

CITY OF BELLFLOWER

ORDINANCE NO. 1322

AN ORDINANCE APPROVING ZONE CHANGE CASE NO. ZC 16-02 TO CHANGE THE EXISTING ZONE ON SEVERAL PROPERTIES FROM “C-G” (GENERAL COMMERCIAL) or “M-1” (LIGHT INDUSTRIAL DISTRICT) TO DESIGN FOR DEVELOPMENT FOR THE SOUTH BELLFLOWER COMMERCIAL AREA (DFD) AND ZONING ORDINANCE TEXT AMENDMENT CASE NO. ZOTA 16-03 AMENDING THE BELLFLOWER MUNICIPAL CODE (BMC) TO ADD CHAPTER 17.65 “DESIGN FOR DEVELOPMENT FOR THE SOUTH BELLFLOWER COMMERCIAL AREA (DFD)” TO TITLE 17; APPLICANT: CITY OF BELLFLOWER

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Zone Change / Zoning Ordinance Text Amendment Findings.*

Pursuant to Bellflower Municipal Code (“BMC”) Section 17.104.030, the City Council finds as follows:

- A. It is the purpose of this action to encourage the most appropriate use of the land; to conserve and stabilize the value of property; and promote the public peace, health, safety, morale, and general welfare, all in accordance with the General Plan.
- B. There are changed conditions since the existing Design for Development zone (“DFD”) became effective. Such changes justify the addition of Chapter 17.65, captioned Design for Development for the South Bellflower Commercial Area (DFD) to the BMC. Specifically, the DFD is intended to help the City achieve the highest and best possible uses in the DFD zoning area by promoting freeway and highway oriented commercial/retail uses.
- C. The proposed action will not adversely affect property values or establish adverse land use precedent because the DFD includes reasonable regulations regarding uses, construction, and development within the DFD Area and to ensure such regulations are applied in a nondiscriminatory manner. Implementing the DFD will protect the City from the potential effects and impacts of activities inconsistent with the intent and purpose of the DFD. The proposed zone change from C-G (General Commercial) and M-1 (Light Industrial) District to (DFD) would allow for the future development of the DFD Area. It is the goal of the DFD to present a refined land use strategy to promote freeway and highway oriented commercial/retail uses that have a commercial/retail development intensity that is directly correlated to the unique business opportunity that the DFD Area provides because of its location, visibility, and superior access to the regional freeway network. Furthermore, all future uses and development must comply with all of the requirements of the (DFD).

- D. The changes effected by the proposed action will contribute to the preservation of the public, peace, health, safety, and welfare by clarifying provisions of the BMC that were previously unclear or erroneous and effectuating City policy regarding land use and development with the DFD area. Furthermore, the action will eliminate potential new uses, construction, and development not consistent with intent and purpose of the DFD.
- E. The proposed action will not adversely affect the BMC. The intent of the DFD is to evaluate various economic commercial development opportunities (e.g., big box retail type uses). Furthermore, the proposed DFD will not change the existing land use designation for properties within the DFD area, which is “C” Commercial or “I” Industrial.

SECTION 2. Zone Change. Based on the above findings, the Zoning Map is amended as set forth in attached Exhibit “A”, which is incorporated by reference.

SECTION 3. BMC Text Amendment. Section 17.12.010 of the Bellflower Municipal Code (“BMC”) is amended to read as follows. The proposed revisions to the the Zoning Ordinance will be illustrated with ~~italic strikethrough~~ for existing language that is proposed for elimination and **bold and underlined** for proposed new language:

“17.12.010 Zones Enumerated.

For purposes relating to the orderly development of the City of Bellflower, and in order to carry out the provisions of this title, the City is hereby divided into ~~thirteen (13)~~ **fourteen (14)** zones known as the following:

SF	Single Family Residential
R1	Low Density
AE	Agricultural Estate Zone
R-2	Medium Density Residential
R-3	Multiple Residential
SCH	Senior Citizen Housing
C-G	General Commercial Zone
T-C	Bellflower Town Overlay Zone
M-1	Light Industrial Zone
PD	Planned Development Zone
O-S	Open Space Zoning Zone
P	Public Uses
MU	Mixed Use
DFD	<u>Design for Development for the South Bellflower Commercial Area</u> ”

SECTION 4. BMC Text Amendment. A new Chapter 17.65 entitled “Design for Development for the South Bellflower Commercial Area (DFD)” is added to the BMC and to read as follows:

**DESIGN FOR DEVELOPMENT FOR THE SOUTH BELLFLOWER COMMERCIAL
AREA (DFD)**

- 17.65.010 - Purpose and Intent.
- 17.65.020 - General Objections.
- 17.65.030 - Special Controls.
- 17.65.040 - Definitions.
- 17.65.050 - Site Description and Location Map.
- 17.65.060 - Permitted and Prohibited Uses.
- 17.65.070 - Permitted Uses.
- 17.65.080 - Conditional Uses.
- 17.65.090 - Prohibited Uses.
- 17.65.100 - Development Standards.
- 17.65.110 - Access and Circulation.
- 17.65.120 - Plan Review Procedures.
- 17.65.130 - Responsibility for Securing Permits and Paying Fees.

17.65.010 Purpose and Intent.

To encourage the development of the Design for Development for the South Bellflower Commercial Area (DFD) to the highest and best possible use. It is the intent of the City Council to encourage high sales tax generating retail uses that will be able to utilize the extremely high freeway accessibility of the DFD Area. Furthermore, it is the City Council's intent to promote high sales tax producing development while insisting upon high quality design and site planning.

The purpose of the DFD is to plan for the future development of the DFD Area. It is the goal of the DFD to present a refined land use strategy to promote freeway and highway oriented commercial/retail uses that have a commercial/retail development intensity that is directly correlated to the unique business opportunity that the DFD Area provides because of the its location, visibility, and superior access to the regional freeway network.

This DFD supplements, augments, and focuses the goals, policies and objectives of the various Planning documents affecting the DFD Area. However, these standards are not inclusive of all applicable City procedures, provisions, regulations, and requirements that may apply to the development of any property within the DFD Area. Professional office use may be included into a development to increase the daytime professional population so long as it is well balanced with commercial/retail uses.

17.65.020 General Objectives.

The City Council desires to encourage development concepts that will:

- A. Create a land use strategy that promotes intense freeway and highway-oriented commercial retail development;
- B. Provide for regional, local, and neighborhood access to and from the DFD Area, without negatively impacting the community character of Bellflower;

C. Maintain and promote quality architectural and site planning principles in the development of the DFD Area; and

D. Ensure that vehicular access to and from the DFD Area is designed in manner that is efficient, safe, and can accommodate future growth and access demand.

17.65.030 Special Controls.

Any development within the DFD area must comply with the regulations of this Chapter in addition to the required development standards of the C-G (General Commercial) zone. In the event of a conflict between a regulation for the DFD and a regulation for the C-G (General Commercial) zone, the more restrictive regulation controls, and in case of doubt or ambiguity the determination thereof by the Director of Planning and Building Services is conclusive, subject to appeal as set forth in this Code.

17.65.040 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this Chapter. Words and phrases undefined in this Chapter have the same meaning as set forth in this Code.

Automobile Dealership. A retail facility that specializes in the sale of automobiles and light and heavy-duty trucks and vehicles. Accessory uses for the service and repair of automobiles and vehicles, and the retail sales of goods and parts directly related to those automobiles and vehicles sold at the facility is permitted. "Used" or "Pre-owned" automobiles, trucks and other vehicles are not allowed to exceed twenty percent (20 %) of the sales, display and storage area of an Automobile Dealership.

Banquet Facility. A facility that specializes in the hosting of one or multiple gatherings of people which may involve live dance and entertainment, for the purposes of celebrating and/or honoring including, without limitation, anniversaries, awards ceremonies, bar mitzvahs, birthdays, private parties, quinceaneras, roasts, tributes, weddings, conducted within an enclosed building on the subject property. A banquet facility is not a night club, and may not be operated in any capacity resembling a night club.

"Big Box" Retail Store. A commercial retail store that has a minimum interior square footage of at least 80,000 square feet, and most typically is at, or over 100,000 square feet, in interior floor area. Said commercial retail store specializes in "dry goods," but may have grocery and perishable goods as an accessory sales item.

Community-serving Commercial. Retail uses that serve as citywide community market area, such as supermarkets, pharmacies, restaurants, banks, office supplies, copy services and general retail stores.

Development. The physical alteration of any parcel or area of land, including buildings, structures, grading and other related changes by any private person or entity and/or by any public body or agency.

Drive-through Facilities (also known as a "Drive-thru"). A facility that allows for the transaction of goods or services without having the business patron leave their motor vehicle.

Freeway-oriented Commercial. Retail uses that are intended to serve the region where access from the freeway system is an integral component of their retail and marketing operation. Such retail uses tend to be very high volume in retail sales.

Motor Sports Dealership. A retail facility that specializes in the sale of all-terrain vehicles (ATVs), motorcycles for the purposes of off-road, motocross, or dual purposes, personal watercrafts such as jet skis, sea-doods, and/or wave runners, utility and recreation utility vehicles for the purposes of traveling off-road, and snowmobiles. Accessory uses for the service and repair of vehicles, and the retail sales of goods and parts directly related to those vehicles sold at the facility is permitted. "Used" or "Pre-owned" vehicles are not allowed to exceed twenty percent (20 %) of the sales, display and storage area of a Motor Sports Dealership.

Neighborhood-serving Commercial. Retail that is intended to serve the needs of adjacent residential neighborhoods and nearby businesses, such as sidewalk cafes, bakeries, dry cleaners, small markets or pharmacies, accounting/professional services, and medical offices.

Offices, Professional/Administrative. A commercial use where a building, room or series of rooms is used to conduct professional-type business (e.g., architect, lawyer, doctor, engineer, stockbroker, accountant, consultant, tax preparer, real estate, advertising and publicity).

Parking Lot. An open paved area that is designed to accommodate vehicles of patrons of those businesses where the parking lot is adjacent. Parking lots also contain such associated design features such as drive-aisles, landscaping, trash enclosures, customer-service cart corrals and similar features.

Parking Structure. A multi-level structure composed of interior ramps (exterior ramps not allowed) designed to accommodate the efficient and safe parking of vehicles of patrons of local businesses and open to the general public.

Regional Retail Use. A retail use that is contained within a "big box" style of structure and retail concept, where the retail use is intended to serve the region and take advantage of high freeway and highway visibility.

Signs, Façade. A sign identifying the name of the store or business mounted on the exterior wall of the building in which said store or business is located. Typically, the facade sign is mounted on the front facade of the store.

Signs, Freeway Identification. A pylon sign structure that is intended to provide freeway-oriented store identification for the commercial activity that is located on the property on which the Freeway Identification sign is located.

Signs, Information. Signs that are intended to provide directional or similar information to the patron regarding subjects like parking direction, on-site store locations, leasing office location, shipping cart return locations, and similar items. An informational sign is intended to be read by store or business patrons that are already at the store or business location.

Signs, Monument-style Identification. A store identification sign that is located adjacent to the public street, and is intended to provide store identification to the motorist. Monument-style signage typically does not exceed a height greater than six (6) feet. In some cases, additional identification for satellite stores also located nearby the primary store is also provided on the Monument-style sign.

Signs, Store Identification. A sign that identifies the name of the store or business.

Strip Commercial Development. In-line retail/service oriented development geared towards attracting multiple non-credit tenants on parcels less than 1.5 acres with total combined building square footage of less than 15,000 square feet.

17.65.050 Site Description and Location Map.

A. The DFD Area is geographically defined by the Artesia Freeway (State Route 91) along the north, and Cedar Street along the south, with varying easterly and westerly boundaries on Artesia Boulevard, Ramona Street and Cedar Street.

This DFD Area surrounds an approximate three (3) block area with the length situated predominately on the Bellflower Boulevard axis, extending south of the 91 Freeway to the north side of Cedar Street; while the width of the DFD Area varies along Artesia Boulevard, Ramona Street and Cedar Street. The width of the DFD Area varies from street to street. Along Artesia Boulevard, the width of the DFD Area extends approximately 363 feet west and 888 feet east of Bellflower Boulevard. Along Ramona Street the width of the DFD Area extends approximately 291 feet west and 373 feet east of Bellflower Boulevard. Along Cedar Street the DFD Area extends approximately 290 feet west and 231 feet east of Bellflower Boulevard.

The 91 Freeway is “grade-separated,” in that it is at a substantially higher elevation from the project site, as well as the other portions of the City of Bellflower that the freeway abuts.

17.65.060 Permitted and Prohibited Uses.

A. General Provisions. The uses permitted in the DFD Area must be compatible with the Bellflower General Plan and this Code. Freeway-oriented commercial uses, such as “big box” retailers and new automobile and motor sports sales facilities, must be strongly encouraged.

B. Bellflower General Plan. The Bellflower General Plan designates the DFD Area as “Commercial.” The “Commercial” land use designation allows for traditional commercial and professional office uses. However, the location of the DFD Area in regards to the 91 Freeway and Artesia Boulevard provides for an opportunity to maximize freeway-oriented retail development.

C. Zoning. The zoning in the DFD is intended to be consistent with, and conform to, the Bellflower General Plan. The previous zoning classification for the properties within the DFD Area was C-G (General Commercial) and M-1 (Light Industrial District).

The uses permitted in the C-G and M-1 zones are typically retail commercial, professional office and industrial types of uses. However, within the DFD Area, permitted uses are listed in Section 17.65.070.

D. Uses. This Chapter constitutes permissive regulations, whereby only those uses or facilities that are listed are allowed, except as provided through an administrative determination, an administrative use permit, or other discretionary action.

17.65.070 Permitted Uses.

The following uses are permitted in the DFD:

1. Regional Retail Uses. A commercial retail use that is contained within a structure of not less than 75,000 square feet nor in excess of 150,000 square feet in floor area. If more than one Regional Retail Use is situated on the same parcel of land, and developed in a comprehensive manner, then the floor area of the single regional retail use store may be not less than 50,000 square feet. Accessory outdoor sales areas directly associated with the regional retail store are permitted.
2. Automobile Sales, New. New automobile and vehicle sales dealerships with accessory automobile service, parts and supply retail. Any accessory used, or pre-owned, automobile and vehicle sales require the approval of a conditional use permit.
3. "Big Box" Retail Store.
4. Community-serving Commercial.
5. Free-standing commercial space to accommodate sit-down restaurant uses, when developed in conjunction with a comprehensive commercial shopping center.
6. Freeway-oriented Commercial.
7. Motor Sports Sales.
8. Multiple-tenant stores complexes when developed in conjunction with a comprehensive commercial shopping center.
9. Neighborhood-serving Commercial.
10. Professional/Administrative Offices (second floor and above).

17.65.080 Conditional Uses.

The following uses are conditionally permitted in the DFD:

1. Developments on parcels of less than 1.5 acres.
2. Drive-through Facilities.
3. Parking structures.

4. Hotel, motel, or rooming house pursuant to Bellflower Municipal Code Chapter 17.44.
5. Alcohol sales (on-site or off-site sales; primary use or accessory use).

17.65.090 Prohibited Uses.

The following uses are strictly prohibited within the DFD:

1. Adult Businesses.
2. Ambulance service.
3. Auction house or store.
4. Automobile repair center.
5. Automobile repair shop.
6. Billiards (three or less tables).
7. Bingo establishments (public and non-profit).
8. Bridge, chess, "go" clubs.
9. Carwash (automatic mechanical, hand operated, or self-serve), including those facilities that are accessory to gasoline service stations.
10. Check cashing and cash advancing.
11. Civic and community clubs.
12. Collection centers (recyclable materials).
13. Community care facilities.
14. Contractor's office with outside storage area.
15. Consignment goods, as an accessory activity.
16. Dialysis center.
17. Driving, or driver training schools and/or classrooms.
18. Escort services.
19. Free-standing commercial stores of less than 10,000 square feet on individual parcels, not developed in conjunction with a comprehensive shopping center.
20. Forklift repair shop.

21. Fortune Telling.
22. Funeral parlor, mortuary, crematory.
23. Garage, public.
24. Home occupation in permitted residential structure/use.
25. Hospices, home health care.
26. Hospitals.
28. Ice storage house of not more than five (5) tons capacity.
29. Janitorial services.
30. Laboratories.
31. Laundromats and/or self-serve laundry facilities.
32. Limousine service.
33. Modeling studio.
34. Motorcycle funeral escort service.
35. Nursery (flowers, trees or plants; with or without buildings).
36. Off-premises signs.
37. Outdoor sales, storage or activities; either as a primary use or accessory to a permitted use. Such uses may include, without limitation, animal feed, small mammals (e.g., dogs and cats) and supplies, sales of produce and other food-stuff, newsstands and other similar activities.
38. Outside storage as a primary activity.
39. Patio, outdoor furniture, bar-b-que and fireplace sales and related merchandise.
40. Public utility offices, payment centers and distribution substation with microwave facilities (does not include support facilities, or facilities that have outside storage).
41. Rest home, convalescent hospital.
42. Second-hand stores and pawnshops.
43. Security, private patrol services.
44. Strip commercial development.
45. Surplus store.

46. Swimming pool supplies.
47. Taxi services.
48. Taxidermist.
49. Telephone exchange/telemarketing/answering service.
50. Ticket agency.
51. Tools and equipment sales and rental (heavy).
52. Towing company — vehicle (may include accessory vehicle storage).
53. Trade schools.
54. Training, educational and vocational schools and colleges (public and private).
55. Warehouse and/or storage uses.
56. Water and purifier stores.
57. Wholesale business.

17.65.100 Development Standards.

A. In addition to the requirements set forth in Section 17.65.110, the following development standards apply to all public and private improvements and/or development in the DFD Area.

B. Development Intensity. Appropriate development intensities must be provided to encourage access of automobile traffic from the 91 Freeway and from the adjoining streets of Bellflower Boulevard, Artesia Boulevard, Ramona Street and Cedar Street. The intensity of development is intended to be automobile-oriented and be regionally attractive. A minimum lot size requirement of 1.5 acres (65,340 square feet) is required for any new development within the DFD Area to encourage larger commercial/retail developments. Every effort must be made and demonstrated to assemble parcels to meet the minimum lot size requirements. Proposed developments of lots that are less than 1.5 acres will require a conditional use permit.

C. Building Heights. Structures in the DFD Area must be built to appropriate heights, subject to applicable requirements of the BMC's C-G (General Commercial) zoning regulations and requirements, except as approved by the City pursuant to the BMC.

D. Building Setbacks. Building setbacks are subject to the applicable setback requirements of the C-G (General Commercial) zone. Greater setbacks may be required as determined by the reviewing and approval body. Every effort should be made to create varied wall-planes and building surfaces, as opposed to stark flat and uniform surfaces. Well thought out building setbacks, which have varied wall plane articulation, will make the buildings more attractive and appealing. Buildings in the DFD Area must be designed and located on property in a manner to maximize the use of land, provide adequate and appealing landscaping and other site amenities.

E. Public Area/Open Space. The DFD Area is intended to be automobile oriented, in that the commercial activity is intended to provide a regional appeal. The location of the DFD Area is such that the DFD Area is easily accessible to the regional freeway system. Although the DFD Area is not intended to be a high pedestrian area, development within the DFD Area should have pedestrian access and amenities. In addition, the development within the DFD Area must provide decorative visual features located in key areas to maximize the visual appeal of the development from the major street arterials. For example, the south east corner of Bellflower Boulevard and Artesia Boulevard must be developed with some form of prominent focal element located on an open area that will also provide for pedestrian access. Such focal element may include, without limitation, a prominent water feature, significant landscaping with vertical elements, public art, or similar features.

The edges of development within the DFD Area that is adjacent to the public streets must be developed with generous landscaped planter areas that include mounded earth, trees, boulder features, groundcover and similar landscaping treatment.

F. Landscaping. Open spaces, areas adjacent to the public right of way, and areas intended for pedestrian access must be provided with amenities and treatment that provide for an interesting and quality visual experience as viewed from the public street. Landscaping must be designed to provide for a pleasant pedestrian experience when it is placed adjacent to pedestrian areas. Landscaped planter areas within the parking lot areas must be constructed with six inch (6") Portland Cement concrete curbs around the perimeter of all landscaped parking lot planters. All landscaping must be installed before the City issues any certificate of occupancy for any development.

G. Parking and Parking Lots. Parking lots must be designed in such a manner as to provide for the convenient and easy access into and out of the development. All off-street parking must be designed and constructed pursuant to this Code. All parking lots must be designed to maintain landscaped planter areas within the parking fields. Parking lots must also have designated "shopping cart corrals" thoughtfully designed and placed throughout the parking lot. Said shopping cart corrals must be delineated with raised concrete curb and landscaped planter areas. "Pipe-style" shopping cart corrals are prohibited. All parking lots, stalls, lighting, aisle width and ADA regulations must comply with this Code.

H. Paving. Paving in public and private pedestrian areas (excluding the public right of way), must reflect a high standard of design quality and reinforce safe and efficient usage. Pedestrian crossings must be highly visible to pedestrians and motorists. Stamped, colored concrete must be used to delineate the entrances to the parking lot, pedestrian crosswalks, pedestrian walks and similar areas.

I. Architectural Design. It is the goal of this DFD to promote a building design that is functional, but is also unique, pleasant and visually memorable. Building architecture must utilize consistent themes that do not conflict in design technique and application. Building designs that mix architectural styles are prohibited. Extensive, boring, plain wall stretches of wall surfaces are also prohibited.

J. Signage. Formulation of a master signage program by the “developer” as an integral part of the overall development concept is required. The master sign program must include the design and placement of the Freeway Identification Sign. The City Council intends to allow only signage essential and appropriate to the scale and character of a quality regional commercial development. Within this general framework, the City Council is receptive to innovative and imaginative signing techniques, such as video display signage.

17.65.110 Access and Circulation.

A. Because the DFD Area is located adjacent to the 91 Freeway and is bounded by major arterials, the primary mode of access to the DFD Area will be by automobile. Although there are public transit bus routes that service the DFD Area, pedestrian access is envisioned to result mainly from patrons who drive to the development within the DFD Area, exit their automobiles and then access the businesses. Therefore, attention must be made to design safe, efficient and logical vehicle circulation within the DFD Area, as well as for ingress and egress.

B. Pedestrian Access. The public rights of way bounding the DFD Area must have public sidewalks that align the perimeter of the properties within the DFD Area. Since it is anticipated that the primary form of visitation to the businesses within the DFD Area originates from vehicles, pedestrian amenities will not be promoted as those design features would in other portions of the city. The internal parking lot(s) must be designed in such a manner as to separate vehicular and pedestrian traffic. The parking lot(s) must be designed to provide a distinctive and coherent pedestrian circulation system between parked vehicles and the buildings within the DFD Area. Thus, designated pedestrian walkways within the parking area must be provided. Such designated pedestrian walkways must be raised and separated from vehicular travel drive aisles.

Since bus service occurs on the public arterials abutting the DFD Area, dedication of land may be necessary in order to facilitate bus turnouts and bus stops. Pedestrian paths from bus stops to the interior of the DFD Area must be provided.

C. Vehicular Access. Access into the DFD Area must be made via the adjoining public arterials. It may be necessary for land dedication to be made in order to facilitate deceleration lanes that will allow for right turns into the DFD Area. Furthermore, unless prohibited because of a raised center median located in the public street abutting the DFD Area, all vehicle exit points from the DFD Area must have at least travel lanes (one exit lane to allow right turns and one exit lane to allow for left turns). The amount of driveway access points onto the public arterials must be kept to a minimum. The number, locations and width of driveways require City Engineer approval. The parking lot(s) must be designed so that all vehicle circulation can occur on-site. Parking lot design must ensure that vehicles can move within the parking lot without needing to exit onto a public street.

D. Loading. All development within the DFD Area must provide designated loading areas. Loading areas must be designed in such a manner as to be visually screened from view from the public street or areas of high public use. Such visual screening techniques may include “wing walls,” landscaped berms, and lowered loading areas. Loading areas must be designed so that if a trailer is left in the loading area, it is not visible to a public street or an area of high public use and access. If necessary, the development within the DFD Area must provide a customer loading area that is separate from the service loading area. The customer loading area must be clearly delineated and designed so that it will not conflict with travel within the parking lot and drive aisles.

E. Bicycle Access. It is recognized that the primary mode of access to development within the DFD Area will be made via motorized vehicles. However, development within the DFD Area must provide bicycle storage facilities to allow for those patrons and employees who access the DFD Area via bicycle to store their bicycles in a manner so as not to create visual clutter or create a safety hazard.

F. Traffic Mitigation Measures. Development of the South Bellflower Commercial DFD Area pursuant to this DFD may result in additional traffic utilizing the adjoining public streets in the immediate area. In conjunction with the submittal of development plans, an applicant may be required to submit a circulation, parking and/or traffic impact analysis. As a result of any such traffic impact analysis, specific traffic mitigation measures may be imposed on new construction during the plan review and approval process. The requirement for traffic mitigation measures does not replace or reduce any requirements that may exist for the developer to pay relevant development impact fees, unless the developer enters into a Development Agreement with the City.

G. Public Right-of-Way Improvements. All development proposals are subject to requirements for public right-of-way dedication, improvements for street widening and/or reconfiguration, and/or other improvements that may reasonably be required by the City Engineer with the development plans submitted. Any such street or sidewalk improvements must be consistent with current City standards and any specific street improvement plans approved by the City and subject to the approval of the City Engineer.

Specifically, an offer of dedication will be required for development on property located on the east side of Bellflower Boulevard, between Beverly Street and Artesia Boulevard for the purposes of creating an additional northbound traffic lane to alleviate traffic congestion. As part of the dedication, all physical encroachments must be removed or modified to eliminate any encroachment into the right-of-way.

All proposals by any person or agency for construction or development within the DFD Area are subject to plan review, permit approval procedures, and environmental review as referred to in this DFD.

17.65.120 Plan Review Procedures.

A. In the conceptual phase of planning a public or private project, early discussion with the City’s Planning Department is required to review the scope of the project and to clarify City requirements.

Once plans for public and/or private developments are prepared by any person or agency, they will be processed through the standard City review processes as required by this Code and in addition thereto are be subject to review and approval of the City Council. Such plans may be required to include a plot plan, parking plan, drainage plan(s), landscaping plans, floor plans, roof plans, pre-fire plans, sign plans and four-sided elevations for all proposed improvements.

The development of sites and all public and private areas within the DFD Area may only be carried out according to plans and drawings approved by the City and any conditions of approval imposed in connection with such review(s).

B. New Construction. Plans for new construction and/or additions to existing facilities may require City Council review to ensure appropriate compliance with applicable City requirements, including provisions of this DFD. This review process may include formal review and approval by the Planning Commission and City Council.

C. Existing Construction/Rehabilitation. Plans for rehabilitation of existing buildings generally require administrative City review and approval before the issuance of required building permits. This City review process incorporates City staff review of proposed plans to ensure compliance with the provisions of this DFD. Furthermore, plans for rehabilitation may also require the formal review and approval of the Planning Commission and City Council.

When appropriate, notice to surrounding properties, community outreach, and opportunities for early public participation in the design and development process may be required and are always encouraged.

17.65.130 Responsibility for Securing Permits and Paying Fees.

Nothing contained in this DFD or in subsequent agreements can be construed in any way to exempt the developer, person or agency proposing the public or private development or facility (or his/her assignee, buyer, transferee, conveyee or lessee) from securing all permits and paying all fees required of developers of private property within the City of Bellflower, including any impact fees, public art fees and similar fees.”

SECTION 5. *General Plan Findings.* This Ordinance is consistent with the General Plan. The General Plan’s contains goals, objectives, and policies to encourage opportunities to sensitively integrate different, but compatible, land uses and to organize land uses to avoid creating nuisances among adjacent land uses; to preserve and promote larger commercial centers while discouraging small less viable commercial land use configurations which creep into residential areas; to retain strong themes identifying Bellflower as a city of visual and community quality; and to provide lot consolidation incentives for commercial parcels in order to create large viable, commercial properties. Furthermore, the proposed DFD will not change the existing land use designation for properties within the DFD area, which is “C” Commercial or “I” Industrial as stated in the General Plan.

SECTION 6. *Environmental Review Findings.* The City Council finds as follows:

- A. The City reviewed the project's environmental impacts under the California Environmental Quality Act (Pub. Res. Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Reg. §§15000, et seq., the "CEQA Guidelines") and the City of Bellflower's Procedures for Implementing CEQA;
- B. An Initial Study of Environmental Impacts and Negative Declaration (ND) were prepared for this Ordinance;
- C. The Initial Study and Negative Declaration were made available to the public for review and comment from July 21, 2016, to and including August 9, 2016.
- D. A duly noticed Public hearing was held by the City Council of the City of Bellflower on October 10, 2016 at which time evidence was heard on the Initial Study and Negative Declaration and staff report. At the hearing, the City Council fully reviewed and carefully considered the Initial Study and Negative Declaration, together with any comments received during the public review period, and determined that the Negative Declaration was consistent with CEQA. The adoption of this Ordinance will not result in significant environmental impacts and that no further environmental review is required.
- E. The City Clerk, or designee, is directed to file a Notice of Determination in accordance with Pub. Res. Code §§ 21152, 21167(f); 14 CCR § 15094; and any other applicable laws.

SECTION 7. Reliance on Record. Each and every finding and determination in this Ordinance is based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project, and reflect the independent judgment of the City Council. 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 8. Continuity. Repeal of any provision of the Bellflower Municipal Code 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 9. Savings Clause. Repeal of any provision of the BMC or any other regulation by this Ordinance 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 10. 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.

SECTION 11. *Validity of Previous Code Sections.* If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the BMC or other regulation by this Ordinance will be rendered void and cause such BMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 12. *Effective Date.* This Ordinance will become effective on the 31st day following its passage and adoption.

SECTION 13. *Supersession.* This Ordinance supersedes Urgency Ordinance No. 1315 in its entirety.

SECTION 14. The City Clerk must certify as to the adoption of this ordinance and cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of Bellflower.

ORDINANCE NO. 1322 HAD ITS FIRST READING ON OCTOBER 10, 2016, ITS SECOND READING ON OCTOBER 24, 2016, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF OCTOBER 24, 2016.

Dan Koops, Mayor

Attest:

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, City Attorney

Attachment: Exhibit A

Exhibit A - ZONE CHANGE MAP

