

PLANNING COMMISSION OF MONTEREY PARK AGENDA

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

Tuesday
January 9, 2024
6:30 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.

LAND ACKNOWLEDGMENT

We would like to acknowledge that the land we inhabit today was once known as Tovangaar, the home of the Gabrieleño-Tongva people. We show our respect to the Gabrieleño-Tongva people, as well as all Indigenous people, past, present, and future, and honor their labor as original caretakers of this land. We commit to uplift the Gabrieleño-Tongva people, invite you to acknowledge the history, and join us in caring for this land.

GENERAL INFORMATION

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

PUBLIC PARTICIPATION

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 Chairperson and Planning Commission Members may change the amount of time allowed for speakers. Written Communication will be accepted up to 24 hours before the meeting via email to planningpermitcounter@montereypark.ca.gov

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 Chiang

FLAG SALUTE

Commissioner Pesantes

ROLL CALL

Chairperson Jack Chiang, Vice Chairperson Tammy Sam, Peter Fung, Jasmine Pesantes, Bethelwel Wilson

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS. While all comments are welcome, the Brown Act does not allow the Commission to take discuss, deliberate, or 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.

ORAL AND WRITTEN COMMUNICATIONS

[1.]	PRESENTATIONS – None.
[2.]	CITY OF MONTEREY PARK – CONSENT CALENDAR - None.
[3.]	PUBLIC HEARING – None.
[4.]	OLD BUSINESS – None.
[5.]	NEW BUSINESS
5-A.	RECEIVE AND FILE - ZONING INTERPRETATION ISSUED BY THE CITY PLANNER CONSIDERING THE PERMISSIBILITY OF MEDICAL USES IN ZONES THAT HAVE COMMERCIAL, CORPORATE CENTER, OR MIXED-USE GENERAL PLAN LAND USE DESIGNATIONS
It is recommended that the Planning Commission consider: (1) Receiving and filing a Zoning Regulation Interpretation dated December 5, 2023 (2) Taking such additional, related, action that may be desirable.	
[6.]	COMMISSION COMMUNICATIONS
[7.]	FUTURE AGENDA ITEMS

ADJOURN

Next regular scheduled meeting is on January 23, 2024.



Planning Commission Staff Report

DATE: January 9, 2024

AGENDA ITEM NO: 5-A

TO: The Planning Commission
FROM: Jessica Serrano, Director of Community Development
SUBJECT: Receive and file Zoning Regulation Interpretation issued by the City Planner considering the permissibility of medical uses in zones that have Commercial, Corporate Center or Mixed-Use General Plan Land Use Designation.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Receiving and filing a Zoning Regulation Interpretation dated December 5, 2023;
and
- (2) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On December 5, 2023, the City Planner made a zoning interpretation ("Interpretation") that "medical" uses are permitted uses in zones that are designated as Commercial, Corporate Center or Mixed-Use in the Monterey Park Land Use and Urban Design Element of the General Plan ("GPLU").

There are inconsistencies between the GPLU which identifies medical uses as permitted in the aforementioned designations and Title 21 of the Monterey Park Municipal Code ("MPMC") which prohibits medical uses in certain zones that have aforementioned GPLU designations.

Government Code § 65860 mandates consistency between the GPLU and MPMC. In all cases where inconsistencies exist between the General Plan and MPMC, the General Plan controls. Accordingly, as it relates to medical uses, the GPLU permitted uses take precedent over the inconsistent MPMC regulations.

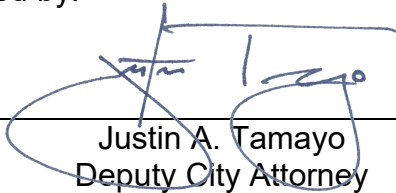
This Interpretation implements the GPLU and is one measure that ensures consistency between the GPLU and the MPMC. A copy of the Interpretation is attached as "Attachment 1." The City is also in the process of proposing a series of measures that will bring consistency between the General Plan, the zoning map, and MPMC.

Respectfully submitted and prepared by:



Jessica Serrano
Director of Community
Development

Reviewed by:



Justin A. Tamayo
Deputy City Attorney

ATTACHMENTS:

Attachment 1: Zoning Regulation Interpretation dated December 5, 2023

Attachment 2: General Plan Land Use Map, highlighting Commercial, Corporate Center and Mixed-Use Land Use Designations

Staff Report
January 9, 2024

ATTACHMENT 1
Zoning Interpretation, dated December 5, 2023



Memorandum

City of Monterey Park • Community Development Department

DATE: December 5, 2023

TO: Community Development Department, Planning Division

FROM: Jessica Serrano, Director of Community Development

SUBJECT: Zoning Interpretation | Medical Uses

This interpretation and clarification of ambiguity is made pursuant to Monterey Park Municipal Code ("MPMC") §§ 21.02.090 and 21.02.120 (collectively, the "Interpretation"). Interpretations are necessary when there is a discrepancy between Monterey Park Land Use and Urban Design Element ("GPLU") and the MPMC.

- **Medical uses listed in MPMC Chapter 21.10 *Commercial Zones*, § 21.10.030 *Land Use Regulations* are permitted in areas with Commercial, Corporate Center and Mixed-Use land use designations as follows:**

Use	Regulations
Acupuncture or Acupressure Clinic/Office;	Permitted subject to limitations in MPMC § 21.10.040
Alcoholism Hospital;	Conditional Use Permit Required
Ambulance Service;	Conditional Use Permit Required
Clinic (including medical, dental, psychologist, social work);	Permitted
Day Treatment Hospital;	Conditional Use Permit Required
Hospital (including psychiatric);	Conditional Use Permit Required
Long-Term Facility;	Conditional Use Permit Required
Medical or Dental Laboratories;	Permitted subject to limitations in MPMC § 21.10.040
Nursing and Convalescent Hospital;	Conditional Use Permit Required
Optometrist/Ophthalmologist; and	Permitted
Out-Patient Facility (Drug and Alcohol).	Permitted subject to limitations in MPMC § 21.10.040

Analysis

Currently, there is a discrepancy between the GPLU and the MPMC as it relates to medical uses. Medical uses are listed as primary uses in the following GPLU designations:

- Commercial;

- Corporate Center; and
- Mixed Use.

The following table is an excerpt from the GPLU which identifies the land use designations and the permitted uses in each designation.¹

Land Use Designation	Permitted Uses
Commercial	Primary Uses: Broad range of retail and service commercial uses, hospitality, entertainment, medical, and professional offices Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, and similar uses per zoning regulations
Corporate Center	Primary Uses: Professional offices, hospitality, entertainment, and medical Support Uses: Retail and service commercial uses Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, and similar uses per zoning regulations
Mixed Use	Primary Uses: Broad range of retail and service commercial uses, hospitality, entertainment, medical, professional offices, and residential uses Residential permitted as stand-alone use, except where ground-floor commercial uses are required as indicated on Figure LU-4 (Regulating Plan) Other Permitted Uses: Schools, public assembly uses, public utilities, community care facilities, and similar uses per zoning regulations

Pursuant to the GPLU, medical use is an allowed primary use within these GPLU designations, but the MPMC is inconsistent with the GPLU in that some of the zones with Commercial, Corporate Center and Mixed-Use GPLU designations have zoning regulations which do not allow medical uses.

Government Code § 65860 mandates consistency between the GPLU and the MPMC. In all cases where contradictions exist between the General Plan and the MPMC, the General Plan controls. Accordingly, as it relates to medical uses, the GPLU permitted uses take precedent over the inconsistent MPMC regulations.

MPMC § 21.02.090 grants the City Planner the authority to interpret the use provisions applicable to each zone district identified in the MPMC. Pursuant to MPMC § 21.02.090(B), the City Planner must make all of the following findings:

¹ For ease of reference, the term “medical” is emphasized.

- 1. The proposed use must meet the intent of, and be consistent with the goals, objectives and policies of the general plan;**

Allowing medical uses in areas of the City with Commercial, Corporate Center and Mixed-Use land use designations is consistent with the goals, objectives and policies of the general plan, in that medical uses are listed as primary uses within the land use descriptions for each of these designations within the Monterey Park Land Use and Urban Design Element.

- 2. The proposed use must meet the stated purpose and general intent of the district in which the use is proposed to be located;**

Medical uses are consistent with the Commercial, Corporate Center and Mixed-Use land use designations since these areas allow for a variety of commercial uses. Additionally, allowing medical uses in these areas of the City is consistent with Policy 19.8 of the Monterey Plan Land Use and Urban Design Element which states: “[e]ncourage a diverse mix of uses that are innovative, competitive, entrepreneurial, local, and sustainable, thereby promoting economic development, increasing City revenues, expanding job growth, increasing property values, and meeting residents’ and visitor’s desires and needs.” Allowing medical uses in these areas of the City will positively contribute to the City by providing a service that meets the needs of City residents and visitors, will potentially fill vacant building and tenant suites, generate sales tax revenues, and provide jobs for the community.

- 3. The proposed use cannot adversely impact the public health, safety and general welfare of the City’s residents; and**

Medical uses will not adversely impact the public health, safety, and general welfare of the City’s residents. The GPLU contemplates medical uses in the aforementioned GPLU designations which are intended to satisfy the medical service needs of the community.

- 4. The proposed use must share characteristics common with, and not be of greater intensity, density or generate more environmental impact, than those uses listed in the permitted uses section.**

The areas of the City with Commercial, Corporate Center and Mixed-Use land use designations are mostly located along major corridors of the City with high traffic volumes. Medical uses are commonly located along major corridors and it is necessary that they be easily accessible to the greater community because of the essential services they provide. Additionally, medical uses will be allowed in these areas only when applying the strictest approval process for each type of medical use that applies in any commercial zone as stated in this memorandum.

Accordingly, medical uses listed in MPMC §§ 21.10 (Commercial Zones), 21.10.030 (Land Use Regulations) are permitted in areas that have a Commercial, Corporate Center or Mixed-Use GPLU designation, subject to the strictest approval process for each type of medical use that applies in any commercial zone.

ATTACHMENT 2
General Plan Land Use Map,
Highlighting Commercial, Corporate Center and
Mixed-Use Land Use Designations

Monterey Park LAND USE POLICY MAP

Land Use Designations

Corporate Center (CC)



Mixed Use (MU)



Commercial (C)



City Boundaries

