Chapter 2.32 PLANNING COMMISSION

Article I. In General

2.32.010 Created.

The Bellflower Planning Commission was created by resolution in 1957, which resolution was amended from time to time. This chapter, as provided by Section 65100 of the Government Code of California, ratifies the existence of and the actions heretofore undertaken by the Planning Commission and further establishes said Commission is the Planning Agency of the City of Bellflower. (Prior code § 21-2.1)

2.32.020 Composition—Qualifications, Appointment and Term of Office of Members—Filling Vacancies in Office.

A. The Bellflower Planning Commission shall consist of five (5) members, who shall be qualified electors of the City, none of whom shall hold any paid office or employment in the Bellflower City government.

B. Members of the Bellflower Planning Commission shall be appointed by the members of the City Council; each City Council member having the opportunity to make one appointment. If a member of the City Council declines to make an appointment, the Mayor shall make such appointment in addition to his/her own. All Planning commission members shall serve at the will and pleasure of the City Council.

C. Each member of the Bellflower Planning Commission shall serve for a term of four (4) years, such term to be concurrent with the term of office of the appointing Council member, pursuant to Subsection (B) of this section.

D. Vacancies to the Bellflower Planning Commission shall be filled by appointment by the member of the Council whose appointment has vacated his/her Commission position. If a member of the City Council fails to make an appointment to fill a vacancy, the Mayor shall make such appointment with the approval of the City Council. Persons appointed to fill a vacancy shall serve only for the unexpired term of the members whose vacancy they fill. (Prior code § 21-2.2)

2.32.030 Removal of Members—Attendance at Meetings.

Any member of the Planning Commission shall be subject to removal by motion of the City Council adopted by at least three (3) affirmative votes. The office of any member of the Planning Commission shall be vacated if the member absents himself/herself from three (3) consecutive regular meetings of the Commission or four (4) meetings in any twelve (12) month period, or if he or she is convicted of a crime involving moral turpitude or ceases to be an elector of the City. The office of any member shall be vacated if said member is no longer a permanent resident of the City. (Prior code § 21-2.3)

2.32.040 Conduct of Meetings.

The Commission shall observe the following rules in the conduct of its meeting and business:

A. The Commission shall hold at least one regular meeting in each month.

B. All regular meetings shall be open to the public.

C. Rules for transaction of business shall be adopted by the Commission and followed.

D. A public record (minutes) shall be prepared indicating all resolutions, findings, and determinations of the Commission.
E. A written agenda shall be prepared and circulated to Commission members in advance of all regular meetings. (Prior code § 21-2.4)

2.32.050 Powers and Duties Generally.

The City Council delegates the following duties, responsibilities, authority and limitations:

A. The Planning Commission’s responsibilities and authority are those set forth in applicable law as to the Planning Agency for the City of Bellflower, except as may be authorized by and set forth in specific City ordinances.

B. The Commission must receive and expeditiously act on all special project assignments made by the City Council and submit reports and recommendations to the City Council on these assignments.

C. The Commission may submit recommended City projects to the City Council for possible assignment by the City Council.

D. The Commission will meet and elect a chairperson and vice chairperson for its members.

E. It is the Commission’s responsibility to be represented at the meetings of the City Council and other commissions when matters of joint concern are to be discussed and to advise chairpersons of other commissions of Planning Commission matters of concern to that commission which are to be discussed by the Planning Commission.

F. Notwithstanding the foregoing, the City Council may opt to act as the City’s Planning Agency, by resolution, including, without limitation, when exercising its authority pursuant to Section 17.04.120 of this Code. (Prior code § 21-2.5; Ord. 1333 § 1, 1/23/17)

Article II. Hearings

2.32.060 Filing of Application.

The manner of filing applications, depositing fees, the scheduling of hearings, and the giving of required notices shall be governed by the provisions of Title 17, Zoning Regulations. (Prior code § 21-1.1)

2.32.070 Public Hearings.

A. At such hearings held under the provisions of Title 17, the following order of presentation shall be followed:

1. Calling of the case by the Chairperson.

2. Presentation of factual data by the Secretary of the Planning Commission or designated staff representative.

3. Sworn testimony is then heard from the proponents, opponents, and proponents on rebuttal. The Chairperson may, and upon request of any member of the Commission shall, require that any witness giving testimony be sworn before giving such testimony.

B. Evidence may be presented by oral statements, by testimony in response to questions, or by written exhibits or reports. Letters from interested individuals, other than agencies to whom communications were mailed requesting specific information, shall only be referred to as filed material and shall not be deemed as evidence. If the person who sent such letter is present at the hearing, it may be read into the record at his/her request in the event it contains any possible evidence.

The technical rules of evidence shall not apply at the hearing, but the Chairperson may on his/her own motion exclude any testimony which considers immaterial or irrelevant to the issues, or which is unnecessarily repetitious or cumulative.

C. Any member of the Commission may also question the propriety or sufficiency of evidence, and request that such testimony be excluded. If the Chairperson ignores the question or considers it
irrelevant, any Commissioner shall have the power to call for a vote of the Commission, and the Chairperson shall abide by the decision reached by the majority vote of the Commission.

D. The Chairperson may, and upon motion of any member of the Commission carried by a majority vote shall, limit the time for testimony to be presented by the proponents and the opponents to any reasonable period or periods of time.

E. All remarks from the floor shall be addressed to the Chairperson. All members of the Commission shall address his/her remarks to the Chairperson, or with his/her permission to the other members of the Commission. Under no circumstances shall speakers be interrupted from the floor during their presentation except by the chairperson or members of the Commission, nor shall there be any interchange of remarks between parties appearing before the Commission. The Commission shall through its Chairperson control the presentation of evidence and the decorum of the meeting at all times. Any remarks or orders to the audience shall be made by the Chairperson, or with his/her permission, by members of the Commission.

F. Any party desiring to address a question to a witness for another, shall state the question to the Chairperson, who shall indicate whether or not it need be answered by the witness. The Chairperson shall authorize any reasonable cross-examination of witnesses.

G. The amendment of any application by the applicant may be permitted at the time of the hearing only if the amendment lessens the area involved, or decreases the use requested. Any other amendment shall require a new hearing, and the manner of setting the hearing, giving of notice and conducting the hearing shall be the same as may be prescribed for the original application.

H. At the conclusion of the hearing, unless otherwise ordered, the Chairperson may declare the matter submitted for decision without formal action of the part on the Commission. (Prior code § 21-1.2)

2.32.080 Discussion of Proposed Case to Be Handled by the Administrative Staff Only.

No member of the Commission shall prior to the filing of any application, or prior to final action by the Commission, on any pending application, make any commitment or promise in connection with the case or application. All discussion relative to a proposed case shall be handled by the administrative staff of the City, or such staff as may be under contract to the City. (Prior code § 21-1.5)

2.32.090 Office of the Secretary of the Planning Commission.

The office of the Secretary of the Planning Commission shall be filled, ex officio, by the Planning Director. (Prior code § 21-1.6)

2.32.100 Investigation of Application for Zone Change, Exception, Conditional Use Permit or Special Use Permit.

The Planning Commission shall cause to be made by the Secretary of the Planning Commission such investigation of facts bearing upon such applications for zone changes, conditional use permits, or variances, as will serve to provide all necessary information to assure that the action on each application is consistent with the intent and purpose of the Zoning Regulations of the City, and with all previous amendments or exceptions granted pursuant thereto. (Prior code § 21-1.7)

2.32.110 Secretary to Conduct Investigation.

For the purpose of conducting any investigation, the Secretary of the Planning Commission may conduct such investigation himself/herself or he or she may engage the assistance of an assigned City employee or of an authorized contractual agency. (Prior code § 21-1.9)

2.32.120 Public Hearing for Proposals.
All proposals for amending zone boundaries or classifications of property uses within such zones, as are
defined by the Zoning Regulations of the City, or the granting of Conditional Use Permits or variances, or for
the revocation of such Conditional Use Permits, or variances as may be provided for by the Zoning
Regulations, shall be set by the Secretary of the Planning Commission for public hearing when such hearing is
to be held before the Planning Commission. (Prior code § 21-1.10)

### 2.32.130 Minutes of Meeting to Be Prepared by the Secretary.

Within fourteen (14) days after any meeting of the Planning Commission, the Secretary shall cause to be
prepared and mailed to the individual members of the Planning Commission a copy of the proposed minutes of
said meeting. The first item of business at each meeting of the Planning Commission shall be the
consideration of said proposed minutes. After the Commission makes any changes or additions it desires, if
any, the minutes shall be finally engrossed and a copy thereof shall be mailed to each member of the Planning
Commission and to each member of the City Council. (Prior code § 21-1.11)

### 2.32.140 Decision of Planning Commission to Be Submitted to the City Council.

All decisions of the Planning Commission which are subject to review by the City Council shall be placed in
final form by the Secretary and signed by the Chairperson and submitted to the City Council within two (2)
weeks after final decision by the Planning Commission. (Prior code § 21-1.12)

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