



AGENDA

CITY OF HUNTINGTON PARK PLANNING COMMISSION

Regular Meeting
Wednesday, August 16, 2017 at 6:30 p.m.

Huntington Park City Hall
City Council Chambers
6550 Miles Avenue
Huntington Park, California 90255

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 6550 Miles Avenue, Huntington Park, California or by telephone at (323) 584-6230. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

NOTE: Any person who has a question concerning any agenda item may contact the Community Development Department at (323) 584-6210. Materials related to an item on this agenda are available for inspection in the office of the Community Development Department at 6550 Miles Avenue, Huntington Park, California during the hours of 7:00 a.m. to 5:30 p.m., Monday through Thursday.

Assembly Bill No. 2674 amended several provisions of the Ralph M. Brown Act (Section 54950 et seq. of the Government Code) effective January 1, 1987. This bill prohibits the legislative body from taking any action on any item, which did not appear on the agenda, which was posted 24 hours prior to the Planning Commission meeting. If action is necessary on subject matter, which the public presents, the matter should be presented in writing to the Planning Division for placement on the agenda by Thursday noon prior to the next Planning Commission meeting.

CALL TO ORDER

ROLL CALL

Chair Vacant
Vice Chair Eduardo Carvajal
Commissioner Angelica Montes
Commissioner Luz Gomez
Commissioner Irving Pacheco

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

For both open and closed session each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from

one meeting to another. ***This is the only opportunity for public input except for scheduled public hearing items.***

CONSENT ITEMS

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time the Commission votes on the motion unless members of the Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for separate action.

1. **ADOPT RESOLUTION NO. 1459-R** – A Resolution of the Planning Commission of the City of Huntington Park, State of California, revoking a Conditional Use Permit in connection with real property located at 3256 Gage Avenue, Huntington Park, California.

REGULAR AGENDA

1. **STUDY SESSION** – To consider a Zone Ordinance Amendment Relating to Charter School Development Standards

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Discuss the item under consideration and direct staff to prepare a Zone Ordinance Amendment for Planning Commission consideration.

PUBLIC HEARING

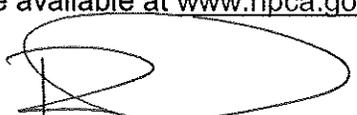
STAFF COMMENTS

PLANNING COMMISSION COMMENTS

ADJOURNMENT

The City of Huntington Park Planning Commission will adjourn to a Regular Meeting on Wednesday, September 20, 2017 at 6:30 p.m.

I, Rodrigo Pelayo, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at City of Huntington Park City Hall and made available at www.hpca.gov on the 10th of August 2017.



Rodrigo Pelayo, Assistant Planner

1 **NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF**
2 **HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS**
3 **FOLLOWS:**

4 **SECTION 1:** The revocation of Conditional Use Permit No. 1459 has been reviewed
5 for compliance with the California Environmental Quality Act (CEQA) and is found to be
6 exempt from CEQA under Section of 15321 for Enforcement Actions by Regulatory
7 Agencies.

8 **SECTION 2:** The Planning Commission finds that in accordance with Section 9-
9 2.1112 of the Huntington Park Municipal Code, a Conditional Use Permit may be revoked or
10 modified by the Commission if any one of the following findings can be made:

- 11 1. That circumstances been changed by the applicant to a degree that one or
12 more of the findings contained in the original permit can no longer be made in
13 a positive manner and the public health, safety and welfare require the
14 revocation;
- 15 2. That the Conditional Use Permit was issued, in whole or in part, on the basis
16 of a misrepresentation or omission of a material statement in the application,
17 or in the applicant's testimony presented during the public hearing, for the
18 entitlement or permit;
- 19 3. That the use for which the Conditional Use Permit was granted had ceased or
20 was suspended for six (6) or more months;
- 21 4. That one or more of the conditions of the Conditional Use Permit have not
22 been met;
- 23 5. That the use is in violation of any statute, ordinance, law or regulation; or
- 24 6. That the use permitted by the Conditional Use Permit is detrimental to the
25 public health, safety or welfare or constitutes a nuisance.

26 **SECTION 3:** The Planning Commission finds that pursuant to Section 9-2.1112(4) of
27 the Huntington Park Municipal Code, "one or more of the conditions of the Conditional Use
28 Permit have not been met."

1 The Planning Commission finds that pursuant to Section 9-2.1112(5) of the Huntington Park
2 Municipal Code, "the use is in violation of any statute, ordinance, law or regulation."

3 The Planning Commission finds that pursuant to Section 9-2.1112(6) of the Huntington Park
4 Municipal Code, "the use permitted by the Conditional Use Permit is detrimental to the
5 public health, safety or welfare or constitutes a nuisance."

6 **SECTION 4:** Based on the evidence in the record and the findings contained herein,
7 the Planning Commission hereby revokes Conditional Use Permit No. 1459.

8 **SECTION 5:** This resolution shall not become effective until 15 days after the date of
9 decision rendered by the Planning Commission, unless within that period of time it is
10 appealed to the City Council. The decision of the Planning Commission shall be stayed until
11 final determination of the appeal has been effected by the City Council.

12 **SECTION 6:** The Secretary of the Planning Commission shall certify to the adoption
13 of this resolution and a copy thereof shall be filed with the City Clerk.

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1 **PASSED, APPROVED, AND ADOPTED** this 9th day of August, 2017 by the following

2 vote:

3 AYES: Pacheco, Montes, Gomez, Chair Martinez

4 NOES:

5 ABSTAIN:

6 ABSENT: Carvajal

7 HUNTINGTON PARK PLANNING COMMISSION

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Chairperson

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14 ATTEST:

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18 Secretary

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CITY OF HUNTINGTON PARK

PLANNING COMMISSION AGENDA REPORT

DATE: August 16, 2017

TO: Honorable Chairperson and Members of the Planning Commission

ATTENTION: Sergio Infanzon, Director of Community Development

FROM: Carlos Luis, Senior Planner

SUBJECT: Study Session to Consider a Zone Ordinance Amendment Relating to Charter School Development Standards

RECOMMENDATION: Consider and direct Staff to prepare Zone Ordinance Amendments for Planning Commission consideration.

BACKGROUND:

- ***Study Session***

Municipal Codes, over time, require amendments as a result of changes to Federal and State Law, advancements in technology, or changes in land use trends. Typically, the first step in the amendment process is to hold a study session with the City's Planning Commission.

This Study Session will initiate the amendment process by allowing the Planning Commission to provide input and direction on specific criteria or development standards necessary to mitigate the issues of concern raised by charter schools.

On September 6, 2016, the City Council adopted a 45-day urgency ordinance establishing a temporary moratorium on the establishment and operation of charter schools within the City.

Subsequently, on October 18, 2016, the City Council adopted a 10-month 15-day time extension of the moratorium.

PLANNING COMMISSION AGENDA REPORT

Study Session – Zone Ordinance Amendment Charter Schools

August 16, 2017

Page 2 of 5

DISCUSSION:

- ***Current Code***

According to the Huntington Park Municipal Code (HPMC), schools are defined as either public or private institutions of learning for minors that offer instruction in those courses of study required by the California Education Code, or which is maintained in compliance with the standards set by the State Board of Education. Examples include nursery school, kindergarten, elementary school, junior high school, senior high school or any special institution of education. Based on the definition, the City has determined that Charter Schools fall within this definition.

Private schools are conditionally permitted in the Residential Medium (R-M), Residential High (R-H), Commercial Professional (C-P), Commercial Neighborhood (C-N), and Commercial General (C-G) zones.

- ***Issues of Concern***

The City has experienced issues that have raised concerns resulting from existing and recently approved charter schools. The issues included:

1. Defining charter schools,
2. Permitted Zones,
3. Development Standards - proximity to other educational institutions, traffic/circulation, parking, and open space requirements.

The HPMC currently does not have specific development standards that address the issues of concern.

- ***Definitions/Classifications***

One option to consider is to specifically include charter schools into the existing definition of “schools.” Currently, the code does not clearly include “charter schools.” Another option to consider is to create new definitions or classifications for educational institutions. For example, creating an umbrella classification for educational institutions and breaking the educational institutions into two classifications: 1) High Intensity and 2) Low Intensity. Examples of high intensity educational institutions would

PLANNING COMMISSION AGENDA REPORT

Study Session – Zone Ordinance Amendment Charter Schools

August 16, 2017

Page 3 of 5

include trade, vocational, business, certification, martial arts dance, schools or etc. Examples of low intensity schools would include private or public schools providing K-12 educations, charter schools, etc. If the direction is to create two classifications, requirements for both will need to be created. For the purposes of this Study Session, the focus will be on charter schools; however, when the complete Zone Ordinance Amend is proposed, language will be included for the both classifications.

- ***Permitted Zones***

As noted, the City conditionally permits charter schools within the Residential Medium (R-M), Residential High (R-H), Commercial Professional (C-P), Commercial Neighborhood (C-N), and Commercial General (C-G) zones. As part of the Study Session, the City may consider to continue to allow charter schools in the zones noted above. Alternatively, the City could consider modifying the zones in which charter schools are conditionally permitted. For example, the City could conditionally allow them in the residential zones and prohibit them in the commercial zones or vice versa.

- ***Development Standards***

- ***Off-Street Parking and Circulation***

Off-street parking requirements for charter schools is not specifically provided by the HPMC. Historically, the City has utilized the parking ratio of one space for each 10 children the facility is licensed to serve. This off-street parking requirement pertains to nurseries, pre-schools, and day cares.

Utilizing the parking requirement for nurseries, pre-schools, and day cares has raised concerns. Specifically, whether the application of this standard is providing sufficient parking to meet the demands of a charter school. Recently, the City has experienced substantial parking issues with recent charter school developments. The issue has been that charter school parking demand has exceed capacity. As a result, vehicle parking has spilled onto neighboring streets. The overflow has exacerbated the City's on-street parking conditions.

PLANNING COMMISSION AGENDA REPORT

Study Session – Zone Ordinance Amendment Charter Schools

August 16, 2017

Page 4 of 5

By creating a specific off-street parking development standard for charter schools and similar uses, the City can attempt to prevent problems associated with overflow parking spilling onto adjacent streets. For example, the City may consider establishing an off-street parking of one parking space for every three students plus one parking space for every teacher and faculty member. For a hypothetical school consisting of 400 students and 30 facility members, a total of 134 spaces would be required for the students and 30 spaces for the facility. The grand total would be 164 spaces. By providing this standard of parking, it is also conceivable that sufficient parking will be provided for typical school operations and for special events held throughout the year such as back to school night, open house, and seasonal performances. It is worth noting that the Commission may direct staff to explore an alternative parking requirement.

On-site circulation has also raised concerns. Specifically, during peak hours in the morning and afternoon, charter schools have experienced high volume of vehicles dropping off and picking up students. This has contributed to long vehicle cuing lines that spill onto the neighboring streets. The spillover has caused heavy congestion. Other issues created by heavy vehicular traffic include, double parking, student drop off occurring in the middle of the street, etc. By requiring specific designated drop off and pick up areas with adequate vehicular cuing, the negative impacts to City streets can be reduced.

➤ ***Distance Requirements***

The siting of charter schools adjacent to existing schools has also raised concerns and contributed to the parking and circulation problems. The demand imposed on City streets often times is exceeded due to the high concentration of vehicles at one given time (i.e. school start time and end time). When schools start and end roughly around the same time, the streets are flooded with vehicles.

In order to alleviate the demand on City streets, the City can consider requiring a distance separation requirement. An example could be to require a minimum of a 1,000 foot distance separation between schools. This would prevent schools from locating next to each other or within close

PLANNING COMMISSION AGENDA REPORT

Study Session – Zone Ordinance Amendment Charter Schools

August 16, 2017

Page 5 of 5

proximity (i.e. across the street). The distance requirement can be eliminated or modified and is open for discussion.

➤ *Open Space Requirements*

Schools operated by the Los Angeles Unified School District in the City provide open space for their students. These spaces consist of playgrounds, sports fields, outdoor lunch areas, and in some instances as indoor gym facilities. The purpose of the open space is to provide students with areas for recreation and physical activity.

Currently, the HPMC does not have a requirement for charter schools to provide open space. One way of requiring open space is to propose a ratio of open space to number of student enrollment. For instance, the City could require a minimum of 50 square feet of open space per student enrolled. As an example, a charter school with the enrollment of 400 students would require a total of 20,000 square feet of open space would be required. The requirement is open for discussion and can be modified as deemed necessary.

CONCLUSION:

The issues discussed in this report are utilized as a starting point. The Planning Commission may request that additional items be included as part of the Zone Ordinance Amendment. Comments, suggestions, or recommendations raised during the study session process will be incorporated into the proposed Zoning Ordinance Amendments and will be brought back for Planning Commission consideration.