RESOLUTION 2017-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BELL ADOPTING GENERAL PLAN AMENDMENT 2017-01
AND ZONE CHANGE 2017-01

WHEREAS, on May 4, 2017, SCI California Funeral Services, Inc. ("Applicant") filed an application requesting the approval of General Plan Amendment ("GPA") No. 2017-01 and Zone Change 2017-01 described herein ("Application"); and

WHEREAS, the request applies to one property referred to on the County Assessor's roles as 6316-025-022, as described in Exhibit A to this Resolution and shown on the map included as Exhibit B; and

WHEREAS, the Applicant is requesting to amend the Land-Use Element of the City's General Plan to apply a land use designation of "Commercial" for the entire site (APN 6316-025-022) and to change the zoning designation on the zoning map for the northern 7,500 square feet (50' x 150') portion of APN 6316-025-022 from "R-3" to "C-3R"; and

WHEREAS, the City reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") and deemed the project to be exempt pursuant to section 15302 (Class 2 Replacement or Reconstruction) of the CEQA Guidelines (Title 4, Chapter 3 of the California Code of Regulations); and

WHEREAS, an associated request for Conditional Use Permit 2017-05 and Tentative Parcel Map 75036 has been made to permit the reconstruction of a new funeral home and other related site improvements;

WHEREAS, on September 6, 2017, the Planning Commission held a duly noticed public hearing, received the staff report and public testimony, and voted to approve Conditional Use Permit 2017-05 and Tentative Parcel Map 75036, and recommended that the City Council adopts General Plan Amendment 2017-01 and Zone Change 2017-01

WHEREAS, notice of the City Council's October 11, 2017 public hearing on General Plan Amendment 2017-01 and Zone Change 2017-01 was published in compliance with State law, in a local newspaper of general circulation. In addition, a public notice was mailed 10 days in advance of the hearing to each property owner within a 300-foot radius of the project site, indicating the date and time of the public hearing for GPA 2017-01 and ZC 2017-01 in accordance with California Government Code 65091; and

WHEREAS, on October 11, 2017, the City Council held a public hearing to receive public testimony and other evidence regarding the General Plan Amendment and Zone Change, including without limitation, information provided to the City Council by City staff and public testimony; and,

WHEREAS, this Resolution and its findings are made based upon evidence presented to the City Council at its October 11, 2017 hearing including, without limitation, the staff report submitted by the Community Development Department.

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WHEREAS, All legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE AND DECLARE AS FOLLOWS:

SECTION 1. All of the facts set forth in the recitals are true and correct and are incorporated herein by reference.

SECTION 2. Based upon substantial evidence presented to this City Council during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, and project plans, the City Council hereby specifically finds as follows:

A. The proposed General Plan Amendment would amend the General Plan Land Use Map to apply a land use designation of "Commercial" for the entire parcel (APN 6316-025-022). Currently, the northern 7,500 square foot (50' by 150') portion of the lot is designated as Medium Density Residential, while the remaining 17,250 square foot portion of the lot is designated as commercial. The proposed amendment to the General Plan to designate the entire site as commercial is reasonable and supportable since the lot has a split designation that could be attributed to a cartographical error. The proposed amendment would make the General Plan commercial designation for the parcel consistent throughout. The existing single-family residence on the site would be demolished as part of the project and the entire site would be developed to accommodate the reconstruction of the funeral home.

B. The request and development of the property has been reviewed and found consistent with the following provisions of the City of Bell General Plan:

Policy 2. Promote economic stability through diversifying the commercial base and developing employment opportunities. The subject funeral home is a unique commercial use within the City of Bell and is the only funeral home throughout the entire City. The funeral home currently provides employment for 5 individuals.

Policy 3. Prevent incompatibility among land uses for the health and safety of occupants and the protection of property values. The proposed amendment would make the land use designation for the site consistent with its commercial use and the adjacent lots along Gage Avenue.

Policy 9. Provide incentives for consolidation of lots. The project includes a Tentative Parcel Map that would consolidate two separate parcels that are currently accommodating the existing funeral home site.

Policy 14. Review zoning and development standards to ensure their adequacy for current needs. A funeral home use is listed as a permitted principal use in the C-3R zone. The proposed funeral home and related site improvements would comply with the City's development standards as it relates to lot coverage, height, setbacks, and landscaping. The proposed amount of parking spaces has been determined as adequate for the site and use.

SECTION 3. The City, as the Lead Agency, determined that the proposed General Plan Amendment and Zone Change is exempt from further review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and
the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “CEQA Guidelines”), for the following reasons: The project involves the demolition of an existing funeral home, residence, and garage (7,374 square feet total area), and the reconstruction of the funeral home and garage (6,523 square feet total area). The zone change and general plan amendment would simply correct a cartographic error on the zoning and land-use maps, and allow the site's zoning and land-use to be consistent with the existing commercial use on the lot. Therefore, the proposed project is categorically exempt from the CEQA, pursuant to Section 15302 (Class 2 Replacement or Reconstruction), of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations). Based on these findings, the City Council adopts the Notice of Exemption and directs staff to file same as required by law.

SECTION 4. The City Council hereby adopts General Plan Amendment 2017-01 and Zone Change 2017-01.

SECTION 5. That the Secretary shall certify to the passage and adoption of this Resolution and forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record, set forth in the Application.

PASSED, APPROVED AND ADOPTED this 11th day of October 2017.

[Signature]
Fidencio Joel Gallardo, Mayor

APPROVED AS TO FORM:

[Signature]
David Aleshier, City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, City Clerk of the City of Bell, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Bell held on the 11th day of October 2017, by the following vote:

AYES: Councilmembers Saleh, Valencia, Vice-Mayor Quintana and Mayor Gallardo

NOES: None

ABSENT: Councilmember Romero

ABSTAIN: None

[Signature]
Angela Bustamante, City Clerk
Exhibit “A”

LEGAL DESCRIPTION OF
GENERAL PLAN AMENDMENT 2017-01 ZONE CHANGE 2017-01

Parcel 1:

The south half of Lot 1440 of Tract No. 3766, in the City of Bell, County of Los Angeles, State of California, as per map recorded in Book 41, page 3 of maps, in the office of the County Recorder of said County.

Parcel 2:

Lots 1438 and 1439 of Tract No. 3766 in the City of Bell, County of Los Angeles, State of California, as per map recorded in Book 41, page 3 of maps, in the office of the County Recorder of said County.

Except therefrom the southerly 10 feet thereof.