



# PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

## Regular PEQC Meeting Notice and Agenda

Website: [www.cityofgardena.org](http://www.cityofgardena.org)

**Tuesday, January 16, 2024 – 7:00 PM**  
1700 W. 162nd Street, Gardena, California

If you would like to participate in this meeting, you can participate via the following options:

- 1. PARTICIPATE BEFORE THE MEETING** by emailing the Gardena Board/Commission/Committee at [publiccomment@cityofgardena.org](mailto:publiccomment@cityofgardena.org) two (2) hours before the meeting starts on the day of the meeting and write "Public Comment" in the subject line.
- 2. ATTEND THE MEETING IN PERSON**

**PUBLIC COMMENT:** The Gardena Board/Commission/Committee will hear from the public on any item on the agenda or any item of interest that is not on the agenda at the following times:

- Agenda Items: At the time the Board/Commission/Committee considers the item or during Public Comment
- If you wish to address the Gardena Board/Commission/Committee, please complete a "Speaker Request" form and present it to staff. You will be called upon when it is your turn to address the Board/Commission/Committee. The Board/Commission/Committee cannot legally take action on any item not scheduled on the Agenda. Such items may be referred for administrative action or scheduled on a future Agenda. Members of the public wishing to address the Board/Commission/Committee will be given three (3) minutes to speak.

The City of Gardena, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office by phone (310) 217-9565 or email [cityclerk@cityofgardena.org](mailto:cityclerk@cityofgardena.org) at least 24 hours prior to the scheduled general meeting to ensure assistance is provided. Assistive listening devices are available.

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### STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS

- Treat everyone **courteously**;
- Listen to others **respectfully**;
- Exercise **self-control**;
- Give **open-minded** consideration to all viewpoints;
- Focus on the issues and **avoid personalizing debate**; and
- **Embrace respectful disagreement** and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

**Thank you for your attendance and cooperation.**

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1. **CALL MEETING TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

1. Steve Sherman
2. Deryl Henderson
3. Stephen Langley
4. Jules Kanhan
5. Ronald Wright-Scherr

4. **APPROVAL OF MINUTES**

4.A December 5, 2023 MEETING  
[23\\_12\\_05 PCMIN.pdf](#)

5. **ORAL COMMUNICATIONS**

This is the time where the public may address the Planning and Environmental Quality Commission's jurisdiction. Comments should be limited to three minutes.

6. **PUBLIC HEARING ITEMS**

6.A **ZONE TEXT AMENDMENT #1-24**

Recommendation to the City Council on the adoption of Ordinance No. 1865 amending the Gardena Municipal Code Chapter 18.60 relating to Temporary Use Permits and Temporary Events Permits, amending Sections 5.08.170, 8.16.030, and 8.16.050 to delete the requirement for a temporary use permit for circuses, carnivals, and fireworks, amending Section 5.04.160 of Title 5 relating to permits, and finding the ordinance to be categorically exempt from the provisions of the California Environmental Quality Act pursuant to Guidelines section 156061(b)(3) and 15304 as a minor alteration to land.

[Staff Report - Temporary Use\\_Event.pdf](#)

[Attachment A - Resolution PC No. 01-24 \(Temporary Event Permits\)](#)

[Exhibit A - Draft Ordinance No 1865](#)

[Attachment B - Public Hearing Notice](#)

7. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

8. **PLANNING & ENVIRONMENTAL QUALITY COMMISSIONERS' REPORTS**

9. **ADJOURNMENT**

The Planning and Environmental Quality Commission will adjourn to the next meeting at 7:00pm on February 6, 2024.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted in the City Hall lobby not less than 72 hours prior to the meeting. A copy of said Agenda is available on our website at [www.CityofGardena.org](http://www.CityofGardena.org).

Dated this January 11, 2024.

    /s/ GREG TSUJIUCHI      
Greg Tsujiuchi, Secretary  
Planning and Environmental Quality Commission

**Regular PEQC Meeting Notice and Agenda of the  
Planning and Environmental Quality Commission  
Tuesday, December 5, 2023**

The Regular PEQC Meeting Notice and Agenda of the Planning and Environmental Quality Commission of the City of Gardena, California, was called to order at 7:00 PM on Tuesday, December 5, 2023, in the Council Chambers at 1700 W. 162nd Street, Gardena, California.

**PARTICIPATE BEFORE THE MEETING** by emailing the Planning Commission at [planningcommissioner@cityofgardena.org](mailto:planningcommissioner@cityofgardena.org) by 5:00 PM on the day of the meeting and write "Public Comment" in the subject line.

1. **CALL MEETING TO ORDER**

The meeting was called to order at 7:03 PM

2. **PLEDGE OF ALLEGIANCE**

Vice Chair Langley led the Pledge of Allegiance

3. **ROLL CALL**

Present: Chair Henderson; Vice Chair Stephen P. Langley; Commissioner Steve Sherman; Commissioner Jules Kanhan; Commissioner Ronald Wright-Scherr

4. **APPROVAL OF MINUTES**

4.A September 5, 2023 MEETING

[23\\_09\\_05 PCMIN](#)

A motion was made by Vice Chair Langley and seconded by Commissioner Sherman to approve the minutes of the meeting on September 5, 2023.

The motion was passed by the following roll call vote:

Ayes: Langley, Sherman, Kanhan, Wright-Scherr, Henderson

Noes:

4.B November 7, 2023 MEETING

[23\\_11\\_07 PCMIN](#)

A motion was made by Vice Chair Langley and seconded by Commissioner Sherman to approve the minutes of the meeting on November 7, 2023.

The motion was passed by the following roll call vote:

Ayes: Langley, Wright-Scherr, Kanhan, Sherman

Noes:

Abstain: Henderson

5. **ORAL COMMUNICATIONS**

No members of the public wished to speak to the Planning Commission at this time.

## 6. OTHER BUSINESS

### 6.A GENERAL PLAN CONFORMITY #2-23

General Plan Conformity Determination for the Purchase of Two Parcels  
Totaling Approximately 19,200 sf Located at 1112 W. Gardena Blvd. (APNs:  
6111-004-032, 033)

[PC Conformance Report-1112 Gardena Blvd.pdf](#)

[PC Resolution No. 21-23 1112 Gardena.pdf](#)

Community Development Director, Greg Tsujiuchi, presented General Plan Conformity #2-23 to the Planning Commission, for the purchase of two parcels totaling approximately 19,200 sf Located at 1112 W. Gardena Boulevard. Mr. Tsujiuchi explained that while there are no specific project plans at this time, the City Council intends for the property to be used for public purposes such as, but not limited to, public parking for patrons of businesses located along Gardena Blvd. and/or intermittently hosting special city events for both the residential and business community.

Chair Henderson asked if the property came to the Planning Commission a couple of years ago for a potential mixed-use building.

Senior Planner, Amanda Acuna, explained that there was a site plan review that came before the Commission in 2018, for a mixed-use residential building with commercial on the ground floor. However, the entitlements expired, and the applicant did not request an extension of time, which made the building permits voided.

Chair Henderson inquired if there would be a potential project and how much it would cost for the development of the site.

Ms. Acuna responded that there is no proposed development at this time.

Assistant City Attorney, Lisa Kranitz, added that the City could disclose the amount offered.

Mr. Tsujiuchi stated that the City offered \$1.8 million for the property.

Commissioner Sherman asked if the Community Development Department was expecting a normal business to develop the property rather than be utilized for public use.

Mr. Tsujiuchi answered that the property had been listed for quite some time and had an asking price of \$2 million, but there were no takers.

Vice Chair Langley discussed that when the original property burned down, there had only been one proposed mixed-use development, but after the entitlement expired, there has been no activity.

Ms. Acuna states that was correct, no new formal submittals had been received by the planning staff, and the original entitlement that did get approved by the Commission had expired and is voided.

Commissioner Kanhan wanted confirmation if this was the property that was identified to solve the parking issue on Gardena Boulevard.

Mr. Tsujiuchi elaborated that this property could assist in alleviating the parking issue on Gardena Boulevard.

MOTION: It was moved by Vice Chair Langley and seconded by Commissioner Wright-Scherr to approve Resolution No. PC 21-23, setting forth the Commission's General Plan conformity report in accordance with Government Codes section 6540.2.

The motion was passed by the following roll call vote:

Ayes: Langley, Wright-Scherr, Sherman, Kanhan, Sherman, Henderson

Noes:

#### **6.B GENERAL PAN CONFORMITY #3-23**

General Plan Conformity Determination for the Purchase of a Parcel Totaling Approximately 5,500 sf Located at 15016 Nader Place (APNs: 4064-023-024)

[PC Conformance Report-Nader's Place.pdf](#)

[PC Resolution No. 22-23 15016 Naders Place.pdf](#)

Mr. Tsujiuchi presented General Plan Conformity #3-23 to the Planning Commission, for the purchase of a parcel totaling approximately 5,500-sf located at 15016 Nader Place. Mr. Tsujiuchi explained that while there are no specific project plans at this time, the City Council intends for the property to be used for public purposes such as, but not limited to: public parking, expansion of the adjacent park, or a dog park for the community.

Chair Henderson noted that one of the biggest complaints of the residents of the city is that there are no dog parks, so this would be beneficial for the residents.

Commissioner Wright-Scherr agreed that a dog park would be sufficient at Thornburg Park.

MOTION: It was moved by Vice Chair Langley and seconded by Chair Henderson to approve Resolution No. PC 22-23, setting forth the Commission's General Plan conformity report in accordance with Government Codes section 6540.2.

The motion was passed by the following roll call vote:

Ayes: Langley, Henderson, Sherman, Kanhan, Wright-Scherr

Noes:

### **7. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

Mr. Tsujiuchi stated upcoming events to the Commission. Planning Commissioner's Academy on March 6-8, 2024, at Long Beach; Jolly Trolley, on December 7, 2023, at either Rowley or Freeman Park; Santa's Breakfast on December 16, 2023, starting at 8:30 am at the Nakaoka Center and tickets have been on sale since November 6, 2023.

Ms. Acuna informed the Commission and the public that the draft environmental impact report for the Normandie Crossing Specific Plan was made public and is available to view on the City's website on the Community Development Planning Projects' page. This item will be brought to the Commission, at a later date, for review and consideration for recommendation to the City Council.

8. **PLANNING & ENVIRONMENTAL QUALITY COMMISSIONERS' REPORTS**

No commissioners had items to report.

9. **ADJOURNMENT**

Chair Henderson adjourned the meeting at 7:24 PM.

Respectfully submitted,

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GREG TSUJIUCHI, SECRETARY  
Planning and Environmental Quality Commission

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DERYL HENDERSON, CHAIR  
Planning and Environmental Quality Commission

CITY OF GARDENA  
**PLANNING AND ENVIRONMENTAL QUALITY COMMISSION**

STAFF REPORT  
RESOLUTION NO. PC 1-24  
ZTA # 1-24  
AGENDA ITEM #6.A

DATE: January 16, 2024

TO: Chair Henderson and Members of the Planning and Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Jackie Choi, Economic Development Manager

APPLICANT: City of Gardena

LOCATION: Citywide

REQUEST: Recommendation to the City Council on adoption of Ordinance No. 1865 amending the Gardena Municipal Code Chapter 18.60 relating to temporary use permits and temporary events permits and amending Sections 5.08.170, 8.16.030, and 8.16.050 to delete the requirement for a temporary use permit for circuses, carnivals, and fireworks, and amending Section 5.04.160 of Title 5 relating to permits, and finding the Ordinance to be categorically exempt from the provisions of the California Environmental Quality Act pursuant to Guidelines § 15061(b)(3) and § 15304 as a Minor Alterations to Land.

**BACKGROUND**

The Community Development Department has received several requests throughout the years to hold special, temporary events by various businesses in the City. The City does not have clear and adequate procedures and regulations to govern such events. The lack of clear and adequate procedures and regulations has created issues for staff as they struggle to review last minute applications without clear direction.

City Staff has prepared a draft ordinance that will establish an administrative process to allow temporary uses and temporary events to be held in the City subject to reasonable rules and regulations. The draft ordinance has been prepared to incorporate the new regulations for temporary events into Chapter 18.60, of the City's Zoning Code, relating to Temporary Uses.

The Planning Commission is being asked to make a recommendation to the City Council for the zone text amendments proposed under Ordinance No., 1865. The following summarizes the Ordinance.

### Ordinance No. 1865

Ordinance No. 1865 will repeal and readopt Chapter 18.60 to address new regulations and establish the procedures for a Temporary Use Permit and Temporary Event Permit, subject to the review and approval of the Community Development Director.

The following events will be allowed upon approval of a Temporary Use Permit:

- Construction yards. Off-site contractor construction yards including the storage of building materials, in conjunction with an approved construction project within the City limits.
- Residence. A mobile home as a temporary residence of the property owner when a valid building permit for a new single-family dwelling is in force. In addition, a mobile home may be used as a temporary residence of the property owner when a valid building permit has been issued for the remodel of a single family dwelling and the Building Official has determined that the extent of such remodel would prevent the safe occupancy of the dwelling.
- Temporary real estate sales offices. A temporary real estate sales office may be established within the area of an approved development project or other location within 1,250 feet, solely for the first sale of homes. A permit for a temporary real estate office may be approved for up to 1 year.
- Temporary work trailers. A trailer or mobile home as a temporary work site for employees of a business.

In addition to the new provisions for each type of temporary use, the ordinance will eliminate the requirement for the need of a Temporary Use Permit for circuses and carnivals and fireworks stands, as each of these events require a separate permit process of their own.

The following events will be allowed upon approval of a Temporary Event Permit:

- Grand Opening. For businesses looking to identify the opening of a new location, the change of ownership for an existing business, or the change of name for an existing business.
- Special Events. Such as festivals, car shows, and swap meets.
- Outdoor Events. Events related to an existing business with temporary outdoor sale of merchandise in any commercial or industrial zoning district.
- Farmers Markets. For both certified and noncertified Farmer's Markets.

- Seasonal sales lots. Such as pumpkin patches and Christmas tree lots.

The following table summarizes the maximum number of days per event and maximum number of similar events per each type. In addition to the maximum number events allowed for each type, each property address would be subject to a total maximum of 12 temporary events of any kind to take place within a 12 month period.

**Table 1 – Temporary Event**

<b>Temporary Event Type</b>	<b>Maximum Number of Days Per Event</b>	<b>Maximum Number of Similar Events per 12 month period</b>
Grand Opening	4 days	2 per business address
Special event	4 days	No maximum
Outdoor sales events	4 days per event – with a maximum of four outdoor sales event in a 12 month period	4
Certified Farmer’s Market	2 days a week, need not be consecutive	No maximum
Non-certified Farmer’s Market	3 days	4
Seasonal sales lots – pumpkin patches and Christmas Trees	45 days each	Limited to September 15 through December 31 of each calendar year

**ENVIRONMENTAL REVIEW**

This zone text amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption set forth in Guidelines section 15061(b)(3) that CEQA only applies to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity will have a significant effect, the activity is not subject to CEQA. Additionally, the ordinance is exempt pursuant to Guidelines section 15304 as a Minor Alteration to Land.

**NOTICE**

The public hearing notice was published in the Gardena Valley News on January 4, 2024 (Attachment B). A copy of Proof of Publication and Affidavit of Mailing are on file in the office of the Community Development Department Room 101, City Hall and are considered part of the record.

### RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission to:

- 1) Conduct the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Resolution No. PC 1-24 recommending that the City Council adopt Ordinance No. 1865.

### ATTACHMENTS

- A – Planning Commission Resolution No. PC #1-24  
Exhibit A – Draft Ordinance No. 1865
- B – Public Hearing Notice

**RESOLUTION NO. PC 1-24**

**A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 1865 AMENDING THE GARDENA MUNICIPAL CODE CHAPTERS 18.60 RELATING TO TEMPORARY USE PERMITS AND TEMPORARY EVENTS PERMITS AND AMENDING SECTIONS 5.08.170, 8.16.030, AND 8.16.050 TO DELETE THE REQUIREMENT FOR A TEMPORARY USE PERMIT FOR CIRCUSES, CARNIVALS, AND FIREWORKS, AND AMENDING SECTION 5.04.160 OF TITLE 5 RELATING TO PERMITS, AND FINDING THE ORDINANCE TO BE CATEGORICALLY EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO GUIDELINES § 15061(b)(3) AND § 15304 AS A MINOR ALTERATION LAND.**

THE PLANNING COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. RECITALS.

A. The City of Gardena wishes to amend its provisions on Temporary Use Permits and Temporary Events Permits, delete the requirement for a Temporary Use Permit for circuses, carnivals, and fireworks, and amend Title 5 relating to Temporary Use Permits.

B. Given the increasing frequency of special events permits that the Community Development Department receives, the City desires to adopt an ordinance to establish administrative regulations for special events permits through Temporary Use Permits and/or Temporary Events Permits.

C. On January 16, 2024, the Planning Commission of the City of Gardena held a duly noticed public hearing on the draft Ordinance at which time it considered all evidence, both written and oral.

**NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:**

The Planning Commission hereby recommends that the City Council adopt the Ordinance attached hereto as Exhibit A making changes to amend Chapter 18.60 of the Gardena Municipal Code relating to Temporary Use Permits and Temporary Events Permits, amending Sections 5.080.170, 8.16.030, and 8.16.050 to delete the requirement for a temporary use permit for circuses, carnivals, and fireworks, amending Section 5.04.160 of Title 5 relating to permits, and finding the ordinance to be categorically exempt from the provisions of the California Environmental Quality Act pursuant to Guidelines

section 156061(b)(3) and 15304 as a minor alteration to land. For all the reasons set forth in the reasoning provided by staff, the Planning Commission believes that these changes represent good land use practices which are required by public necessity, convenience, and the general welfare.

PASSED, APPROVED, AND ADOPTED this 16<sup>th</sup> day of January 2024.

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DERYL HENDERSON, CHAIR  
PLANNING AND ENVIRONMENTAL  
QUALITY COMMISSION

ATTEST:

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GREG TSUJIUCHI, SECRETARY  
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION  
STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF GARDENA

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held on the 16th day of January 2024, by the following vote:

AYES:  
NOES:  
ABSENT:

Attachments:

Exhibit A –Ordinance No. 1865

**ORDINANCE NO. 1865**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA AMENDING CHAPTER 18.60 OF THE GARDENA MUNICIPAL CODE AND SECTIONS 5.08.170, 8.16.030 AND 8.16.050 RELATING TO TEMPORARY USE PERMITS AND TEMPORARY EVENT PERMITS, AND AMENDING SECTION 5.04.160 OF TITLE 5 RELATING TO PERMITS AND FINDING THAT THE ORDINANCE IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTIONS 15061(b)(3) (COMMON SENSE EXEMPTION) and 15304 (MINOR ALTERATIONS TO LAND)**

**WHEREAS**, the City of Gardena has received requests to hold special, temporary events by various businesses in the City; and

**WHEREAS**, the City does not have clear and adequate procedures and regulations to govern such events; and

**WHEREAS**, the lack of clear and adequate procedures and regulations has created issues for staff as they struggle to review last minute applications without clear direction; and

**WHEREAS**, the City Council desires to allow temporary uses and temporary events to be held in the City subject to reasonable rules and regulations; and

**WHEREAS**, the City Council has the power to adopt such rules and regulations pursuant to Article XI, section 7 of the California Constitution; and

**WHEREAS**, the Planning Commission of the City of Gardena held a duly, noticed public hearing on this matter on January 16, 2024, at which time it considered all evidence presented, both written and oral after which it adopted Planning Commission Resolution No. 1-24 recommending that the City Council adopt Ordinance No. 1865; and

**WHEREAS**, the City Council of the City of Gardena held a duly noticed public hearing on this matter on XXX, 2024 at which time it considered all evidence presented, both written and oral;

**NOW, THEREFORE**, the City Council of the City of Gardena does hereby ordain as follows:

**SECTION 1.** Chapter 18.60 of the Gardena Municipal Code is hereby repealed and a new Chapter 18.60 is hereby added to read as follows:

**CHAPTER 18.60**  
**TEMPORARY USE AND TEMPORARY EVENT PERMITS**  
**FOR PRIVATE PROPERTY**

**18.60.010 Intent and purpose.**

A. The intent of this chapter is to provide a process for reviewing and acting upon proposed temporary uses and temporary events at specific locations that would otherwise be inappropriate as classified uses on a permanent basis. A temporary use permit or temporary event permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may be considered acceptable because of the temporary nature. It is further the intent to avoid incompatibility between such temporary activities and the surrounding areas by regulating such activities so as to prevent or mitigate adverse effects associated with or resulting from such temporary uses.

B. Temporary use and temporary event permits are in addition to any other required city approvals, licenses, and inspections required by applicable laws or regulations.

**18.60.020 Definitions.**

“Temporary activity” shall mean both “temporary uses” and “temporary events.”

“Temporary event” shall mean an event of a limited duration.

“Temporary use” shall mean the use of a property that is not mean to be permanent in nature, but may be approved for a period of up to one year.

**18.60.030 Allowed Temporary Uses and Temporary Events.**

The temporary activities set forth in this Chapter may be allowed, subject to the issuance of a temporary use or temporary event permit by the Director. Conditions may be imposed on these permits to ensure compliance with the required findings set forth in Section 18.60.080. Uses other than the following shall comply with the use and development regulations and permit requirements that otherwise apply to the property.

**18.60.040 Temporary Uses**

A. The following temporary uses may be allowed upon approval of a temporary use permit issued by the Community Development Director.

1. *Construction yards.* Off-site contractor construction yards including the storage of building materials, in conjunction with an approved construction project within the City limits. The permit shall expire upon completion of the construction

project or the expiration of the companion building permit authorizing the construction project.

2. *Residence.* A mobile home as a temporary residence of the property owner when a valid building permit for a new single-family dwelling is in force. In addition, a mobile home may be used as a temporary residence of the property owner when a valid building permit has been issued for the remodel of a single family dwelling and the Building Official has determined that the extent of such remodel would prevent the safe occupancy of the dwelling. The Temporary Use Permit may be approved for up to 1 year, or upon expiration of the building permit, whichever occurs first.

3. *Temporary real estate sales offices.* A temporary real estate sales office may be established within the area of an approved development project or other location within 1,250 feet, solely for the first sale of homes. A permit for a temporary real estate office may be approved for up to 1 year.

4. *Temporary work trailers.* A trailer or mobile home as a temporary work site for employees of a business may be allowed :

a. During construction or remodeling of a permanent commercial or industrial structure, when a valid building permit is in force up to 1 year, or upon expiration of the building permit, whichever occurs first; or

b. For a temporary office occupied only by employees of a business or manufacturer conducting business on property not normally open to the general public for up to 1 year;

c. Upon demonstration by the applicant that this temporary work site is a short-term necessity while a permanent work site is being obtained for up to 1 year.

5. *Similar temporary uses.* Similar temporary uses that, in the opinion of the Director, are compatible with the zoning district and surrounding land uses.

B. When a request for an extension of time within which to comply with any requirement or condition imposed pursuant to the provisions of this chapter is filed for approval, a fee in an amount established by city council resolution shall be paid for the purpose of defraying the costs incidental to the processing of such request.

### **18.60.050 Temporary Events**

A. *Temporary Events.* The following events may be allowed upon approval of a temporary event permit by the Community Development Director and as summarized in Table 18.60-1 below:

1. *Grand opening.* An event which involves activities outside of the normal business activities, to identify the opening of a new business, the change of ownership for an existing business, or the change of name for an existing business.

a. A grand opening event may last for up to four days.

b. No more than two grand openings shall be allowed per business address in a 12 month period.

c. An event does not include minimal activities such as putting up a temporary banner or having a ribbon cutting ceremony.

2. *Special event.* A temporary event for the use of a premise for an activity that is unrelated to or exceeds the scope of the business licensed and approved for such premises. Special events may be indoors or outdoors and include swap meets, fairs, festivals, flea markets, car shows, and auto dealer sales events. Special events shall be subject to the following:

a. A special event may last up to four days.

b. The applicant for the event shall be responsible for payment of all business license fees to the City in accordance with Title 5 of this Code and shall comply with the California Department of Tax and Fee Administration relating to Operators of Swap Meets, Flea Markets, or Special Events.

c. No special event may include services of any type that requires a state license or certificate unless the person performing such services has a copy of the required license or certificate and a government issued identification on their person at all times services are being provided.

3. *Outdoor sales events.* Unless exempt pursuant to Section 18.60.100, temporary events related to an existing business with temporary outdoor sale of merchandise in any commercial or industrial zoning district, in compliance with the following provisions:

a. The merchandise displayed shall be that customarily sold at the business premises;

b. The site is used for a permanently established business holding a valid business tax certificate as required; and

c. Such events may take place four times in a twelve month period for up to four days per event.

4. *Farmer's Markets.* Both certified and noncertified Farmer's Markets may be permitted in compliance with the following provisions:

- a. The applicant for the event shall be responsible for payment of all business license fees to the City in accordance with Title 5 of this Code and shall comply with the California Department of Tax and Fee Administration relating to Operators of Swap Meets, Flea Markets, or Special Events.
  - b. A certified Farmer’s Market shall be authorized by the County of Los Angeles Agricultural Commissioner and sponsored by a non-profit organization or a local governmental entity. Certified Farmer’s Markets may operate twice a week throughout each calendar year.
  - c. A noncertified Farmer’s Market may operate four times a year for up to three days for each event.
5. *Seasonal sales lots.* Seasonal sales activities for pumpkin patches and Christmas tree lots, including temporary security trailers, on nonresidential properties, in compliance with the following:
- a. Sales activity shall only take place between September 15 and December 31.
  - b. The sales activity may be approved for a maximum of 45 days.
  - c. An applicant may apply for a permit for both a pumpkin patch and a Christmas tree lot at the same time.
6. *Similar temporary events.* Similar temporary events that, in the opinion of the Director, are compatible with the zoning district and surrounding land uses.

**Table 18.60-1 - Temporary Event Table**

<b>Temporary Event Type</b>	<b>Maximum Number of Days Per Event</b>	<b>Maximum Number of Similar Events per 12 month period</b>
Grand Opening	4 days	2 per business address
Special event	4 days	No maximum
Outdoor sales events	4 days per event – with a maximum of four outdoor sales event in a 12 month period	4
Certified Farmer’s Market	2 days a week, need not be consecutive	No maximum
Non-certified Farmer’s Market	3 days	4
Seasonal sales lots – pumpkin patches and Christmas Trees	45 days each	Limited to September 15 through December 31 of each calendar year

B. Except for certified farmer's markets, in no event may more than 12 temporary events of any kind take place at any property address in a 12 month period.

C. Alcohol sales and service may be allowed where the applicant has obtained the required permit from the Department of Alcoholic Beverage Control by the time of the event.

D. Food and drink sales and service may be allowed provided they are served in compliance with applicable laws, including required permits for sale or distribution of food and drinks.

#### **18.60.060 Application.**

A. An application for both a temporary use permit or temporary event permit shall be filed by the owner, lessee or other person having the right to the possession of the land for which the permit is sought. At a minimum, the application for either of these permits shall contain the following information:

1. The name, address, phone number and e-mail address of the applicant;
2. Evidence in the form of an official or governmental agency issued document or identification card that the applicant is eighteen (18) years of age or older or in instances involving alcohol sales twenty-one (21) years of age or older;
3. Property owner authorization along with the name, residence address, email address, and telephone number of the property owner on whose property the temporary activity will take place;
4. The proposed dates of the temporary activity;
5. A plot plan drawn to scale and which designates all land uses on the property, the location of the proposed temporary activity/facility, utility connections, yards, off-street parking, and other information which the planning division may require; and
6. Any supplemental information deemed necessary by the Director to determine whether the application should be granted, conditioned or denied.

B. Applications for temporary events shall include the following additional information:

1. A detailed description indicating all components of the temporary activity such as rides, entertainment, amplified music, canopies, tents, inflatable devices, jump tents, temporary banners, displays and sales, portable toilets;
2. A parking plan which may include off-site parking locations, shuttles, and valet parking;

3. Expected number of attendees;
4. The daily hours of the temporary activity;
5. Additional dates needed for set-up and tear down.

C. Filing Fees. The applicant shall pay a filing fee established by City Council resolution to defray the costs incurred by the city in processing the temporary use permit application.

D. Indemnification. The applicant shall be required to sign an indemnification and/or hold harmless agreement with the city.

E. Timing of Application. Applications which are filed within the following time frames shall be acted upon by the Director at least one day before the scheduled event.

1. Applications for temporary uses, filed a minimum of 21 business days before the desired start date.
2. Applications for temporary events filed a minimum of 10 business days before the desired start date.

F. No application shall be accepted and processed unless all of the required information is provided and completed, as required by this chapter.

#### **18.60.070 Director's Decision.**

A. The Director shall review the application, consult with those departments of the city which might have an interest in or jurisdiction over some aspect of the proposed temporary use, and make any necessary investigation.

B. After review and consultation, the Director shall approve, conditionally approve, or deny the application for the temporary use or temporary event permit.

C. In approving an application, the Director may impose such conditions as deemed necessary to protect the public health, safety and welfare in order to make the required findings set forth in Section 18.60.080. Such conditions may involve any pertinent factors affecting the operation of such temporary activity. In addition to such other conditions as the Director may impose, it shall also be deemed a condition of every temporary use or temporary event permit, whether such condition is set forth in the permit or not, that such approval shall not authorize the construction, establishment, alteration, moving onto, or enlargement of any permanent building, structure or facility.

1. Conditions may be imposed to require the provision of the following, which is not meant to be an all-inclusive list:

- a. Sanitary and medical facilities;
  - b. Security and safety measures;
  - c. Solid waste collection and disposal.
2. Conditions may be imposed to regulate the following, which is not meant to be an all-inclusive list:
- a. Nuisance factors;
  - b. Operating hours and days, including limitation of the duration of the use or event to a shorter time period than that requested;
  - c. Temporary signs;
  - d. Temporary structures and facilities, including height, placement, and size, and the location of equipment and open areas.
3. All permits shall be conditioned to provide that the site shall be cleaned of debris, litter, or any other evidence of the temporary activity upon completion or removal of the activity and to require that the temporary activity be removed and the site restored as necessary to ensure that no changes to the site will occur.

#### **18.60.080 Findings.**

The following findings shall be made in order for the Director to approve a temporary use or temporary event permit:

- A. The proposed site is adequate in size and shape to accommodate such temporary activity without material detriment to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site;
- B. Sufficient off-street parking spaces, which may include off-site locations, shuttles, or valet parking, are provided;
- C. The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that such temporary activity will or could reasonably generate;
- D. The proposed activity will not interfere with any other temporary activity for which a permit has already been approved or with the provision of City services in support of other scheduled activities;
- E. The use or event will comply with all applicable provisions of local, state and federal laws and regulations.

F. The proposed activity will not be detrimental to the public peace, health, safety or welfare;

G. None of the grounds set forth in Section 18.60.090 exist.

**18.60.090 Grounds for Denial.**

An application shall be denied if any of the following grounds exist:

A. The information contained in the application or supplemental information requested from the applicant is found to be materially false, or such information is incomplete;

B. The applicant or the person or entity on whose behalf the application for the permit was made has failed to conduct a previously authorized activity in accordance with the law or the terms of the permit, or both;

C. The applicant or the person or entity on whose behalf the application for permit was made, has outstanding and unpaid debts to the City;

D. The applicant fails to complete the indemnification and hold harmless requirements as prescribed by this chapter; or

E. Where conditions of a previous temporary use or temporary event permit issued to the applicant were violated, or where any City ordinance, rule or regulation was violated within the past twenty-four months.

**18.60.100 Exemptions.**

A. The following temporary activities shall be exempt from the provisions of this chapter:

1.. Circuses and carnivals;

2. Fireworks stands;

3. Garage sales;

4. On-site contractor's construction yards, in conjunction with an approved construction project. The activity shall cease upon completion of the construction project, or the expiration of the building permit authorizing the construction project;

5. Promotional activities related to the primary product lines of a retail business, and similar activities (e.g., book readings and signings at book stores, opening receptions at art galleries); and

6. Any other use or event which requires a separate permit from the City.

B. This chapter shall also not apply to the outdoor display of merchandise located within 10 feet of the main structure provided that the total display area is not located in any parking space, does not interfere with required pedestrian access, and does not create a public safety issue.

#### **18.60.110 Revocation of permits.**

A. The Director may revoke or suspend, in whole or in part, a temporary event or temporary use permit at any time if the Director finds: (1) the activity constitutes a public nuisance or disturbs the peace; (2) the activity is injurious to the public peace, health, safety or welfare; (3) the activity is conducted contrary to the permit, permit conditions, any State or City law or rules and regulations adopted by the City Council or the City Manager, or Director governing special events; (4) the applicant, or his or her agent(s) or representatives, has willfully made false or misleading statements in the application or any other document required pursuant to this chapter.

B. Revocation or suspension shall become effective immediately upon delivery of a written notice to the person in immediate charge of the activity or portion thereof affected by such act. The notice of such revocation or suspension shall specify the reasons therefor. The Director may, for good cause, cancel and make null and void any revocation or suspension action, or written notice ordering the same, but in all cases he or she shall promptly take such steps as are necessary to inform appropriate City officials of the action taken, and of the reason or reasons therefor.

C. Upon revocation or suspension of a temporary use or temporary event permit, the permittee and any parties under the permittee's control shall immediately cease operation of the activities subject to revocation or suspension. In the event that the permit is suspended, the permittee may resume operation once the suspension period has expired or canceled.

#### **18.60.120 Appeals.**

A. Any person or body, public or private, may appeal the decision of the Director to the City Manager. Such appeal shall be filed with the planning division within ten days after the date of the decision of the Director. Upon the receipt of such an appeal, the City Manager or the City Manager's designee shall hold a hearing no later than the third business day after the filing of the appeal, and will render a written decision no later than the next business day after hearing the appeal. The City Manager's decision is final. The written decision of the City Manager shall be served upon the applicant or permittee.

B. A fee shall be paid at the time of the filing of the notice of appeal.

**18.60.130 Unlawful to use City name without authorization.**

It is unlawful for any applicant to use in the title of the event the words “The City of Gardena” or “City of Gardena” in a manner that can be reasonably interpreted to imply that the event is sponsored or endorsed by the City or to use the facsimile of the seal or logo of the City of Gardena without the City’s written authorization.

**SECTION 2.** Section 5.04.160.A of the Gardena Municipal Code relating to permit procedures is hereby amended to read as follows:

A. Application of Section. No person shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on in any location within the city, a business or occupation for which a permit is required, without first having obtained the required permit in addition to the businesses license. No business license shall be issued for any business for which a permit is required pursuant to this Title until the permit is obtained. The procedures set forth in subsections B through L of this section shall apply to any business or occupation for which permit approval by the community development director or the city council is required under this Title, unless a more specific permit application procedure applies.

**SECTION 3.** Section 5.08.170.B of the Gardena Municipal Code relating to circuses and carnivals is hereby amended to read as follows:

B. Permit Required. Prior to operating any circus or carnival, a permit shall first be obtained from the City Council in accordance with the provisions of Section [5.04.160](#) of this Code. The application shall be filed no later than thirty-five days prior to the scheduled event. No background check shall be required of the applicant. A list of all employees and their date of birth shall accompany the application.

**SECTION 4.** Section 8.16.030.D of the Gardena Municipal Code relating to firework stands is hereby deleted.

D. [repealed]

**SECTION 5.** Section 8.16.050 of the Gardena Municipal Code relating to firework stands is hereby amended to read as follows:

**8.16.050 Permit applications – Notice of acceptance or rejection.**

Applicants for any such permits shall be notified by the community development director, or their designee, by May 15th of the granting or rejection of such applications for fireworks stand .

**SECTION 6.** Findings. In approving the changes to the Gardena Municipal Code set forth above, the City Council finds that adoption of this Ordinance is required for the public necessity, convenience, general welfare and good land use and zoning practices. This Ordinance will provide rules and regulations for processing temporary activities and allow the city to impose conditions for the protection of the public health, safety and welfare.

**SECTION 7.** CEQA. Adoption of this Ordinance is exempt under the common sense exemption of CEQA Guidelines section 15061(b)(3) where it can be seen that the project will not have any possibility of creating significant effects on the environment. The ordinance does not authorize any development and is merely sets forth policy and procedures. Moreover, CEQA Guidelines section 15304 allows minors alterations to land, including temporary uses having negligible and no permanent effects.

**SECTION 8.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

**SECTION 9.** Effective Date. This Ordinance shall take effect on the thirty-first day after passage.

**SECTION 10.** Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
TASHA CERDA, Mayor

ATTEST:

\_\_\_\_\_  
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

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CARMEN VASQUEZ, City Attorney

CITY OF GARDENA  
NOTICE OF PUBLIC HEARING

**PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, January 16, 2024, at 7:00 p.m.,** the Planning Commission of the City of Gardena will conduct a public hearing to consider making a recommendation regarding the following:

CONSIDERATION: An Ordinance amending Chapter 18.60 of the Gardena Municipal Code relating to Temporary Use Permits and Temporary Events Permits and amending sections 5.08.170 and 8.16.030 and 8.16.050 to delete the requirement for a temporary use permit for circuses, carnivals and fireworks, and amending section 5.08.170 of Title 5 relating to permits. The Ordinance is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Guidelines § 15061(b)(3) and § 15305 as a minor alteration in land use limitations.

The public hearing will be held in the Council Chambers of City Hall at 1700 West 162nd Street, Gardena, CA 90247.

The related materials will be on file and open for public inspection with the City Clerk and on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>, no later than January 12, 2024. You will have the opportunity to speak during the hearing. Comments may also be submitted via email to [publiccomment@cityofgardena.org](mailto:publiccomment@cityofgardena.org) or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

Amanda Acuna  
Senior Planner

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