



***Planning Commission Agenda  
8650 California Avenue, South Gate, CA  
Council Chamber***

Tuesday, February 4, 2020 at 7:00pm

**Call To Order**

**Pledge Of Allegiance**

**Roll Call**

**Report On Posting**

**City Officials:**

**CHAIRPERSON**

**VICE CHAIRPERSON**

Jenny Perez

**COMMISSIONERS**

Jose Delgado

Fabiola Inzunza

Sylvia Masushige

Carlos Velasquez

**Meeting Compensation Disclosure**

Pursuant to Government Code Section 54952.3: Disclosure of compensation for meeting attendance by the Planning Commission Commissioners is \$125.00 per meeting.

**Item No. 1**

The Planning Commission will consider approving the minutes for the regular Planning Commission meeting of November 5, 2019.

Documents:

[ITEM NO 1.PDF](#)

**Item No. 2**

The Planning Commission will receive a presentation on local housing policy and the proposed inclusionary housing ordinance in the City of South Gate.

Documents:

[ITEM NO 2.PDF](#)

## Comments

At this time, members of the public and staff may address the City Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission. No action may be taken on items not listed on the agenda unless authorized by law.

General Business

Audience Comments

City Staff Comments

Planning Commission Comments

## Adjournment

Adjournment to the Regular Planning Commission meeting on Tuesday, February 18, 2020 at 7:00 p.m.

I, Erika Soriano, Administrative Services Coordinator, certify that a true and correct copy of the foregoing Meeting Agenda was properly posted on January 30, 2020 at 6:00 p.m., as required by law.

Erika Soriano, Administrative Services Coordinator *Erika Soriano*

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Planning Commission Meetings, please contact the Comm.Development Department.

Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility.

Any final action of the Planning Commission, on this agenda, is appealable to the City Council upon filing the request with the City Clerk prior to 5:00 pm on Monday, February 17, 2020.

Materials related to an item on the Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's office, 8650 California Avenue, South Gate, CA 90280 (323) 563-9510 \* fax (323) 563-5411 \*

[www.cityofsouthgate.org](http://www.cityofsouthgate.org)

MINUTES OF THE REGULAR MEETING  
OF THE SOUTH GATE CITY PLANNING COMMISSION  
TUESDAY, NOVEMBER 5, 2019

**INTRODUCTORY PROCEDURES**

Chairperson Gil Hurtado called the meeting to order at 7:03 P.M.

The Pledge of Allegiance was led by Vice Chairperson Jenny Perez.

**ROLL CALL:** By Victor Ferrer, Management Analyst/Recording Secretary.

**Present:** Chairperson Gil Hurtado, Vice Chairperson Jenny Perez, Commissioners Jose Delgado, Sylvia Masushige, and Carlos Velasquez.

**Absent/Excused:** None.

**Staff:** Director of Community Development Joe Perez, City Attorney Craig Hardwick, Contract Planner Rebecca Contreras, and Management Analyst Victor Ferrer.

**REPORT ON POSTING:** By Victor Ferrer, Management Analyst/Recording Secretary.

**1. MINUTES**

The Planning Commission considered approving the minutes for the regular Planning Commission meeting of September 17, 2019.

Vice Chairperson Perez motioned and Commissioner Masushige seconded the motion to approve the Planning Commission minutes of September 17, 2019. The motion carried (5-0) with all Commissioners in favor.

**2. PUBLIC HEARING AMENDMENT TO CONDITIONAL USE PERMIT NO. 334 AT 8602 LONG BEACH BOULEVARD**

Director Perez presented the item and explained that the owner of an existing automobile body and fender repair shop requested to amend Conditional Use Permit No. 334 to allow the use of a spray paint booth. Contract Planner Rebecca Contreras then presented the item.

Chairperson Hurtado opened the item to the public.

Mayra Garcia, resident of South Gate, expressed her concern over fumes produced by the paint being used at the automobile body shop. Ms. Garcia shared that the fumes of the paint reach her residence, which is located adjacent to the subject business, and the fumes are affecting her family’s well-being and quality of life.

Carla Espinoza, owner of Espinoza’s Body Shop, explained that her family’s business is regulated by South Coast Air Quality Management District (AQMD) and that they have received the necessary approvals by AQMD to operate a spray paint booth. Additionally, Ms. Espinoza mentioned that they have operated their business at the same location for many years without any concerns from surrounding residents, until Ms. Garcia moved into the neighborhood.

Chairperson Hurtado closed the item from public comments.

Chairperson Hurtado opened the item to the Commissioners for comments.

Commissioner Delgado requested clarification on the comment made by Ms. Espinoza regarding the approvals given by AQMD and the statement made by city staff regarding the unpermitted use of the spray paint booth.

Director Perez clarified that the use of a spray paint booth was not permitted by the City according to the minutes for the meeting at which the Planning Commission approved Conditional Use Permit No. 334.

Commissioner Masushige questioned why other residents have not expressed concerns over the spray paint booth or attended the meeting to express opposition towards the spray paint booth.

Commissioner Vasquez inquired about the permitting process between approvals given by AQMD and the City.

City Attorney Craig Hardwick clarified that AQMD and the City of South Gate function as separate entities regulating different things. AQMD regulates air related issues, while the City regulates land use. In this instance, AQMD approved the amount of fumes that will be emitted into the air by the paint administered to automobiles. However, the City did not approve, based on land-use regulations, the construction and use of a spray paint booth.

Commissioner Vasquez inquired if this was the first time the City received a complaint regarding the subject property. Director Perez answered that it is the only record the City has of such complaint.

Commissioner Delgado inquired if AQMD has any obligation or an existing process to notify a local jurisdiction of permits they issue to businesses. Director Perez responded that issuance of permits is an internal process and an internal policy would have to be in place in order to be notified by AQMD; however, he is not aware that such policy exists.

Chairperson Hurtado closed the item.

Chairperson Hurtado motioned and Commissioner Delgado seconded the motion to deny amending Conditional Use Permit No. 334 at 8602 Long Beach Boulevard. The motion carried (4-0-1) with all other Commissioners in favor with an abstention from Commissioner Masushige.

### **General Business**

None.

### **Audience Comments**

None.

### **City Staff Comments**

Director Perez informed the Planning Commission that the Gateway District Specific Plan was presented to the City Council and a public hearing was held on October 22, 2019. At that meeting, the City Council decided to table the item, directing staff to present affordable housing alternatives, including an inclusionary housing ordinance.

Director Perez informed that the County of Los Angeles released a draft Environmental Impact Report (EIR) for development of County offices on County-owned property at Rancho Los Amigos in the City of Downey. He said the City has until November 22<sup>nd</sup> to provide written comments. Additionally, the City's environmental consultant and Director Perez attended a county informational meeting the previous week.

Director Perez also informed the Planning Commission that the City will host a Small Business Legal Academy on November 9<sup>th</sup> from 6-8:30 PM.

Director Perez also informed the Planning Commission that the City's Public Works Department will host a meeting regarding the Urban Orchard Project on November 7<sup>th</sup> from 5:30-7 PM at the Thunderbird Villa Community Room.

**Planning Commission Comments**

Chairperson Hurtado informed the Planning Commission that tonight was his last meeting due to rules related to running for a position on the City Council.

Vice Chairperson Perez inquired about businesses that cut countertops and the air quality and health issues they create for residents and their workers.

**ADJOURNMENT**

There being no further business before the Planning Commission, Chairperson Hurtado adjourned the meeting to November 19, 2019. The meeting was adjourned at 8:24 P.M.

Respectfully,

\_\_\_\_\_  
Joe Perez, Secretary

APPROVED:

\_\_\_\_\_  
Jenny Perez, Vice Chairperson

***City of South Gate***  
**PLANNING COMMISSION**

**AGENDA BILL**

For the Regular Meeting of: **February 4, 2020**

Management Analyst:

  
 Dianne Guevara

Community Development Director:

  
 Joe Perez

**SUBJECT: PRESENTATION ON LOCAL HOUSING POLICY AND THE PROPOSED INCLUSIONARY HOUSING ORDINANCE IN THE CITY OF SOUTH GATE**

**PURPOSE:** A presentation will be made to provide the Planning Commission with context on local housing policy and information regarding the proposed inclusionary housing ordinance.

**RECOMMENDED ACTION:** Receive and file.

**ANALYSIS:** Increasing the housing inventory is an acute priority of California, Los Angeles County and the City, particularly as it pertains to the supply of affordable housing, as housing costs for South Gate households continue to escalate. Renters are particularly impacted, as approximately 2 out of every 3 South Gate renters are paying more than 30 percent of their income on housing, and rents continue to escalate at a pace of over 5 percent since last year. Rent control (enacted by AB 1482) will not have a material effect on reducing rents for South Gate residents.

Coupled with these local issues are the current and anticipated fair share allocation of housing production from the RHNA (Regional Housing Needs Assessment), through which the State will require thousands of new units to be built in the city. Since it is likely that market conditions may result in most of the new units to be listed at rents well above levels of affordability, the city needs to consider taking proactive actions to ensure that South Gate residents are not facing gentrification as a result of these challenges.

New housing is anticipated in infill locations within South Gate, particularly in specific plan and transit-oriented development locations where residents may be less car-dependent with the development of the West Santa Ana Branch light rail line. To compliment these initiatives, the city will be considering an inclusionary housing ordinance that would require that a percentage of new housing built in South Gate is restricted for low- and moderate-income households.

**BACKGROUND:** While many developing cities created inclusionary housing ordinances, older built out communities generally had not seen the need for an inclusionary housing program, at least until infill markets like South Gate now have viable redevelopment opportunities particularly in proposed specific plan areas, where both market rate and affordable housing can be constructed with the right policy framework.

Section 65850(g) of the California Government Code permits cities and counties to adopt ordinances to require that a percentage of rental housing units be restricted to low and moderate income households. This authority was reinstated into state law with the approval of Assembly Bill 1505 in 2017, which superseded previous court rulings that such authority was unconstitutional. (Cities and counties have had such authority as it pertains to ownership housing under Government Code Section 65800.)

As part of the preparation and consideration of an ordinance, a city or county must ensure that the proposed ordinance would:

- 1) Not detrimentally affect the production of housing by making such production infeasible as a result of the inclusionary requirement. A feasibility study would be prepared as part of the process of creation of the ordinance and considered by the Planning Commission, City Council, and, if requested, the Department of Housing and Community Development.
- 2) Permit at least one alternative to the creation of inclusionary housing in a project, such as payment of in-lieu fees, building units offsite, and others.

A schedule of the primary steps required to prepare the inclusionary housing ordinance is included with this agenda bill. A presentation will be made to provide the Planning Commission with opportunities to provide input on the process and options available to the city. The inclusionary housing ordinance would be prepared in March 2020, and subsequently considered by the Planning Commission and City Council.

**ATTACHMENT:** Tentative Schedule for Adoption of an Inclusionary Housing Ordinance



TENTATIVE SCHEDULE- ADOPTION OF  
INCLUSIONARY HOUSING ORDINANCE  
CITY OF SOUTH GATE

DATE	ACTION
November 12, 2019	<b>City Council – Study Session.</b> City Council receives study session presentation regarding options for structuring an inclusionary housing program and provides general direction on framework of desired ordinance to staff.
November and December, 2019	<b>Technical Studies.</b> Based on direction given at Study Session, RSG works with City staff on development of supporting technical studies to substantiate the policy direction and alternatives available to the City in the inclusionary ordinance.
February 4, 2020	<b>Planning Commission - Briefing on Inclusionary Ordinance.</b> Following completion of technical analysis and staff (as well as any subcommittee) review, City staff and RSG present findings from technical studies and makes policy recommendations based on best practices and desired outcomes provided by City Council.  Planning Commission provides direction on recommended inclusionary ordinance.
February 25, 2020	<b>City Council – Briefing on Inclusionary Ordinance.</b> Following completion of technical analysis and staff (as well as any subcommittee) review, City staff and RSG present findings from technical studies and makes policy recommendations based on best practices and desired outcomes provided by City Council.  City Council provides direction on recommended inclusionary ordinance
March 2020	<b>Draft Inclusionary Ordinance Prepared.</b> Staff and City Attorney draft inclusionary ordinance and public hearing notices.  [Government Code Sections 65800, 65850, 65853, 65854, 65090-94]
TBD (No later than March 6, 2020)	<b>City Clerk - Notice of Planning Commission Public Hearing.</b> City Clerk publishes notice of Planning Commission public hearing in newspaper of general circulation within the city, as well as mail notice to persons who file written request for such notice, at least ten (10) days before hearing,  City Clerk also publishes 1/8 page display advertisement in newspaper of general circulation.  [Government Code Sections 6061, 65090, 65091, and 65094]
March 17, 2020	<b>Planning Commission – Public Hearing on Inclusionary Ordinance.</b> Draft inclusionary ordinance presented for review and consideration of a recommendation to the City Council.  [Government Code Sections 65853-55]
TBD (No later than March 13, 2020)	<b>City Clerk - Notice of City Council Public Hearing.</b> City Clerk publishes notice of Planning Commission public hearing in newspaper of general



TENTATIVE SCHEDULE- ADOPTION OF  
 INCLUSIONARY HOUSING ORDINANCE  
**CITY OF SOUTH GATE**

	<p>circulation within the city, as well as mail notice to persons who file written request for such notice, at least ten (10) days before hearing,</p> <p>[Government Code Sections 6061, 65090, 65092, and 65094]</p>
March 24, 2020	<b>City Council – First Reading of Ordinance.</b> City Council conducts public hearing and first reading of ordinance.
April 14, 2020	<b>City Council – Second Reading.</b> City Council conducts second reading and considers adoption of inclusionary housing ordinance.
TBD (No later than April 28, 2020)	<b>City Clerk – Publication of Ordinance.</b> City Clerk provides full text of ordinance and names of Council members for and against approval at least once in a newspaper of general circulation published and circulated in the city.  [Government Code Section 36933]
May 15, 2020	<b>Ordinance Effective</b> – 31st day after second reading.
July 14, 2020	<b>Period Expires to File Challenges to the Ordinance</b> – 90 days after adoption of ordinance.