

**CITY OF BELLFLOWER**

**ORDINANCE NO. 1326**

**AN ORDINANCE APPROVING ZONE CHANGE CASE NO. ZC 16-01 TO CHANGE THE EXISTING ZONE ON FOUR PARCELS FROM “M-1” (LIGHT INDUSTRIAL DISTRICT) TO “DFD (PD)” (DESIGN FOR DEVELOPMENT FOR THE BELLFLOWER SOUTH COMMERCIAL AREA PLANNED DEVELOPMENT OVERLAY) FOR PROPERTIES LOCATED AT 9908-9922 ARTESIA BOULEVARD. APPLICANT: CITY VENTURES, LLC**

**THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:**

**SECTION 1.**     *Zone Change Findings.* The City Council finds as follows:

- A. The Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed amendment including, without limitation, information provided to the Planning Commission, closed the hearing, and recommended approval of the MND to the City Council at its September 19, 2016, meeting;
- B. 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.
- C. There are changed conditions since the existing zoning became effective to warrant other or additional zoning, in that the Regional Housing Needs Assessment (RHNA) assigned by the California Department of Housing and Community Development (HCD), through Southern California Association of Governments (SCAG), for the City of Bellflower’s 4th (2008-2014) and 5th (2014-2021) Housing Element cycles is 1,069 units. The City must make sites available to accommodate the construction of those 1,069 units. The proposed zone change from M-1 (Light Industrial District) to to “DFD (PD)” (Design for Development for the Bellflower South Commercial Area Planned Development Overlay), would allow for a mixed use development and residential development, which will count towards meeting the assigned RHNA allocation.
- D. The proposed change of zone will not adversely affect adjoining property as to value or precedent, and will not be detrimental to the area, in that the proposed zone change from M-1 (Light Industrial District) to to “DFD (PD)” (Design for Development for the Bellflower South Commercial Area Planned Development Overlay) would allow for an existing vacant industrially zoned parcel to be redeveloped for mixed-use development that incorporate both residential/commercial mixed use and residential uses. The City Engineer has reviewed the traffic study and determined the parking will not adversely

affect the neighboring properties. The opportunity for PD overlays with mixed use options adds value and induces private investment. The project will not create a negative precedent, and instead furthers the City's interests in increasing its housing stock and increasing mixed-uses. The proposed zone change would be consistent with the commercial and residential zoned properties surrounding the subject site.

- E. The change of zone will be in the interest or furtherance of public health, safety and general welfare, in that the proposed project will comply with applicable standards and requirements contained in the City Codes and California Building Code relating to construction and paving, structural foundations, etc. Compliance with these standards and requirements ensure that future construction of the proposed project would not be compromised or cause hazards to the public. One of the requirements for the project is to include a storm water containment/treatment system, which the subject site currently does not have since it is vacant. The City Engineer has reviewed the traffic and parking study and determined the parking will not adversely affect the neighboring properties.
- F. That the approval of such change of zone will not adversely affect the Comprehensive Zoning Plan in that the zone change from M-1 (Light Industrial District) to to "DFD (PD)" (Design for Development for the Bellflower South Commercial Area Planned Development Overlay) would allow for more viable opportunities along Artesia Boulevard. The proposed zone change would not adversely affect the comprehensive zoning plan in that mixed-use developments will comply with the development standards set forth within the Precise Plan and the zoning code.

**SECTION 2.**     General Plan Findings. The City Council finds as follows:

- A. The Planned Development proposed in the application will be in the interest or furtherance of public health, safety and general welfare, because it allows for the redevelopment of a subject site that has been vacant for a long period in time. The redevelopment of the subject site will likely result in an increase of property values within the surrounding area. The proposed project will comply with applicable standards and requirements contained in the City Codes and California Building Code relating to construction and paving, structural foundations, etc. Compliance with these standards and requirements ensure that future construction of the proposed project would not be compromised or cause hazards to the public. In addition, the proposed Planned Development is consistent with all other provisions of the General Plan and good planning practice that promotes future commercial and residential development(s).
- B. The Planned Development furthers the goals and policies of the General Plan because it creates areas for physically viable development and integrates different, but compatible, land uses.

- C. That the proposed project is consistent with the City's General Plan Land Use Element. The subject property will be improved with uses consistent with the goals and policies of the General Plan, including but not limited to:
1. Goal 1 (Discourage disjoint land use patterns),
  2. Goal 2 (Create a City that functions efficiently, is aesthetically pleasing, and makes the best use of its various resources),
  3. Goal 5 (Provide incentives for reinvestment in aging, built-out developments and encourage consolidation of properties for higher quality land uses and designs),
  4. Policy 1.1 (Provide land use designations which match actual viable uses),
  5. Policy 1.2 (Encourage opportunities to sensitively integrate different, but compatible, land uses),
  6. Policy 2.1 (Create opportunities wherein a population diverse in terms of income, age, occupation, race, lifestyle, vales, interest, and religion may interact, exchange ideas, and realize common goals),
  7. Policy 2.2 (Provide commercial facilities to meet the retail and service needs of the community),
  8. Policy 2.7 (Carefully scrutinize plans for developments which will have a significant impact on the city or on surrounding developments to ensure the highest quality design),
  9. Policy 2.15 (Encourage a greater proportion of home ownership and owner occupancy of multi-family developments), and
  10. Policy 5.2 (Allow different development standards for consolidated properties where it is possible to provide amenities in a different manner than is necessary on smaller lots (i.e. centralized parking and open space with shared access).
  11. The proposal is also consistent with the following policies from the Mixed Use section: Policy 1 (Allow for innovative and/or neo-traditional uses in established area) and 2.1 (The City shall consider different mechanisms to implement new innovations in housing and commercial endeavors).

**SECTION 3.**     *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 MND were prepared for this Ordinance.

- C. The Initial Study and MND were made available to the public for review and comment from July 21, 2016, to and including August 9, 2016.
- D. The Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed amendment including, without limitation, information provided to the Planning Commission, closed the hearing, and recommended approval of the MND to the City Council at its September 19, 2016, meeting;
- E. A duly noticed public hearing was held by the City Council of the City of Bellflower on October 24, 2016 at which time evidence was heard on the Initial Study, MND and staff report. At the hearing, the City Council fully reviewed and carefully considered the Initial Study and MND, together with any comments received during the public review period, and determined that the MND was consistent with CEQA. The City Council adopted the MND pursuant to Resolution No. 16-\_\_\_.

**SECTION 4.**     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 5.**     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 6.**     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 7.**     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 8.**     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 9.** *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 10.** 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 11.** This Ordinance will take effect on the 31st day following its final passage and adoption.

**ORDINANCE NO. 1326 HAD ITS FIRST READING ON OCTOBER 24, 2016, ITS SECOND READING ON NOVEMBER 14, 2016, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER AT ITS REGULAR MEETING OF NOVEMBER 14, 2016 .**

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**Dan Koops, Mayor**

**Attest:**

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**Mayra Ochiqui, City Clerk**

**APPROVED AS TO FORM:**

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**Karl H. Berger, City Attorney**

**Attachment: Exhibit A**