



AGENDA

REGULAR MEETING OF THE BELL PLANNING COMMISSION

Wednesday, November 3, 2021 at 7:00 p.m.

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF AB 361 WHICH ALLOWS FOR THE CITY COUNCIL AND/OR CITY STAFF TO PARTICIPATE VIA TELECONFERENCE

At the October 13, 2021 City Council Meeting, the Council approved Resolution 2021-53, implementing teleconference accessibility for conducting public meetings pursuant to Assembly Bill 361. To ensure the health and safety of the public by limiting human contact that could spread COVID-19, the Bell Community Center will not be open to the public. The public is encouraged to view the meeting through the City's website at <http://www.cityofbell.org/?NavID=101>

PUBLIC COMMENT: If you wish to make a comment you may provide input electronically through a temporary public comment email established for City of Bell meetings cityclerk@cityofbell.org. Please indicate in the Subject Line "For Public Comment" and submit your written comment by 4pm on Wednesday, November 3, 2021. Any emails received after the time indicated will not be included in the record. Written Comments will be subject to the three-minute time limitation (approximately 350 words).

Public comment could also be submitted by telephone during the meeting, by calling 1-669-900-9128 no later than 7PM. City staff will be using the Zoom audio communication platform for this meeting. Each speaker is limited to 3 minutes and will be given the opportunity to speak in the order your phone call is received. After you submit your comment, you will be disconnected but will still have access to view the meeting live on the City's website at <http://www.cityofbell.org/?NavID=101>

If participating via Zoom or phone, during the Public Comment Period, use the "raise hand" function on your computer or *9 by phone and wait for the Chair to announce your name/phone number. When you are prompted, please unmute your line.

Join Zoom Meeting (ONLY FOR PUBLIC COMMENT)

Phone Number: 1-669-900-9128
Meeting ID: 810 9927 8532
Password: 820853

1. Call to Order:

2. Roll Call of the Planning Commission:

Commissioner Silvia Martinez
Commissioner Rodrigo Rodarte
Commissioner Denisse Viera
Vice-Chair Rihan Bedier
Chair Luis Mesa

3. Pledge of Allegiance

4. Communications from the Public:

This is the time for members of the public to address the Planning Commission on matters that are listed on the agenda and non-agenda items that are under the subject matter jurisdiction of the Planning Commission. (Each speaker is limited to 3 minutes)

5. Presentation(s):

None.

6. Public Hearing(s):

PUBLIC TESTIMONY can be provided electronically through a temporary public comment email established for City of Bell meetings cityclerk@cityofbell.org. Please indicate in the Subject Line "Public Hearing Item #___" and submit your written comment by 4pm on Wednesday, November 3, 2021. Any emails received after the time indicated will not be included in the record. Written Comments will be subject to the three-minute time limitation (approximately 350 words).

Public Testimony could also be submitted by telephone by calling 1-669-900-9128 and entering the following Meeting ID: 810 9927 8532 and Password: 820853

a. Zone Text Amendment (ZTA) 2021-02.

Recommendation: *Consideration of ZTA 2021-02, particularly whether a Conditional Use Permit (CUP) should be required for mobile automobile and truck washes and, if not, recommend that the City Council add regulations for mobile automobile and truck washes to Chapter 5.57 to Title 5. "Business Licenses and Regulations" Division II "Business Permits and Regulations" of the Bell Municipal Code to establish regulations for mobile automobile and truck washes.*

7. Regular Session:

None.

8. Planning Commissioner Announcements; Request for Future Agenda Items; Conference/Meeting Reports:

9. Community Development Director's Comments:

10. City Attorney Comments:

11. Adjournment: *The next Regular Planning Commission Meeting is scheduled for Wednesday, December 1, 2021 at 7pm.*

ADA Compliance Statement

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Community Development Department at (323) 588-6211, Ext. 2615, at least 48 hours prior to the scheduled meeting in order for the City to make reasonable arrangements to ensure accessibility to this meeting.

I, Angela Bustamante, Planning Commission Secretary, certify that a true, accurate copy of the foregoing agenda was posted on October 29, 2021 at least seventy two (72) hours prior to the meeting as required by law.

Angela Bustamante

Angela Bustamante, Planning Commission Secretary

**City of Bell
Planning Commission
Agenda Report**

DATE: November 3, 2021

TO: Chair and Members of the Planning Commission

FROM: Manuel Acosta, Community Development Director

BY: Paula Kelly, Contract Planner

SUBJECT: Zone Text Amendment (ZTA) 2021-02

RECOMMENDATION:

Consideration of ZTA 2021-02, particularly whether a Conditional Use Permit (CUP) should be required for mobile automobile and truck washes and, if not, recommend that the City Council add regulations for mobile automobile and truck washes to Chapter 5.57 to Title 5. "Business Licenses and Regulations" Division II "Business Permits and Regulations" of the Bell Municipal Code to establish regulations for mobile automobile and truck washes.

BACKGROUND:

The Planning Commission conducted a public hearing on Ordinance 1270 amending Chapters 17.08, "Definitions," of the Bell Municipal Code and Chapter 17.96, "Variances and Conditional Use Permits," to revise the city's regulations regarding automobile and truck wash facilities at a special meeting on May 11, 2021. The Planning Commission recommended that the City Council approve Ordinance 1270. However, the Ordinance did not address abatement periods for non-conforming automobile and truck washes in the C-3 zone, nor did it include a definition or regulations for mobile automobile and truck washes.

The proposed Ordinance 1270 came before the City Council at a public hearing on May 26, 2021. At that meeting, staff made the following recommendations: 1) Provide direction on whether to impose abatement periods for legal nonconforming automobile and truck washes; 2) Direct staff to define and regulate mobile automobile and truck washes; and 3) Read by title only, waive further reading and introduce Ordinance No. 1270.

During discussion, the City Council had questions about whether the Planning Commission had recommendations to establish abatement periods for legal nonconforming automobile and truck washes. Currently, there are five stand-alone automobile and truck washes in the City that would become legal nonconforming uses if Ordinance 1270 were adopted. All of these automobile and truck washes are located in C-3 zones.

The question was also raised regarding whether the stand-alone automobile and truck wash owners were provided notice of this public hearing. Staff indicated that no notice had been specifically provided to these automobile and truck wash owners.

The Council directed staff to bring Ordinance 1270 back to the Planning Commission to 1) obtain their recommendation on abatement periods; 2) add a definition and regulations for mobile automobile and truck washes and; 3) to mail the public notice directly to the five stand-alone automobile and truck wash owners regarding the Planning Commission's public hearing.

On July 14, 2021, at a special meeting, the Planning Commission conducted a public hearing on Ordinance 1270. No members of the public provided testimony. Staff recommended that the Planning Commission open the public hearing and continue the matter to the next Special Planning Commission meeting on July 22, 2021 because staff needed additional time to craft the language of the Ordinance.

During the July 22, 2021 special Planning Commission meeting, the Planning Commission considered Resolution No. 2021- 06 PC, which recommended amendments to Chapters 17.08 "Definitions," of the Bell Municipal Code and Chapter 17.96, "Variances and Conditional Use Permits" to revise the City's regulations regarding automobile and truck wash facilities. There were concerns expressed regarding mobile washes and a draft of the resolution was prepared (while on the record) that deleted references to regulations for mobile automobile and truck washes.

On July 22, 2021, the Planning Commission continued the public hearing to the regular Planning Commission meeting on August 4, 2021 to allow for further discussion of regulations for automobile and truck wash facilities, specifically further discussion on mobile washes.

At the August 4, 2021 regular Planning Commission meeting, staff sought direction from the Planning Commission on which recommendation to forward to City Council:

Alternative 1. A recommendation to amend Chapters 17.08 "Definitions" and 17.96 "Variances and Conditional Use Permits" to regulate all automobile and truck washes, including stand-alone, ancillary and mobile automobile and truck washes; or

Alternative 2. A recommendation to amend Chapters 17.08 "Definitions" and 17.96 "Variances and Conditional Use Permits" to regulate only stand-alone and ancillary automobile and truck washes.

After public comment and Commission discussion, the Planning Commission voted to approve Alternative 2. The Alternative 2. Ordinance was brought before the City Council at a public hearing on August 25, 2021 and the Council unanimously approved the first reading of the ordinance.

In addition to recommending approval of Alternative 2, the Planning Commission also continued the public hearing to the next regularly scheduled Planning Commission meeting on September 1, 2021, and directed staff to bring back additional information on Federal and State requirements and equipment costs for mobile automobile and truck washes.

On September 1, 2021, the Planning Commission approved a resolution recommending that the City Council adopt an ordinance establishing regulations for mobile automobile and truck washes including requiring a CUP for mobile automobile and truck washes.

Staff also recommended that the existing stand-alone car washes be deemed legal nonconforming uses and structures and permitted to remain in the C-3 zone provided they comply with the Bell Municipal Code including Chapter 17.100 regarding "Nonconforming Uses

and Structures”. The Planning Commission approved this staff recommendation.

The Ordinance regarding mobile car washes that was approved by the City Council on August 25, 2021 was to be brought before the City Council for a second reading on September 8, 2021. However, at the September 8, 2021 Council meeting, staff recommended that the proposed ordinance be reconsidered by the Planning Commission, particularly whether a Conditional Use Permit (CUP) should be required for mobile automobile and truck washes. After further consideration and communication from a member of the public, staff questioned whether requiring mobile car washes to obtain a CUP could be considered “business friendly”, particularly since some mobile car wash businesses are often smaller operations and also because it is believed that some mobile car wash businesses will only operate in the City on limited occasions. These are the reasons for the above described staff recommendation brought before City Council on September 8, 2021. The City Council approved this staff recommendation and directed staff to bring the CUP requirement for mobile automobile and truck washes back to Planning Commission for reconsideration.. As such, staff is coming back to the Commission on this matter.

Once the proposed ordinance is reconsidered by the Planning Commission, the ordinance will be brought to the City Council at a noticed public hearing. The ordinance that is proposed would not include a CUP requirement for mobile automobile and truck washes, and would add the regulations for mobile automobile and truck washes to Title 5 “Business Licenses and Regulations”. Although the Planning Commission’s review of ordinances does not typically include a review of ordinances amending Title 5, in this case the City Council specifically asked for the Commission to review the ordinance. (See Bell Municipal Code section 2.52.080.)

ANALYSIS AND DISCUSSION:

The City has a compelling interest in protecting the public health, safety, and welfare of its citizens, residents, visitors and businesses, and in preserving the peace and quiet of the neighborhoods within the City by regulating the establishment and expansion of automobile and truck washes and mobile automobile and truck washes. As such, staff is proposing to regulate mobile washes via the business license process.

Chapter 5.89 Mobile Automobile and Truck Washes Development Standards

- A. “Automobile and truck wash facilities - Mobile” means motor vehicle washing and detailing which is capable of moving from one location to another, such as to serve customers at their residences or places of work.**

ii. Development Standards - The use is subject to the following development standards:

- A. For fixed location mobile automobile and truck washes no outdoor storage is allowed.***
- B. For fixed location mobile automobile and truck washes, site and all street frontages shall be cleared of litter twice each day during operating hours and at close of business each day.***
- C. For fixed location mobile automobile and truck washes, use of sound attenuation walls and landscaping may be required at the discretion of***

the Community Development Director based on site specific circumstances.

- D. The mobile automobile and truck wash shall comply with all National Pollution Discharge Elimination System (NPDES) requirements. Consistent with Section 5.04.210 (A.) (6) of the Bell Municipal Code compliance with this requirement shall be certified prior to issuance of a business license.***
- E. The mobile automobile and truck wash shall comply with all Low Impact Development Plan (LID) requirements, as contained in Chapter 13.08 of the BMC. Consistent with Section 5.04.210 (A.) (6) of the Bell Municipal Code compliance shall be certified prior to issuance of a Business License.***
- F. Mobile automobile and truck washes are not permitted within the City limits unless the mobile vehicle is equipped with an approved industrial waste water transportable treatment system and has been issued a City business license. Consistent with Section 5.04.210 (A) (6) of the Bell Municipal Code compliance shall be verified prior to issuance of a Business License. Any applicant for said business license shall be required to provide evidence of compliance with this section as the Business License Division deems appropriate.***
- G. Mobile automobile and truck washes with a fixed location shall provide the City with the written permission of the property owner to conduct the use. Consistent with Section 5.04.210 (A) (6) of the Bell Municipal Code compliance shall be verified prior to issuance of a Business License. Any applicant for said business license shall be required to provide evidence of compliance with this section as the Business License Division deems appropriate.***
- H. No mobile automobile and truck washes shall be permitted to operate or be stored on the public right-of-way.***
- I. Mobile automobile and truck washes shall not exceed 1,000 square feet.***
- J. Mobile automobile and truck washes are permitted on private property (e.g., a residence or business), provided that the mobile automobile and truck wash is authorized to be on the property by the property owner or business owner.***

ENVIRONMENTAL REVIEW:

The City, as the Lead Agency, determined that the proposed text amendments are exempt from further review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated there under (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"), because it consists of only minor text revisions and clarifications to existing zoning regulations and procedures related thereto, and will not have the effect of substantially changing regulatory standards or findings required therefore in accordance with CEQA, the proposed text amendment is exempt from CEQA

pursuant to Section 15061(b)(3) because the activity is governed by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. In this case the proposed text amendment will not have a significant effect on the environment.

FISCAL AND RESOURCE IMPACT TO THE CITY:

There will be no fiscal and/or resource impacts to the City as a result of this code amendment.

RECOMMENDATION:

Staff recommends that the Bell Planning Commission recommend that the City Council approve Zone Text Amendment No. 2021-02 adding Chapter 5.57 to Title 5. "Business Licenses and Regulations" Division II "Business Permits and Regulations" of the Bell Municipal Code to establish regulations for mobile automobile and truck washes.

ATTACHMENTS:

- A. Planning Commission Resolution 2021-08PC
- B. Draft Ordinance

RESOLUTION NO. 2021-08 PC

A RESOLUTION OF THE CITY OF BELL PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE ADDING CHAPTER 5.89 TO TITLE 5. "BUSINESS LICENSES AND REGULATIONS" OF THE BELL MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR MOBILE AUTOMOBILE AND TRUCK WASHES

WHEREAS, at a special meeting on May 11, 2021, the Planning Commission recommended that the City Council approve Ordinance 1270. However, the Ordinance did not address abatement periods for legal non-conforming automobile and truck washes in the C-3 zone, nor did it include a definition or regulations for mobile automobile and truck washes; and

WHEREAS, at the City Council meeting of May 26, 2021, staff made the following recommendations:

1. Provide direction on whether to impose abatement periods for legal nonconforming automobile and truck washes; and
2. Direct staff to define and regulate mobile automobile and truck washes, including establishing regulations for such uses; and
3. Read by title only, waive further reading and introduce Ordinance No. 1270. The Planning Commission conducted a public hearing on Ordinance 1270; and

WHEREAS, on July 14, 2021, the Planning Commission opened the public hearing to receive testimony and other evidence regarding the proposed Zoning Code Amendment, including without limitation, information provided to the Planning Commission by City staff; and

WHEREAS, on July 14, 2021, the Planning Commission continued the public hearing to the special meeting on July 22, 2021 Staff recommended that the Planning Commission open the public hearing and continue the matter to the next Special Planning Commission meeting on July 22, 2021 because staff needed additional time to craft the language of the Ordinance; and

WHEREAS, during the July 22, 2021 special Planning Commission meeting, the Planning Commission considered Resolution No. 2021-06 PC, which recommended amendments to Chapters 17.08 "Definitions," of the Bell Municipal Code and Chapter 17.96, "Variances and Conditional Use Permits" to revise the City's regulations regarding automobile and truck wash facilities. There were concerns expressed regarding mobile washes and a draft of the resolution was prepared (while on the record) that deleted references to regulations for mobile automobile and truck washes; and

WHEREAS, on July 22, 2021, the Planning Commission continued the public hearing to the regular Planning Commission meeting on August 4, 2021 to allow for further discussion of regulations for automobile and truck wash facilities, specifically further discussion on mobile washes; and

WHEREAS, at the August 4, 2021 regular Planning Commission meeting, staff sought direction from the Planning Commission on which recommendation to forward to City Council:

Alternative 1. A recommendation to amend Chapters 17.08 “Definitions” and 17.96 “Variances and Conditional Use Permits” to regulate all automobile and truck washes, including stand-alone, ancillary and mobile automobile and truck washes; or

Alternative 2. A recommendation to amend Chapters 17.08 “Definitions” and 17.96 “Variances and Conditional Use Permits” to regulate only stand-alone and ancillary automobile and truck washes.

WHEREAS, after public comment and Commission discussion, the Planning Commission voted to approve Alternative 2; and

WHEREAS, in addition to recommending approval of Alternative 2, the Planning Commission also continued the public hearing to the next regularly scheduled Planning Commission meeting on September 1, 2021, and directed staff to bring back additional information on Federal and State requirements and equipment costs for mobile automobile and truck washes; and

WHEREAS, on September 1, 2021, the Planning Commission approved a resolution recommending that the City Council adopt an ordinance establishing regulations for mobile automobile and truck washes including requiring a CUP for mobile automobile and truck washes; and

WHEREAS, staff also recommended that the existing stand-alone car washes be deemed legal nonconforming uses and structures and permitted to remain in the C-3 zone provided they comply with the Bell Municipal Code including Chapter 17.100 regarding “Nonconforming Uses and Structures”. The Planning Commission approved this staff recommendation; and

WHEREAS, the Alternative 2. Ordinance was brought before the City Council at a public hearing on August 25, 2021 and the Council unanimously approved the first reading of the ordinance; and

WHEREAS, the Ordinance regarding mobile car washes that was approved by the City Council on August 25, 2021 was to be brought before the City Council for a second reading on September 8, 2021. However, at the September 8, 2021 Council meeting, staff recommended that the proposed ordinance be reconsidered by the Planning Commission, particularly whether a Conditional Use Permit (CUP) should be required for mobile automobile and truck washes. After further consideration and communication from a member of the public, staff questioned whether requiring mobile car washes to obtain a CUP could be considered “business friendly”, particularly since some mobile car wash businesses are often smaller operations and also because it is believed that some mobile car wash businesses will only operate in the City on limited occasions. These are the reasons for the above described staff recommendation brought before City Council on September 8, 2021. The City Council approved this staff recommendation and directed staff to bring the CUP requirement for mobile automobile and truck washes back to Planning Commission for reconsideration. As such, staff is coming back to the Commission on this matter.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF BELL DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein.

SECTION 2. Based on substantial evidence, both written and oral, from the public hearing, the Planning Commission makes the following findings:

- A. The proposed Amendment is consistent with the goals and policies of the City's General Plan and is consistent with those provisions of the Zoning Code that will not be amended. Such General Plan goals and policies include, but are not limited to the following:

Land Use and Sustainability Element Policy 1. The City of Bell shall promote development and land uses that are consistent with the General Plan that will address the current and future need of all of the residential and business sectors. The City shall ensure that future land uses will be in compliance with current zoning codes. The City's Zoning Code and map shall also be updated to ensure conformity with the General Plan.

Land Use and Sustainability Element Policy 2. The City of Bell shall undertake a comprehensive review of its zoning and development standards to ensure they meet the current needs. This review process will include land use surveys, site visits to various businesses, and the identification of an implementation strategy.

Land Use and Sustainability Element Policy 3. The City of Bell shall prevent incompatibility among land uses for the health and safety of occupants and the protection of property values. The City shall ensure all new development conforms with surrounding properties as a means to protect the health and safety of occupants and maintain property values.

- B. The proposed Amendment is consistent with state law.
- C. The proposed revisions to the BMC are in the interest of the public and are necessary to comply with state law.
- D. CEQA Findings. The Planning Commission's act of recommending adoption of the Zoning Code Amendment is not subject to CEQA review because it is not an "approval" of the Zoning Code Amendment, as defined in CEQA Guidelines Section 15352, but is rather a recommendation of approval, and therefore does not commit the City to any definite course of action regarding the Zoning Code Amendment.

SECTION 3. On the basis of these findings, the Planning Commission hereby recommends that the City Council add Chapter 5.57 of the Bell Municipal Code to regulate mobile automobile and truck washes.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Bell, California, this 3rd day of November, 2021.

CITY OF BELL

Luis Mesa, Chair

ATTEST:

Angela Bustamante, City Clerk

APPROVED AS TO FORM:

Christy Marie Lopez, Deputy City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, Secretary to the Planning Commission of the City of Bell, hereby attest to and certify that the foregoing ordinance is the original ordinance adopted by the Bell Planning Commission at its regular meeting held on the 3rd day of November, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angela Bustamante, City Clerk

ATTACHMENT "B."

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, AMENDING ADDING CHAPTER 5.58 TO TITLE 5. "BUSINESS LICENSES AND REGULATIONS" DIVISION II "BUSINESS PERMITS AND REGULATIONS" OF THE BELL MUNICIPAL CODE TO ESTABLISH A DEFINITION AND REGULATIONS FOR MOBILE AUTOMOBILE AND TRUCK WASHES

WHEREAS, the City Council desires to add Chapter 5.58 of the Bell Municipal Code ("BMC") to add a definition for Mobile Automobile and Truck Washes and regulations regarding the operation of Mobile Automobile and Truck Washes; and

WHEREAS, the City is responsible for adopting and implementing land use regulations within its boundaries; and

WHEREAS, the BMC does not provide any regulations for Mobile Automobile and Truck Washes; and

WHEREAS, the City has a compelling interest in protecting the public health, safety, and welfare of its citizens, residents, visitors and businesses, and in preserving the peace and quiet of the neighborhoods within the City by regulating the establishment and expansion of Mobile Automobile and Truck Washes (as defined in this Ordinance below) within City limits; and

WHEREAS, the City adopted Interim Urgency Ordinances prohibiting the establishment and/or expansion of Automobile and Truck washes beginning on August 14, 2019. The final Interim Urgency Ordinance expired on July 22, 2021; and

WHEREAS, at a special meeting on May 11, 2021, the Planning Commission recommended that the City Council approve Ordinance 1270. However, the Ordinance did not address abatement periods for legal non-conforming automobile and truck washes in the C-3 zone, nor did it include a definition or regulations for mobile automobile and truck washes; and

WHEREAS, at the City Council meeting of May 26, 2021, staff made the following recommendations:

1. Provide direction on whether to impose abatement periods for legal nonconforming automobile and truck washes; and
2. Direct staff to define and regulate mobile automobile and truck washes, including establishing regulations for such uses; and
3. Read by title only, waive further reading and introduce Ordinance No. 1270. The Planning Commission conducted a public hearing on Ordinance 1270; and

WHEREAS, on July 14, 2021, the Planning Commission opened the public hearing to receive testimony and other evidence regarding the proposed Zoning Code Amendment, including without limitation, information provided to the Planning Commission by City staff; and

WHEREAS, on July 14, 2021, the Planning Commission continued the public hearing to the special meeting on July 22, 2021 Staff recommended that the Planning Commission open the public hearing and continue the matter to the next Special Planning Commission meeting on July 22, 2021 because staff needed additional time to craft the language of the Ordinance; and

WHEREAS, during the July 22, 2021 special Planning Commission meeting, the Planning Commission considered Resolution No. 2021-06 PC, which recommended amendments to Chapters 17.08 “Definitions,” of the Bell Municipal Code and Chapter 17.96, “Variances and Conditional Use Permits” to revise the City’s regulations regarding automobile and truck wash facilities. There were concerns expressed regarding mobile washes and a draft of the resolution was prepared (while on the record) that deleted references to regulations for mobile automobile and truck washes; and

WHEREAS, on July 22, 2021, the Planning Commission continued the public hearing to the regular Planning Commission meeting on August 4, 2021 to allow for further discussion of regulations for automobile and truck wash facilities, specifically further discussion on mobile washes; and

WHEREAS, at the August 4, 2021 regular Planning Commission meeting, staff sought direction from the Planning Commission on which recommendation to forward to City Council:

Alternative 1. A recommendation to amend Chapters 17.08 “Definitions” and 17.96 “Variances and Conditional Use Permits” to regulate all automobile and truck washes, including stand-alone, ancillary and mobile automobile and truck washes; or

Alternative 2. A recommendation to amend Chapters 17.08 “Definitions” and 17.96 “Variances and Conditional Use Permits” to regulate only stand-alone and ancillary automobile and truck washes.

WHEREAS, after public comment and Commission discussion, the Planning Commission voted to approve Alternative 2; and

WHEREAS, in addition to recommending approval of Alternative 2, the Planning Commission also continued the public hearing to the next regularly scheduled Planning Commission meeting on September 1, 2021, and directed staff to bring back additional information on Federal and State requirements and equipment costs for mobile automobile and truck washes; and

WHEREAS, on September 1, 2021, the Planning Commission approved a resolution recommending that the City Council adopt an ordinance establishing regulations for mobile automobile and truck washes including requiring a CUP for mobile automobile and truck washes; and

WHEREAS, staff also recommended that the existing stand-alone car washes be deemed legal nonconforming uses and structures and permitted to remain in the C-3 zone provided they comply with the Bell Municipal Code including Chapter 17.100 regarding “Nonconforming Uses and Structures”. The Planning Commission approved this staff recommendation; and

WHEREAS, the Alternative 2 Ordinance was brought before the City Council at a public hearing on August 25, 2021 and the Council unanimously approved the first reading of the

ordinance; and

WHEREAS, the Ordinance regarding mobile car washes that was approved by the City Council on August 25, 2021 was to be brought before the City Council for a second reading on September 8, 2021. However, at the September 8, 2021 Council meeting, staff recommended that the proposed ordinance be reconsidered by the Planning Commission, particularly whether a Conditional Use Permit (CUP) should be required for mobile automobile and truck washes. After further consideration and communication from a member of the public, staff questioned whether requiring mobile car washes to obtain a CUP could be too onerous, particularly since some mobile car wash businesses are often smaller operations and also because it is believed that some mobile car wash businesses will only operate in the City on limited occasions. These are the reasons for the above described staff recommendation brought before City Council on September 8, 2021. The City Council approved this staff recommendation and directed staff to bring the CUP requirement for mobile automobile and truck washes back to Planning Commission for reconsideration. As such, staff is coming back to the Commission on this matter.

WHEREAS, on November 3, 2021, Resolution 2021-08 with the attached Draft Ordinance was brought before the Planning Commission at a noticed public hearing _____; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein.

SECTION 2. Based on substantial evidence, both written and oral, from the public hearing, the City Council makes the following findings:

- A. The proposed revisions to the Zoning code, as described below, are consistent with the goals and policies of the City's General Plan and are consistent with those provisions of the Zoning Code that will not be amended. The proposed Ordinance addresses anticipated future needs of the commercial business sector; ensures that development standards meet current needs; and prevents incompatibility of future commercial uses. Such General Plan goals and policies include, but are not limited to the following:
 - i. ***Land Use and Sustainability Element Policy 1.*** The City of Bell shall promote development and land uses that are consistent with the General Plan that will address the current and future need of all of the residential and business sectors. The City shall ensure that future land uses will be in compliance with current zoning codes. The City's Zoning Code and map shall also be updated to ensure conformity with the General Plan.
 - ii. ***Land Use and Sustainability Element Policy 2.*** The City of Bell shall undertake a comprehensive review of its zoning and development standards to ensure they meet the current needs. This review process will include land use surveys, site visits to

various businesses, and the identification of an implementation strategy.

- iii. ***Land Use and Sustainability Element Policy 3.*** The City of Bell shall prevent incompatibility among land uses for the health and safety of occupants and the protection of property values. The City shall ensure all new development conforms with surrounding properties as a means to protect the health and safety of occupants and maintain property values.

- B. The proposed revisions to the Zoning Code are consistent with State law.
- C. The proposed revisions to the Zoning Code are in the interest of the public.

SECTION 3. Add Chapter 5.58 to Title 5 “Business Licenses and Regulation: Division II “Business Permits and Regulations” of the Bell Municipal Code to add a definition for Mobile Automobile and Truck Washes as follows:

Section 5.58.010 “Automobile and truck wash facilities - Mobile” means motor vehicle washing and detailing which is capable of moving from one location to another, such as to serve customers at their residences or places of work.

Add new Section 5.58.020 to the BMC to add regulations regarding the regulation of Mobile Automobile and Truck Washes as follows:

Section 5.58.010 Mobile Automobile and Truck Washes Development Standards

ii. Development Standards - The use is subject to the following development standards:

- A. For fixed location mobile automobile and truck washes no outdoor storage is allowed.***
- B. For fixed location mobile automobile and truck washes, site and all street frontages shall be cleared of litter twice each day during operating hours and at close of business each day.***
- C. For fixed location mobile automobile and truck washes, use of sound attenuation walls and landscaping may be required at the discretion of the Community Development Director based on site specific circumstances.***
- D. The mobile automobile and truck wash shall comply with all National Pollution Discharge Elimination System (NPDES) requirements. Consistent with Section 5.04.210 (A.) (6) of the Bell Municipal Code compliance with this requirement shall be certified prior to issuance of a business license.***

- E. The mobile automobile and truck wash shall comply with all Low Impact Development Plan (LID) requirements, as contained in Chapter 13.08 of the BMC. Consistent with Section 5.04.210 (A.) (6) of the Bell Municipal Code compliance shall be certified prior to issuance of a Business License.***
- F. Mobile automobile and truck washes are not permitted within the City limits unless the mobile vehicle is equipped with an approved industrial waste water transportable treatment system and has been issued a City business license. Consistent with Section 5.04.210 (A) (6) of the Bell Municipal Code compliance shall be verified prior to issuance of a Business License. Any applicant for said business license shall be required to provide evidence of compliance with this section as the Business License Division deems appropriate.***
- G. Mobile automobile and truck washes with a fixed location shall provide the City with the written permission of the property owner to conduct the use. Consistent with Section 5.04.210 (A) (6) of the Bell Municipal Code compliance shall be verified prior to issuance of a Business License. Any applicant for said business license shall be required to provide evidence of compliance with this section as the Business License Division deems appropriate.***
- H. No mobile automobile and truck washes shall be permitted to operate or be stored on the public right-of-way.***
- I. Mobile automobile and truck washes shall not exceed 1,000 square feet.***
- J. Mobile automobile and truck washes are permitted on private property (e.g., a residence or business), provided that the mobile automobile and truck wash is authorized to be on the property by the property owner or business owner.***

SECTION 6. Severability. 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 competent jurisdiction, such decision will 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, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Environmental Review. The City has performed a preliminary environmental assessment of this project and, pursuant to CEQA Guidelines, section 15061(b) (3), the City Council finds and determines with certainty that there is no possibility that this project may have a significant effect on the environment. This is because this project is a purely legislative act, establishing procedural standards and requirements, and does not authorize any physical alterations to the environment. Therefore, this project is not subject to the California Environmental Quality Act. Additionally, this action is exempt from CEQA review pursuant to CEQA Guidelines section 15282(h) – the adoption of an ordinance regarding second units in a single-family or multifamily residential zone.

SECTION 8. Effective Date. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption.

SECTION 9. Publication. The City Clerk is directed to cause a summary of this Ordinance to be published within 15 days of its passage in a newspaper of general circulation published and circulated within the City of Bell.

CITY OF BELL

Alicia Romero, Mayor

ATTEST:

Angela Bustamante, City Clerk

APPROVED AS TO FORM:

David Aleshire, City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, City Clerk of the City of Bell, hereby attest to and certify that the foregoing ordinance is the original ordinance adopted by the Bell City Council at its regular meeting held on the _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angela Bustamante, City Clerk