



CITY OF MONTEREY PARK PLANNING COMMISSION AGENDA

REGULAR MEETING
CITY HALL—COUNCIL CHAMBERS
320 W. NEWMARK AVENUE
March 12, 2013
7:00 P.M.

Planning Commission

Michael Hamner, Chairperson
Larry Sullivan, Vice-Chair
Hans Liang
Peter Ruiz
Vacant

Staff

James Funk, Lead Planner/Economic and
Development Special Projects Manager
Robert Smith, Deputy City Attorney
Samantha Tewasart, Associate Planner
Vacant, Assistant Planner

CALL TO ORDER:

ROLL CALL:

ELECTION:

ORAL AND WRITTEN COMMUNICATIONS:

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission, prior to any action taken on the agenda. No action may be taken on off-agenda items except as authorized by law. Speakers are requested to limit their comments to no more than **five minutes** each.

If you would like to address the Planning Commission, please complete the **white speaker's card**. The card is available at the speaker's podium or from the Secretary. Please identify on the card your name, address and the item on which you would like to speak and return to the Secretary. The **speaker's card** assists the Chairperson in ensuring that all persons wishing to address the Commission are recognized. If you wish to speak on an agenda item, your name will be called at the time the matter is heard by Planning Commission.

AGENDA CHANGES AND ADOPTION:

APPROVAL OF MINUTES: November 27, 2012

PUBLIC HEARING:

1. TITLE 21 COMPREHENSIVE ZONING CODE AMENDMENT

ENVIRONMENTAL:

In addition to drafting the proposed revisions, staff also analyzed any potential environmental impacts that may result from the changes and prepared an initial study pursuant to the California Environmental Quality Act ("CEQA"). The initial study was sent to relevant public agencies and notice was provided pursuant to CEQA. The public comment period ends the date of the Planning Commission's hearing. Pursuant to CEQA, the Community Development Department, with concurrence from the City Attorney's Office, has determined after the preparation of the Initial Study and environmental assessment that there is no substantial evidence that the Zoning Code Amendment may have a significant effect on the environment, because the amendments are primarily related to updating the Zoning Code to be consistent with changes in State law and the City's General Plan and the revisions do not themselves permit any additional development, increased density, increased building height, or other significant changes in development patterns within the City. Any projects permitted pursuant to the amended Zoning Code regulations would be required to separately undergo environmental review when a specific project is proposed. Therefore, a Negative Declaration has been prepared in accordance with the provisions of CEQA.

RECOMMENDATION:

It is recommended that the Planning Commission 1) adopt the Resolution recommending that the City Council adopt the Zoning Code Amendment amending Title 21 of Monterey Park Municipal Code (CA-13-01) and associated negative declaration.

**ITEMS FROM COMMUNITY
DEVELOPMENT:**

**ITEMS FROM THE
COMMISSION:**

ADJOURNMENT:

Next regular meeting on March 26, 2013, at 7:00 p.m.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD

CONTACT CITY HALL, (626) 307-1359 OR TTD/TTY (626) 307-2540. PLEASE NOTIFY THE CITY CLERK'S OFFICE TWENTY-FOUR HOURS PRIOR TO THE MEETING SO THAT REASONABLE ARRANGEMENTS CAN BE MADE TO ASSURE ACCESSIBILITY TO THIS MEETING. STAFF REPORTS, WRITINGS, OR OTHER MATERIALS RELATED TO AN ITEM ON THIS AGENDA, WHICH ARE DISTRIBUTED TO THE PLANNING COMMISSION LESS THAN 72 HOURS BEFORE THIS SCHEDULED MEETING SHALL BE AVAILABLE FOR PUBLIC INSPECTION IN THE PLANNING DIVISION LOCATED AT 320 WEST NEWMARK AVENUE, MONTEREY PARK, CA 91754, DURING NORMAL BUSINESS HOURS. SUCH STAFF REPORTS, WRITINGS, OR OTHER MATERIALS ARE ALSO ON THE CITY'S WEBSITE SUBJECT TO STAFF'S ABILITY TO POST THE MATERIALS BEFORE THE MEETING. THE CITY'S WEBSITE IS LOCATED AT [HTTP://WWW.CI.MONTEREY-PARK.CA.US](http://www.ci.monterey-park.ca.us).

APPROVED BY:

JAMES FUNK	
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PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

1

TO: Planning Commission

FROM: Lead Planner/Economic and Development Special Projects Manager

MEETING DATE: March 12, 2013

SUBJECT: PUBLIC HEARING
TITLE 21 ZONING CODE AMENDMENT (CA-13-01)

LOCATION: Citywide

APPLICANT: City of Monterey Park

PROJECT PLANNER: Samantha Tewasart
Associate Planner

RECOMMENDATION: After holding the public hearing, staff recommends that the Planning Commission adopt the Resolution recommending that the City Council adopt the Zoning Code Amendment amending Title 21 of the Monterey Park Municipal Code (CA-13-01).

ZONE: Citywide

GENERAL PLAN DESIGNATION: Citywide

SITE DESCRIPTION: Citywide

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

None

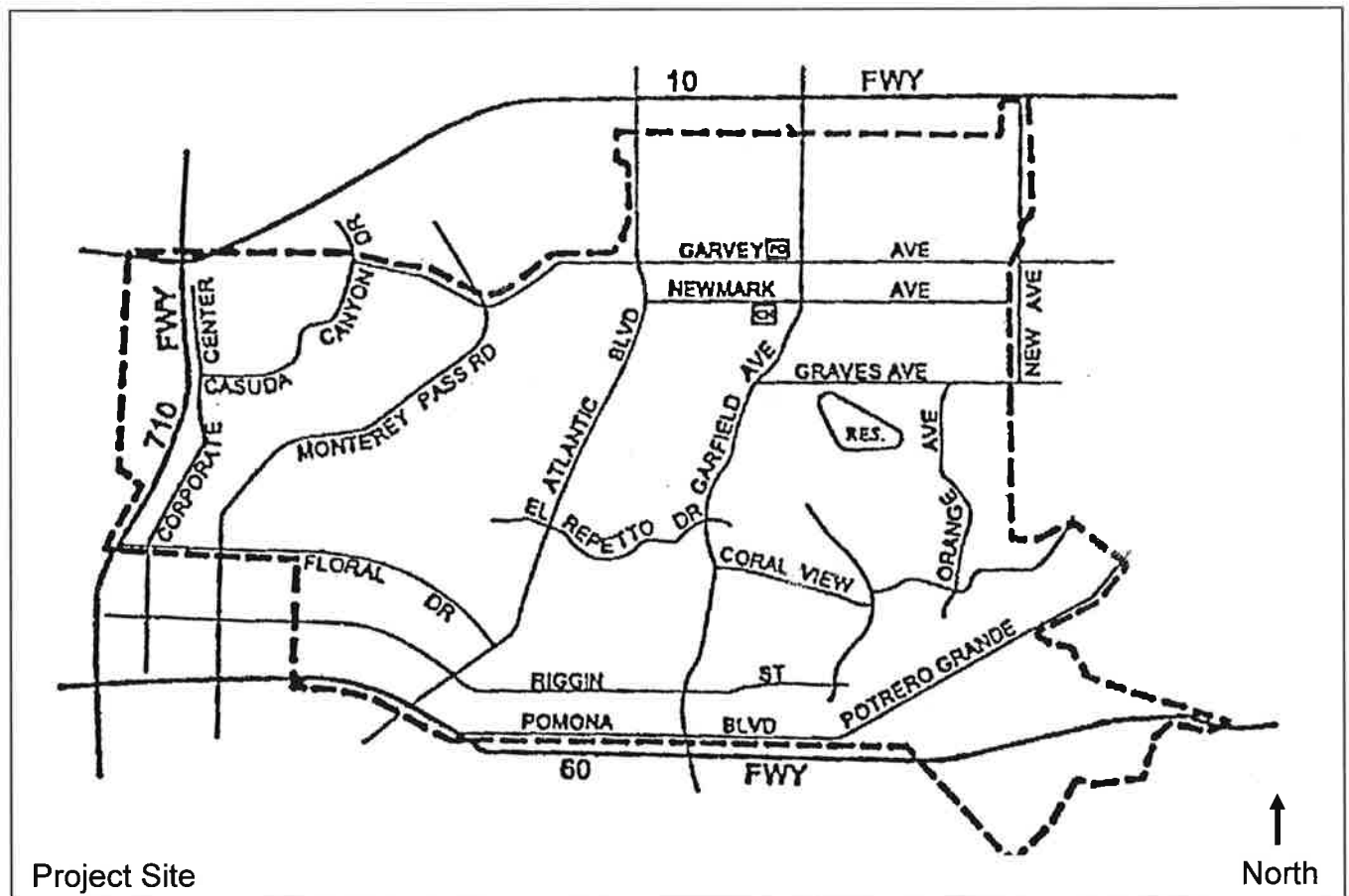
LEGAL NOTIFICATION:

The legal notice of this hearing was published in **The Wave** on **February 21, 2013** and posted on **February 14, 2013**, in the Monterey Park Bruggemeyer Library, Langley Center and the City Hall with affidavits of publishing and posting on file.

ENVIRONMENTAL ASSESSMENT:

In addition to drafting the proposed revisions, staff also analyzed any potential environmental impacts that may result from the changes and prepared an initial study pursuant to the California Environmental Quality Act ("CEQA"). The initial study was sent to relevant public agencies and notice was provided pursuant to CEQA. The public comment period ends the date of the Planning Commission's hearing. Pursuant to CEQA, the Community Development Department, with concurrence from the City Attorney's Office, has determined after the preparation of the Initial Study and environmental assessment that there is no substantial evidence that the Zoning Code Amendment may have a significant effect on the environment, because the amendments are primarily related to updating the Zoning Code to be consistent with changes in State law and the City's General Plan and the revisions do not themselves permit any additional development, increased density, increased building height, or other significant changes in development patterns within the City. Any projects permitted pursuant to the amended Zoning Code regulations would be required to separately undergo environmental review when a specific project is proposed. Therefore, a Negative Declaration has been prepared in accordance with the provisions of CEQA.

VICINITY MAP:



ANALYSIS AND EVALUATION OF PROJECT:

The proposed Zoning Code Amendment will accomplish three primary tasks, including:

- 1) Implementing Measures D and O, which were voted on by the people of Monterey Park in 1998 and 2001, respectively, and resolve inconsistencies between the Zoning Code and General Plan; and
- 2) Implementing the policies of the updated Housing Element 2009-2014; and
- 3) Creating a user-friendly Code by changing the format and organization of the Code, removing redundant information and outdated land uses, eliminating internal inconsistencies, and updating the Code to be consistent with changes in State law.

While the Code changes amend certain restrictions concerning which uses may be permitted in a specific zone, the amendment does not directly permit any additional new development as compared to the existing Zoning Code and does not directly increase the height, density, or permitted uses within the City (other than as required by State law).

State and Municipal Laws

In 2001, the City updated the General Plan and adopted new goals and policies, which focused on physical development and land use mixes. These changes included several goals and policies which impact the City's Zoning Code, thereby requiring that the Zoning Code be updated to maintain consistency. Since zoning is one of the primary means of implementing the General Plan, the success of the General Plan, and in particular the Land Use Element, rests in part upon the effectiveness of a consistent Zoning Ordinance in translating the long-term objectives and policies contained in the General Plan into everyday decisions. According to Government Code Section 65400, after the City Council adopts all or part of the General Plan, the planning agency must investigate and make recommendations to the City Council regarding reasonable and practical means for implementing the General Plan so that it will serve as an effective guide for orderly growth and development. Therefore, one of the primary goals of the Zoning Code Amendment is to implement the goals and policies of the General Plan update to ensure consistency with the previously adopted General Plan changes.

Additionally, the Zoning Code has not been comprehensively updated in over 30 years. There are several areas of State law that have changed over the years that require changes in City regulations to ensure consistency. For example, State regulations regarding density bonuses, adult-oriented businesses, affordable housing, regulation of transitional housing, medical services, and treatment centers, all have evolved over time and require changes to City zoning regulations to provide predictable and transparent regulation in these areas. While the proposed changes address most of these concerns, the Zoning Code Amendment does not update the City's adult business ordinance, which will be prepared and considered separately.

Description of Tasks

In April 14, 1998, the People of Monterey Park adopted Ordinance No. 1933 approving Measure D (see attached Ordinance), which affected the land use and zoning designations of the McCaslin Business Park area, located in the southeastern portion of the City. The following amendments to the General Plan, Zoning Code, and Zoning Map were approved by the vote of the people:

1. Creation and addition of Chapter 21.14, entitled O-P (Office Professional) Zone in the Zoning Code;
2. Modification of Section 21.70.030 of the Zoning Code by adding certain conditionally permitted uses in the O-P Zone; and
3. McCaslin Business Park was affected by Measure D, which changed the General Plan land use from Industrial to Commercial and the Zoning designation, from Manufacturing (M) to Office Professional (O-P).

In July 18, 2001, the City Council adopted Resolution No. 10655 (Measure O) approving a comprehensive update of the City's General Plan (see attached Resolution). The following amendments to the Land Use Element were approved by the vote of the people:

1. Commercial and/or Residential zoning was changed to Mixed-Use commercial residential zoning along portions of the North Atlantic, Garfield, East Garvey, Baltimore, and Pomona;
- 2a. Industrial zoning was changed to Employment Technology zoning along Monterey Pass Road and west of the Long Beach Freeway;
- 2b. Industrial zoning was changed to Public Facilities zoning west of the Long Beach Freeway and adjacent to the west City boundary;
- 2c. Industrial zoning was changed to commercial zoning between Potrero Grande Drive and the Pomona Freeway;
3. Public and Semi-Public Facilities zoning was changed to Open Space zoning south of the Pomona Freeway;
4. Residential zoning was changed to Commercial zoning on Hillview, and Mable; and
5. Increased residential density uses were permitted on Cesar Chavez across from East Los Angeles College and on Potrero Grande east of Kenton.

In March 4, 2009, the City Council adopted Ordinance 2062 approving the 2008-2014 Housing Element (see attached Ordinance). The following programs were created to illustrate to the Department of Housing and Community Development (HCD) Monterey Park's commitment to promote conservation and improvement of the existing housing stock:

1. Program 5: Efficient Permit Processing

- Review existing design review procedures for residential and mixed-use development and revise the Zoning Ordinance, as part of the comprehensive update, to include design guidelines related to scale and massing for new residential and mixed-use development for the Design Review Board to use in assessing projects; and

2. Program 6: Density Bonuses

- Adopt the State density bonus law to facilitate development of affordable housing; and
- Continue to provide regulatory incentives to developers of senior housing through the Senior Citizen Housing Overlay Zoning; and

3. Program 7: Extremely Low-Income and Special Needs Housing

- Amended Zoning Ordinance shall facilitate housing opportunities for extremely low-income persons by establishing definitions, performance standards, and siting regulations for transitional and supportive housing development and single-room occupancy developments (SROs). Establish a process to monitor applications for SROs to ensure processing procedures and standards do not hinder the development of SROs;
- Continue to allow the establishment of transitional housing and supportive housing that functions as residential uses in the residential zones consistent with similar residential uses; and
- Permit emergency shelters by right in the Office-Professional (O-P) Zone and to amend the Zoning Ordinance to include emergency shelters as a permitted use in the M Zone. Emergency shelters are to have the same development standards as dwelling units allowed in the M Zone for the purpose of guarding and caretaking operations and businesses. Additional written objective standards are to be developed for emergency shelters to regulate the following, as permitted under SB 2:
 - The maximum number of beds/persons permitted to be served nightly;
 - Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone;
 - The size/location of exterior and interior on-site waiting and client intake areas;
 - The provision of on-site management;
 - The proximity of other emergency shelters are not required to be more than 300 feet apart;

- The length of stay;
- Lighting; and
- Security during hours of operation.

4. Program 16: Zoning Ordinance Revision

- Amend the Zoning Ordinance, as part of the comprehensive Zoning Ordinance revision, to revise or remove the definition of family.

Summary of Changes

Most of the proposed changes are intended to resolve internal inconsistencies, eliminate redundancy, and make the Code easier to understand and more accessible to City residents and applicants. The below table represents a summary of the changes that staff believes are most significant as compared to the existing Code, and the reason for the proposed change.

Proposed Change	Reason for Change
Community Centers are Conditionally Permitted in R-2 and R-3 Zones	Consistent with City's Climate Action plan of locating community uses nearby residential areas to decrease vehicular trips
Congregate Care Facilities are Conditionally Permitted in R-2 and R-3 Zones	Required by Welfare & Institutions Code (Lanterman Developmental Disabilities Services Act)
Golf Courses and Public Parks are Conditionally Permitted in Residential Zones	Increases recreational uses nearby residential areas, thereby promoting City parks and recreation consistent with the General Plan
Supportive and Transitional Housing is Conditionally Permitted in the R-3 Zone	Required by Welfare & Institutions Code (Lanterman Developmental Disabilities Services Act) and Government Code Section 65583
New regulations of Extended Lodging Facilities	Provides regulation of facilities that offer lodging for more than 30 days. Permitted in R-S, C-S, and C-P Zones.
Eliminate Manufacturing Zone	Consistent with Measure O previously approved by City voters
Include tattoo/body piercing and emergency shelters as permitted uses in the O-P Zone	Pursuant to State law and recent case law, these uses cannot be prohibited in the City. Staff believes that these uses would be best situated in the O-P Zone.
Include wholesaling use in O-P Zone.	Given the large size of many of the existing structures in the O-P Zone, wholesaling uses are appropriate, given the need for a large amount of floor area for sales and storage. This provides a beneficial use for certain properties that cannot be used for manufacturing, warehousing, or industrial uses pursuant to Measure O.

Incorporation of Design Standards for Downtown	Consistent with General Plan policy of enhancing the aesthetic character of Downtown with a unifying development theme.
Update affordable housing, senior citizen housing, and density bonus regulations.	Required to comply with changes in State affordable housing and senior citizen housing regulations.
Revised parking regulations.	Required to update confusing and ambiguous regulations regarding the required number of parking spaces per use.
Regulations for minor modifications and minor variances.	Creates a procedure for minor changes in code requirements (less than 20%) or changes to previous approvals to permit more efficient streamlining of projects and approvals.
Wireless telecommunications facility regulations.	Required to comply with Federal Telecommunications Act.

CONCLUSION:

After holding the public hearing, staff recommends that the Planning Commission adopt the Resolution recommending that the City Council adopt the Zoning Code Amendment amending Title 21 of Monterey Park Municipal Code (CA-13-01) and associated negative declaration.



James Funk

Lead Planner/Economic and Development Special Projects Manager

Attachments:

1. Draft Resolution
2. Draft Title 21 Zoning Code Amendment
3. Initial Study and Draft Negative Declaration
4. Resolution No. 10655
5. Ordinance No. 1933
6. Ordinance No. 2062