding showing the locations of Bellflower public parking lot locations, in any marketing materials or marketing methods generated by the Requestor.

In addition, the Requestor will also be required to enter into a Parking Agreement with the City clarifying that the use of public parking spaces does not grant a possessory right to the Requestor; that the public may freely use any parking space within the public parking area; and that any transfer of ownership requires a reapplication for off-site parking. The City Manager is authorized to execute any such agreement.

BC. Driveways. There shall be a twenty (20) foot minimum driveway width or two (2) ten (10) foot driveways for each project site. The minimum required back-out space shall be in compliance with the "Parking Standards" diagram shown under Section 17.88.020. If a portion of the required driveway width is also used as a back-out space and the minimum required back-out space is greater than the minimum required driveway width, the minimum required back-out space requirement shall apply for the portion of the driveway used as back-out space.

GD. Parking Space Dimension. A "parking space" shall be defined as any permanently maintained space of not less than nine (9) feet by eighteen (18) feet for the parking of motor vehicles."

SECTION 7. *Environmental Review.* Pursuant to the authority and criteria of the California Environmental Quality Act (CEQA), it has been determined that the Ordinance does not have the potential to cause significant effects to the environment and, therefore, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. § 15061(b)(3). This Ordinance would not result in any development or changes to the physical environment. Following an evaluation of possible adverse impacts, it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment.

EXHIBIT A
City of Bellflower
Ordinance No. 13XX
Page 5 of 6

SECTION 8. *Notice of Exemption.* The City Manager, or designee, is directed to file a Notice of Exemption in accordance with CEQA §§ 15062 and any other applicable law.

SECTION 9. *Approval.* Based on the foregoing, the City Council approves Zoning Ordinance Text Amendment Case No. ZOTA 18-03.

SECTION 10. *Construction.* This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 11. *Enforceability.* Repeal of any provision of the BMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 12. *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the BMC or other city ordinance by this Ordinance will be rendered void and cause such previous BMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 13. *Reliance on Record.* Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 14. *Limitations.* The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are limitations on the City's ability to solve what are in effect regional, state, and National problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 15. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

EXHIBIT A
City of Bellflower
Ordinance No. 13XX
Page 6 of 6

SECTION 16. The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Bellflower's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 17. *Effective Date.* This Ordinance will take effect on the 31st day following its final passage and adoption.

ORDINANCE NO. 13XX HAD ITS FIRST READING ON _____, ITS SECOND READING ON _____, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF _____.

Ray Dunton, Mayor

ATTEST:

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, City Attorney

ATTACHMENT B

Resolution No. 17-52 (without exhibit)

CITY OF BELLFLOWER

RESOLUTION NO. 17-52

A RESOLUTION PROVIDING IMPLEMENTATION CRITERIA RELATED TO BELLFLOWER MUNICIPAL CODE SECTION 17.63.030, PARKING IN THE BELLFLOWER VILLAGE OVERLAY ZONE-NORTH (BVOZ-N)

THE CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1. *Recitals.* The City Council finds and declares as follows:

- A. Public parking lots exist in the Bellflower Village Overlay Zone–North (the “BVOZ-N”) within Downtown Bellflower to provide public parking for a variety of commercial uses;
- B. Adequate and easily accessible parking is critical to the long term success and viability of future commercial development in Downtown Bellflower;
- C. It is in the public interest to promote and maintain economic development within the City’s downtown;
- D. It is in the public interest to provide objective criteria to enable new commercial development within the BVOZ-N to utilize available and future public parking lots to meet parking requirements; and
- E. For the reasons set forth above, the City finds it is in the public interest to adopt this resolution and desires to establish criteria for the use of public parking within the BVOZ-N.

SECTION 2. *Findings.* In accordance with Bellflower Municipal Code (“BMC”) Chapter 17.63, the City Council finds that the following criteria will be used to permit new commercial development in the BVOZ-N to use available and future public parking facilities to meet parking requirements:

- A. The proposed development is located in the BVOZ-N;
- B. The site plan for the proposed development is consistent with neighboring development;
- C. Existing public parking facilities are located within a reasonable distance (e.g., adjacent/proximate) of the proposed development; and
- D. The Applicant must prepare a Parking Assessment to include an assessment of the proposed development’s highest parking demand time periods; a determination of available public parking locations during high demand time periods; and, any marketing materials generated by the Applicant will include the use of maps or guides showing Downtown Bellflower public parking locations.

SECTION 3. *Public Parking Lots; Requirements.* If an Applicant demonstrates, upon substantial evidence, that good faith efforts to secure off-site parking on private property is infeasible, the City Council, Planning Commission, or (if a ministerial permit) City Manager may grant an Applicant the limited ability to utilize public parking spaces to meet off-site parking requirements. Any such authorization requires the following:

- A. That the public parking spaces are set forth in attached Exhibit A, which is incorporated by reference; and
- B. That the Applicant enters into an agreement, in a form approved by the City Attorney, that (at a minimum) makes it clear that use of the public parking spaces does not grant a possessory right to the Applicant; that the public may freely use any space within the public parking area; and that any transfer of ownership by the Applicant will require a reapplication for off-site parking. The City Manager is authorized to execute any such agreement.

SECTION 4. Authorizations. The City Council delegates authority to grant permission to use public parking spaces as follows:

- A. To the Planning Commission for developments requiring discretionary approvals such as, without limitation, conditional use permits or tentative maps; and
- B. To the City Manager for developments requiring only ministerial approvals such as, without limitation, building permits.

SECTION 5. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Bellflower, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

SECTION 6. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER THIS 28th DAY OF AUGUST 2017.



Ron Schnablegger, Mayor

ATTEST:



Mayra Ochiqi, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

ATTACHMENT

Exhibit A – Public Parking Lot Locations

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)SS
CITY OF BELLFLOWER)

I, **Mayra Ochiqui**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 17-52 was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of August 28, 2017, by the following vote to wit:

AYES: Council Members – Garza, Koops, and Santa Ines

NOT PARTICIPATING: Council Members – Mayor Schnablegger and
Mayor Pro Tem Dunton

Dated: August 29, 2017

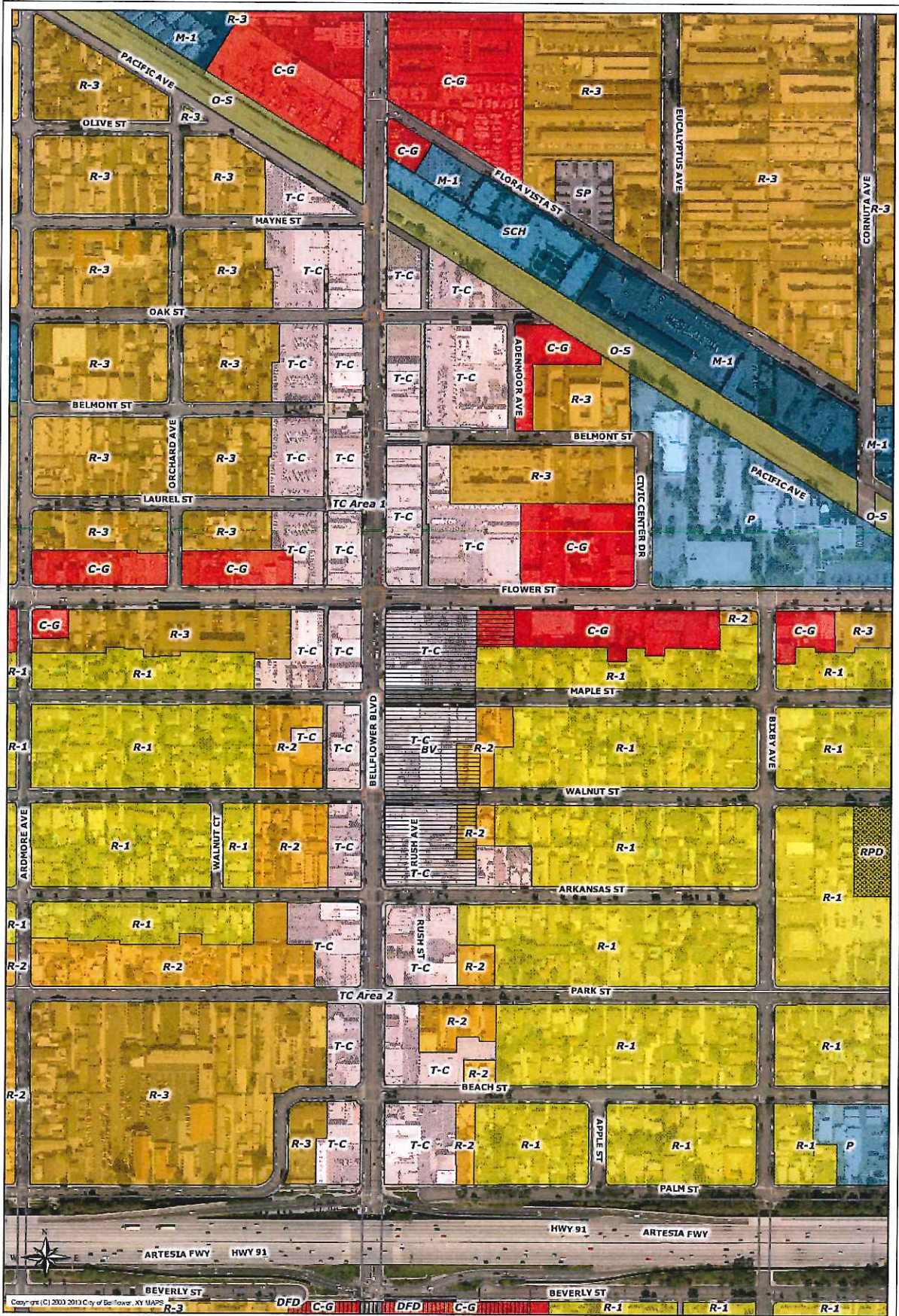


Mayra Ochiqui, City Clerk
City of Bellflower, California

(SEAL)

ATTACHMENT C

Maps (TC District and Parking District No. 1)



Copyright (C) 2003 2013 City of Bellflower, XY MAPS



Town Center (TC) District



Scale: 1 in = 303 ft
Printed 8/2/2018

