

Planning Commission Agenda
8650 California Ave South Gate, CA 90280
Council Chamber

TUESDAY, APRIL 5, 2022 AT 7:00 P.M.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

CITY OFFICIALS:

CHAIRPERSON

Fabiola Inzunza

COMMISSIONERS

Jose Delgado

Diego Sepulveda

VICE CHAIRPERSON

Jose De La Paz

REPORT ON POSTING

I, Jose Montano, Acting Administrative Service Coordinator, certify that a true and correct copy of the foregoing meeting agenda was properly posted on March 31, 2022, 72 hours prior to the scheduled meeting, as required by law.

MEETING COMPENSATION DISCLOSURE

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

Item No. 1

The Planning Commission will consider approving the minutes for the Special Planning Commission meeting of February 2, 2022, and the regular Planning Commission meeting of March 15, 2022.

Item No. 2

The Planning Commission will conduct a public hearing to consider approving the Zoning Ordinance regarding Inclusionary Housing and in Lieu Fees

Item No. 3

The Planning Commission will conduct a public hearing to consider a recommendation to the City Council of an ordinance removing from the South Gate Municipal Code Chapter 13.200 (and its related Title Division and Sections), which have been made redundant by the adoption of new Chapter 14.04.

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

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

Notification 48 hours prior to the Planning Commission 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 Planning Commission upon filling the request with the City Clerk prior to 5:00pm on Monday, April 5, 2022.

Materials related to an item on this 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, California 90280 (323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org

**MINUTES OF THE SPECIAL MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 2, 2022**

1. CALL TO ORDER

The Planning Commission of the City of South Gate met via teleconference on the above date at 6:00 PM
Chairperson Fabiola Inzunza presiding.

2. PLEDGE OF ALLEGIANCE - Commissioner Jenny Perez**3. ROLL CALL**

Commissioners Present: Chairperson Fabiola Inzunza, Vice-Chairperson Jose De La Paz, and Sepulveda

Commissioners Absent: Delgado

Staff Present: Meredith T. Elguira, Community Development Director
Yalini Siva, Senior Planner
Veronica Tam, Veronica Tam and Associates, Inc.
Lynn Kelly-Lehner, RSG
Jose Montano, Recording Secretary
Craig Hardwick, City Attorney

4. REPORT ON POSTING AND MEETING COMPENSATION DISCLOSURE**5. HOUSING ELEMENT**

Veronica Tam from Veronica Tam and Associates, Inc., provided an update on the 6th Cycle Housing Element. Discussion regarding density and schedule ensued amongst Planning Commission and staff.

NO MOTION WAS TAKEN.

7. RENT CONTROL

Lynn Kelly-Lehner from RSG, presented a staff report on Rent Control to the Planning Commission and discussion ensued.

NO MOTION WAS TAKEN.

8. AUDIENCE COMMENTS

None

10. CITY STAFF COMMENTS

Meredith Elguira informed the Commissioners that in the upcoming weeks, a rent control workshop will be held for the City Council.

11. PLANNING COMMISSION COMMENTS

None

12. ADJOURNMENT

The meeting was adjourned at 7:32 PM.

Respectfully,

Meredith T. Elguira, Community Development Director

APPROVED:

Fabiola Inzunza, Chairperson

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, MARCH 15, 2022**

1. CALL TO ORDER

The Planning Commission of the City of South Gate met via teleconference on the above date at 7:00 PM
Chairperson Fabiola Inzunza presiding.

2. PLEDGE OF ALLEGIANCE - Commissioner Jose Delgado**3. ROLL CALL**

Commissioners Present: Chairperson Fabiola Inzunza, Vice-Chairperson Jose De La Paz, Delgado, and
Sepulveda

Commissioners Absent: Perez

Staff Present: Meredith T. Elguira, Community Development Director
Yalini Siva, Senior Planner
Norma Hernandez, Assistant Planner
Jose Montano, Recording Secretary
Craig Hardwick, City Attorney

4. REPORT ON POSTING AND MEETING COMPENSATION DISCLOSURE**5. MINUTES**

MOTION: Vice Chairperson De La Paz moved to approve the minutes and Commissioner Delgado seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES: Inzunza, De La Paz, Delgado, Sepulveda

NOES: None

ABSENT: Perez

6. PUBLIC HEARING ZONING ORDINANCE REGARDING INCLUSIONARY HOUSING AND IN LIEU FEES.

MOTION: Chairperson Inzunza moved to grant the request of staff to move item No. 2 to the Planning Commission Meeting of April 5, 2022, and Commissioner Sepulveda seconded the motion. Motion carried unanimously, with the following vote:

AYES: Inzunza, De La Paz, Delgado, Sepulveda

NOES: None

ABSENT: Perez

7. PUBLIC HEARING CONDITIONAL USE PERMIT NO. 852 TO ALLOW THE CONSTRUCTION AND OPERATION OF A NEW 1,797 SQUARE-FOOT FAST FOOD RESTAURANT WITH A DRIVE-THROUGH, IN THE CIVIC CENTER ZONE AT 3420 FIRESTONE BOULEVARD.

Senior Planner Yalini Siva presented the staff report to the Planning Commission.

MOTION: Commissioner Delgado Inzunza moved to approve Item 3. and Vice Chairperson Jose De La Paz seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES: Inzunza, De La Paz, Delgado, Sepulveda
 NOES: None
 ABSENT: Perez

8. AUDIENCE COMMENTS

Applicant Representative expressed her gratitude for the approval of this item.

10. CITY STAFF COMMENTS

None

11. PLANNING COMMISSION COMMENTS

Vice Chairperson De La Paz informed the Commissioners that "Statements of Economic Interests (Form 700)" are due April 1, 2022.

Commissioners Delgado – Conditional Use Permits that were approved in the past as conditions of approval and/or were requested to be made by that commissioner and accepted by the applicant are to be revisited. In addition, he expressed his concerns regarding the traffic light on Imperial Hwy and Wright Road.

Chairperson Inzunza – Expressed her appreciation for staff's hard work.

12. ADJOURNMENT

The meeting was adjourned at 7:26 PM. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, April 5, 2022, beginning at 7:00 PM.

Respectfully,

 Meredith T. Elguira, Community Development Director

APPROVED:

 Fabiola Inzunza, Chairperson



City of
**South
Gate**

Community Development Department Memorandum

To: Planning Commission

From: Yalini Siva, Senior Planner 

Date: April 5, 2022

Re: Planning Commission Agenda for April 5, 2022
Item No. 2 – Zoning Ordinance regarding Inclusionary Housing and in
Lieu Fees


To allow for further research and data collection, Item No. 2 shall be continued to the next Planning Commission hearing on Tuesday, April 19, 2022.

City of South Gate

PLANNING COMMISSION

AGENDA BILL

For the Regular Meeting of: April 5, 2022

Senior Planner: 
Yalini Siva

Community Development Director: 
Meredith T. Elguira

SUBJECT: REMOVAL OF REDUNDANT RECYCLING PROVISIONS FROM THE SOUTH GATE MUNICIPAL CODE

PURPOSE: Public hearing to consider a recommendation to the City Council of an ordinance removing from the South Gate Municipal Code Chapter 13.200 (and its related Title Division and Sections), which have been made redundant by the adoption of new Chapter 14.04.

RECOMMENDED ACTIONS:

- a. **CONDUCT** a public hearing;
- b. **ACCEPT** the determination that this project is exempt from the California Environmental Quality Act;
- c. **ADOPT** the findings as outlined in Resolution No. 2022-05 (Attachment A); and
- d. **RECOMMEND** that the City Council adopt the draft ordinance (Attachment B) deleting Division IV of Title 13, Chapter 13.200 and Sections 13.200.010 through 13.200.130.

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for this item was conducted in compliance with Chapter 11.50, Title 11, of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the *South Gate Press* on March 24, 2022 (Attachment C).

ENVIRONMENTAL EVALUATION: The foregoing amendment to the South Gate Zoning Code is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is not subject to CEQA.

FISCAL IMPACT: None.

ANALYSIS: Last November the City Council added new Title 14 to the South Gate Municipal Code. Title 14 consolidates into one location all of the City's ordinances pertaining to waste handling and recycling. Many of the chapters contained in Title 14 were relocated from their former locations in Title 13, and those former portions of Title 13 were then deleted. Chapter 13.200 should have been deleted as

part of that process, since its contents are restated in new Chapter 14.04. Unfortunately, the deletion of Chapter 13.200 was overlooked at the time Title 14 was adopted. The proposed ordinance will correct that oversight by deleting Chapter 13.200, in order to avoid confusion and other problems that could be caused by having two roughly identical Chapters in the Municipal Code.

ATTACHMENTS: A. Resolution No. 2022-05
B. Proposed Ordinance
C. Public Hearing Notice

RESOLUTION NO. 2022-05

**A RESOLUTION OF PLANNING COMMISSION
RECOMMENDING THAT THE SOUTH GATE CITY
COUNCIL ADOPT AN ORDINANCE REMOVING FROM
THE SOUTH GATE MUNICIPAL CODE DIVISION IV
(DEMOLITION AND RECYCLING) OF TITLE 13
(FRANCHISES), CONTAINING CHAPTER 13.200
(DEMOLITION AND RECYCLING) AND ITS SECTIONS
13.200.010 THROUGH 13.200.130**

WHEREAS, in November of 2021 the City Council of the City of South Gate adopted new Title 14 of the South Gate Municipal Code, consolidating into one location the City's ordinances pertaining to waste handling and recycling; and

WHEREAS, Chapter 14.04 of that new Title 14 contains ordinances pertaining to demolition-related recycling; and

WHEREAS, said Chapter 14.04 is a restatement of the ordinances contained in Division IV of Title 14, which Division contains Chapter 13.200 and its Sections 13.200.010 through 13.200.130; and

WHEREAS, the adoption of Chapter 14.04 has therefore rendered that Division IV, Chapter 13.200 and Sections 13.200.010 through 13.200.130 redundant; and

WHEREAS, in order to avoid confusion and other problems that may arise from such redundancy, this Planning Commission deems it prudent to recommend to the City Council that said Division IV, Chapter 13.200 and Sections 13.200.010 through 13.200.130 be rescinded, deleted and removed from the South Gate Municipal Code by the passage of an Ordinance in the form attached to this Resolution as Exhibit "A";

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

SECTION 1. The Planning Commission 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 and determines that the adoption of the proposed Ordinance is exempt from the California Environment Quality Act of 1970 ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Adoption of the proposed Ordinance will not have a significant effect on the environment.

SECTION 3. The proposed Ordinance is consistent with and supports the General Plan.

SECTION 4. The proposed Ordinance will not adversely affect the public health, safety, or welfare of the City and protects public health, safety, and welfare in the City.

SECTION 5. The Planning Commission recommends that the City Council adopt the proposed Ordinance in the form attached herewith as Exhibit "A".

SECTION 6. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

SECTION 7. Based upon the findings and conclusions set forth above, the Planning Commission hereby recommends that the City Council adopt an Ordinance to rescind, remove and delete from the South Gate Municipal Code Division IV of Title 13, Chapter 13.200, and Sections 13.200.010 through 13.200.130, as described in the draft Ordinance attached hereto and made a part of this Resolution.

BE IT FURTHER RESOLVED, that the Secretary of this Commission be directed to transmit to the City Council a copy of this Resolution as the report of the 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 April 5, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED and **ADOPTED** this 5th day of April, 2022.

Meredith T. Elguira
Secretary
City Planning Commission

APPROVED:

Fabiola Inzunza
Chairperson
City Planning Commission

EXHIBIT "A"

PROPOSED ORDINANCE REMOVING FROM THE SOUTH GATE
MUNICIPAL CODE DIVISION IV (DEMOLITION AND RECYCLING) OF
TITLE 13 (FRANCHISES), CONTAINING CHAPTER 13.200 (DEMOLITION
AND RECYCLING) AND ITS SECTIONS 13.200.010 THROUGH 13.200.130

[follows this page]

ORDINANCE NO. ____

AN ORDINANCE REMOVING FROM THE SOUTH GATE MUNICIPAL CODE DIVISION IV (DEMOLITION AND RECYCLING) OF TITLE 13 (FRANCHISES), CONTAINING CHAPTER 13.200 (DEMOLITION AND RECYCLING) AND SECTIONS 13.200.010 THROUGH 13.200.130

WHEREAS, in November of 2021 this City Council adopted new Title 14 of the South Gate Municipal Code, consolidating into one location the City's ordinances pertaining to waste handling and recycling; and

WHEREAS, Chapter 14.04 of that new Title 14 contains ordinances pertaining to demolition-related recycling; and

WHEREAS, said Chapter 14.04 is a restatement of the ordinances contained in Division IV of Title 14, which Division contains Chapter 13.200 and its Sections 13.200.010 through 13.200.130; and

WHEREAS, the adoption of Chapter 14.04 has therefore rendered that Division IV, Chapter 13.200 and Sections 13.200.010 through 13.200.130 redundant; and

WHEREAS, in order to avoid confusion and other problems that may arise from such redundancy, the City Council deems it prudent to rescind, remove and delete said Division IV, Chapter 13.200 and Sections 13.200.010 through 13.200.130 from the South Gate Municipal Code;

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

SECTION 1. Division IV of Title 13, Chapter 13.200, and Sections 13.200.010 through 13.200.130 of the South Gate Municipal Code, are hereby rescinded and deleted in their entirety and removed from the South Gate Municipal Code.

SECTION 2. Nothing in this Ordinance has any effect on Chapter 14.04 and Sections 14.04.010 through 14.04.130 of the South Gate Municipal Code, which shall remain in full force and effect.

SECTION 3. If any section, subsection, 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 4. This Ordinance shall be in full force and effect thirty (30) days after its final passage and adoption.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause a copy of the same to be published in a manner prescribed by law.

ADOPTED this 26th day of April, 2022.

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**

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 removing redundant recycling provisions from the South Gate Municipal Code.

DATE OF HEARING: Tuesday, April 5, 2022

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 April 5th Planning Commission meeting please visit the City's website at www.cityofsouthgate.org/AgendaCenter.

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: Request to consider a recommendation to the City Council of an ordinance removing from the South Gate Municipal Code Chapter 13.200 (and its related Title Division and Sections), which have been made redundant by the adoption of new Chapter 14.04.

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: March 24, 2022