



Planning Commission Agenda

Tuesday, November 2, 2021 at 7:00 p.m.

**SOUTH GATE COUNCIL CHAMBER OR
TELECONFERENCE**

DIAL-IN-NUMBER: 1-669-900-6833

MEETING ID: 867 6433 6632

<https://us02web.zoom.us/j/86764336632>

City Officials:

CHAIRPERSON

Fabiola Inzunza

COMMISSIONERS

Jose Delgado

Jenny Perez

Diego Sepulveda

VICE CHAIRPERSON

Jose De La Paz

Call To Order

Roll Call

Pledge Of Allegiance

Report On Posting

I, Jose Montano, Administrative Coordinator, certify that a true and correct copy of the foregoing meeting agenda was properly posted on October 28, 2021 at 6:00p.m., as required by law.

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 Planning Commission meeting of September 21, 2021.

Documents:

[ITEM NO. 1.PDF](#)

Item No. 2

The Planning Commission will conduct a public hearing to consider approving the Zoning Code Amendment No. 171 of Title 11, Chapter 11.51 of the South Gate Municipal Code to revise the City's Ordinance pertaining to administrative permits and approvals.

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.

Audience Comments

City Staff Comments

Planning Commission Comments

Adjournment

Adjournment to the Regular Planning Commission meeting on Tuesday, November 16, 2021 at 7:00 p.m.

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, November 15, 2021.

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

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, SEPTEMBER 21, 2021**

INTRODUCTORY PROCEDURES

Chairperson Fabiola Inzunza called the meeting to order at 7:01 P.M.

The Pledge of Allegiance was led by Planning Vice Chairperson Jose De La Paz.

ROLL CALL: By Jose Montano, Recording Secretary.

Present: Chairperson Fabiola Inzunza, Vice-Chairperson Jose De La Paz, Commissioners Jose Delgado, and Commissioner Jenny Perez Commissioner Diego Sepulveda.

Absent/Excused:

Staff: Acting Housing Administrator Erika Soriano and Recording Secretary Jose Montano.
City Attorney Craig Hardwick

REPORT ON POSTING: By Jose Montano, Recording Secretary.

1. MINUTES

The Planning Commission considered approving the minutes for the Planning Commission meeting of September 7, 2021. Vice Chairperson Jose De La Paz moved, and Commissioner Jose Delgado seconded the motion to approve the Planning Commission minutes of September 7, 2021.

Roll call vote was taken as follows:

Chairperson Fabiola Inzunza	Yes
Vice Chairperson Jose De La Paz	Yes
Commissioner Jose Delgado	Yes
Commissioner Jenny Perez	Yes
Commissioner Diego Sepulveda	Yes

The motion carried (5-0), all Commissioners voting in favor.

**2. PUBLIC HEARING ZONING ORDINANCE REVISING THE CITY’S REGULATIONS
PERTAINING TO DENSITY BONUS FOR AFFORDABLE HOUSING**

Acting Housing Administrator Erika Soriano introduced Lynn Kelly-Lehner, RSG consultant.

Consultant Lynn Kelly-Lehner gave a presentation regarding the Zoning Ordinance revising the City’s regulations pertaining to Density Bonus for affordable housing. This item is a Public Hearing to consider a recommendation to the City Council to adopt an Ordinance amending various sections to Chapter 11.31 of Title 11 the South Gate Municipal Code, to revise the City’s zoning regulations pertaining to density bonus for affordable housing. The purpose of this amendment to the zoning code is to bring the City of South Gate’s density bonus into compliance with state law.

California State Density Bonus Law was first implemented in 1976 to address California's growing affordable housing needs. It is part of a larger package of incentives intended to make the development of affordable and senior housing economically feasible. It has been amended multiple times since its adoption in response to evolving housing conditions, provide clarification on legislation, respond to legal challenges, and incorporate new or expanded provisions. Density Bonus Law originally sought to address the affordable housing shortage by encouraging development of low- and moderate-income units; over time, the law was expanded to recognize the need for housing for households at a wider range of income levels and with specialized needs.

Density Bonus Law is intended to increase the production of affordable housing by requiring local agencies to grant an increase to the maximum allowable residential density for eligible projects, and to support the development of eligible projects at greater residential densities by granting incentives, concessions, waivers, and/or reductions to applicable development regulations.

Previous Density Bonus Law allowed for an increase in additional density over the maximum allowable density as specified in the City's Development Code and General Plan, according to the amount of affordable housing units proposed by an applicant. More recently, updates to Density Bonus Law specify regulations allowing for density bonuses and development concessions for senior and affordable housing, reduced parking based on the proximity to transit, streamlined procedures for processing applications, and expansion of housing categories that qualify for a density bonus. The amount of additional density an applicant is entitled to, over the maximum allowable density varies according to the amount of affordable housing units proposed by an applicant.

According to state law, cities are required to grant a density bonus and other incentives or concessions to housing projects which contain one of the following:

- At least 5% of units are restricted to very low-income residents.
- At least 10% of units are restricted to lower income residents.
- At least 10% of units in a for-sale development are restricted to moderate income residents.
- 100% of units are affordable (maximum of 20% moderate).
- At least 10% of units are for transitional housing.
- At least 20% of units are for low-income college students in housing dedicated for students.
- Donation of at least one acre of land to the city for very low-income units.
- Senior citizen housing development (no affordable units required).
- Mobile home park age-restricted to senior citizens (no affordable units required).

The amount of density bonus is set on a sliding scale, based upon the percentage of affordable units at each income level. The maximum density bonus amounts for very low-, low-, and moderate-income housing were increased by legislation approved in 2020. This outlines the minimum percentage of affordable units that can be built in each affordability category and the associated density bonuses that result.

Projects that have 100% affordable housing to low-income households are eligible for up to 80% density bonus.

The City is required to provide one or more incentives or concessions to a project that qualifies for a density bonus. Concessions are defined as a reduction in site development standards, modification of zoning code, or architectural design requirements; approval of mixed-use zoning; other regulatory incentives or concessions resulting in identifiable and actual cost reductions.

Density Bonus Law restricts the types of information that a developer may be required to provide to the City to obtain the requested concession. The City has the burden of proof in the event it declines to grant a requested concession. Financial incentives, fee waivers, and reductions in dedication requirements may be, but are not required to be, provided by the City. The developer may be entitled to the incentives and concessions even without a request for a density bonus.

A development qualifying for a density bonus also receives two additional forms of assistance which may have benefits for housing developments.

These density bonus requirements affect both market rate, mixed income, and affordable housing projects in the City. However, in instances when the City or Housing Authority partner with a developer to develop affordable housing under a disposition and development agreement or an affordable housing agreement, the parties can voluntarily agree to a particular density, project design and other project standards. The City or Housing Authority is not obligated to provide financial assistance to any project regardless of density.

The enhanced Density Bonus Law has a number of benefits for both developers and cities alike. Some of these include:

- Tool for the City to meet Regional Housing Needs Allocation (RHNA) for all units
- Increases affordable housing units
- Achieves Housing Element goals
- Makes development of housing more affordable for developers by making land the land per unit cost decrease
- Increases the economic feasibility of inclusionary housing requirements for developers
- Increases density by right for certain projects, eliminating the need and cost of General Plan or zoning amendments

Staff is requesting the Planning Commission recommend that the City Council adopt the draft Ordinance.

Chairperson Fabiola Inzunza opened the public meeting.

Virginia Johnson, resident of the City of South Gate spoke against this item, these density bonus will cause excessive housing units and parking issues.

With no other comments received; Chairperson Fabiola Inzunza closed the public hearing.

Vice Chairperson Jose De La Paz expressed his concerns about the negative impacts the Density Bonus will cause on parking.

Commissioner Jose Delgado expressed his concerns about the income limits requirement, extremely low-income limit should be considered for future development.

Acting Housing Administrator Erika Soriano informed the Planning Commissioners that staff did not receive any comments/complaints. The notice of Public Hearing was announced in the South Gate Press and on the City of South Gate website.

Commissioner Jose Delgado moved, and Chairperson Fabiola Inzunza seconded to accept the determination that this is not a project, as defined by California Environmental Quality Act; adopt the findings as outlined in Resolution No. 2021-13 and recommend that the City Council adopt the draft Ordinance approving Zone Text Amendment No. 169.

Roll call vote was taken as follows:

Chairperson Fabiola Inzunza	Yes
Vice Chairperson Jose De La Paz	Yes
Commissioner Jose Delgado	Yes
Commissioner Jenny Perez	Yes
Commissioner Diego Sepulveda	Yes

The motion carried (5-0), all Commissioners voting in favor.

Audience Comments

Virginia Johnsons thank staff for explaining the difference between SP9 & SP10 and expressed her concerns regarding the South Gate Press newspaper.

City Staff Comments

Acting Housing Administrator Erika Soriano informed the Planning Commission that City Manager and Police Chief recruitment is currently in process. In addition, the Community Development Director has been selected and has a tentative start date of November 2021.

Planning Commission Comments

Jose De La Paz asked for the status on Conditional Use Permit for Raising Cane's. Staff informed the Planning Commission that the project has been approved.

Chairperson Inzunza indicated that September 28, 2021, is the final date to submit your public comment for the for draft environmental impact report for the Transit Quarter.

ADJOURNMENT

There being no further business before the Planning Commission, Chairperson Fabiola Inzunza adjourned the meeting at 7:57 P.M.

Respectfully,

Erika Soriano, Acting Secretary

APPROVED:

Fabiola Inzunza, Chairperson

City of South Gate

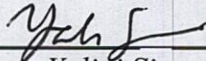
ITEM NO. 2

PLANNING COMMISSION

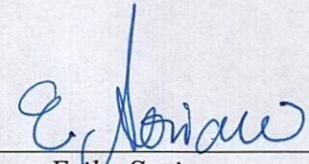
AGENDA BILL

For the Regular Meeting of: November 2, 2021

Senior Planner: _____


Yalini Siva

Acting Housing Administrator: _____


Erika Soriano

SUBJECT: ZONING CODE AMENDMENT OF TITLE 11, CHAPTER 11.51 OF THE SOUTH GATE MUNICIPAL CODE TO REVISE THE CITY'S ORDINANCE PERTAINING TO ADMINISTRATIVE PERMITS AND APPROVALS.

PURPOSE: Public hearing to consider a recommendation to the City Council to approve a Zoning Code Amendment and adoption of an Ordinance amending Title 11, Chapter 11.51 of the South Gate Municipal Code (SGMC), to clarify the City's administrative plan review and administrative permit process.

RECOMMENDED ACTIONS:

- a. **CONDUCT** a public hearing;
- b. **ACCEPT** the determination that this is not a project, as defined by the California Environmental Quality Act;
- c. **ADOPT** the findings as outlined in Resolution No. 2021-15; and
- d. **RECOMMEND** that the City Council adopt the draft ordinance approving Zone Text Amendment No. 171.

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for this item was conducted in compliance with SGMC Sections 11.50.020 and 11.50.030. Notice of the hearing was originally posted and published in the "South Gate Press" on October 21, 2021.

ENVIRONMENTAL EVALUATION: Zoning Code Amendment No. 171 recommending the City Council adoption of Ordinance No. ___ is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) constituting an activity that is not a project as defined in Section 15378.

BACKGROUND: The South Gate Municipal Code includes administration responsibilities and procedures for administrative permits and administrative site plan reviews that fall under the responsibility of the City's Community Development Department. The Department has identified a necessity to provide more clarity to the administrative plan review process and the issuance of administrative permits, because the current Municipal Code provisions on that subject at Section 11.51.050 is vague, offering little guidance to applicants and the Community Development Department.

Pursuant to SGMC Section 11.21.030, at Tables 11.21-3, 11.21-4 and 11.21-5, the following uses are subject to an administrative plan review in certain specified zones:

- Child Day Care Facilities (Small family home; Large family home; Day Care Center)
- Emergency shelters
- Live/work units
- Mixed-use residential

- Multifamily residential
- Single-Room-Occupancy Apartments
- Supportive housing
- Transitional housing
- Libraries, galleries and museums
- Schools
- Full (as opposed to limited) parks and recreation facilities
- Public/community gardens
- Child day care centers
- Building-mounted renewable energy systems
- Ambulance, patrol, and dispatch services
- Gas stations
- Outdoor reverse vending machines
- Large residential health care facilities
- Emergency shelters
- Community assembly
- Building materials storage yards
- Mobile homes/mobile home parks
- Accessory dwelling units
- Senior/Age-restricted dwelling
- Outdoor amphitheaters

Pursuant to SGMC Sections 11.51.050 (B) and (C), administrative permits are processed for “upper-floor uses” and “accessory uses.” Administrative permits are processed according to administrative plan reviews.

ANALYSIS: In order to clarify the manner in which an applicant can apply for an administrative plan review to obtain an approval for an administrative permit, and in order to establish guidelines as to what the director and his or her staff may and may not consider when determining whether to issue an administrative permit, staff is proposing to amend SGMC Section 11.51.050 (A), below as follows:

11.51.050 Administrative permits and approvals.

Applications in compliance with all applicable requirements of this title, where a discretionary action is not required, shall be processed by the planning division for administrative approval by the director.

A. Administrative Plan Review. Administrative plan review is an administrative review of a detailed site plan ~~review~~ submitted by the applicant as part of the applicant’s request for an administrative permit ~~and subject to review and approval by the director.~~ The site plan must show, in detail, the manner in which the applicant proposes to develop the property in question. The ~~applicant and~~ planning division shall review that site plan for compatibility with all zoning code requirements and other applicable design features ~~in the context of a site plan.~~ Only those land uses noted on Tables 11.21-3, 11.21-4 or 11.21-5 of the zoning code as requiring an administrative plan review in Chapter 11.21, Land Use Types, are required to submit ~~this such a site plan and application for an~~ administrative permit as part of the permit application. The director and the planning division will not require or seek to impose restrictions or conditions on the manner in which the applicant will operate the site once it has been developed, but shall instead confine their analysis and response to the physical aspects of the proposed development. In conducting the administrative plan review and evaluating the site plan, the planning division and director may consider, without limitation, any and all of the following which the director deems relevant to the issue of whether or not to issue an administrative permit for the development as proposed by the site plan: (i) pedestrian and vehicular traffic circulation, both on the site and on adjacent streets and sidewalks; (ii) the number, location and configuration of parking spaces; (iii) building setbacks, building heights, and floor area ratios; (iv) landscaping; (v) types and location of exterior lighting; (vi) signage; (vii) the location and configuration of buildings and other improvements relative to uses of or improvements on adjacent properties; and (viii) any other design features. The fact that a site plan submitted by the applicant complies with minimum zoning code requirements for measurable items such as building setbacks, parking spaces and other objectively quantifiable

design elements shall not automatically entitle the applicant to receive an administrative permit; the director may determine that greater setbacks, additional parking spaces, or other changes to the site plan above the minimum requirements established by the zoning code are necessary before the proposed development can be issued an administrative permit. The city council designated certain uses on Tables 11.21-3, 11.21-4 or 11.21-5 as requiring an administrative permit due to the unique impacts of those uses, and the purpose of the administrative plan review is to allow the city to conduct an in-depth analysis of the site plan to confirm to the city's satisfaction that those impacts have been addressed by the applicant when designing the project.

B. Upper-Floor Uses. Upper-floor uses (containing note "2" in the land use table of the applicable zone) shall be processed through an administrative permit. Upper-floor uses shall not be permitted on the ground floor of the applicable zone, but are administratively permitted on the second story or any story above. Restriction to upper floors is intended to generate a pedestrian-oriented setting on the ground floor, with businesses generating less direct foot traffic on the upper floors.

C. Accessory Uses. Accessory uses, denoted as "A-U" in the land use table of the applicable zone, shall be processed through an administrative permit. Accessory uses shall be limited to a secondary use supportive of the primary permitted or conditionally permitted uses. Development or establishment of an accessory use shall not be permitted independently on a parcel as the primary use.

D. Temporary Use Permits. Temporary uses, as identified in Table 11.21-3, 11.21-4, or 11.21-5, as applicable to the zone, shall be processed through a temporary use permit consistent with Section 11.51.070, Temporary use permit.

CONCLUSION: The proposed text amendment will provide clarity to applicants, to the Community Development Department staff, and to the director, regarding the scope and parameters of the administrative plan review process. The proposed amendment will allow the director and planning staff to analyze administrative uses based on provided site plans, including vehicular traffic, parking, landscaping, signage, setbacks and other design features. Staff will be able to assess zoning code compliance,

ATTACHMENTS: A. Resolution No. 2021-15
B. Draft Ordinance
C. Public Hearing Notice

RESOLUTION NO. 2021-15**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, STATE OF CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF ZONING CODE AMENDMENT NO. 171 AMENDING THE CITY OF SOUTH GATE MUNICIPAL CODE, TITLE 11, ZONING, CHAPTER 11.50, "PERMITS AND PROCEDURES," SECTION 11.51.050 "ADMINISTRATIVE PERMITS AND APPROVALS"**

WHEREAS, the city of South Gate ("City") is a general law city, incorporated under the laws of the State of California;

WHEREAS, pursuant to its police power, the City may enact and enforce laws within its boundaries which promote the public health, morals, safety, or general welfare of the community, and are not in conflict with general laws;

WHEREAS, comprehensive zoning regulations lie within the police power of the City;

WHEREAS, administration of the Zoning Code is a responsibility of the City's Community Development Department;

WHEREAS, the City finds it necessary to amend the Zoning Code to clarify administrative procedures which have been subject to interpretation in order to facilitate administration of the Zoning Code by the Community Development Department;

WHEREAS, pursuant to California Government Code Section 65854, the Planning Commission duly noticed and agendized a public hearing and conducted the public hearing on this matter on November 2, 2021 and adopted Planning Commission Resolution No. 2021-15 recommending that the City council approve Zoning Code Amendment No. 171 and adopt the amendments to the South Gate Zoning Code as set forth in this ordinance; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission hereby finds that all of the facts set forth in the Recitals of this Resolution are true and correct.

SECTION 2. The Planning Commission hereby finds that Zoning Code Amendment No. 171 recommending the City Council adoption of Ordinance No. ___ is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) constituting an activity that is not a project as defined in Section 15378.

SECTION 3. The Planning Commission hereby recommends that the City Council approve amendments to Chapter 11.51 of the South Gate Municipal Code, as described in the draft

ordinance, attached hereto and made a part of this resolution.

BE IT RESOLVED, that the Secretary of this Commission be directed to transmit to the City council a copy of this resolution as the report of findings and recommendations of the Planning Commission with reference to this matter.

This recommendation was adopted by the following vote at the Planning Commission meeting of November 2, 2021.

AYES:

NOES:

ABSENT:

NOT VOTING:

DENIED and ADOPTED this 2nd of November, 2021.

Erika Soriano
Acting Secretary
City Planning Commission

APPROVED:

Fabiola Inzunza
Chairperson
City Planning Commission

ORDINANCE NO.

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, AMENDING THE CITY OF SOUTH GATE MUNICIPAL CODE, TITLE 11, ZONING, CHAPTER 11.50, "PERMITS AND PROCEDURES," SECTION 11.51.050 "ADMINISTRATIVE PERMITS AND APPROVALS"

WHEREAS, the city of South Gate ("City") is a general law city, incorporated under the laws of the State of California;

WHEREAS, pursuant to its police power, the City may enact and enforce laws within its boundaries which promote the public health, morals, safety, or general welfare of the community, and are not in conflict with general laws;

WHEREAS, comprehensive zoning regulations lie within the police power of the City;

WHEREAS, administration of the Zoning Code is a responsibility of the City's Community Development Department;

WHEREAS, the City finds it necessary to amend the Zoning Code to clarify administrative procedures which have been subject to interpretation in order to facilitate administration of the Zoning Code by the Community Development Department;

WHEREAS, pursuant to California Government Code Section 65854, the Planning Commission duly noticed and agendized a public hearing and conducted the public hearing on this matter on November 2, 2021 and adopted Planning Commission Resolution No. 2021-15 recommending that the City council approve Zoning Code Amendment No. 171 and adopt the amendments to the South Gate Zoning Code as set forth in this ordinance; and

WHEREAS, at the conclusion of the public hearing held at the meeting of the Planning Commission on November 2, 2021, the Planning Commission adopted Resolution No. 2021-XX recommending that the City Council approve the amendment to the South Gate Zoning Code as set forth in this Ordinance; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings and Purpose. In adopting this Ordinance, the City Council finds and declares as follows:

- i. That the above recitals are true and correct and hereby incorporates them herein by this reference.
- ii. Ordinance No. ___ serves the public health, safety, and welfare of the residents and businesses within the City to regulate land use within the City.

- iii. iii. Ordinance No. ___ is consistent with the City's General Plan.
- iv. iv. Ordinance No. ___ amending the City of South Gate Municipal Code, will not present any risk to the public health and safety.

SECTION 2. South Gate Municipal Code Title 11, Zoning, Chapter 11.50, "Permits and Procedures," Section 11.51.050 "Administrative Permits and Procedures," is amended and enacted as follows:

11.51.050 Administrative permits and approvals.

Applications in compliance with all applicable requirements of this title, where a discretionary action is not required, shall be processed by the planning division for administrative approval by the director.

A. Administrative Plan Review. Administrative plan review is an administrative review of a detailed site plan ~~review~~ submitted by the applicant as part of the applicant's request for an administrative permit and subject to review and approval by the director. The site plan must show, in detail, the manner in which the applicant proposes to develop the property in question. The ~~applicant and~~ planning division shall review that site plan for compatibility with all zoning code requirements and other applicable design features in the context of a site plan. Only those land uses noted on Tables 11.21-3, 11.21-4 or 11.21-5 of the zoning code as requiring an administrative plan review in Chapter 11.21, Land Use Types, are required to submit ~~this such a site plan and application for an administrative permit~~ as part of the permit application. The director and the planning division will not require or seek to impose restrictions or conditions on the manner in which the applicant will operate the site once it has been developed, but shall instead confine their analysis and response to the physical aspects of the proposed development. In conducting the administrative plan review and evaluating the site plan, the planning division and director may consider, without limitation, any and all of the following which the director deems relevant to the issue of whether or not to issue an administrative permit for the development as proposed by the site plan: (i) pedestrian and vehicular traffic circulation, both on the site and on adjacent streets and sidewalks; (ii) the number, location and configuration of parking spaces; (iii) building setbacks, building heights, and floor area ratios; (iv) landscaping; (v) types and location of exterior lighting; (vi) signage; (vii) the location and configuration of buildings and other improvements relative to uses of or improvements on adjacent properties; and (viii) any other design features. The fact that a site plan submitted by the applicant complies with minimum zoning code requirements for measurable items such as building setbacks, parking spaces and other objectively quantifiable design elements shall not automatically entitle the applicant to receive an administrative permit; the director may determine that greater setbacks, additional parking spaces, or other changes to the site plan above the minimum requirements established by the zoning code are necessary before the proposed development can be issued an administrative permit. The city council designated certain uses on Tables 11.21-3, 11.21-4 or 11.21-5 as requiring an administrative permit due to the unique impacts of those uses, and the purpose of the administrative plan review is to allow the city to conduct an in-depth analysis of the site plan to confirm to the city's satisfaction that those impacts have been addressed by the applicant when designing the project.

B. Upper-Floor Uses. Upper-floor uses (containing note "2" in the land use table of the applicable zone) shall be processed through an administrative permit. Upper-floor uses shall not be permitted on the ground floor of the applicable zone, but are administratively permitted on the second story

or any story above. Restriction to upper floors is intended to generate a pedestrian-oriented setting on the ground floor, with businesses generating less direct foot traffic on the upper floors.

C. Accessory Uses. Accessory uses, denoted as "A-U" in the land use table of the applicable zone, shall be processed through an administrative permit. Accessory uses shall be limited to a secondary use supportive of the primary permitted or conditionally permitted uses. Development or establishment of an accessory use shall not be permitted independently on a parcel as the primary use.

D. Temporary Use Permits. Temporary uses, as identified in Table 11.21-3, 11.21-4, or 11.21-5, as applicable to the zone, shall be processed through a temporary use permit consistent with Section 11.51.070, Temporary use permit.

SECTION 3. City Council approval of Zoning Code Amendment No. 171 and adoption of Ordinance No. ___ are not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) constituting an activity that is not a project as defined in Section 15378.

SECTION 4. If any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. This Ordinance shall take effect on the thirty-first (31st) day after its adoption.

SECTION 6. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

PASSED, APPROVED and ADOPTED this ____ day of ____, 2021.

CITY OF SOUTH GATE:

Al Rios, Mayor

ATTEST:

Carmen Avalos, City Clerk

(SEAL)

APPROVED AS TO FORM:

Raul F. Salinas, City Attorney

**PUBLIC NOTICE
CITY OF SOUTH GATE
PLANNING COMMISSION**

ATTACHMENT C

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South Gate will hold a public hearing for an Ordinance amending Title 11, Chapter 11.51 of the South Gate Municipal Code to revise the City's regulations pertaining to administrative permits and approvals.

DATE OF HEARING: Tuesday, November 2, 2021

TIME OF HEARING: 7:00 pm

LOCATION OF HEARING: Members of the public wishing to observe the meeting may join through a Call-in Conference. For the updated Dial-In Number and Conference Code for the November 2nd Planning Commission meeting please visit the City's website at www.cityofsouthgate.org/AgendaCenter.

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: An Ordinance amending Title 11, Chapter 11.51 of the South Gate Municipal Code to revise the City's regulations pertaining to administrative permits and approvals.

ENVIRONMENTAL REVIEW: The adoption of this Ordinance does not constitute a Project for purposes of the California Environment Quality Act ("CEQA"). Pursuant to Section 15378 and Public Resources Code Section 21065, such an amendment can only constitute a Project if it will cause a direct physical change in the environment (or a reasonably foreseeable indirect physical change in the environment). Here, no such change will result from the amendments contemplated by this Ordinance, because (a) the Ordinance merely enacts revisions necessary to comply with state law mandates, (b) the Ordinance does not involve any commitment to any specific project, and (c) any future project which will be subject to the amendments enacted by this Ordinance will be subject to CEQA review. If this Ordinance were to be deemed a Project under CEQA, this Ordinance has no likelihood of causing a significant negative effect on the environment. This Ordinance is exempt from the application of CEQA, pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

INVITATION TO BE HEARD: All interested persons are invited to the public hearing to be heard in favor of or in opposition to the proposed project or to provide comments. In addition, written comments may be submitted to the Community Development Department prior to the hearing. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this Notice, or in written correspondence delivered to the City of South Gate prior to or at the public hearing.

Those desiring a copy of the staff report or further information related to this project should contact:

Contact: Yalini Siva, Senior Planner
Phone: 323-563-9526
E-mail: ysiva@sogate.org
Mailing Address: Community Development Department
City of South Gate
8650 California Avenue
South Gate, CA 90280-3075

ESPAÑOL

Información en Español acerca de esta junta puede ser obtenida llamando al 323-563-9529.

Published: October 21, 2021