PLANNING COMMISSION OF MONTEREY PARK
AGENDA

REGULAR MEETING
Monterey Park City Hall Council Chambers
320 West Newmark Avenue

Tuesday
September 12, 2017
7:00 PM

MISSION STATEMENT
The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community.

Documents related to an Agenda item are available to the public in the Community and Economic Development Department – Planning Division located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at www.montereypark.ca.gov.

PUBLIC COMMENTS ON AGENDA ITEMS

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Board Chair and Board Members may change the amount of time allowed for speakers.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

CALL TO ORDER	Chairperson
FLAG SALUTE	Chairperson
ROLL CALL	Larry Sullivan, Delario Robinson, Theresa Amador, Ricky Choi, and Eric Brossy De Dios

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS. While all comments are welcome, the Brown Act does not allow the Commission to take action on any item not on the agenda. The Commission may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the Commission's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

[1.] PRESENTATIONS - None

[2.] CONSENT CALENDAR - None

[3.] PUBLIC HEARING

3-A TENTATIVE MAP NO. 75007 (TM-17-03) TO ALLOW FOR THE SUBDIVISION OF AIR-RIGHTS TO ESTABLISH AND MAINTAIN A 6-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONE – 320-322 SOUTH MOORE AVENUE

It is recommended that the Planning Commission:

(1) Open the public hearing;
(2) Receive documentary and testimonial evidence;
(3) Close the public hearing;
(4) Adopt the attached Resolution approving Tentative Map 75007 (TM-17-03), subject to conditions contained therein; and
(5) Take such additional, related, action that may be desirable.

California Environmental Quality Act (CEQA):

Pursuant to the California Environmental Quality Act (CEQA) guidelines, the project is Categorically Exempt under § 15332 as a Class 32 categorical exemption (Infill Development) in that the project consists of the subdivision of air-rights to establish and maintain a 6-unit residential condominium development.

3-B. CONSIDER ADOPTING A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND SPECIFIC SECTIONS OF TITLE 21 (ZONING REGULATIONS) OF THE MONTEREY PARK MUNICIPAL CODE GOVERNING SIGNS IN THE RESIDENTIAL ZONES AND FREEWAY ORIENTED SIGNS

It is recommended that the Planning Commission:

(1) Open the public hearing and, after considering the evidence presented during the public hearing, adopt a Resolution recommending that the City Council adopt a draft ordinance amending the Monterey Park Municipal Code regulating signs in the residential zones and freeway oriented signs; and

(2) Take such additional, related, action that may be desirable.

California Environmental Quality Act (CEQA):

The proposed ordinance is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; "CEQA") for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).

[4.] OLD BUSINESS - None

[5.] NEW BUSINESS - None

[6.] COMMISSION COMMUNICATIONS AND MATTERS

[7.] STAFF COMMUNICATIONS AND MATTERS

ADJOURN

Next regular scheduled meeting on September 26, 2017.

APPROVED BY:

MICHAEL A. HUNTLEY

Planning Commission Staff Report

DATE: September 12, 2017

AGENDA ITEM NO: 3-A

TO: The Planning Commission

FROM: Michael A. Huntley, Community and Economic Development Director

SUBJECT: A Public Hearing to consider Tentative Map No. 75007 (TM-17-03) to allow the subdivision of air-rights to establish and maintain a 6-unit residential condominium development – 320-322 South Moore Avenue.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

(1) Opening the public hearing;
(2) Receiving documentary and testimonial evidence;
(3) Closing the public hearing;
(4) Adopting the Resolution approving Tentative Map No. 75007 (TM-17-03), subject to conditions of approval; and
(5) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The applicant, Michelle S. Chang of Proton Rich, LLC, is requesting approval of a Tentative Map to subdivide air rights to develop a 6-unit residential condominium project at 320-322 South Moore Avenue.

The R-3 (High Density Residential) zone allows for a density up to 6 units; the applicant is proposing to construct 6 units. The proposed project meets the zoning regulations and development standards. The High Density Residential land use allows for a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes built at a maximum density of 25 units per acre.

Moore Avenue is currently developed with a mixture of one and two-story detached and attached multi-family residential buildings and single-family dwelling units. Multi-unit residential developments are not uncommon within the vicinity of the subject property. The existing developments range in year of construction from the early 1920s to the late 1950s. The subject properties are currently developed with two older detached residential dwelling units that will be demolished as part of the project.

Property Description

The properties are located on the east side of the South Moore Avenue, six lots south of West Newmark Avenue. The property is zoned R-3 (High Density Residential) and designated HDR (High Density Residential) in the General Plan. The properties to the north, east and west are R-3 zoned lots. The properties located to the south are R-1 (Single-Family Residential) zoned lots. The subject site has a frontage of 100 feet and a depth of 184.84 feet, with a total lot area of 18,484 square feet in size.

Project Description

The applicant is proposing to consolidate the existing two parcels into one lot. Under California law, a tentative map is required to subdivide air space for separate ownership of each of the units.

The six units will range from approximately 1,580 square feet up to 1,739 square feet in size and will have 3-bedrooms. The proposed buildings on the site will meet the required front and rear setback of 25 feet, 5-feet interior side setback for the first floors, and 10-feet interior side setback for the second floors. Each unit will be two stories, with a maximum height of 27 feet 1 inch.

Pursuant to Monterey Park Municipal Code (MPMC) § 21.22.050, condominium units with three or fewer bedrooms require 2 enclosed garage spaces, plus 1 guest parking space per every two dwelling units. Overall, 12 enclosed garage spaces and 3 guest parking spaces are required and will be provided in the subterranean parking level. The driveway has a width of 19 feet up to 24 feet, and each parking space has a back-up space of 26 feet. Each enclosed parking space is required and will provide a minimum width of 9 feet, and a minimum depth of 20 feet.

Per MPMC § 21.08.080, the project is required to provide a minimum of 400 square feet of common open space per unit, and a minimum of 250 square feet of private open space per unit. According to the site plan, the project will include 2,400 square feet of common open space throughout the property, and each unit will be provided with private open spaces with at least 250 square feet. The common open space area will be regulated by CC&Rs and maintained by a Homeowner's Association.

The project is in compliance with R-3 development standards. Subsequent to Planning Commission review, the project design must be reviewed and approved by the Design Review Board.

OTHER ITEMS:

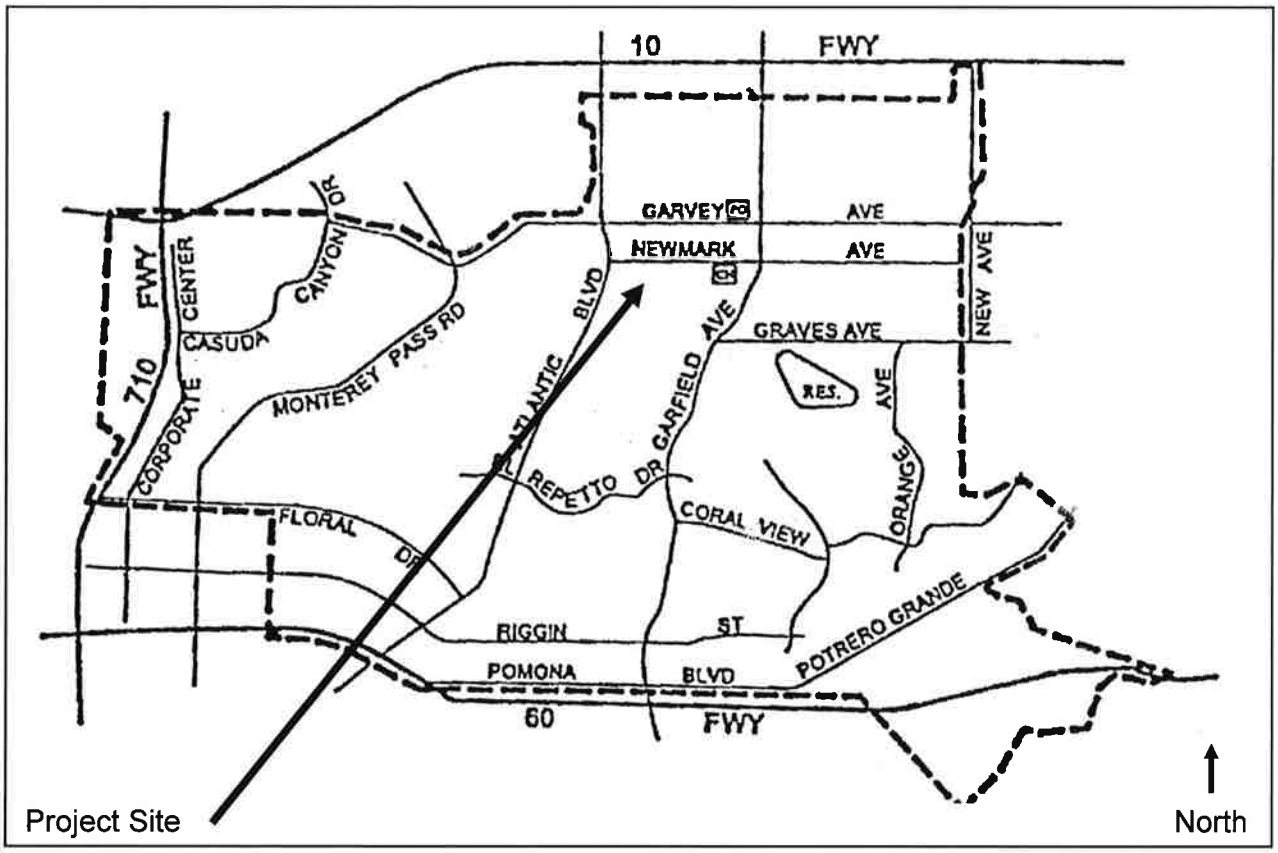
Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **August 24, 2017** and published in the Wave on **August 31, 2017**, with affidavits of posting on file. The legal notice of this hearing was mailed to **90** property owners within a 300 feet radius and current tenants of the property concerned on **August 28, 2017**.

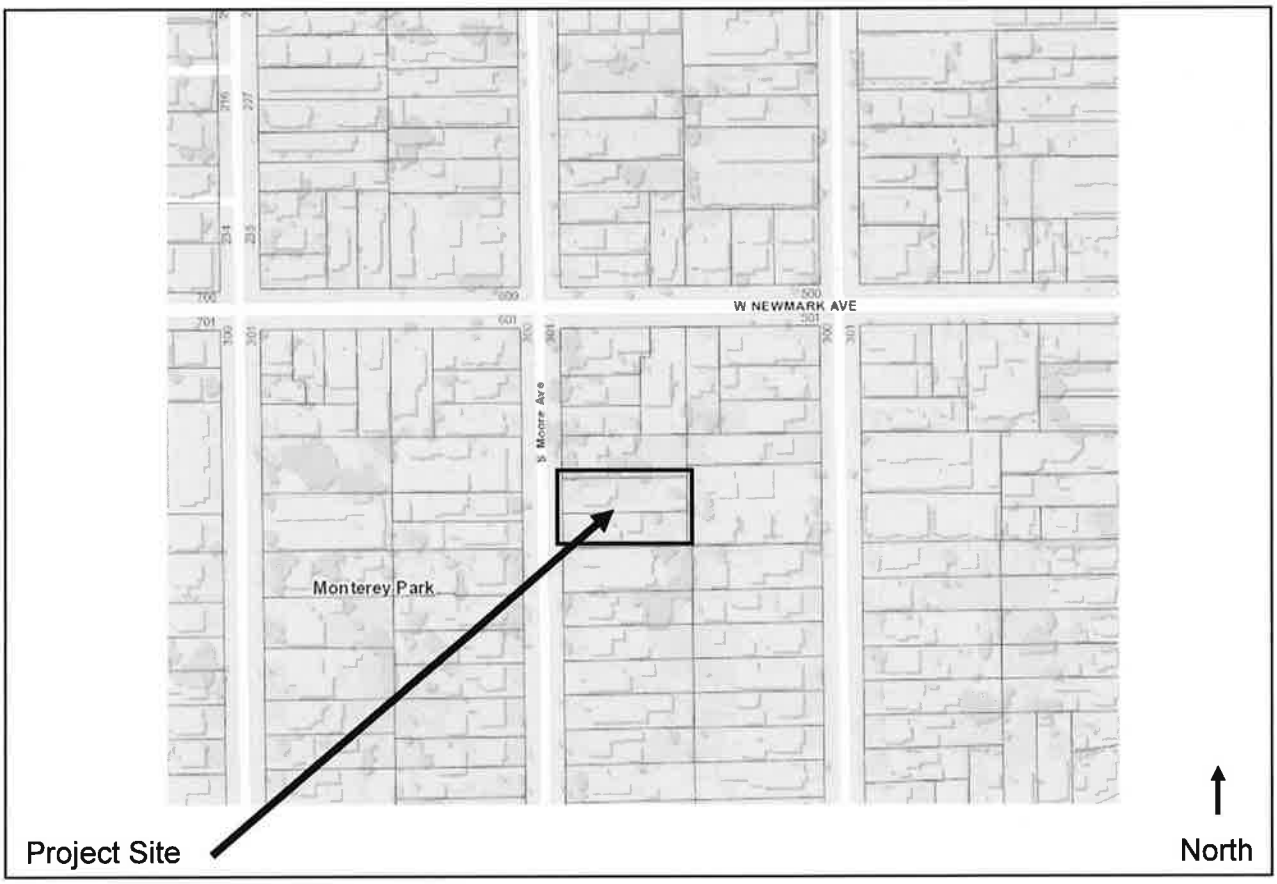
Environmental Assessment

The Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (Infill Development). The project conforms to the General Plan because, according to the Land Use Element, the High Density Residential land use category allows a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes built at a maximum density of 25 units per acre. The project is the subdivision of air rights to establish and maintain a 6-unit residential condominium development. The project is consistent with the zoning.

Vicinity Map



Street Map



Aerial Map

ALTERNATIVE COMMISSION CONSIDERATIONS:

None.

FISCAL IMPACT:

There may be an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

Respectfully submitted,

Michael A. Huntley
Community and Economic
Development Director

Prepared by:

Harald Luna
Assistant Planner

Reviewed by:

Karl H. Berger
Assistant City Attorney

Attachments:

Attachment 1: Draft Resolution
Attachment 2: Tentative Map 75007

ATTACHMENT 1
Draft Resolution

ATTACHMENT 2
Tentative Map No. 75007

RESOLUTION NO.

A RESOLUTION APPROVING TENTATIVE MAP NO. 75007 (TM-17-03) TO SUBDIVIDE AIR RIGHTS FOR A SIX-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 320-322 SOUTH MOORE AVENUE.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

A. On April 26, 2017, Michelle S. Chiang of Proton Rich, LLC, submitted an application pursuant to Title 20 of the Monterey Park Municipal Code ("MPMC") requesting approval of Tentative Map No. 75007 (TM-17-03) to subdivide air rights to establish and maintain a 6-unit residential condominium project at 320-322 South Moore Avenue ("Project");

B. The proposed Project was reviewed by the Community and Economic Development Department for, in part, consistency with the General Plan and conformity with the MPMC;

C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");

D. The Community and Economic Development Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for September 12, 2017. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;

E. On September 12, 2017, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and

F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its September 12, 2017 hearing including, without limitation, the staff report submitted by the Community and Economic Development Department.

SECTION 2: *Factual Findings and* Conclusions. The Planning Commission finds that the following facts exist and makes the following conclusions:

A. The Applicant seeks to construct six new residential dwelling units and subdivide the air rights for condominium purposes;

B. 320-322 South Moore Avenue is zoned R-3 (High Density Residential) and designated HDR (High Density Residential) in the General Plan;

C. The Project property is located on the east side of South Moore Avenue. The properties to the north, east, and west are zoned R-3, and to the south are R-1 zoned properties; and

D. The Project property is 18,484 square feet (0.42 acres) in area and is currently developed with older detached residential dwelling units.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15315 as a Class 32 categorical exemption (Infill Developments).

SECTION 4: *Tentative Map Findings.* The Commission finds as follows pursuant to Government Code § 66474 and MPMC Title 20:

A. The proposed tentative map is consistent with applicable general and specific plans as required by Government Code § 66473.5. The tentative map for this project would allow six residential condominium units to be constructed on the site. This is less than the maximum density of 25 dwelling units per acre for this site. Consequently, the project complies with the General Plan. The property is located on South Moore Avenue, a local street with a 60-foot right-of-way, which is adequate in size and capacity to accommodate the anticipated traffic that will be generated by the proposed development. There is no specific plan adopted for this area.

B. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans. The design of the proposed subdivision is consistent with the General Plan in that the project is a 6-unit residential condominium project, which is compatible with the high density housing either attached or detached allowed in the high density residential category. There is no specific plan adopted for this area.

C. The site is physically suitable for the type of development and the proposed density of the development. The size of the property is 18,484 square feet (0.42 acres) and adequate in size to accommodate a 6-unit residential condominium project because in the R-3 Zone, one dwelling unit is allowed for every 3,000 square feet of lot area on lots of 7,000 square feet or more and having a front lot line of at least fifty feet.

D. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is bordered by residentially developed lots to the north, south, east, and west. There are no rare plants, wild animals nor cultural, historical or scenic aspects within the surrounding area.

E. The design of the subdivision or the type of improvements is not likely to cause serious public health problems. The proposed subdivision will not cause any public health problems in that the subject development will be constructed according to all City, State, and Federal regulations and specifications.

F. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. There are no public easements for access within the proposed development.

SECTION 5: *Approval.* Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Tentative Map No. 75007 (TM-17-03).

SECTION 6: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution will be mailed to the applicant, Michelle S. Chiang of Proton Rich, LLC and to any other person requesting a copy.

SECTION 11: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 12: Except as provided in Section 11, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 12th day of September 2017.

Chairperson Larry Sullivan

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 12th day of September 2017, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael A. Huntley, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____
Karl H. Berger,
Assistant City Attorney

PLANNING COMMISSION RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

320-322 SOUTH MOORE AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Michelle S. Chang of Proton Rich, LLC, agrees that it will comply with the following conditions for approval of Tentative Map No. 75007 (TM-17-03) ("Project Conditions").

PLANNING:

1. Michelle S. Chang of Proton Rich, LLC (the "Applicant"), agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of TM-17-03 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of TM-17-03, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.

2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building and Safety Divisions. Any subsequent modification must be referred to the Director of Community and Economic Development for a determination regarding the need for Planning Commission review and approval of the proposed modification.

3. Tentative Map No. 75007 (TM-17-03) expires twenty-four months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A total of three, one year, extensions may be granted by the Planning Commission upon finding of good cause. An application requesting an extension must be filed with the Community and Economic Development Department before the expiration date.

4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.

5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

6. The real property subject to TM-17-03 must remain well-maintained and free of graffiti. Any graffiti must be removed within 24 hours after discovery.

7. Building permits are required for any interior tenant improvements.

8. Landscaping/irrigation must be maintained in good condition at all times.

9. A final map must be approved and recorded before the City issues a certificate of occupancy.

10. All enclosed garage spaces must be used for off-street parking only. There cannot be any personal storage or conversion of this space that would prevent the parking of vehicles in the enclosed garage. This condition must be included in the conditions, covenants and restrictions ("CC&Rs") recorded for this property.

11. The ownership must retain the services of a professional property management company to oversee the maintenance of the property.

BUILDING:

12. The second sheet of the building plans must list all City of Monterey Park conditions of approval.

13. A building permit does not permit excavations to encroach into adjacent properties. Requirements for protection of adjacent properties are defined in the Civil Code § 832.

14. The site plan must indicate the proposed path of building sewer, size of sewer line, location of cleanouts, and the invert elevation of the lateral at the property line.

15. A soils and geology report is required as part of plan check submittal.

16. Before the City issues a building permit, the applicant must obtain a permit from CAL-OSHA to construct the project.

17. The conditioned space of the buildings must conform to Energy Efficiency Standards by California Energy Commission.

18. The multi-family residential development must comply and meet all access and adaptability requirements, per the California Building Code, as adopted by the MPMC.

19. Separate permits are required for demolition and retaining walls.

ENGINEERING:

20. Pursuant to the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," under which the City of Monterey Park is a permittee, this project involves the distribution of soils by grading, clearing and/or excavation. The applicant/property owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition a grading permit on evidence of compliance with this permit and its requirements. Compliance information is available in the office of the City Engineer. The project will require the preparation of a Low Impact Development (LID) Plan. The LID Plan must be reviewed and approved by the City's storm water consultant prior to issuance of permits. Upon approval of the NPDES document by the City, the applicant/property owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading permit.

21. The applicant must record the final map after the City approves the final map in accordance with the MPMC and accepts any applicable bonds or agreements. A refundable $187 cash deposit must be submitted to guarantee that developer will provide the City with one transparent 4 mil thick mylar tracing; one electronic file of approved final map tracings transferable to City's AutoCAD and GIS systems; and two copies of the recorded final map which must be filed with the City Engineer within three months of recordation. If a recorded copy is not submitted by the end of the three-month time period, developer will forfeit the $187 cash deposit.

22. The applicant/property owner must provide written proof that there are no liens against the subdivision for unpaid taxes or special assessments and submit Los Angeles County tax bill, tax payment receipt, and copy of cancelled check before filing a Final Map with the City for approval.

23. Applicant agrees to pay City any development impact fees ("DIFs") that may be applicable to the Project. Applicant takes notice pursuant to Government Code § 66020(d) that City is imposing the DIFs upon the Project in accordance with the Mitigation Fee Act (Government Code § 66000, *et seq.*). Applicant is informed that it may protest DIFs in accordance with Government Code § 66020.

24. Covenants Conditions & Restrictions must establish a homeowner's association to address common maintenance and utilities, and must be prepared to the satisfaction of the City Attorney and the City Engineer. Developer/owner is responsible for securing the CC&R guidelines from the Office of the City Engineer. A copy of the recorded CC&Rs must be submitted before final inspection and clearance of the building permit. The applicant must pay for the City's costs associated with reviewing the CC&Rs including, without limitation, legal costs.

25. All improvement plans, including grading and public improvement plans must be based upon City approved criteria. Benchmark references to be obtained from the Engineering Division.

26. A water plan must be submitted for review and approval by the City Engineer. This plan must substantiate adequate water service for domestic flow, fire flow and identify backflow prevention. A water system analysis must be provided by the developer to demonstrate that the new development does not negatively impact the existing system. If the existing system does not have adequate pressure and fire flow to serve the development, the developer will be responsible for upgrading the water main as necessary in the public right-of-way.

27. A domestic water demand must be provided to the city in the form of (Average Hourly Demand) and (Peak Hourly Demand). If it is determined that the surrounding infrastructure is inadequate to meet the additional demand of the project, the developer must provide recommendations to improve the system to a level needed to meet the additional demand. This must include hydraulic modeling and calculations supporting the recommendation. The proposed system improvements will be reviewed and validated by the City's Water Division and the City Engineer.

28. Water Division requirements are to be determined upon completion and submittal of a water meter sizing sheet by the applicant. This may include up sizing of water meter and water services. All upgrading costs are the responsibility of the property owner and must be completed prior to approval of the grading and drainage plans.

29. The applicant must provide survey monuments denoting the new property boundaries and lot lines to the satisfaction of the City Engineer. All maps must be prepared from a field survey. Compiled maps are not permitted. Whenever possible, lot lines must be located to coincide with the top of all man-made slopes. Any deviation from this requirement must be approved by the City Engineer.

30. The applicant must provide a site drainage plan for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer. Drainage from contiguous properties must not be blocked and must be accommodated to the satisfaction of the City Engineer. A hydrology and hydraulic study of the site may be required for submittal to the City Engineer for review and approval.

31. All storm drainage facilities serving the development must accommodate a 50-year storm. If existing storm drain facilities are inadequate they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and

also the satisfaction of the City Engineer before approving grading and drainage plans.

32. Any damage done to existing street improvements and utilities during construction must be repaired before the City issues certificates of occupancy. Pre-existing damaged, deteriorated, substandard or off-grade curb, gutter, driveways and sidewalk must be repaired or replaced to the satisfaction of the City Engineer.

33. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the City or a public works improvement guarantee and agreement must be posted before final map approved by the City Council.

34. All electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, must be made to City and public utility standards. A utility plan must be prepared and submitted showing all existing and proposed utilities prior to approval of the Grading and Drainage Plans. The utilities may be shown on either a separate plan or on the proposed site plan.

35. A sewer study must be provided to demonstrate that the new development does not negatively impact the existing sewer system. If existing sewer does not have adequate capacity to serve the development, the developer will be responsible for upgrading the sewer main as necessary in the public right-of-way. A sewer connection reconstruction fee will be assessed at the time the building permit is issued, in accordance with MPMC § 14.06.060.

36. The applicant must provide separate street improvement plans in accordance with City standards and to the satisfaction of the City Engineer. The plans must include the removal and reconstruction of sidewalk, driveway approach, and curb and gutter along the entire property frontage on South Moore Avenue.

37. All street lighting must be underground fed to new concrete standards with LED fixtures per City standards. Provide separate street lighting and underground conduit plans for review and approval by the City Engineer.

38. The Grading and Drainage plan must be submitted by the first plan check.

39. The Grading and Drainage Plan, excavation and temporary Shoring Plan must incorporate all pertinent site development comments from the City's geotechnical consultant, and must include the approved geotechnical report submitted by the developer's consultant. The geotechnical report must be reviewed and approved by the City's geotechnical consultant prior to the issuance of permits.

40. The tentative map must be in accordance with the adopted conditions of approval for the tentative map and the specific criteria noted by the City Engineer. Verify and submit the correct drainage pattern of adjacent properties.

41. Parkways must be irrigated and landscaped per plans submitted for review and approval by the City Engineer, prior to approval of the Grading and Drainage Plans. The need for preserving existing street trees and/or providing additional street trees must be reviewed and approved by the City Recreation and Parks Department.

POLICE:

42. Adequate exterior lighting must be provided so that the units are visible from the street during the hours of darkness.

43. Provide an access control system such as a keypad, card reader, or electric latch retraction device for ingress and egress gates and doors in order to control and deter unwanted access onto the property. A key card or key code must be provided to the police department to access the property in case of an emergency.

44. A camera surveillance/security system must be installed in the common areas of the property such as the common walkways, exterior storage areas, building perimeters, and stairwells. The camera security system must operate 24 hours a day, seven days a week. All cameras should record onto a recording medium and all recording should be maintained in a secure and locked enclosure. It is recommended that the recordings be maintained for a minimum of 30 days and made readily available for any law enforcement official who requests the recordings for official purposes.

45. The shrubbery on the property must be installed and maintained in such condition to permit good visibility of the units from the streets. Any shrubbery surrounding the complex and in the courtyard areas must be planted and maintained where the height of the greenery would not easily conceal persons.

46. The driveway leading into the complex must be constructed and maintained in such a condition that traffic is easily visible to those entering or leaving the location.

47. Any outside ladders leading to the roof top must be secured to prevent unauthorized access to the roof.

48. Address numbers must be illuminated during hours of darkness and positioned as to be readily readable from the street. The address numbers must be a minimum of 12 inches in height.

49. Each distinct residential unit within the property must have its address displayed on or directly above the front door.

50. All common open areas must be well lit during the hours of darkness.

51. Signs must be posted at the guest parking areas and in the driveway leading into the complex to prevent illegal or overnight parking of unwanted guests.

52. A thoroughfare for residents, guests, and any necessary emergency vehicles and/or personnel must be maintained at all times. The Monterey Park Police Department Traffic Bureau must be contacted for sign verbiage and posting locations. The Traffic Bureau Sergeant can be reached at (626) 307-1481.

By signing this document, Michelle S. Chang of Proton Rich, LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

_____

Michelle S. Chang of Proton Rich, LLC, Applicant

Planning Commission Staff Report

DATE: September 12, 2017

AGENDA ITEM NO: 3-B

TO: The Planning Commission

FROM: Michael A. Huntley, Director of Community and Economic Development

SUBJECT: Consider adopting a Resolution recommending that the City Council amend specific sections of Title 21 (zoning regulations) of the Monterey Park Municipal Code governing signs in the residential zones and freeway oriented signs.

RECOMMENDATION:

It is recommended that the Planning Commission:

(1) Open the public hearing and, after considering the evidence presented during the public hearing, adopt a Resolution recommending that the City Council adopt a draft ordinance amending the Monterey Park Municipal Code regulating signs in the residential zones and freeway oriented signs; and

(2) Take such additional, related, action that may be desirable.

ENVIRONMENTAL:

The proposed ordinance is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; "CEQA") for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).

EXECUTIVE SUMMARY:

The proposed code amendment is in response to inquiries received from the public regarding signage in the residential zones, and freeway oriented wall signs in the commercial zones. In the day-to-day implementation of the MPMC, staff has received questions regarding signage for multi-family residential developments and assembly halls in the residential zones.

According to MPMC § 21.04.097, an assembly hall is a building used for large scale public or private gatherings of people, for example, private educational facilities; religious institutions; clubs; lodges; theaters; and similar kinds of facilities whether available for public or private uses. Currently, there are multi-family developments and

assembly halls that have wall signs or monument signs. The MPMC, however, does not currently allow for either type of signage. Additionally, questions have been received regarding greater flexibility for wall signs in the commercial zones that have freeway frontage.

In evaluating the residential and commercial districts and conducting surveys of surrounding cities, staff is proposing regulations for wall and freestanding signs for multi-family residential developments and assembly halls in the residential zones, and freeway-oriented wall signs.

ANALYSIS:

The proposed code amendments are summarized below.

Chapter 21.24 Sign Regulations

21.24.655 Residential Signs – In the residentially-zoned areas there are existing multi-family developments and assembly halls that have non-illuminated wall or monument signs. However, there are no regulations in the MPMC that allow for signage in the residential areas, with the exception of real estate, yard sale, and campaign signs.

Staff surveyed surrounding cities and most of the cities have regulations in place for wall and freestanding signs in residential zones. The average size is approximately 25 square feet and the average height is approximately 6 feet, as summarized in Table 1 below.

TABLE 1: SIGNAGE REGULATIONS IN RESIDENTIAL ZONES SURVEY

City	Use	Sign Type	Number	Size	Height	Illumination
Alhambra	Multi-Family Development	Freestanding	1 per street frontage	25 SF	5 FT	No
		Wall	1 per street frontage	20 SF	15 FT	No
	Assembly Use	Freestanding	1 per street frontage	25 SF	5 FT	No
		Wall	1 per street frontage	20 SF	15 FT	No
Arcadia	Multi-Family Development	Freestanding	1 per street frontage	6 SF	3 FT	No
	Assembly Use	Freestanding or Wall	1 per street frontage	48 SF	8 FT 12 FT	Yes CUP
Monrovia	Multi-Family Development	-	-	-	-	-
	Assembly	Wall	Front			Yes

	Use		building elevation			CUP
		Monument	1 per street frontage	50 SF	6 FT	Yes CUP
Rosemead	Multi-Family Development	-	-	15 SF	6 FT	Yes
	Assembly Use	Wall	1 per street frontage	Cannot exceed 25% of building frontage	-	Yes CUP
		Freestanding	1 per 100 FT street frontage			Yes CUP
San Gabriel	Multi-Family Development	Freestanding or Wall	1 per street frontage	-	6 FT	Yes
	Assembly Use	Wall	1 per street frontage	25 SF	-	Yes CUP
		Monument	1 per 75 FT per street frontage (R-1 Zone) 1 per street frontage of: 75-84 FT 85-99 FT 100 FT+ (R-2, R-3 Zone)	25 SF (R-1 Zone) 30 SF 40 SF 50 SF (R-2, R-3 Zone)	6 FT	Yes CUP
Temple City	Multi-Family Development					
	Assembly Use	Freestanding				No
West Covina	Multi-Family Development or Assembly Use	Monument	1 per street frontages	40 SF	6 FT	Yes

Based on the survey, staff proposes that properties located in the residentially-zoned areas constructed with a multi-family development or assembly hall and has a street frontage less than 200 feet be limited to one non-illuminated wall sign and properties

located in the residentially-zoned areas constructed with a multi-family development or assembly hall and has a street frontage greater than 200 feet be limited to one 25 square feet or less, non-illuminated monument sign, unless the property has frontage on a principal arterial or minor arterial street, then the monument sign can be illuminated or non-illuminated. The monument sign will also be required to provide landscaping and irrigation around the base of the sign as well clearance from the clear-sight triangle area as specified in MPMC § 21.24.140.

Additionally, the proposed criteria are consistent with the type of signage that have been permitted and installed on existing multi-family developments and assembly halls. Furthermore, it is reasonable for the signage criteria to be more restrictive in residentially-zoned areas as compared to the commercially-zoned areas.

21.24.655 Freeway-Oriented Signs – There are commercially-zoned properties that have frontages to freeways; specifically there are properties located on Hellman Avenue that fronts the Interstate 10 Freeway and properties located on Pomona Boulevard that fronts the State Route 60 Freeway. Staff surveyed the properties located along Hellman Avenue and Pomona Boulevard. The properties located on Hellman Avenue are almost all residentially zoned and constructed with residential units, except for the properties located at the intersections at North Atlantic Boulevard, North Garfield Avenue, and North New Avenue.

A large portion of the properties located along Pomona Boulevard are commercially-zoned and constructed with commercial developments. These lots range in lot widths from 30 feet to 80 feet and lot depths of approximately 110 feet. The city's existing signage regulations allow for wall signs that are limited to 15 feet in height and monument signs that do not provide for freeway visibility. In staff's evaluation of the properties located along Pomona Boulevard, taller freestanding signs would be disproportionate and out of scale with the existing lot sizes and widths. Therefore, staff proposes to add regulations that will allow wall signs facing a freeway to exceed 15 feet height and not to exceed the roof lines.

Respectfully submitted,

Michael A. Huntley
Community and Economic
Development Director

Prepared by:

Samantha Tewasart
Senior Planner

Reviewed by:

Karl H. Berger
Assistant City Attorney

Attachments:

Attachment 1: Proposed Zoning Code Amendments
Attachment 2: Resolution recommending adoption of the ordinance

ATTACHMENT 1
Proposed Zoning Code Amendments

ORDINANCE NO. _____

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE SECTIONS 21.24.650 AND 21.24.655 REGARDING REGULATION OF SIGNS.

The City Council of the city of Monterey Park does ordain as follows:

SECTION 1. Pursuant to Monterey Park Municipal Code ("MPMC") § 21.38.050, the City Council finds as follows:

A. The MPMC amendments ("Sign Regulations") set forth in attached Exhibit A, and incorporated by reference, are consistent with the goals, policies and objectives of the General Plan. The Sign Regulations will not affect a change in the permissible uses of property and will not substantively affect existing time, place or manner restrictions applicable to signs.

B. The Sign Regulations will not adversely affect surrounding properties. These Sign Regulations will operate citywide and will not affect a change in the use or the intensity of use of property in any zone.

C. The Sign Regulations promote public health, safety, and general welfare and serve the goals and purposes of the MPMC's zoning regulations. As amended, the Sign Regulations will continue to promote the public health, safety, and general welfare while serving the goals and purposes of the zoning regulations.

SECTION 2. The MPMC is amended as set forth in the Sign Regulations attached as Exhibit A. The City Clerk is authorized to codify the Sign Regulations as appropriate.

SECTION 3. *Environmental Review.* The City Council finds and determines that this ordinance is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; "CEQA") for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).

SECTION 4. *Construction.* This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 5. *Enforceability.* Repeal or amendment of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and

imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6. *Technical Corrections.* The City Manager, or designee, is authorized to make technical corrections, in a form approved by the City Attorney, to maps, diagrams, tables, and other, similar, documents (collectively, "Maps") that may be required to reconcile the changes made by this Ordinance with amendments made to the Maps by other City Council action in unrelated land use applications.

SECTION 7. *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other ordinance by this Ordinance will be rendered void and cause such previous MPMC regulation or other ordinance to remain in full force and effect for all purposes.

SECTION 8. *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 9. The City Clerk is directed to certify the passage and adoption of this Ordinance, cause it to be entered into the city of Monterey Park's book of original ordinances, make a note of the passage and adoption in the records of this meeting, and, within fifteen days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 10. This Ordinance will take effect on the 31st day following its final passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2015

_____
XX, Mayor

ATTEST:

_____
Vincent D. Chang, City Clerk

APPROVED AS TO FORM
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger,
Assistant City Attorney

EXHIBIT A

21.24.650 Commercial Signs—R-S, C-S, N-S, S-C, C-P, O-P Zones.

See Chapter 21.10 for a description of the commercial zones. Signage in the commercial zones ~~shall~~ must comply with the standards set forth in Table 21.24(A).

Table 21.24(A) Sign Standards in Commercial Zones

SIGNAGE	ZONE	
	C-B	R-S, C-S, N-S, S-C, C-P, O-P
Primary Wall Sign		
Number	1	
Area	1 sq. ft. per lineal foot of building or business frontage	
Text and logo height	12-18 in.	
Materials	○ Internally illuminated channel letters with opaque metal sides and a matte translucent plexiglass face. See Figure 21.24(C) ○ Three-dimensional, individual internally illuminated and backlit (halo) metal letters, also known as reverse channel letters. See Figure 21.24(D) ○ Open-face channel, also known as exposed neon. See Figure 21.24(E) ○ Sculpted. See Figure 21.24(F) ○ Non-illuminated materials—wood, metal, tile	
	Prohibited	○ Foam
	○ Canister signs prohibited~~; subject to Section 21.24.730, Nonconforming Signs and Abatement~~.	○ Canister signs – face changes permitted. No structural alterations allowed.
	○ Electronic message board subject to a conditional use permit	Prohibited
Height		
<30,000 sq. ft.	○ First story signage 15 ft. above sidewalk elevation; freeway oriented signage 2nd story sign allowed , not to exceed roof line or parapet wall to which it is attached. ○ In no event can the height of any wall sign exceed the height of the building roof or building parapet wall to which it is attached. ○ Upper story signage prohibited	
>30,000 sq. ft.	○ First story signage 30 ft. above sidewalk elevation ○ Restaurants >10,000 sq. ft., retail establishments >8,000 sq. ft., and motion picture theaters with 4 or more screens permitted upper story signage.	

	○ In no event ~~shall~~ can the height of any wall sign exceed the height of the building roof or building parapet wall to which it is attached	
Projection	Max. 12 in. beyond building face	
Secondary Wall Sign		
Number	1	
Area	50% of 1 sq. ft. per lineal foot of building or business frontage	
Text and logo height	12-18 in.	
Materials	○ Internally illuminated channels with opaque metal sides and a matte translucent plexiglass face. See Figure 21.24(C) ○ Three-dimensional, individual internally illuminated and backlit (halo) metal letters, also known as reverse channel letters. See Figure 21.24(D) ○ Open-face channel, also known as exposed neon. See Figure 21.24(E) ○ Sculpted. See Figure 21.24(F) ○ Non-illuminated materials—wood, metal, tile	
	Prohibited	○ Foam
	○ Canister signs prohibited~~, subject to Ch. 21.24~~	○ Canister signs – face changes permitted. No structural alterations allowed.
Height	○ First story signage 15 ft. above sidewalk elevation ○ In no event ~~shall~~ can the height of any wall sign exceed the height of the building roof or building parapet wall to which it is attached. ○ Upper story signage prohibited	
Projection	Max. 12 in. beyond building face	
Projecting Blade Sign (See Figure 21.22(K))		
Number	1 per business	
Area	15 sq. ft.	
Distance between signs	15 ft.	
Projection	Max. 20 in. beyond building face	
Placement	Maintain a minimum clearance of 8 ft. above sidewalk	
Materials	Materials specified in the Building Code	
Freestanding Sign (Pole signs are prohibited)		
Number		
Street frontage <600 ft.	Prohibited	1
Street frontage >600 ft.	Prohibited	2

Height	Prohibited	20 ft.
Area	Prohibited	120 sq. ft. per side
Projection	Prohibited	○ No freestanding sign ~~shall~~ can project beyond the property lines. ○ No freestanding sign ~~shall~~ can project over a parking lot or a driveway with less than 14 ft. of ground clearance or into a pedestrian walkway with less than 8 ft. of ground clearance.
Location	Prohibited	○ No freestanding sign ~~shall~~ can be placed within 10 ft. of a common lot line. ○ Minimum separation between freestanding signs ~~shall be~~ is 25 ft.
Materials	Prohibited	○ Printed letters and graphics on anodized aluminum background and supports ○ Opaque channel letters and graphics on opaque background using plastic, smooth fiberglass, acrylic, prefinished aluminum or color plastic laminates ○ Internally illuminated channel letters and graphics on stucco, tile, brick, wood, stone or masonry background ○ Cast metal letters and graphics on wood, anodize aluminum, plastic laminate, prefinished metal, stucco, tile, brick, stone or masonry background ○ Engraved wood letters and graphics on wood frames and supports ○ Carved wood form letters and graphics on stucco, tile stone, masonry or wood background ○ Internally illuminated molded fiberglass letters and graphics on aluminum housing ○ Etched and painted filled letters and graphics on polished stone ○ Any non-internally illuminated sign may be illuminated with a backlit system or a ground flush-mounted spotlight system
Monument Sign (combination of freestanding and monument signs permitted, not to exceed maximums)		
Number		

Street frontage <600 ft.	1	
Street frontage >600 ft.	2	
Height	7 ft.	
Area	56 sq. ft. per side	
Materials	○ Printed letters and graphics on anodized aluminum background and supports ○ Opaque channel letters and graphics on opaque background using plastic, smooth fiberglass, acrylic, prefinished aluminum or color plastic laminates ○ Internally illuminated channel letters and graphics on stucco, tile, brick, wood, stone or masonry background ○ Cast metal letters and graphics on wood, anodize aluminum, plastic laminate, prefinished metal, stucco, tile, brick, stone or masonry background ○ Engraved redwood letters and graphics on redwood frames and supports ○ Carved redwood form letters and graphics on stucco, tile stone, masonry or wood background ○ Internally illuminated molded fiberglass letters and graphics on aluminum housing ○ Etched and painted filled letters and graphics on polished stone ○ Non-blinking neon letters and graphics on redwood, stucco, masonry, polished stone, anodized aluminum plastic laminate, tile, brick ○ Any non-internally illuminated sign may be illuminated with a backlit system or a ground flush-mounted spotlight system	
	○ Neon around windows and buildings ~~shall be~~ are considered architectural changes to the building and ~~shall be subject to the~~ may require review and approval of the Design Review Board	Prohibited

21.24.655 Residential Signs—All Residential Zones.

See Chapter 21.08 for a description of the residential zones. Signage in the residential zones must comply with the standards set forth in Table 21.24(B).

Table 21.24(B) Sign Standards in Residential Zones

SIGNAGE	ZONE
Multi-Family Development or Assembly Hall	
Wall Sign	
Number	1
Area	75% per lineal feet of building frontage
Text and Logo Height	12-18 in.
Height	○ First story signage cannot exceed 15 feet ○ In no event can the height of any wall sign exceed the building roof or parapet wall to which it is attached.
Materials	○ Non-illuminated channel letters with opaque metal sides and a matte translucent plexiglass face. See Figure 21.24(C). ○ Internally illuminated channel letters when frontage faces a principal or minor arterial street only. ○ Three-dimensional, individual internally illuminated and backlit (halo) metal letters, also known as reverse channel letters. See Figure 21.24(D). Multi-family residential and assembly hall that face a principal or minor arterial street only. ○ Open-face channel, also known as exposed neon. See Figure 21.24(E). ○ Sculpted. See Figure 21.24(F) ○ Non-illuminated materials – wood, metal, tile ○ Prohibited materials: foam, canister signs, and electronic message boards.
Monument Sign	
Number	1
Street frontage <200	Prohibited
Street frontage >200	1
Height	5 ft.
Area	25 sq. ft. per side

Materials	○ Printed letters and graphics on anodized aluminum background and supports ○ Opaque channel letters and graphics on opaque background using plastic, smooth fiberglass, acrylic, prefinished aluminum or color plastic laminates ○ Internally illuminated channel letters and graphics on stucco, tile, brick, wood, stone or masonry background when frontage faces a principal or minor arterial street only. ○ Cast metal letters and graphics on wood, anodize aluminum, plastic laminate, prefinished metal, stucco, tile, brick, stone or masonry background ○ Engraved redwood letters and graphics on redwood frames and supports ○ Carved redwood form letters and graphics on stucco, tile stone, masonry or wood background ○ Internally illuminated molded fiberglass letters and graphics on aluminum housing when frontage faces a principal or minor arterial street only. ○ Etched and painted filled letters and graphics on polished stone ○ Non-blinking neon letters and graphics on redwood, stucco, masonry, polished stone, anodized aluminum plastic laminate, tile, brick ○ Any non-internally illuminated sign may be illuminated with a backlit system or a ground flush-mounted spotlight system
Landscape and Irrigation must be provided around the base of the monument sign	

21.04.797 (HH) Canister Sign. A sign with advertising copy within a rigid frame, whether illuminated or not.

ATTACHMENT 2

Resolution recommending adoption of the ordinance

RESOLUTION NO.

A RESOLUTION RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE ("MPMC") AFFECTING REGULATIONS GOVERNING SIGNAGE IN THE RESIDENTIAL ZONES.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

A. A review of the Monterey Park Municipal Code ("MPMC") suggests that amendments are needed to improve the City's regulations governing, among other things, the residential and commercial zoning districts;

B. On September 12, 2017, Community and Economic Development Department presented draft regulations to the Planning Commission for consideration. The Planning Commission provided direction for improving the regulations. Thereafter, the regulations were reviewed by the Community and Economic Development Department for, in part, consistency with the General Plan and conformity with the MPMC;

C. The City reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines;

D. The Community and Economic Development Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for September 12, 2017;

E. On September 12, 2017, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the draft Ordinance attached as Exhibit "A," and incorporated by reference, including, without limitation, information provided to the Planning Commission by City staff and public testimony; and

F. This Resolution and its findings are made based upon the evidence presented to the Commission at its August 22, 2017, hearing including, without limitation, the staff report submitted by the Community and Economic Development Department.

SECTION 2: *Environmental Review.* The Planning Commission finds and determines that the proposed ordinance is not subject to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; "CEQA") for the following reasons: (1) it will

not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).

SECTION 3: *General Plan Findings*. As required under Government Code § 65860 the MPMC amendments proposed by the Ordinance are consistent with the Monterey Park General Plan. It is a goal of the Land Use Element of the General Plan to maintain the quality and character of Monterey Park's residential neighborhoods and commercial districts. The proposed residential code amendments are minor changes intended to ensure that the residential character is maintained to the highest standards. The proposed commercial code amendment is intended to clarify an existing code provision ensuring development compatibility.

SECTION 4: *Recommendations.* The Planning Commission recommends that the City Council adopt the draft ordinance set forth in attached Exhibit "A," which is incorporated into this resolution by reference.

SECTION 5: *Reliance On Record.* Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the city's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 8: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 9: This Resolution may be appealed within nineteen (19) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time

period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

PASSED AND ADOPTED this 12th day of September 2017.

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 12th day of September 2017, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Larry Sullivan, Chairperson
City of Monterey Park Planning Commission

ATTEST:

Michael Huntley, Secretary

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____
Karl H. Berger, Assistant City Attorney