



PLEASE SEE ATTACHED SPECIAL NOTICE FOR INSTRUCTIONS ON VIRTUAL MEETING

- I. **CALL TO ORDER: A REGULAR PLANNING COMMISSION MEETING - 6:30 P.M.**
- II. **ROLL CALL:** Commissioners Uva, Ortiz, Duarte, and Chair Duarte
- III. **PLANNING COMMISSIONER ANNOUNCEMENTS; REQUEST FOR FUTURE AGENDA ITEMS; AND CONFERENCE/MEETING REPORTS:**
- IV. **PRESENTATIONS:**
- V. **REPORT ON CITY COUNCIL ACTION:**
- VI. **PUBLIC HEARINGS:**

	<u>RECOMMENDED ACTION</u>
1. <u>PLN-22-00037 (Secondary Driveway)</u>	Approval
Location: 13205 Blodgett Avenue	
Request: A request for a secondary driveway for recreational vehicle storage on property zoned R-1 5,000 (Single-Family Residential)	
CEQA: Categorical Exemption – Section 15304 (Class 4, Minor Alterations to Land)	
Staff: Associate Planner Gerardo Marquez	
Contact: gmarquez@downeyca.org 562-904-7154	
- VII. **NON-AGENDA PUBLIC COMMENTS:** This portion of the agenda provides an opportunity for the public to address the Planning Commission on non-agenda, consent and other business items within the jurisdiction of the Planning Commission and not listed on the agenda. It is requested, but not required, that you state your name, address and subject matter upon which you wish to speak. Please limit your comments for non-agenda items to no more than four (4) minutes. Pursuant to the Brown Act, no discussion or action, other than a brief response, referral to the City Planning staff or schedule for a subsequent agenda, shall be taken by the Planning Commission on any issue brought forth under this section.
- VIII. **CONSENT CALENDAR ITEMS:** Items in this section will be voted on in one motion unless Commissioner requests separate actions. Further, any Consent Calendar items removed from the agenda will be considered by the Commission following the public hearing items.
- IX. **OTHER BUSINESS:**
- X. **STAFF MEMBER COMMENTS:**



- XI. **ADJOURNMENT:** To Wednesday, August 3, 2022 at 6:30 pm, at Downey City Hall, 11111 Brookshire Avenue, Downey, CA. 90241.

NOTICE: SECTION 9806 – APPEALS

Any person aggrieved or affected by any final determinations of the Commission concerning an application for action of an administrative nature, including a variance or a permit, or any condition or requirement thereon, or upon the failure of the Commission to make its findings and determinations within thirty (30) days after the closure of the hearing thereon, no later than fifteen (15) calendar days, (Exception: subdivisions. no later than ten (10) calendar days) after the date of the decision or of the Commission's failure to make a determination, may file with the City Planner a written notice of appeal there from to the Council. Such appeal shall set forth specifically wherein it is claimed the Commission's findings were in error, and wherein the decision of the Commission is not supported by the evidence in the matter, and wherein the public necessity, convenience, and welfare require the Commission's decision to be reversed or modified

Supporting documents are available at: www.downeyca.org; City Hall-Planning Division, 11111 Brookshire Avenue, Monday – Friday, 7:30 a.m. – 5:30 p.m. Video streaming of the meeting is available on the City's website. In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in this meeting, complete the City's Title II ADA Reasonable Accommodation Form located on the City's website and at City Hall - Planning Division, 11111 Brookshire Avenue, Monday – Friday, 7:30 a.m. – 5:30 p.m., and submit to the Planning Division or contact the Planning Division office at (562) 904-7154 or the California Relay Service at 7-1-1. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

The City of Downey prohibits discrimination on the basis of disability in any of its program and services. For questions, concerns, complaints, or for additional information regarding the ADA, contact the City's ADA/Section 504 Coordinator at ADACoordinator@downeyca.org; Phone: (562) 299-6619; or TTY at 7-1-1.

In compliance with Title VI of the Civil Rights Act, the City of Downey prohibits discrimination of any person in any of its program and services. If written language translation of City agendas or minutes, or for oral language interpretation at a City meeting is needed, contact (562) 299-6619, 48 business hours prior to the meeting.

En cumplimiento con el Título VI de la Ley de Derechos Civiles, la Ciudad de Downey prohíbe la discriminación de cualquier persona en todos sus programas y servicios. En caso de necesitar una traducción escrita de los órdenes del día o las actas de las reuniones de la ciudad, o para solicitar un intérprete oral para una reunion de la ciudad, comuníquese con el (562) 299-6619 en el horario de atención comercial, 48 horas hábiles antes de la reunión.

Supporting data for items included in this agenda is available for public review and inspection in the office of the Planning Division during regular workday hours between 8:00 a.m. and 5:00 p.m., and in the City Library during regular hours and on the City's website at <http://www.downeyca.org>.

I Guillermo Arreola, Principal Planner, City of Downey, do hereby certify, under penalty of perjury under the laws of the State of California that the foregoing notice was posted pursuant to Government Code Section 54950 Et. Seq. and City of Downey Ordinance at the following locations: Downey City Hall, Downey City Library, and Barbara J. Riley Senior Center.

Dated this 14th day of July, 2022


Guillermo Arreola

Guillermo Arreola
Principal Planner



DATE: JULY 20, 2022

TO: PLANNING COMMISSION

SUBMITTED BY: CRYSTAL LANDAVAZO, INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT 

PREPARED BY: GERARDO MARQUEZ, ASSOCIATE PLANNER

SUBJECT: **SECONDARY DRIVEWAY (PLN-22-00037) - A REQUEST FOR A SECONDARY DRIVEWAY FOR RECREATIONAL VEHICLE STORAGE**

LOCATION: 13205 BLODGETT AVENUE

ZONING: R-1 5,000 (SINGLE-FAMILY RESIDENTIAL)

REPORT SUMMARY

The Applicant has requested approval of a secondary driveway (PLN-22-00037) to access and store a recreational vehicle (RV) at the rear of the property. The Downey Municipal Code allows a secondary driveway for the storage of RVs with the approval from the Planning Commission and subject to specific standards. The proposed secondary driveway complies with these standards and the property is requesting approval.

Based on the findings contained in this report, staff recommends that the Planning Commission adopt the following resolution:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING A SECONDARY DRIVEWAY FOR RECREATIONAL VEHICLE STORAGE (PLN-22-00037) LOCATED AT 13205 BLODGETT AVENUE, ZONED R-1 5,000 (SINGLE-FAMILY RESIDENTIAL)

BACKGROUND

The subject property is a 11,779 square feet interior lot located on Blodgett Avenue, south of the 105 freeway and in between Gardendale Street and Golden Avenue. The site is zoned R-1 5,000 (Single-family Residential) and is developed with two detached single-family units, each unit provides a two-car garage (one detached and one attached). The subject site is surrounded by other R-1 zoned properties also developed with single-family homes.



Site Photograph

On March 18, 2022, Jawad Haddad, the property owner, submitted an application for a secondary driveway. On July 7, 2022, after deeming the application complete, staff mailed notice of the pending public hearing to all property owners within 500 feet of the subject site and the notice was also published in the *Downey Patriot*.

DISCUSSION

The subject site is developed with the primary residence facing Blodgett Avenue and an existing driveway located on the south side of the property. The secondary driveway will be located to the norther portion of the property. The property will have two driveway aprons, one on either side of the home. The secondary driveway provides access to a new 34-foot long by 11.25-foot wide concrete pad to be located at the side of the property where the applicant plans to store a recreational vehicle. The driveway will be ten feet wide throughout and the concrete pad will be setback a minimum of five feet from any structures on the property. These physical characteristics are in compliance with development standards. In addition, the pad will also be a minimum of ten feet from neighboring structures.

Lastly, the applicant will construct the portion of the driveway most visible to the public right-of-way in a ribbon strip style. An example of a ribbon strip driveway is attached as Exhibit D. As required by the municipal code, a different design must be incorporated in order to distinguish the secondary driveway and limit the amount of hardscape present within the front setback.

DEVELOPMENT REVIEW COMMITTEE

The Development Review Committee (DRC) discussed and evaluated the project as it pertains to Planning, Police, Fire, Public Works, and Building and Safety matters. No departments expressed concerns or opposition over the project, and issued standard conditions. Recommended conditions of approval have been included in the attached Resolution to address potential impacts.

ENVIRONMENTAL ANALYSIS

Staff has reviewed the proposed use for compliance with the California Environmental Quality Act (CEQA). Upon completion of this review, staff determined that this request is categorically exempt from CEQA, pursuant to Guideline Section No. 15304 (Class 4, Minor Alterations to Land). Categorical Exemptions are projects, which have been determined not to have a significant effect on the environment and have been exempted from the requirements of CEQA.

FINDINGS

Pursuant to the requirements of the Municipal Code, staff recommends that the Planning Commission make the following findings to approve the request:

1. The proposed activity or use will be consistent with the objectives, policies, and general land uses and programs specified in the City's General Plan.

The project does not conflict with any applicable goals and policies specified in the City's General Plan. The proposed use is determined to be strictly ancillary to the primary residential use, and further enhances how the applicant uses their property. The design of the secondary driveway will be in compliance with the following policy:

Policy 8.3.1 – Enhance the views of the property from the public streets to exhibit a positive image.

The applicant will construct the portion of the driveway most visible to the public right-of-way in a ribbon strip style. As required by the municipal code, a different design must be incorporated in order to distinguish the secondary driveway and limit the amount of hardscape present within the front setback.

2. The proposed activity or use is consistent with other provisions of Article IX of the Downey Municipal Code.

A secondary driveway for the purposes of RV storage is a permitted use upon the approval of the Planning Commission in accordance with Downey Municipal Code Section 9710.02(m)(2). Furthermore, the project directly complies, or has been conditioned to comply, with all relevant provisions within Article XI of the Downey Municipal Code. These provisions include, but are not limited to, review process, width, design, and location.

3. The proposed activity or use will not result in conditions or circumstances contrary to the public health, safety, and general welfare.

The incidental nature of the secondary driveway is anticipated to have no lasting effects to the public health, safety, and general welfare of the community. Secondary driveways for RV storage are a common feature within R-1 neighborhoods. In addition, all conditions of approval have been incorporated in an effort to mitigate potential nuisances.

CORRESPONDENCE

As of the date that this report was printed, staff has not received any correspondence regarding this matter.

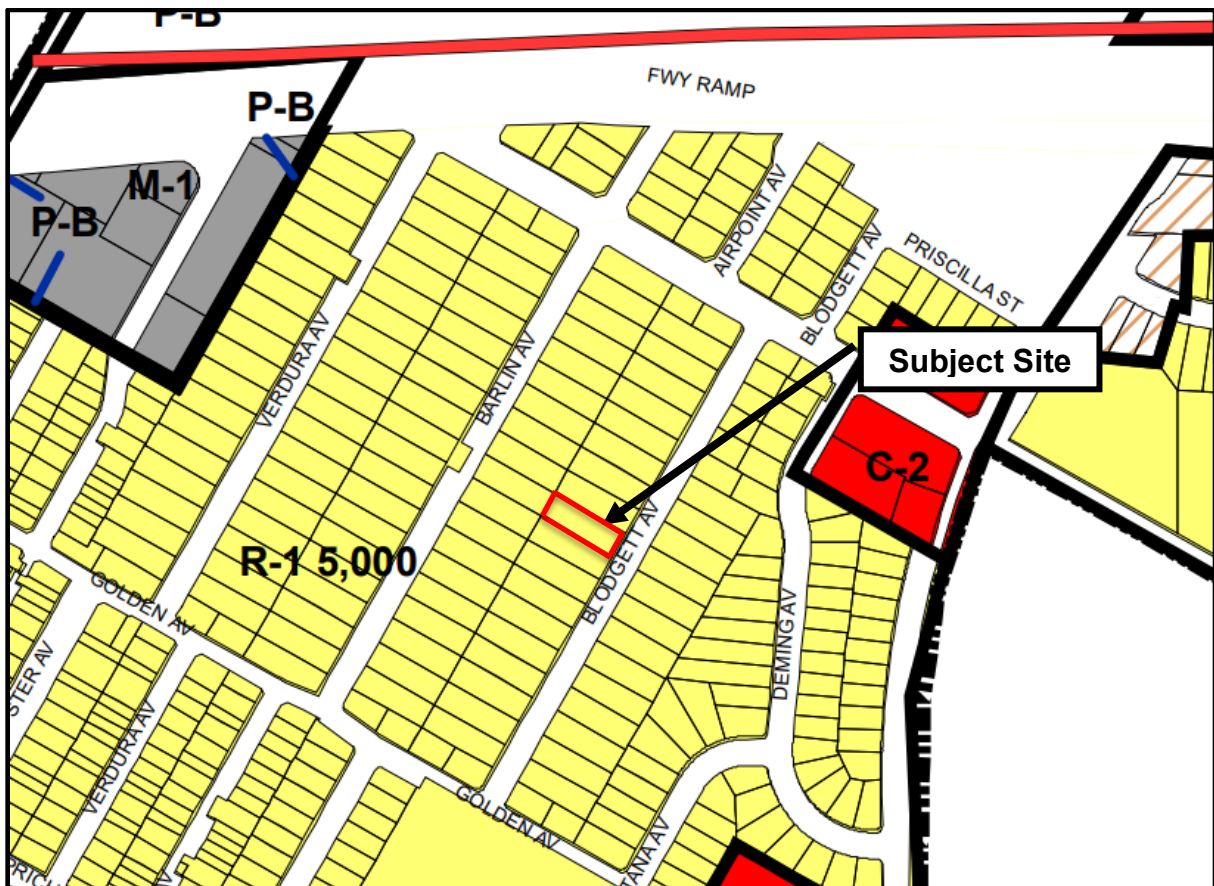
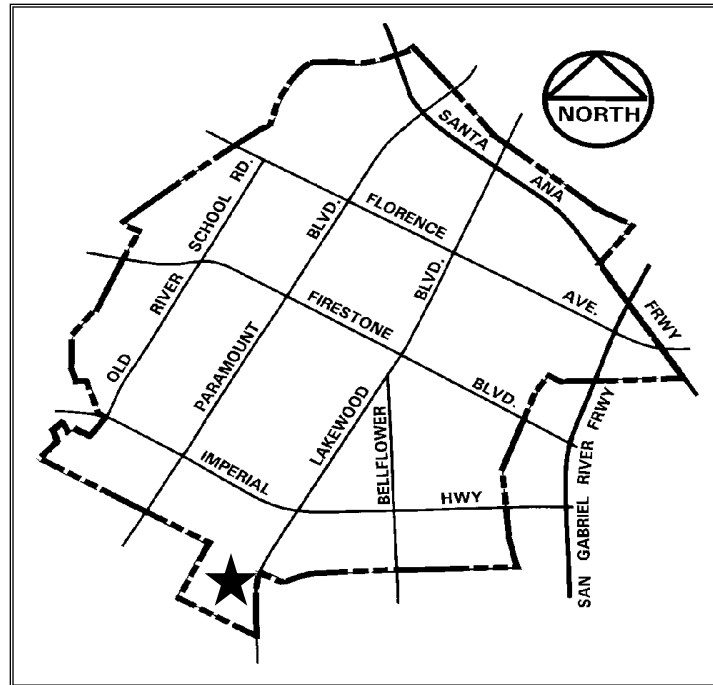
CONCLUSION

Based on the analysis contained within this report, staff concludes that all of the required findings can be made in a positive manner. Staff recommends that the Planning Commission adopt a resolution approving the application.

EXHIBITS

- A. Maps
- B. Draft Resolution
- C. Project Plans
- D. Example of Ribbon Strip

Exhibit 'A'





RESOLUTION NO. 22-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DOWNEY APPROVING A SECONDARY DRIVEWAY FOR RECREATIONAL VEHICLE STORAGE (PLN-22-00037) LOCATED AT 13205 BLODGETT AVENUE, ZONED R-1 5,000 (SINGLE-FAMILY RESIDENTIAL)

THE PLANNING COMMISSION OF THE CITY OF DOWNEY DOES RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Downey does hereby find, determine and declare that:

- A. On March 18, 2022, Jawad Haddad (hereinafter “applicant”), submitted a request for Secondary Driveway for Recreational Vehicle Storage; and,
- B. On July 7, 2022, after deeming the application complete, a notice of the public hearing was sent to all property owners within 500’ of the subject site and the notice was published in *Downey Patriot*; and,
- E. The Planning Commission held a duly noticed public hearing on July 20, 2022, and after fully considering all oral and written testimony, facts, and opinions offered at the aforesaid public hearing adopted this resolution.

SECTION 2. The Planning Commission further finds, determines and declares the environmental impact of the proposed development has been reviewed and has been found to comply with the California Environmental Quality Act (CEQA) and is categorically exempt from CEQA, pursuant to Guideline Section No. 15304 (Class 4, Minor Alterations to Land).

SECTION 3. Having considered all of the oral and written evidence presented to it at said public hearings, the Planning Commission further finds, determines and declares that:

- A. The proposed activity or use will be consistent with the objectives, policies, and general land uses and programs specified in the City’s General Plan. The project does not conflict with any applicable goals and policies specified in the City’s General Plan. The proposed use is determined to be strictly ancillary to the primary residential use, and further enhances how the applicant uses their property. The design of the secondary driveway will be in compliance with the following policy:

Policy 8.3.1 – Enhance the views of the property from the public streets to exhibit a positive image.

The applicant will construct the portion of the driveway most visible to the public right-of-way in a ribbon strip style. As required by the municipal code, a different design must be incorporated in order to distinguish the secondary driveway and limit the amount of hardscape present within the front setback.

- B. The proposed activity or use is consistent with other provisions of Article IX of the Downey Municipal Code. A secondary driveway for the purposes of RV storage is a permitted use upon the approval of the Planning Commission in accordance with Downey Municipal Code Section 9710.02(m)(2). Furthermore, the project

directly complies, or has been conditioned to comply, with all relevant provisions within Article XI of the Downey Municipal Code. These provisions include, but are not limited to, review process, width, design, and location.

- C. The proposed activity or use will not result in conditions or circumstances contrary to the public health, safety, and general welfare. The incidental nature of the secondary driveway is anticipated to have no lasting effects to the public health, safety, and general welfare of the community. Secondary driveways for RV storage are a common feature within R-1 neighborhoods. In addition, all conditions of approval have been incorporated in an effort to mitigate potential nuisances.

SECTION 4. Based upon the findings set forth in Sections 1 through 3 of this Resolution, the Planning Commission of the City of Downey hereby approves the Secondary Driveway (PLN-22-00037), subject to conditions of approval attached hereto, which are necessary to preserve the health, safety and general welfare of the community and enable the Planning Commission to make the findings set forth in the previous sections. The conditions are fair and reasonable for the accomplishment of these purposes.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 20th day of July 2022

Patrick Owens, Chairman
City Planning Commission

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Downey at a regular meeting thereof held on the 20th day of July 2022 by the following vote, to wit:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:

Mary Cavanagh, Secretary
City Planning Commission

**SECONDARY DRIVEWAY FOR RECREATIONAL VEHICLE STORAGE (PLN-22-00037)
CONDITIONS OF APPROVAL**

- 1) The approval of this Secondary Driveway for Recreational Vehicle Storage approves the size, location, and design of a secondary driveway and concrete pad, located at 13205 Blodgett Avenue.
 - a. Size: 10-foot wide maximum driveway width within the front setback.
 - b. Design: Concrete ribbon strip within the front setback.
 - c. Location:
 - i. Driveway located to the south of the residential structure.
 - ii. Concrete pad is setback 32 feet from the front property line and five feet setback from the north side property line.
- 2) Approval of this Secondary Driveway for Recreational Vehicle Storage shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Downey Municipal Code shall apply.
- 3) The City Planner is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
- 4) The Owner/Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the approval of this resolution, to challenge the determination made by City under the California Environmental Quality Act or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligations of this condition.
- 5) An affidavit of Acceptance of Conditions, as provided by the City of Downey, shall be signed, notarized, and returned to the Planning Division within fifteen (15) days of approval. This approval will be considered invalid until this condition has been fulfilled.
- 6) Project must remain in strict conformance with the approved set of plans.
- 7) The secondary driveway and concrete pad shall only be used for recreational vehicle storage.
- 8) Landscaping shall be planted and maintained within and along the sides of the ribbon strip driveway. Landscaping shall be exclusively drought tolerant.

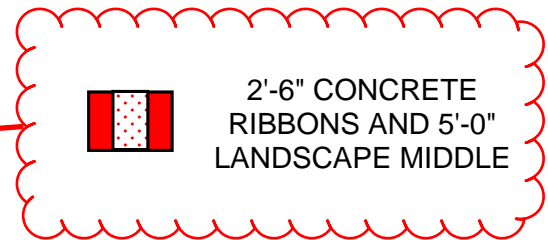
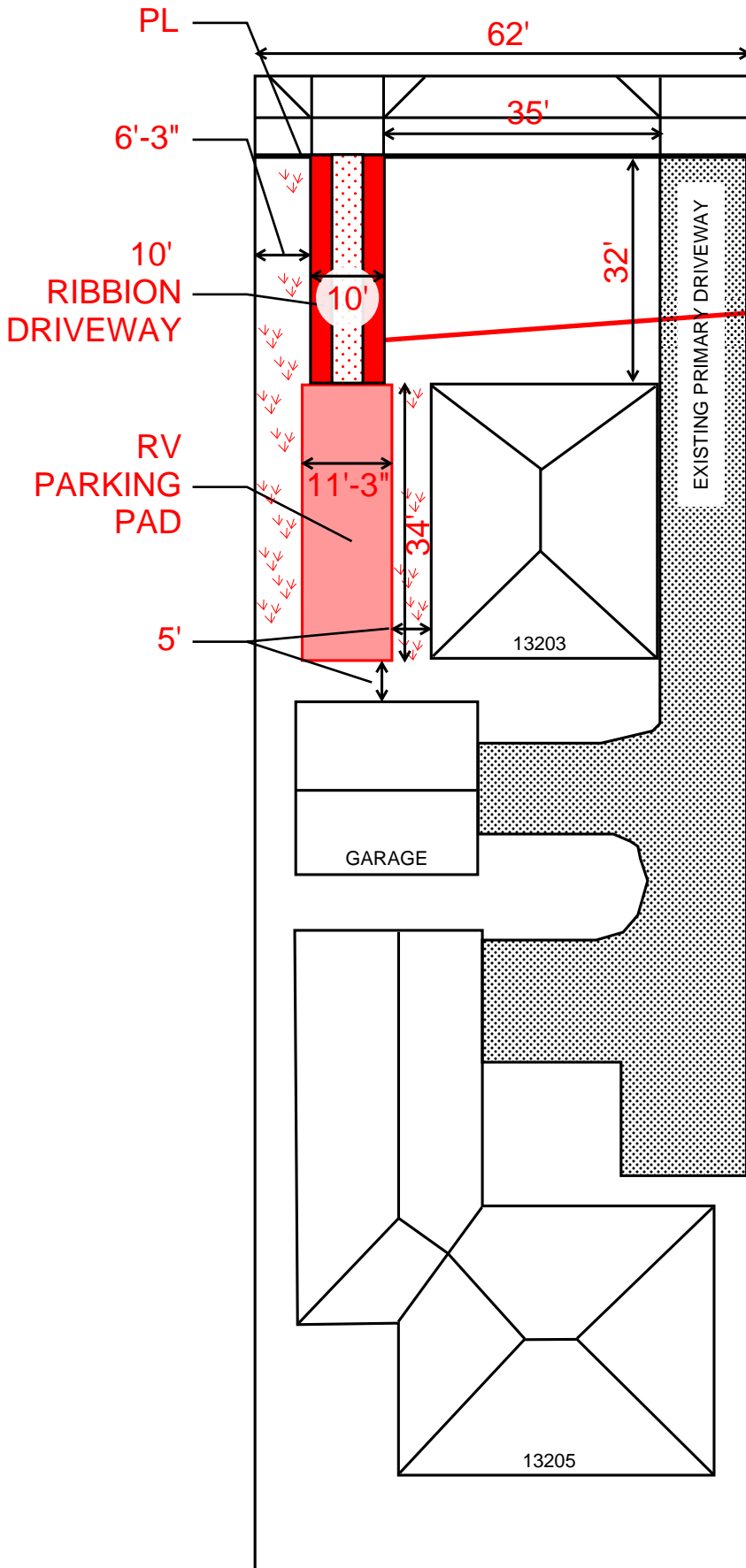
- 9) Prior to the issuance of any building permit for a secondary driveway, said driveway shall comply with the approved set of plans.
- 10) The applicant shall obtain all required Building permits and inspections.
- 11) This approval shall be valid for the duration of one year. Work must be completed and receive final building inspections no later than July 20, 2023.

Public Works

- 12) Proposed public improvements shall comply with the latest edition of Standard Plans and Specifications for Public Works Construction, City of Downey standards and the Americans with Disabilities Act (ADA).
- 13) The owner/applicant shall be responsible for the removal of any parkway trees in the public right-of-way. Any parkway tree removed in the public right-of-way must be replaced with a tree in accordance to City of Downey Master Tree Plan. The owner/applicant shall coordinate the species of Tree with Gio Amador of the City of Downey Tree Maintenance Division at 562-904-7194.
- 14) Obtain permits from the Public Works Department for all improvements within the public right of way at least two weeks prior to commencing work. Contact Brian Aleman, Assistant Civil Engineer, at (562) 904-7110 for information.
- 15) Encroachment Permit for the driveway approach shall be issued to a contractor whom possess a valid State of California Contractor's License in the Classification of A, "General Engineering Contractor" or C-08, "Concrete Contractor".
- 16) Owner/Applicant shall construct proposed driveway approach per City of Downey Standard No. 19. Driveway width bottom of X to bottom of X shall be a minimum of 10 feet. The new driveway approach shall be at least five (5) feet away from any above-ground obstructions (including storm drains) in the public right-of-way to the top of the driveway "X." Otherwise, the obstruction shall be relocated at the applicant's expense. Ensure that each driveway provides proper pedestrian access across, in compliance with ADA standards. The final layout and site driveway approach design shall be subject to approval by the Public Works Department.
- 17) Remove all Underground Service Alert (USA) temporary pavement markings immediately following the completion of the work / Final permit inspection.
- 18) Any utilities that are in conflict with the proposed driveway approach shall be relocated at the owner/applicant's expense. Owner/applicant shall coordinate the relocation with the utility owner and proper Public Works permit will need to be pulled.

END OF CONDITIONS

PLN-22-00037 (Secondary Driveway) 13203 Blodgett Ave.



LEGEND





-  LANDSCAPING
-  RV PARKING PAD
-  RIBBON DRIVEWAY
(CONCRETE WITH LANDSCAPE IN MIDDLE)
-  EXISTING PRIMARY DRIVEWAY

Exhibit D







