

CITY OF HAWAIIAN GARDENS
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 507

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF HAWAIIAN GARDENS, CALIFORNIA,
AMENDING THE REDEVELOPMENT PLAN FOR
PROJECT AREA NO. 1 OF THE COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF
HAWAIIAN GARDENS TO EXTEND THE TIME
LIMIT OF THE EFFECTIVENESS OF SAID PLAN
PURSUANT TO SENATE BILL 1096 (CHAPTER 211
STATS. 2004.)**

WHEREAS, the Redevelopment Plan for Project Area No. 1 (the "Plan") of the Community Redevelopment Agency of the City of Hawaiian Gardens (the "Agency") was approved by the City Council by Ordinance No. Ordinance No. No. 138 and as modified by Amendments No.1 and No.2 (Ordinance Nos. 259 and 309, respectively), and adopted on November 27th, 1973; and

WHEREAS, Assembly Bill 1290 ("AB 1290"), Chapter 942 of the 1993 California Statutes, amended the Community Redevelopment Law, Health & Safety Code Section 33333.6, relating to time limits on establishing debt and redevelopment plan activities by redevelopment agencies; and

WHEREAS, pursuant to Assembly Bill 1290, the City Council by Section 1 of Ordinance No. 445 amended the Plan setting January 1, 2004 as the time limit within which the Agency may establish or incur loans, advances, and indebtedness; and

WHEREAS, Senate Bill 211 ("SB 211"), Chapter 741 of the 2001 California Statutes, further amended Health & Safety Code Section 33333.6 to authorize the City Council to eliminate the time limit on the establishment of loans, advances, and indebtedness required of the Agency pursuant to that section prior to January 1, 2002, by adoption of an ordinance, without having to comply with Section 33354.6 or Article 12 (commencing with Section 33450) of the Health & Safety Code pertaining to the amendment of redevelopment plans; and

WHEREAS, pursuant to SB 211, on February 10, 2004, the City Council adopted Ordinance No. 490, which rescinded Section 1 of Ordinance No. 445 and eliminated the time limit within which the Agency may establish loans, advances, and indebtedness; and

WHEREAS, Senate Bill 1045 ("SB 1045"), Chapter 260 of the 2003 California Statutes, added Health & Safety Code Section 33681.9, requiring the Agency during the 2003-2004 fiscal year to make a payment for deposit in the County of Los Angeles Educational Revenue Augmentation Fund in the amount of approximately \$200,950.00; and

WHEREAS, SB 1045 further added Health & Safety Code Section 33333.2(c) to provide that when an agency is required to make a payment to the County Educational Revenue Augmentation Fund pursuant to Section 33681.9, the City Council may amend the Plan to extend the time limit of the effectiveness of the Plan and the time limit to repay indebtedness by one year, by adoption of an ordinance, without having to comply with Section 33354.6 or Article 12 (commencing with Section 33450) of the Health & Safety Code pertaining to the amendment of redevelopment plans; and

WHEREAS, pursuant to SB 1045, on February 10, 2004, the City Council adopted Ordinance No. 490, which amended the Plan to extend by one year the time limit on the effectiveness of the Plan and the time limit to repay indebtedness; and

WHEREAS, Senate Bill 1096 ("SB 1096"), Chapter 211 of the 2004 California Statutes, added Health & Safety Code Section 33681.12, requiring the Agency during the 2004-2005 and 2005-2006 fiscal year to make additional payments for deposit in the County of Los Angeles Educational Revenue Augmentation Fund in the amount of approximately \$392,395.00 and \$392,395.00, respectively; and

WHEREAS, SB 1096 further amended Section 33333.2 to allow an agency to amend the Plan to extend the time limit of the effectiveness of the Plan and the time limit to repay indebtedness by one year for each year a payment is made to the County Educational Revenue Augmentation Fund; and

WHEREAS, the City Council finds that the Agency is in compliance with Health & Safety Code Sections 33334.2 and Section 33334.6, has adopted an implementation plan in accordance with the requirements of Section 33490, is in compliance with Section 33413(a) and (b), and is not subject to sanctions pursuant to Section 33334.12(e); and

WHEREAS, the City Council of the City of Hawaiian Gardens finds that the monies paid to the County of Los Angeles Educational Revenue Augmentation Fund would otherwise have been used to pay the costs of programs, projects and activities necessary to carry out the goals and objectives of the redevelopment plan.

NOW THEREFORE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

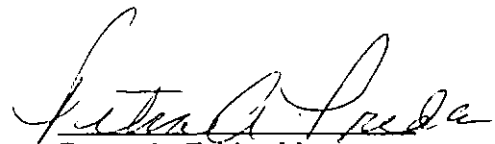
SECTION 1. Findings. The recitals as set forth above are true and correct and are incorporated herein.

SECTION 2. The Plan is hereby amended to extend by two years the time limit on the effectiveness of the Plan and the time limit to repay indebtedness.

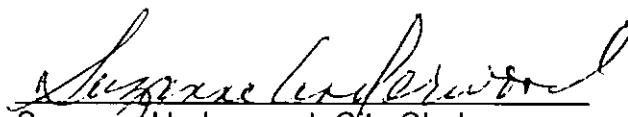
SECTION 3. Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid, unconstitutional or ineffective by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid, unconstitutional or ineffective.

SECTION 4. Effective Date. This ordinance shall take effect and be in full force and operation from and after thirty (30) days of its final passage and adoption. The City Clerk or the City Clerk's duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED AND ADOPTED this 22nd day of June, 2006.


Petra A. Prida, Mayor

ATTEST:


Suzanne Underwood, City Clerk

**CITY OF HAWAIIAN GARDENS
CITY CLERK'S OFFICE
CERTIFICATION**

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF HAWAIIAN GARDENS)

I, Lucie Colombo, Assistant City Clerk of the City of Hawaiian Gardens, do hereby certify that **Ordinance No. 507**, was duly and regularly introduced and placed upon its first reading at a Regular meeting of the City Council on the 13th day of June, 2006, and that thereafter, said Ordinance was duly adopted and passed at an Adjourned Regular meeting of the City Council on this **22nd day of June, 2006**, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES: CHAIDEZ, OYAMA-CANADA, SCHULTZE , HECKERMAN AND
 PRIDA
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

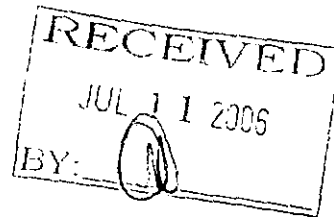


LUCIE COLOMBO
ASST. CITY CLERK / ASST. RECORDS MANAGER

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Los Cerritos Community News
13047 Artesia Blvd., Suite C 102, Cerritos, CA 90703
(562) 407-3873

County Clerk's Filing Stamp



STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Los Cerritos Community News, a newspaper of general circulation, printed and published one time each week in the County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of September 9, 1996.

Case Number V5005861 that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit: 6/30/06

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Cerritos, California,

This 30th day of June, 2006

Signature Elizabeth Vital
Elizabeth Vital

Los Cerritos Community News
13047 Artesia Blvd., Suite C 102, Cerritos, CA 90703
(562) 407-3873

LCCN FORM 82180 PROOF

CITY OF HAWAIIAN GARDENS
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 507

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR PROJECT AREA NO. 1 OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF HAWAIIAN GARDENS TO EXTEND THE TIME LIMIT OF THE EFFECTIVENESS OF SAID PLAN PURSUANT TO SENATE BILL 1096 (CHAPTER 211 STATS. 2004.)

WHEREAS, the Redevelopment Plan for Project Area No. 1 (the "Plan") of the Community Redevelopment Agency of the City of Hawaiian Gardens (the "Agency") was approved by the City Council by Ordinance No. Ordinance No. No. 138 and as modified by Amendments No.1 and No.2 (Ordinance Nos. 259 and 309, respectively), and adopted on November 27th, 1973; and

WHEREAS, Assembly Bill 1290 ("AB 1290"), Chapter 942 of the 1993 California Statutes, amended the Community Redevelopment Law, Health & Safety Code Section 33333.6, relating to time limits on establishing debt and redevelopment plan activities by redevelopment agencies; and

WHEREAS, pursuant to Assembly Bill 1290, the City Council by Section 1 of Ordinance No. 445 amended the Plan setting January 1, 2004 as the time limit within which the Agency may establish or incur loans, advances, and indebtedness; and

WHEREAS, Senate Bill 211 ("SB 211"), Chapter 741 of the 2001 California Statutes, further amended Health & Safety Code Section 33333.6 to authorize the City Council to eliminate the time limit on the establishment of loans, advances, and indebtedness required of the Agency pursuant to that section prior to January 1, 2002, by adoption of an ordinance, without having to comply with Section 33354.6 or Article 12 (commencing with Section 33450) of the Health & Safety Code pertaining to the amendment of redevelopment plans; and

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WHEREAS, Senate Bill 1045 ("SB 1045"), Chapter 260 of the 2003 California Statutes, added Health & Safety Code Section 33681.9, requiring the of the Plan and the time limit to repay indebtedness by one year, by adoption of an ordinance, without having to comply with Section 33354.6 or Article 12 (commencing with Section 33450) of the Health & Safety Code pertaining to the amendment of redevelopment plans; and

WHEREAS, pursuant to SB 1045, on February 10, 2004, the City Council adopted Ordinance No. 490, which amended the Plan to extend by one year the time limit on the effectiveness of the Plan and the time limit to repay indebtedness; and

WHEREAS, Senate Bill 1096 ("SB 1096"), Chapter 211 of the 2004 California Statutes, added Health & Safety Code Section 33681.12, requiring the Agency during the 2004-2005 and 2005-2006 fiscal year to make additional payments for deposit in the County of Los Angeles Educational Revenue Augmentation Fund in the amount of approximately \$392,395.00 and \$392,395.00, respectively; and

WHEREAS, SB 1096 further amended Section 33333.2 to allow an agency to amend the Plan to extend the time limit of the effectiveness of the Plan and the time limit to repay indebtedness by one year for each year a payment is made to the County Educational Revenue Augmentation Fund; and

WHEREAS, the City Council finds that the Agency is in compliance with Health & Safety Code Sections 33334.2 and Section 33334.6, has adopted an implementation plan in accordance with the requirements of Section 33490, is in compliance with Section 33413(a) and (b), and is not subject to sanctions pursuant to Section 33334.12(e); and

WHEREAS, the City Council of the City of Hawaiian Gardens finds that the monies paid to the County of Los Angeles Educational Revenue Augmentation Fund would otherwise have been used to pay the costs of programs, projects and activities necessary to carry out the goals and objectives of the redevelopment plan.

NOW THEREFORE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings. The recitals as set forth above are true and correct and are incorporated herein.

SECTION 2. The Plan is hereby amended to extend by two years the time limit on the effectiveness of the Plan and the time limit to repay indebtedness.

SECTION 3. Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid, unconstitutional or ineffective by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid, unconstitutional or ineffective.

SECTION 4. Effective Date. This ordinance shall take effect and be in full force and operation from and after thirty (30) days of its final passage and adoption. The City Clerk or the City Clerk's duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED AND ADOPTED this 22nd day of June, 2006.

Petra A. Prida, Mayor

ATTEST:

Suzanne Underwood, City Clerk

CITY OF HAWAIIAN GARDENS
CITY CLERK'S OFFICE
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF HAWAIIAN GARDENS)

I, Lucie Colombo, Assistant City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 507, was duly and regularly introduced and placed upon its first reading at a Regular meeting of the City Council on the 13th day of June, 2006, and that thereafter, said Ordinance was duly adopted and passed at an Adjourned Regular meeting of the City Council on this 22nd day of June, 2006, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES: CHAIDEZ, OYAMA-CANADA, SCHULTZE, HECKERMAN AND PRIDA
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

LUCIE COLOMBO
ASST. CITY CLERK / ASST. RECORDS MANAGER

PUBLISHED BY THE LOS CERRITOS COMMUNITY NEWS JUNE 30, 2006

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Los Cerritos Community News
13047 Artesia Blvd., Suite C 102, Cerritos, CA 90703
(562) 407-3873

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Los Cerritos Community News, a newspaper of general circulation, printed and published one time each week in the County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of September 9, 1996.

Number V5005861 that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit: 05/26/06

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Cerritos, California,

This 26th day of May, 2006

Signature

Elizabeth Vital
Elizabeth Vital

Los Cerritos Community News
13047 Artesia Blvd., Suite C 102, Cerritos, CA 90703
(562) 407-3873

LCCN FORM 82180 PROOF

County Clerk's Filing Stamp



CITY OF HAWAIIAN GARDENS
CITY COUNCIL

NOTICE OF PUBLIC HEARING
NOTICIA PARA UNA AUDIENCIA PUBLICA

Notice is hereby given that City of Hawaiian Gardens will conduct a public hearing pertaining to the item(s) listed below:

DATE OF HEARING: Tuesday, JUNE 13, 2006
TIME OF HEARING: 8:00 P.M., or soon thereafter.
LOCATION OF HEARING: City Council Chambers
City of Hawaiian Gardens
21815 Pioneer Boulevard
Hawasian Gardens, CA. 90716

HEARING ITEM.

NOTICE OF PROPOSED ORDINANCE NO. 507
EXTENDING THE TIME LIMIT OF
REDEVELOPMENT PROJECT AREA NUMBER ONE

Notice is hereby given that pursuant to Senate Bill (SB) 1096, the City of Hawaiian Gardens shall conduct a public hearing wherein the City Council will consider an ordinance extending the time limit for the Hawaiian Gardens Community Redevelopment Agency Project Area Number One.

The Public Hearing will be held at the regular meeting of the City Council to be held at 8:00 p.m. on Tuesday, June 13, 2006, City Council Chambers, 21815 Pioneer Boulevard, Hawaiian Gardens, CA 90716.

INVITATION TO BE HEARD

Those persons desiring to testify in favor of or in opposition to the proposal listed above will be given an opportunity to do so at the public hearing. If you challenge the Ordinance, 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 Hawaiian Gardens at, or prior to, the public hearing.

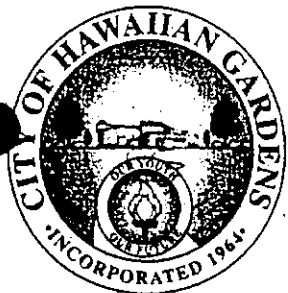
Any correspondence regarding this matter should be sent to the City Clerk, City Hall, 21815 Pioneer Boulevard, Hawaiian Gardens, California. For further information, please contact Suzanne Underwood, City Clerk at (562) 420-2641.

Si desea obtener mas informacion, llame al Departamento de Financiamiento (562) 420-2641.

Sue Underwood
City Clerk / Records Manager

PUBLISHED BY THE LOS CERRITOS COMMUNITY NEWS MAY 26, 2006

PH Notice:
Ord No. 507



**CITY OF HAWAIIAN GARDENS
CITY COUNCIL
STAFF REPORT**

Agenda Item No.: B-1

Meeting Date: 6/22/2006

City Administrator: MEM

CITY OF HAWAIIAN GARDENS

ACTION:

☒ Approved
☐ Denied
☐ Amended
☐ Receive & File
☐ Other

VOTE: 5-0

DATE: 6/22/06

TO: Honorable Mayor and Members of the Council

THRU: Ernesto Marquez, Acting City Administrator

FROM: John Cavanaugh, City Attorney

DATE: June 15, 2006

SUBJECT: Ordinance No. 507 – Extending the Time Limit of the Redevelopment Plan

DISCUSSION

In 2003, as a result of financial troubles, the State adopted Senate Bill (SB) 1045 requiring redevelopment agencies to contribute funds towards the County's Education Revenue Augmentation Fund (ERAF). For Hawaiian Gardens, this amounted to approximately \$200,950 in Agency Funds. Also included in the legislation was a provision to assist agencies with the adverse effects of the required contribution. The provision specified that cities could extend the time limit of the Redevelopment Plan by one year, therefore allowing agencies to collect revenues and issue debt an additional year. Subsequently, In January 2004 the City Council adopted Ordinance No. 490, taking advantage of this extension provision.

SB1096

In 2004, once again the State found itself in the midst of severe budget woes and adopted SB 1096 requiring that both cities and agencies contribute into the ERAF during Fiscal Years (FY) 2005 and 2006. During FY 2005, the Agency has provided \$392,395.00 and in FY 2006, the Agency has provided an additional \$392,395.00. The State is once again allowing agencies to extend their life by one year they make a payment into the ERAF. Therefore, Agency Area Number One may be extended an additional two years.

In accordance with SB 1096, we notified by letter the 17 taxing agencies that may be affected by an amendment to our Redevelopment Plan. Our City Attorney has reviewed the Senate Bill and drafted the attached ordinance.

COUNCIL ACTION:

It is recommended that the City Council , read by title only, waive further reading, and adopt Ordinance No. 507 extending the time limit of the effectiveness of the Redevelopment Plan and place it on the next regular agenda for adoption.

Attachments:

Ordinance No. 507

PROOF OF PUBLICATION
(2015.5 C.C.P.)

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(562) 407-3873

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Los Cerritos Community News, a newspaper of general circulation, printed and published one time each week in the County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of September 9, 1996.

Case Number V5005861 that the notice, of which the annexed is a red copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit: 03/17/06

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Cerritos, California,

This 17 day of MARCH, 2006

Signature Elizabeth Vital
Elizabeth Vital

Los Cerritos Community News
13047 Artesia Blvd., Suite C 102, Cerritos, CA 90703
(562) 407-3873

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RECEIVED
BY: _____



CITY OF HAWAIIAN GARDENS
NOTICE OF PUBLICATION OF ORDINANCE SUMMARY
(ORDINANCE NO. 505)

NOTICE IS HEREBY GIVEN that Ordinance No. 505 of the City of Hawaiian Gardens was introduced on February 28, 2006, adopted on March 14, 2006, and summarized as follows:

ORDINANCE NO. 505

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AMENDING GARDENS MUNICIPAL CODE BY REPEALING TITLE 18 IN ITS ENTIRETY, ADDING TITLE 18, PERTAINING TO THE COMPREHENSIVE AMENITY CITY'S ZONING CODE, AND CHANGES TO THE ZONING MAP TO THE GENERAL PLAN LAND USE MAP.

This Ordinance repeals the existing Title 18 Zoning Code in its entirety with a new Title 18 Zoning Code. The changes conform the Zoning Code to the adopted General Plan, to state and federal law, and to other provisions of the Municipal Code. In particular, this Ordinance eliminates inconsistencies in the General Plan by having the Zoning Code reflect the land use designations and development intensities of the General Plan. This Ordinance eliminates conflicts with state law with respect to variances, conditional use permit subdivisions, condominiums, accessory dwelling units, care facilities, gaming facilities, density bonuses, mobile homes, and the National Pollution Discharge Elimination System (NPDES). This Ordinance eliminates inconsistent regulations of the City and the rest of the City's Municipal Code, including schedule, warrant process, Card Club ordinance, noise regulations, vendors and business licenses. This Ordinance also provides more streamlined processing for accessory uses and structures, parking setbacks, outdoor uses, temporary uses, property maintenance, requirements, permit processing, and appeals. This ordinance was so considered at the City Council meeting of March 14, 2006. A certified text of the proposed ordinance shall be posted in the office of the City Clerk.

PASSED FOR PUBLICATION, SUMMARY BY THE CITY ATTORNEY on this 14th day of March, 2006, by the following vote:

AYES: CHAIDEZ, HECKERMAN, OYAMA-CANADA, SCHULTZ
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

ATTEST:

SUZANNE UNDERWOOD, CITY CLERK

PUBLISHED BY THE LOS CERRITOS COMMUNITY NEWS MARCH 17, 2006

CALIFORNIA,
OF LOS ANGELES

an of the United States and a resident of the County
m over the age of eighteen years, and not a party to or
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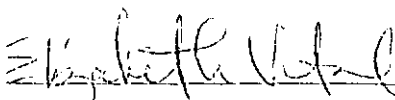
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03/17/06

r declare) under penalty of perjury that the
true and correct.

ritos, California,

day of MARCH, 2006



Elizabeth Viral

Los Cerritos Community News
sia Blvd., Suite C 102, Cerritos, CA 90703
(562) 407-3873

LCCN FORM 82180 PROOF



CITY OF HAWAIIAN GARDENS
NOTICE OF PUBLICATION OF ORDINANCE SUMMARY
(ORDINANCE NO. 505)

NOTICE IS HEREBY GIVEN that Ordinance No. 505 of the City of Hawaiian Gardens was introduced on February 28, 2006, adopted on March 14, 2006, and is entitled and summarized as follows:

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This Ordinance repeals the existing Title 18 Zoning Code in its entirety and replaces it with a new Title 18 Zoning Code. The changes conform the Zoning Code to the City's adopted General Plan, to state and federal law, and to other provisions in the City's Municipal Code. In particular, this Ordinance eliminates inconsistencies with the General Plan by having the Zoning Code reflect the land use designations and allowable development intensities of the General Plan. This Ordinance eliminates inconsistencies with state law with respect to variances, conditional use permits, specific plans, subdivisions, condominiums, accessory dwelling units, care facilities, affordable housing, gaming facilities, density bonuses, mobile homes, and the National Pollutant Discharge Elimination System (NPDES). This Ordinance eliminates inconsistencies with other regulations of the City and the rest of the City's Municipal Code, including the City's bail schedule, warrant process, Card Club ordinance, noise regulations, and regulations for vendors and business licenses. This Ordinance also provides more precise standards and streamlined processing for accessory uses and structures, parking requirements, yard setbacks, outdoor uses, temporary uses, property maintenance, signs, application requirements, permit processing, and appeals. This ordinance was scheduled for further consideration at the City Council meeting of March 14, 2006. A certified copy of the full text of the proposed ordinance shall be posted in the office of the City Clerk.

PASSED FOR PUBLICATION, SUMMARY BY THE CITY ATTORNEY AND ADOPTED this 14th day of March, 2006, by the following vote:

AYES: CHAIDEZ, HECKERMAN, OYAMA-CANADA, SCHULTZE AND PRIDA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ATTEST:

SUZANNE UNDERWOOD, CITY CLERK

PUBLISHED BY THE LOS CERRITOS COMMUNITY NEWS MARCH 17, 2006



**CITY OF HAWAIIAN GARDENS
NOTICE OF PUBLICATION OF ORDINANCE SUMMARY
(ORDINANCE NO. 505)**

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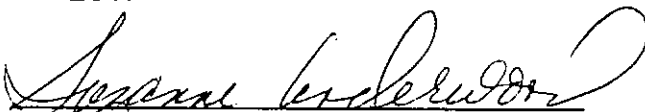
AYES: CHAIDEZ, HECKERMAN, OYAMA-CANADA, SCHULTZE AND PRIDA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ATTEST:


SUZANNE UNDERWOOD, CITY CLERK

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Los Cerritos Community News
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(562) 407-3873

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STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County of Los Angeles, aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Los Cerritos Community News, a newspaper of general circulation, printed and published one time each week in the County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of September 9, 1996.

Case Number V5005801 that the notice, of which the annexed is a true and correct copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit: 12/23/05

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Cerritos, California.

This 23 day of December, 2005

Signature Elizabeth Vital
Elizabeth Vital

Los Cerritos Community News
13047 Artesia Blvd., Suite C 102, Cerritos, CA 90703
(562) 407-3873

LCCN FORM 82180 PROOF

CITY OF HAWAIIAN GARDENS
ORDINANCE NO. 504

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS APPROVING AND AMENDING HAWAIIAN GARDENS MUNICIPAL CODE SECTION 2.08.010 TO PROVIDE A SALARY ADJUSTMENT FOR MEMBERS OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS, REPEALING ORDINANCE NO. 466 AND ADJUSTING THE BUDGET FOR FISCAL YEAR 2005-2006.

WHEREAS, California Government Code Section 36516(a) establishes a salary for City Council Members based on City population; and

WHEREAS, California Government Code Section 36516(c) provides for an annual increase not to exceed an amount equal to five (5%) percent for each calendar year from the operative date of the last City Council salary adjustment (November 2003); and

WHEREAS, by adoption of Ordinance No. 504 the City Council hereby establishes City Councilmember's salaries; and

WHEREAS, the City Council's previous salary compensation adjustment was by Ordinance No. 466 on June 26, 2001; and

WHEREAS, Government Code Section 36516.5 provides for adjustment of compensation of all members of a council serving staggered terms whenever one or more members of such council becomes eligible for a salary increase by virtue of such Council Member(s) beginning a new term of office; and

WHEREAS, a new term of office for one or more Council Members occurred at the general municipal election on November 8, 2005 at which time all Council Members are entitled to an adjustment in compensation equal to five percent (5%) annually for calendar years 2004 and 2005.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS AS FOLLOWS:

Section 1: Chapter 2.08, Section 2.080.010 of the Hawaiian Gardens Municipal Code, is hereby amended to read as follows:

"Section 2.08.010: Council Member Salaries: Pursuant to California Government Code Section 36516, upon the seating of new Council Members after the General Municipal Election in November 8, 2005, Council Member salaries shall be set per month, wherein after, pursuant to California Government Code Section 36516.5 upon the seating of new Council Members after the General Municipal Election, Council Member salaries shall be set at \$721.85 per month."

Section 2: Ordinance No. 466 is hereby repealed.

Section 3: The Finance Director shall be authorized and directed to amend the budget for Fiscal Year 2005-2006, accordingly.

Section 4: This Ordinance No. 504 shall take effect thirty (30) days from the date of its adoption. The City Clerk, or his/her duly appointed Deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

Section 5: If any section, subsection, subdivision, sentence, clause, or phrase of this Ordinance No. 504 is, for any reason, held to be unconstitutional or otherwise invalid, 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 section, subsection, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional.

PASSED, APPROVED, AND ADOPTED THIS 20TH DAY OF DECEMBER, 2005, BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN

PETRA A. PRIDA
MAYOR

ATTEST:
SUZANNE UNDERWOOD
CITY CLERK

CITY OF HAWAIIAN GARDENS
CITY CLERKS OFFICE
CERTIFICATION

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF HAWAIIAN GARDENS

I, SUZANNE UNDERWOOD, CITY CLERK, of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 504 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 20th day of DECEMBER, 2005, By the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES: SCHULTZE, HECKERMAN, PRIDA
NOES: NONE
ABSENT: OYAMA-CANADA CHAIDEZ
ABSTAIN: NONE

SUZANNE UNDERWOOD
CITY CLERK

Published At LCCN 12/23 2005

PROOF OF PUBLICATION

(2015.5 C.C.P.)

Los Cerritos Community Newspaper Group
13047 Artesia Blvd. Suite C-102, Cerritos, CA 90703
(562) 407-3873

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter.

I am the principal clerk of the printer of the Los Cerritos Community News, a newspaper of general circulation, printed and published one time each week in the County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of September 9, 1996, in Case Number V5005861 that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

10-14-05

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED AT CERRITOS, CALIFORNIA,

THIS 14 DAY OF October, 2005

Signature

Elizabeth Vital

Elizabeth Vital

Los Cerritos Community News
13047 Artesia Blvd. Suite C-102, Cerritos, CA 90703
562-407-3873

LCCN FORM 82180 PROOF

County Clerk's Filing Stamp

RECEIVED
OCT 20 2005

BY: _____

ORDINANCE NO. 503

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS APPROVING A REQUEST SUBMITTED BY FARZAD ESSAPOUR TO CHANGE THE HAWAIIAN GARDENS ZONING MAP FROM R-2 (MULTI-FAMILY RESIDENTIAL) TO C-4 (GENERAL COMMERCIAL) FOR TWO PARCELS OF THE PROPERTY LOCATED AT 22424-46 NORWALK (ASSESSOR PARCEL NUMBERS 7076-033-908,909), HAWAIIAN GARDENS, CALIFORNIA.

WHEREAS, the subject property is currently owned by the Redevelopment Agency of the City of Hawaiian Gardens and will be sold to Farzad Essapour via a Development and Disposition Agreement; and

WHEREAS, the applicant has submitted an application Case Number 05-74ZC to change the Hawaiian Gardens Zoning Map from R-2 (Multi-Family Residential) to C-4 (General Commercial) for the easterly two parcels of the subject property (APN's 7076-033-908 and 909), legally described as Lots 11 and 20, Block M, Tract No. 7114; and

WHEREAS, a General Plan Amendment for the property is concurrently being processed, to change the Land Use Element Land Use Map designation, from Medium Density Residential to General Commercial for the easterly two parcels of the subject property (APN's 7076-033-908 and 909) through Case Number 05-73GPA; and

WHEREAS, a Conditional Use Permit (CUP) for the subject property is concurrently being processed, to allow for the construction of a new car wash facility through Case Number 05-66CUP; and

WHEREAS, a Conditional Use Permit (CUP) for the subject property is concurrently being processed, to allow for the construction of a new fuel station facility through Case Number 05-67CUP; and

WHEREAS, no potentially significant environmental impacts are found to occur as a result of Case No. 05-074ZC provided the proposed conditions of approval are adopted; and

WHEREAS, on August 26, 2005, an advertisement was published in the Los Cerritos Community News; and on August 24, 2005, notices were mailed to property owners within 300 feet of the subject property specifying the date, time and location of the public hearing; and notices placed at the City Hall, Lee Ware Park, Lakewood Mobile Home Park, and the subject site; and

WHEREAS, Section 65860 of the California Government Code requires City Zoning to be consistent with the adopted General Plan; and

WHEREAS, Sections 65854 to 65857 of the California Government Code and Section 18.38.020 of the Hawaiian Gardens Municipal Code authorize the Planning Commission to consider and recommend proposed zone changes to the City Council; and

WHEREAS, Section 18.38.025(B) of the Hawaiian Gardens Municipal Code specifies that the Planning Commission shall make specific findings as to whether or not the proposed amendment is consistent with the policies of the Hawaiian Gardens General Plan and the purposes of Title 18 (Zoning Code), and shall recommend approval, conditional approval, or disapproval of the proposal; and

WHEREAS, on September 14, 2005 the Hawaiian Gardens Planning Commission held a duly noticed and advertised public hearing approving Resolution No. 05-12ZC recommending approval of Zone Change No. 05-74ZC; and

WHEREAS, on September 27th, 2005 the Hawaiian Gardens City Council held a duly noticed and advertised public hearing to receive oral and written testimony relative to Zone Change 05-74ZC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hawaiian Gardens as follows:

Section 1. The City Council finds and determines that the proposed amendment is potentially significant, negative declaration and Hawaiian Gardens and conditions of impacts to a level of less than significant.

Section 2. The City Council finds and determines that the proposed amendment is consistent with the provisions of Section 18.38.020 of the Municipal Code in that it is consistent with the General Plan.

A. The proposed amendment is consistent with the Hawaiian Gardens General Plan.

FINDING: The City Council finds that Case Number 05-74ZC is consistent with the General Plan. The new car wash facility and fuel station facility are consistent with the General Plan Amendment proposal, and consistent with the Hawaiian Gardens General Plan.

B. The proposed amendment is consistent with the Hawaiian Gardens General Plan.

FINDING: The City Council finds that Case Number 05-74ZC is consistent with the General Plan. The proposed retail bulk storage facility is consistent with the purpose and intent of the General Plan, and the widest range of impacts, including regional impacts, are consistent with the proposed zoning of a Conditional Use Permit.

Section 3. The City Council finds and determines that the proposed amendment is consistent with the Hawaiian Gardens General Plan, and the purposes of Title 18 (Zoning Code), and shall recommend approval, conditional approval, or disapproval of the proposal; and

Section 4. The City Council finds and determines that the proposed amendment is consistent with the Hawaiian Gardens General Plan, and the purposes of Title 18 (Zoning Code), and shall recommend approval, conditional approval, or disapproval of the proposal; and

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Hawaiian Gardens.

ATTEST:
LEONARD CHEN
MAYOR

SUZANNE UNICOMB
CITY CLERK

PUBLISHED

Proposed Zoning Map Amendment

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS,
APPROVING A REQUEST SUBMITTED BY FARZAD ESSAPOUR, FOR AN AMENDMENT TO
CHANGE THE HAWAIIAN GARDENS ZONING MAP FROM R-2 (MULTI-FAMILY RESIDENTIAL)
TO C-4 (GENERAL COMMERCIAL) FOR TWO PARCELS ADJOINING
THE PROPERTY LOCATED AT 22424-46 NORWALK BOULEVARD,
(ASSESSOR PARCEL NUMBERS 7076-033-908,909), HAWAIIAN GARDENS, CALIFORNIA**

WHEREAS, the subject property is currently owned by the Redevelopment Agency of the City of Hawaiian Gardens and will be sold to Farzad Essapour via a Development and Disposition Agreement; and

WHEREAS, the applicant has submitted an application Case Number 05-74ZC to change the Hawaiian Gardens Zoning Map from R-2 (Multi-Family Residential) to C-4 (General Commercial) for the easterly two parcels of the subject property (APN's 7076-033-908 and 909), legally described as Lots 11 and 20, Block M, Tract No. 7114; and

WHEREAS, a General Plan Amendment for the property is concurrently being processed, to change the Land Use Element Land Use Map designation from Medium Density Residential to General Commercial for the easterly two parcels of the subject property (APN's 7076-033-908 and 909) through Case Number 05-73GPA; and

WHEREAS, a Conditional Use Permit (CUP) for the subject property is concurrently being processed, to allow for the construction of a new car wash facility through Case Number 05-66CUP; and

WHEREAS, a Conditional Use Permit (CUP) for the subject property is concurrently being processed, to allow for the construction of a new fuel station facility through Case Number 05-67CUP; and

WHEREAS, no potentially significant environmental impacts are found to occur as a result of Case No. 05-074ZC provided the proposed conditions of approval are adopted; and

WHEREAS, on August 26, 2005, an advertisement was published in the Los Cerritos Community News; and on August 24, 2005, notices were mailed to property owners within 300 feet of the subject property specifying the date, time and location of the public hearing; and notices placed at the City Hall, Lee Ware Park, Lakewood Mobile Home Park, and the subject site; and

WHEREAS, Section 65860 of the California Government Code requires City Zoning to be consistent with the adopted General Plan; and

WHEREAS, Sections 65854 to 65857 of the California Government Code and Section 18.38.020 of the Hawaiian Gardens Municipal Code authorize the Planning Commission to consider and recommend proposed zone changes to the City Council; and

WHEREAS, Section 18.38.025(B) of the Hawaiian Gardens Municipal Code specifies that the Planning Commission shall make specific findings as to whether or not the proposed amendment is consistent with the policies of the Hawaiian Gardens General Plan and the purposes of Title 18 (Zoning Code), and shall recommend approval, conditional approval, or disapproval of the proposal; and

WHEREAS, on September 14, 2005 the Hawaiian Gardens Planning Commission held a duly noticed and advertised public hearing approving Resolution No. 05-12ZC recommending approval of Zone Change No. 05-74ZC; and

WHEREAS, on September 27th, 2005 the Hawaiian Gardens City Council held a duly noticed and advertised public hearing to receive oral and written testimony relative to Zone Change 05-74ZC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hawaiian Gardens as follows:

Section 1. The City Council of the City of Hawaiian Gardens **FINDS AND DETERMINES** that Case No. 05-74ZC will not create potentially significant environmental impacts, and therefore will a negative declaration pursuant to the California Environmental Quality Act and Hawaiian Gardens Environmental Guidelines. Design of the and conditions of approval have been added to reduce the potential impacts to a level of insignificance.

Section 2. The City Council of the City of Hawaiian Gardens **FINDS AND DETERMINES** that Case No. 05-74ZC meets the requirements of Section 18.38.025 (B) of the City of Hawaiian Gardens Municipal Code in that:

A. The proposed amendment is consistent with the policies of the Hawaiian Gardens General Plan.

FINDING: The proposed zoning designation, as proposed through Case Number 05-74ZC is consistent with the Land Use Element General Plan. The proposed project would permit the construction of a new car wash facility, fuel station and associated commercial building. The proposed zoning designation is being considered concurrently with the subject proposal, anticipating approval, the proposed zoning designation is consistent with the General Plan Land Use Element Land Use Map.

B. The proposed amendment is consistent with the purposes of Title 18 of the Hawaiian Gardens Municipal Code (Zoning)

FINDING: The proposed zoning designation, as proposed through Case Number 05-74ZC is consistent with the Hawaiian Gardens Municipal Code. The change will allow for a new car wash, fuel station and associated retail building. The change would bring the subject parcels into consistency with the adjoining C-4 properties directly to the west. The purpose and intent of the C-4 Designation is to designate areas for a widest range of office/professional and retail commercial activities including regional shopping centers and heavy commercial uses. The proposed zoning designation allows for the proposed uses with a Conditional Use Permit, being processed concurrently.

Section 3. The City Council **HEREBY APPROVES** Case Number 05-74ZC, reclassifying the zoning map of the properties legally described as Lots 11 and 20, Block M, Tract No. 7114 (APN's 7076-033-908 and 909) from R-2 (Multi-Family Residential) to C-4 (General Commercial) shown on the attached map.

Section 4. The Mayor is hereby authorized to affix his signature to this ordinance signifying its adoption by the City Council. The City Clerk is directed to attest thereto.

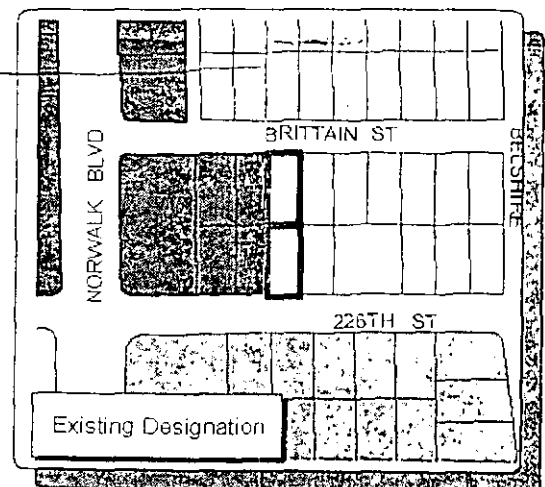
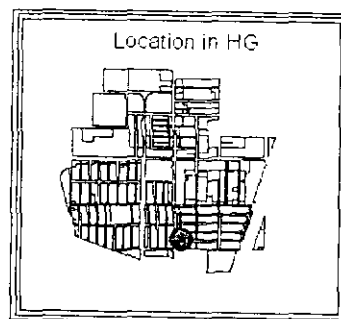
PASSED, APPROVED, AND ADOPTED by the Hawaiian Gardens City Council Commission on this 11th day of October 2005.

ATTEST:
LEONARD CHAIDEZ
MAYOR

SUZANNE UNDERWOOD
CITY CLERK

**PUBLISHED BY LOS CERRITOS COMMUNITY NEWS,
OCTOBER 14, 2005**

Proposed Zoning Map Amendment



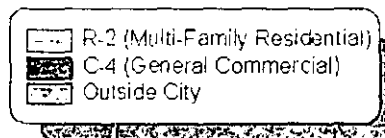
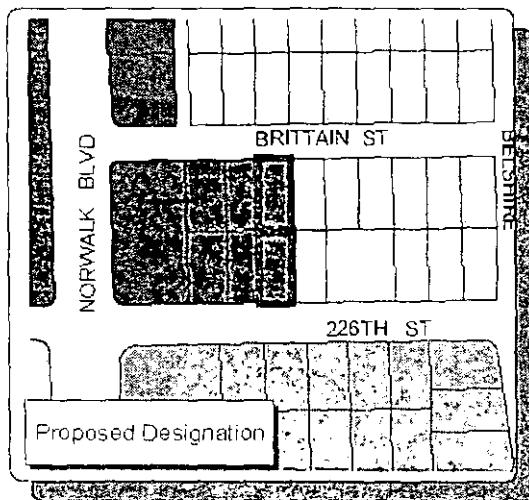
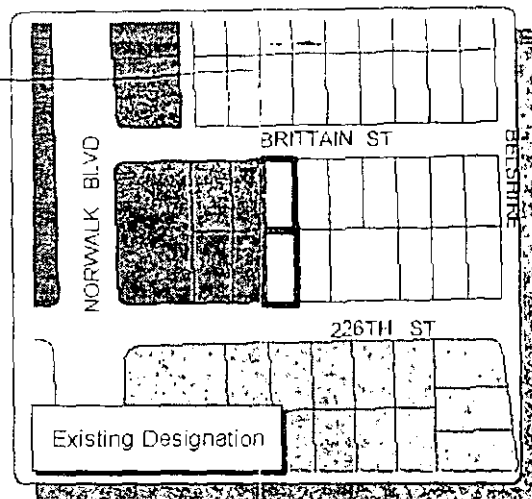
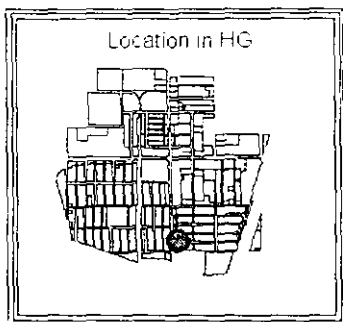
WHEREAS, on September 27th, 2005 the Hawaiian Gardens City Council held a duly noticed and advertised public hearing to receive oral and written testimony relative to Zone Change 05-74ZC.

SUZANNE UNDERWOOD
CITY CLERK

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hawaiian Gardens as follows:

PUBLISHED BY LOS CERRITOS COMMUNITY NEWS,
OCTOBER 14, 2005

Proposed Zoning Map Amendment



100 0 100 Feet

II. INTRODUCTION

A. BACKGROUND

After the comprehensive update of the City's General Plan in 1992 and adoption of the new General Plan in 1994, the Zoning Code has not been revised to be consistent with the General Plan. Thus, some areas of the City currently have land use designations that do not match their applicable zoning. In addition, the allowable densities in the General Plan and the Zoning Code are not consistent. These inconsistencies often lead to confusion on the allowable development on individual parcels. While the General Plan would generally supercede the Zoning Map, often, a need for a General Plan Amendment or a Zone Change is required for new developments or redevelopments.

Through the years, changes in State and Federal laws have also made the City's Zoning Code inconsistent with the mandates of the State and Federal governments. A number of code enforcement issues have also come up in the interpretation of the current Zoning Code. In addition, the permit process is also largely subject to City Council approval and can make minor and simple applications costly and lengthy. The City is seeking to resolve these issues as part of the proposed Zoning Code Update.

In 2004, the City Council imposed a 2-year moratorium on the approval of multi-family housing development of three units or more. The moratorium provided the City of Hawaiian Gardens with time to evaluate the development trends in the City in order to better understand the problems and issues associated with these trends, as well as find alternative ways to address these issues through available land use control mechanisms. As part of this effort, the City is seeking to obtain more quality development through changes in the development standards in the Zoning Code and the implementation of design guidelines.

The objectives of the proposed Zoning Code amendment include:

- To make the zoning designations in the Zoning Map consistent with the land use designations in the City's Land Use Map;
- To have the same density standards between the General Plan and Zoning Code;
- To make the Zoning Code consistent with State and Federal laws;
- To make the Zoning Code consistent with other City ordinances;
- To streamline the permit process; and
- To make the Zoning Code easier to use.

B. SITE DESCRIPTION

The proposed Zoning Code would regulate all development in the City and thus, would apply to all land within the City limits. The City of Hawaiian Gardens is developed primarily with residential uses, with the majority of the homes in the City built in the 1960's. The existing land uses in the City include single-family detached units and two-family residential units that are found predominantly on the northeastern, southeastern, and southwestern sections of the City, with multi-family developments located at the

eastern and northwestern sections, along Juan, Belshire, Claretta, Verne and Hawaiian Avenues, Norwalk Boulevard, Centralia Road, and 226th Street. Commercial developments are generally located along Carson Street and Norwalk Boulevard, which are the major north-south and east-west streets that cut through the center of the City. Industrial uses are limited to the northwestern edge of the City on Centralia Road and along the south side of Carson Street, east of Norwalk Boulevard.

Vacant land in the City is limited to approximately 36 infill lots found at scattered locations. These cover a total of 5.1 acres and represent less than 1 percent of the City's total land area. Thus, opportunities for new development in the City are limited to new structures on these infill vacant lots; demolition and redevelopment of currently developed lots with more intensive development or with different land uses; or the addition of new structures within the open areas of currently developed lots.

The changes to the Zoning Map only affect parcels whose General Plan land use designations are different than their zoning designations. In these areas, the zoning would be changed to reflect the General Plan land use designation. This will result in a Zoning Map with the same designations as the City's Land Use Map.

C. PROPOSED ZONING CODE CHANGES

The Zoning Code implements the Hawaiian Gardens General Plan by providing site-specific zoning and development standards for all parcels located within the jurisdictional boundaries of the City of Hawaiian Gardens. To clarify the City's intent on the allowable land uses and permitted development densities in the City, the proposed amendment of the Zoning Code would eliminate inconsistencies between the General Plan and Zoning Code by having the Zoning Code reflect the land use designations and allowable development intensities of the General Plan. This would unify the goals of the General Plan and Zoning Code and would provide a more precise guide for the development, redevelopment, and use of land in the City.

The changes to the Zoning Code include zoning categories that match directly with the General Plan land uses designations. Similarly, identical allowable densities between the land use designations and zoning are being proposed. This would result in the adjustment of zoning designations and the boundaries for some areas in the City.

Changes to the Zoning Code have also been made in response to changes in State legislation, to ensure that the City complies with the requirements of State law. These include regulations on variances, conditional use permits, specific plans, subdivisions, condominiums, accessory dwelling units, care facilities, affordable housing, gaming facilities, density bonuses, mobile homes, National Pollutant Discharge Elimination System (NPDES), etc. Definitions and development standards have been changed to reflect current California regulations and applicable Federal law. Similarly, the Zoning Code has been revised to be consistent with other regulations of the City of Hawaiian Gardens and the rest of the City's Municipal Code. These include the City's bail schedule, warrant process, Card Club ordinance, noise regulations, and regulations for vendors and business licenses.

A more precise declaration of the development standards has also been provided, to avoid a narrow application of the zoning requirements and to improve the property development standards for the City. These apply to accessory uses and structures, parking requirements, yard setbacks, outdoor uses, temporary uses, property maintenance, signs, application requirements, permit processing, and appeals. Design guidelines have been provided to promote quality development and improvements to the quality of life in the City.

At the same time, the enforcement of the Zoning Code has been changed to reduce processing times by allowing the Community Development Director and Planning Commission to make decisions on some permits, rather than have all development permit applications be decided by the City Council.

D. PROPOSED ZONING MAP CHANGES

The proposed changes in the Zoning Map are shown in Exhibits 1 to 3, showing individual parcel zone changes for the Southwest, Southeast and North areas.

These changes would make the Zoning Map reflect the land use designations for each parcel, as found in the General Plan Land Use Map. Most of these changes would also reflect existing land uses in the City but some changes would result in non-conforming land uses in some parts of the City. However, as provided in the proposed Zoning Code, existing land uses that would be rendered nonconforming under the proposed Zoning Code would be allowed to continue to operate as legal nonconforming uses, provided they were established in accordance with City regulations in effect at the time of construction or start of operations.

Thus, no displacement of existing developments that do not comply with the proposed Zoning Code would occur. These uses would be allowed to continue to remain in place. However, new development and redevelopment projects in the City would be required to comply with the proposed Zoning Code, allowing the City to transition slowly over time and comply with the proposed Zoning Code.

E. OBJECTIVES OF ZONING CODE AMENDMENT

The proposed Zoning Code is intended to achieve the following objectives:

1. To implement the City of Hawaiian Gardens General Plan;
2. To provide a precise guide for the development, redevelopment, and use of land in the City;
3. To secure for the residents of the City the social and economic advantages resulting from the planned and orderly use of its land resources;
4. To classify, designate, regulate, and encourage the type, location, and use of buildings, structures, and land;

5. To establish conditions which allow desirable land uses to exist in harmony and to protect them from intrusion by inharmonious or harmful land uses;
6. To prevent undue intensity of land use or development, to avoid population overcrowding, to maintain a suitable balance between developed land and open space;
7. To permit the development of office, retail, commercial, industrial, and transportation related uses, in order to strengthen the City's economic base;
8. To ensure that adequate off-street parking and loading facilities are provided and to promote a safe and effective traffic circulation system;
9. To ensure that the demands do not exceed the capacities of existing streets, utilities, or public services; and
10. To protect the health and general welfare of the community by regulating the relationships of land uses to each other and promoting land use compatibility.

III. ANALYSIS

A. INTRODUCTION

The City Council has requested that the City's Zoning Code be updated to address several land use and planning concerns in the City. These include:

- ◆ Inconsistency of the zoning designations in the Zoning Map with the land use designations in the City's Land Use Map
- ◆ Inconsistency of the density standards between the General Plan and Zoning Code
- ◆ Inconsistency of the Zoning Code with State and Federal laws
- ◆ Inconsistency of the Zoning Code with other City ordinances
- ◆ Lengthy permit processing
- ◆ Development quality in the City
- ◆ Property maintenance
- ◆ Code interpretation and enforcement
- ◆ Development density and adequacy of available services

The City's Zoning Code has been revised to address these concerns through changes in the zoning designations and allowable density and intensity of development, changes in the Zoning Map, changes in development standards and design guidelines; changes in the permitting process, and a comprehensive update of the Code.

B. LAND USE

No changes to the General Plan designations or the City's Land Use Map would occur with the proposed Zoning Code and Zoning Map changes. Rather, the Zoning Map would be revised to reflect the land use designations in the General Plan Land Use Map.

Most of the zoning changes would reflect existing land uses on individual parcels. These include changes to the Zoning Map to designate public facilities through the PF designation for schools, hospitals, fire and police stations, parks, civic centers, and churches. The affected areas are specifically developed with these public uses.

A new overlay zone has also been added to the commercial designation - Card Club Overlay – to reflect the City's Card Club Ordinance. A new Specific Plan Overlay has been proposed, as well as an overlay for Planned Developments (PD). The proposed Park overlay is a floating zone for the development of a future park in the City. These overlay zones are existing designations that reflect existing land uses.

The proposed Zoning Code would not lead to any direct change in existing land uses in the City. Existing developments would be allowed to remain in place, even if they do not conform to the standards in the proposed Zoning Code. However, the operation and use of some developments would change, as they are required to comply with the new standards for property maintenance and as the amortization period for signs, nonconforming uses and structures and initial permit use are reached. Generally, existing land uses and developments would not be changed with the proposed Zoning Code.

C. GENERAL PLAN CONSISTENCY

The consistency of the proposed Zoning Code Amendment with the goals, objectives and policies of the Hawaiian Gardens General Plan was analyzed below.

1. Land Use Element

The Land Use Element provides goals and policies related to the physical development of land within the City and its Sphere of Influence. The Element includes a Land Use Map that shows the permitted land uses on different parcels in the City, along with standards of development density and intensity. The proposed changes to the Zoning Code and Zoning Map would reflect the land use designations in the Land Use Map and thus, would make the Zoning Code consistent with the goals, objectives, and policies of the Land Use Element.

2. Circulation Element

The Circulation Element provides goals and policies related to the development of a transportation network that would support the existing and planned development in the City, as provided in the Land Use Element. The Circulation Element also includes a Circulation Map that designates roadways in the City and identifies the ultimate right-of-way for roadways in the City. The proposed amendment would not affect the transportation network in the City and no change to roadway designations is proposed.

3. *Housing Element*

The Housing Element identifies the City's goals, policies and programs relating to the provision of adequate housing to existing and future residents of the City, by identifying the needs of existing households and projected increase in population. The Element also develops programs to meet its regional housing needs. The proposed amendment would reflect the residential designations in the Land Use Map of the General Plan and would be consistent with the Housing Element.

4. *Conservation Element*

The Conservation Element provides goals and policies for the conservation of natural resources in the City, including soils, water, biotic, cultural, and energy resources. The proposed amendment does not conflict with the goals, objectives and policies of the Conservation Element.

5. *Open Space and Recreation Element*

The Open Space and Recreation Element provides goals and policies for the preservation of open space areas and the provision of parks and recreational facilities. The proposed amendment would facilitate the development of an additional park in the City through the Park overlay zone. Standards for street trees, sidewalks, parking and parks in the proposed Zoning Code are consistent with the policies in the Open Space and Recreation Element.

6. *Noise Element*

The Noise Element characterizes the existing noise environment, identifies existing noise sources, projects the noise environment at build out of the City, and provides goals, policies and programs for maintaining acceptable noise levels. The proposed Zoning Code includes noise regulations consistent with the goals and policies of the Noise Element.

7. *Safety Element*

The Safety Element identifies natural and other hazards in the area and provides goals, policies and programs to protect existing and future land uses from these hazards. The proposed Zoning Code and Zoning Map changes would not create hazards or expose existing and future development to hazards and thus, is consistent with the Safety Element.

8. *Air Quality Element*

The Air Quality Element has been included in the General Plan as part of the City's local efforts in improving regional air quality. The proposed Zoning Code and changes to the Zoning Map do not conflict with the goals, objectives, and policies of the Air Quality Element.

9. *Waste Element*

The Waste Element has been included in the General Plan to address solid waste disposal, source reduction, and recycling programs in the City. The proposed Zoning Code and changes to the Zoning Map do not conflict with the goals, objectives, and policies of the Waste Element.

10. *Economic Element*

The Economic Element addresses the provision of jobs and businesses in the City and outlines the City's goals and programs for economic revitalization. The proposed Zoning Code and changes to the Zoning Map do not conflict with the goals, objectives, and policies of the Economic Element.

11. *Capital Improvement Element*

The Capital Improvement Element identifies the utility infrastructure and public facility needs of the City and outlines the goals and programs for the development and upgrade of needed improvements and services. The proposed Zoning Code and changes to the Zoning Map do not conflict with the goals, objectives, and policies of the Capital Improvement Element.

As provided in the analysis above, the proposed Zoning Code and changes to the Zoning Map under would not conflict with the goals, objectives, and policies in the Hawaiian Gardens General Plan. The proposed amendment would make the Zoning Code more consistent with the General Plan and would better implement the goals, objectives, and policies in the General Plan. No conflict with the Hawaiian Gardens General Plan is expected with the proposed Zoning Code.

D. *DEVELOPMENT STANDARDS*

The proposed changes to the Zoning Code would not lead to immediate development in the City. Future development in the City would be subject to the new development standards in the proposed Zoning Code. Changes to the development standards in the Zoning Code would promote quality development in the City and enhance the quality of life for the citizens of Hawaiian Gardens.

E. *PUBLIC SERVICES*

Fire protection services in the City are provided by the Los Angeles County Fire Department. The Los Angeles County Sheriff's Department provides police protection services. The proposed changes to the Zoning Code would not affect fire and police protection services. Future development in the City would continue to be subject to review by the Los Angeles County Fire Department and the Los Angeles County Sheriff's Department, as part of the plan check process. The proposed Zoning Code and Zoning Map changes would not affect public services.

F. UTILITIES AND SERVICE SYSTEMS

Various utility service agencies provide services to the City of Hawaiian Gardens. Underground and overhead lines are present within public rights-of-way. No change in utility services is needed for the proposed changes to the Zoning Code. Future development in the City would still need to coordinate with utility agencies for new service. The proposed Zoning Code would not affect utilities and service systems.

G. ENVIRONMENTAL ISSUES

No development is proposed as part of the changes to the Zoning Code and Zoning Map and no development is expected to occur soon after the revisions to the Zoning Code are adopted that are directly associated with the proposed amendment. No environmental issues are anticipated to be of concern with the proposed amendment.

H. HGMC ADMINISTRATIVE REGULATIONS

No development is proposed as part of the changes to the Zoning Code and Zoning Map. Changes to the Administrative Regulations of the City are proposed as part of the amendment to streamline the permit process in the City. Thus, the proposed amendment would have a positive affect on the City's Administrative Regulations.

IV. ENVIRONMENTAL ANALYSIS

Staff has completed an Initial Study for the proposed Zoning Code update, which analyzed the potential impacts of the project. Based on the findings of the Initial Study, the proposed Zoning Code update and the changes to the Zoning Map would not have the potential for creating significant adverse impacts on the environment. Compliance with existing regulations and standard conditions would ensure that future development in the City, as regulated by the revised Zoning Code, would have no significant adverse impacts.

The Planning Commission recommends adoption of a Negative Declaration, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

V. FINDINGS

The Planning Commission finds that the proposed amendment conforms to and is consistent with the City's General Plan. The proposed changes to the Zoning Code and Zoning Map would achieve the objectives outlined above, as well as address the inconsistencies inherent in the current Zoning Code.

Specifically, the proposed zoning designations would match the land use designations in the General Plan Land Use Map, including the allowable density standards for each

designation. The changes would also make the Zoning Code consistent with State and Federal laws, as well as other sections of the City's Municipal Code.

The proposed changes to the administration of the Zoning Code would clarify the permit requirements, as well as shorten the permit process. It would also facilitate code enforcement by the City by clarifying the process that the City will use to enforce the provisions in the proposed Zoning Code.

The revised development standards in the proposed Zoning Code are expected to encourage quality development in the City and promote property maintenance. Design guidelines are also provided so that future developments in the City are compatible with the character of the neighborhood and are not detrimental to the orderly and harmonious development of the City.

Section 18.38.025.B of the HGMC specifies that the Planning Commission shall make specific findings as to whether or not the proposed amendment is consistent with the Hawaiian Gardens General Plan and the purposes of the Zoning Code, and shall recommend approval, conditional approval, or disapproval of the proposal. Staff finds that the proposed amendment is consistent with the General Plan, and the purposes of the Zoning Code, as shown in Ordinance No. 505.

VI. PLANNING COMMISSION MEETING

At the regular meeting of the Planning Commission held on February 22, 2006, the Public Commission adopted Resolution No. 06-033 and finds that the proposed Zoning Code and Map Amendment is consistent with the Hawaiian Gardens General Plan and recommends approval of Ordinance No. 505.

VII. RECOMMENDATION

Staff respectfully recommends that the City Council conduct a public hearing, waive further reading, read by title only and introduce for first reading Ordinance No. 505. Staff further recommends that the City Council designate the City Attorney to prepare the Ordinance Summary for Ordinance No. 505.

VIII. ATTACHMENTS

1. Ordinance No. 505
2. Exhibit "A" - Proposed Zoning Code
3. Zoning Map
4. Exhibit 1 – North Area proposed zone changes
5. Exhibit 2 – Southwest Area proposed zone changes
6. Exhibit 3 – Southeast Area proposed zone changes
7. Initial Study
8. Notice of Intent to Adopt a Negative Declaration
9. Negative Declaration