

PLANNING COMMISSION OF MONTEREY PARK AGENDA

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

**Tuesday
July 23, 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 FLAG SALUTE ROLL CALL

Chairperson Fung

Commissioner Chiang

Chairperson Peter Fung, Vice Chairperson Jack Chiang, Commissioner Tammy Sam, Commissioner Bethelwel Wilson, Commissioner Johnny Kwok

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

3-A. PUBLIC HEARING – ZONING CODE AMENDMENT NO. 24-01 (ZCA-24-01) – CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO MONTEREY PARK MUNICIPAL CODE TO CONFORM WITH STATE LAW AND IMPLEMENT THE GENERAL PLAN HOUSING ELEMENT

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) After considering the evidence received during the public hearing, adopt a resolution recommending that the City Council adopt the Ordinance amending the Municipal Code to conform with State law and implementing the General Plan Housing Element under ZCA-24-01; and
- (5) Taking such additional, related, action that may be desirable.

[4.] OLD BUSINESS - None

[5.] NEW BUSINESS - None

[6.] COMMISSION COMMUNICATIONS

[7.] FUTURE AGENDA ITEMS

ADJOURN

Next regular scheduled meeting is on August 13, 2024.



Planning Commission Staff Report

DATE: July 23, 2024

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Beth Chow, AICP, Planning Manager
SUBJECT: **PUBLIC HEARING - ZONING CODE AMENDMENT NO. 24-01 (ZCA-24-01)** – Consideration and possible action to adopt a resolution recommending that the City Council approve an amendment to Monterey Park Municipal Code to conform with State law and implement the General Plan Housing Element

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) After considering the evidence received during the public hearing, adopt a resolution recommending that the City Council adopt the Ordinance amending the Municipal Code to conform with State law and implementing the General Plan Housing Element under ZCA-24-01; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed Ordinance pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). The Planning Commission 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:

- A. This Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2);
- B. There is no possibility that the Ordinance itself may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3);
- C. The Ordinance, by itself, does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378). The Ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment; and

D. CEQA Guideline § 15164 provides that an addendum to an adopted environmental impact report may be prepared where none of the conditions described in CEQA Guidelines § 15162 have occurred. The Planning Commission finds as follows:

- On December 5, 2018, the City Council adopted Resolution No. 12124 adopting an environmental impact report for the City's focused general plan update (the "EIR").
- On January 19, 2022, the City Council adopted Resolution No. 2022-R2 adopting an addendum to the EIR analyzing the impacts of the City's 2021-2029 Housing Element update ("Addendum").
- The EIR and Addendum evaluated, among other things, the environmental impacts resulting from increasing the dwelling unit density in the R-3 zone, and sliding scale parking requirements (the "Housing Goals").
- The Housing Goals are an activity contemplated by the EIR and Addendum.
- The Housing Goals do not contemplate any changes which will require major revisions to the EIR or Addendum, nor are there any substantial changes with respect to the circumstances under which the EIR and Addendum were undertaken.
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR and Addendum were certified showing: (1) the Housing Goals will have one or more significant effects not discussed in the EIR or Addendum; and (2) significant effects previously examined will be substantially more severe than shown in the EIR or Addendum.

TYPE OF ACTION (LEGISLATIVE; QUASI-JUDICIAL; OR ADVISORY)

Advisory: In considering approval of the "Zone Ordinance Text Amendment," the Planning Commission is acting as an advisory body to the City Council. Approval of a text amendment is solely within the authority of the City Council. Accordingly, the Planning Commission does not have legal authority to adopt this ordinance. The recommendation to the City Council, however, plays an important role in the approval process and should include the factual and legal basis for the Planning Commission's findings. The City Council can then consider those findings when making its own determination.

For the proposed text amendment, the Planning Commission must make the findings delineated in Monterey Park Municipal Code ("MPMC") § 21.38.050:

- That the proposed text amendment is consistent with the goals, policies, and objectives of the General Plan;
- That the proposed text amendment will not adversely affect surrounding

properties; and

- That the proposed text amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC's zoning regulations.

These findings are included in the draft Ordinance; the facts upon which these findings rely are also included with the draft documents.

EXECUTIVE SUMMARY:

The City's General Plan Housing Element ("HE"), guides the housing growth, development and redevelopment within the City. ZCA-24-01 proposes to implement the HE through amendments to regulations contained in Title 21 of the MPMC including changes to residential density limits, multi-family residential parking standards, regulations for supportive housing, emergency shelters, and group housing. All proposed changes are in compliance with state housing law.

BACKGROUND

In March of 2023, the California State Department of Housing and Community Development (HCD), certified the City's Housing Element which has determined to be in compliance with State Housing Element Laws. Government Code Section 65583(c) requires that cities include programs which set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element. Included in the Housing Element, were several programs which proposed consistency between the General Plan and Zoning Code to help encourage a variety of housing types.

ANALYSIS

ZCA-24-01 proposes several actions that will help bring consistency between the General Plan and the MPMC Zoning Code, in compliance with state regulations. To this end, a summary of the proposed ordinance is detailed below:

Changes to Residential Density

Program 7 of the HE calls for aligning residential densities with the R-3 zone. Currently, the General Plan Land Use and Urban Design Element (GPLUE) and HE indicate that the High Density Land Use category has a density of 30 units per acre, however the MPMC only allows up to 25 units per acre in the R-3 zone, which is the zone that corresponds with High Density Residential. The proposed ordinance removes Table 21.08(F) that dictates densities and the default densities by land use and zone. By deleting this table, the default densities are those found within the GPLUE.

Changes to Parking Standards

Program 5 of the HE seeks to allow flexibility in development standards to facilitate the development of affordable housing. The City's current parking requirements can be seen

as a constraint to the creation of housing. ZCA-24-01 proposes changes to parking standards found in the MPMC, by decreasing parking requirements for multiple family developments. Reducing parking requirements for multiple family developments will allow for more flexibility in design and reduction in construction costs, which will assist in the creation of housing units. Below is a summary of parking requirement changes in relation to the creation of multi-family housing:

Multifamily Dwelling: per unit*		
<i>Multiple Family</i>	Existing Requirement	Proposed Requirement
2 or fewer bedrooms*	2 enclosed spaces + 1 guest parking space/2 dwelling	1 space
3 bedrooms*		2 spaces + 1 guest space/4 dwelling units
4 bedrooms*	2 enclosed spaces + 1 guest parking space/1 dwelling	2 spaces + 1 guest space/ 4 dwelling units
5 bedrooms*	3 enclosed spaces + 1 guest parking space/1 dwelling	3 spaces + 1 guest space/ 4 dwelling units
6 or more bedrooms*	3 enclosed spaces + 1 space/bedroom (over 5) + 1 guest space/1 dwelling	3 spaces + 1 space/bedroom (over 5) + 1 guest space/4 dwelling units

In addition to the changes indicated above, ZCA-24-01 further acknowledges the parking limitations pursuant to Assembly Bill 2097 which prohibit the City from imposing minimum parking requirements on development projects within a ½ mile of a major transit stop.

Emergency Shelters

Program 4 of the HE provides for the housing of special needs populations, including homeless individuals seeking emergency shelter. While emergency shelters are currently regulated in the MPMC, they are only permitted in the Office Professional Non-McCaslin Business Park (“O-P”) zone. ZCA-24-01 proposes the following changes in relation to emergency shelters:

- Permits emergency shelters within the High-Density Residential (“R-3”) zone, in addition to the O-P zone.
- Updates development and operational standards for emergency shelters, with the largest change involving parking requirements. To comply with state law, parking requirements must be based on the number of staff rather than beds spaces at an emergency shelter.

Supportive Housing

As part of Program 4 of the Housing Element, supportive housing is being amended to comply with state law. Supportive housing will be considered ministerially but must comply with all requirements of the underlying zone and require a covenant to impose an affordability restriction. Further, parking for such uses will be required at the following ratios:

# of Bedrooms	Parking Requirement
3 or fewer bedrooms	2 enclosed garage spaces + guest space/2 dwelling units or 0.3 spaces for each bed in a dormitory housing
4 or more bedrooms	2 enclosed garage spaces + guest space/ 1 dwelling unit or 0.3 spaces for each bed in a dormitory housing

In compliance with the state housing requirements, the City is mandated by the State of California to make changes to the Zoning Code, consistent with the GPLUE and HE. The proposed code amendment sets the necessary standards to ensure compliance with State law.

LEGAL NOTIFICATION:

The legal notice of this hearing was posted at City Hall, Monterey Park Bruggemeyer Library, and Langley Center and published in Monterey Park Press on July 11, 2024, with affidavits of posting on file.

Respectfully submitted by:



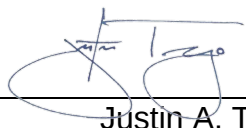
Jessica Serrano
Director of Community
Development

Respectfully prepared by:



FOR Beth Chow, AICP
Planning Manager

Reviewed by:



Justin A. Tamayo
Deputy City Attorney

ATTACHMENTS:

1. Resolution Recommending that the City Council Adopt an Ordinance Amending the Monterey Park Municipal Code to Conform with State Law and Implement the General Plan
2. Draft Ordinance

ATTACHMENT 1
Planning Commission Resolution

RESOLUTION NO.

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO CONFORM WITH STATE LAW AND IMPLEMENT THE GENERAL PLAN

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

SECTION 1. The Planning Commission finds and declares that:

- A. The purpose of the draft Ordinance is to conform with state law and implement the implement California law and implement the General Plan.
- B. The Planning Commission may review and make recommendations to the City Council regarding land use regulations.
- C. The City Planner reviewed the draft Ordinance pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). CEQA and the CEQA Guidelines are collectively referred to as “CEQA Regulations.”
- D. The City Planner completed her review and scheduled the public hearing regarding the application before the Planning Commission for July 23, 2024.
- E. On July 23, 2024, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including, without limitation, information provided to the Planning Commission by City staff and public testimony.
- F. This Resolution and its findings are made based upon the evidence presented to the Commission at its July 23, 2024, hearing including, without limitation, the staff report submitted by the City Planner.

SECTION 2. *Factual Findings and Conclusions.* The Planning Commission finds as follows:

- A. The City amended and adopted the 2021-2029 Housing Element on November 11, 2022, which was subsequently certified by the California Department of Housing and Community Development on March 30, 2023; and
- B. The City initiated this code amendment by drafting an Ordinance (“ZCA 24-01”) pursuant to Monterey Park Municipal Code (“MPMC”) § 21.38.020 in order to implement the Housing Element.

SECTION 3. *Environmental Review.* The City reviewed the environmental impacts of the

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proposed Ordinance pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). The Planning Commission 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:

- A. This Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2);
- B. There is no possibility that the Ordinance itself may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3);
- C. The Ordinance, by itself, does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378). The Ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment; and
- D. CEQA Guideline § 15164 provides that an addendum to an adopted environmental impact report may be prepared where none of the conditions described in CEQA Guidelines § 15162 have occurred. The Planning Commission finds as follows:
 - On December 5, 2018, the City Council adopted Resolution No. 12124 adopting an environmental impact report for the City's focused general plan update (the "EIR").
 - On January 19, 2022, the City Council adopted Resolution No. 2022-R2 adopting an addendum to the EIR analyzing the impacts of the City's 2021-2029 Housing Element update ("Addendum").
 - The EIR and Addendum evaluated, among other things, the environmental impacts resulting from increasing the dwelling unit density in the R-3 zone, and sliding scale parking requirements (the "Housing Goals").
 - The Housing Goals are an activity contemplated by the EIR and Addendum.
 - The Housing Goals do not contemplate any changes which will require major revisions to the EIR or Addendum, nor are there any substantial changes with respect to the circumstances under which the EIR and Addendum were undertaken.

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- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR and Addendum were certified showing: (1) the Housing Goals will have one or more significant effects not discussed in the EIR or Addendum; and (2) significant effects previously examined will be substantially more severe than shown in the EIR or Addendum.

SECTION 4: *Zone Text Amendment Findings.* Pursuant to Government Code § 65860 and MPMC § 21.38.050, the Planning Commission finds as follows:

- A. The MPMC amendments in this Ordinance are consistent with the goals, policies and objectives of the General Plan. Among other things, these regulations will provide housing opportunities for households in all income levels without constraining housing development in the City.
- B. These regulations will not adversely affect surrounding properties. Such regulations will operate citywide and will not affect a change in the use or the intensity of use of property in any zone.
- C. These regulations promote public health, safety, and general welfare and serve the goals and purposes of the MPMC's zoning regulations. Among other things, the regulations will facilitate creation of housing to address the Legislature's determination regarding a statewide housing shortage.

SECTION 5. Actions. The Planning Commission recommends the City Council adopt the Ordinance attached as Attachment A, and incorporated into this Resolution by reference.

SECTION 6. Notice of Exemption. The Director of Community Development, or designee, is directed to file a Notice of Exemption in accordance with CEQA §§ 15062, and any other applicable law.

SECTION 7. 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 8. 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 9. Severability. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the Planning Commission intends that such invalidity

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will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 10. *Preservation.* This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 11. *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 12. *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 13. This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 14. The Secretary must certify to the adoption of this Resolution and forward a copy to the City Council.

SECTION 15. *Signature.* The Planning Commission Chairman, or presiding officer, is authorized to affix its signature to this Resolution signifying its adoption by the Planning Commission of the City of Monterey Park, and the Planning Commission Secretary is directed to attest.

**PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION
OF THE CITY OF MONTEREY PARK THIS 23rd DAY OF JULY 2024.**

Peter Fung, Chairperson

**I hereby certify that the foregoing Resolution was duly adopted by
the Planning Commission of the City of Monterey Park at the regular meeting**

**PLANNING COMMISSION
RESOLUTION NO.
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held on the 23rd day of July 2024, by the following vote of the Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Jessica Serrano, Secretary

APPROVED AS TO FORM:
KARL H. BERGER, CITY ATTORNEY

By: _____
Justin A. Tamayo, Deputy City Attorney

ATTACHMENT 2

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE (“MPMC”) TO CONFORM WITH STATE LAW AND IMPLEMENT THE GENERAL PLAN HOUSING ELEMENT

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

SECTION 1: The City Council finds and declares that:

- A. The City initiated this code amendment by this Ordinance (“ZCA 24-01”) pursuant to Monterey Park Municipal Code (“MPMC”) § 21.38.020; and
- B. The purpose of the draft Ordinance is to conform with state law and implement the implement California law and implement the General Plan.
- C. On July 23, 2024, the Planning Commission conducted a duly noticed public hearing to assess the proposed MPMC amendments in ZCA 24-01, considered all oral and written evidence, and adopted Resolution [REDACTED] recommending that the City Council adopt this Ordinance.
- D. This Resolution and its findings are made based upon the evidence presented to the Planning Commission at its July 23, 2024, hearing and the City Council at its _____ 2024, hearing, including, without limitation, the staff report submitted by the City Planner.

SECTION 2: *Zone Text Amendment Findings.* Pursuant to Government Code § 65860 and MPMC § 21.38.050, the City Council finds as follows:

- A. The MPMC amendments in this Ordinance are consistent with the goals, policies and objectives of the General Plan. Among other things, these regulations will provide housing opportunities for households in all income levels without constraining housing development in the City.
- B. These regulations will not adversely affect surrounding properties. Such regulations will operate citywide and will not affect a change in the use or the intensity of use of property in any zone.
- C. These regulations promote public health, safety, and general welfare and serve the goals and purposes of the MPMC’s zoning regulations. Among other things, the regulations will reduce barriers to the development of housing to address the Legislature’s determination regarding a statewide housing shortage.

SECTION 2: *Environmental Review.* The City reviewed the environmental impacts of the proposed Ordinance pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. “CEQA”) and the regulations promulgated thereunder

(14 Cal. Code of Regs. §§ 15000, et seq., the “CEQA Guidelines”). 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:

- A. This Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2);
- B. There is no possibility that the Ordinance itself may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3);
- C. The Ordinance, by itself, does not constitute a “project” as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378). The Ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment; and
- D. CEQA Guideline § 15164 provides that an addendum to an adopted environmental impact report may be prepared where none of the conditions described in CEQA Guidelines § 15162 have occurred. The City Council finds as follows:
 - On December 5, 2018, the City Council adopted Resolution No. 12124 adopting an environmental impact report for the City’s focused general plan update (the “EIR”).
 - On January 19, 2022, the City Council adopted Resolution No. 2022-R2 adopting an addendum to the EIR analyzing the impacts of the City’s 2021-2029 Housing Element update (“Addendum”).
 - The EIR and Addendum evaluated, among other things, the environmental impacts resulting from increasing the dwelling unit density in the R-3 zone, and sliding scale parking requirements (the “Housing Goals”).
 - The Housing Goals are an activity contemplated by the EIR and Addendum.
 - The Housing Goals do not contemplate any changes which will require major revisions to the EIR or Addendum, nor are there any substantial changes with respect to the circumstances under which the EIR and Addendum were undertaken.
 - There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR and Addendum were certified showing: (1) the Housing Goals will have one or more significant effects not discussed in the EIR or Addendum; and (2) significant effects previously examined will be substantially more severe than shown in the EIR or Addendum.

SECTION 3: *Amendment.* MPMC Table 21.08(F) is deleted in its entirety.

SECTION 4: *Amendment.* MPMC section 21.22.020 (Applicability) is amended in its entirety as follows:

“§ 21.22.020 Applicability.

This chapter applies to new buildings and structures, when an existing building or structure is enlarged or when the use is intensified and constitutes the minimum standards for all off-street parking and loading facilities. California law may limit the Director’s ability to impose minimum parking requirements on new developments/construction on properties within one-half mile of public transit.

- (A) Land within the right-of-way of a proposed street or highway, or within the planned ultimate right-of-way on a street or highway proposed to be widened, cannot be used to provide required parking and loading facilities.
- (B) A change in occupancy that does not involve a change in the use classification is not considered a change in use for purposes of this requirement unless the change in occupancy involves an intensification of use or an increase in parking demand.
- (C) Required parking areas must be used exclusively for vehicle parking in conjunction with a permitted use and cannot be reduced or encroached upon in any manner. Required parking spaces must be available for the use of residents, customers or guests of the use. Fees cannot be charged for the use of required parking spaces. Required parking spaces cannot be used for the parking of equipment or storage of goods or inoperable vehicles. Required parking spaces cannot be used on another site except for joint parking situations approved by the Planning Commission and through an appropriate recorded legal instrument approved by the City Attorney as to form.”

SECTION 5: *Amendment.* MPMC section 21.22.040 is amended in its entirety as follows:

“§ 21.22.040 Regulations for Residential Uses.

The parking regulations of this Chapter apply to residential uses, regardless of the zoning designation.”

SECTION 6: *Amendment.* MPMC Table 21.22(A) (Residential Parking Standards) is amended as follows:

Dwelling Uses	Min. Required No. of Spaces
Single Family Dwelling	
4 or fewer bedrooms*	2 enclosed garage spaces
5-7 bedrooms*	3 enclosed garage spaces plus 1 additional open parking space per bedroom above 5
8 or more bedrooms*	4 enclosed garage spaces plus 1 additional open parking space per bedroom above 5

Multifamily Dwelling: per unit*

Multiple Family

2 or fewer bedrooms*	1 space
3 bedrooms*	2 spaces; plus 1 guest parking space per 4 dwelling units
4 bedrooms*	2 spaces; plus 1 guest parking space per 4 dwelling units
5 bedrooms*	3 spaces; plus 1 guest parking space per 4 dwelling units
6 or more bedrooms*	3 spaces; plus 1 additional open parking space per bedroom above 5; plus 1 guest parking space per 4 dwelling units

Boardinghouse	1 per bedroom
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Rehabilitation Facility	1 per bedroom
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Second Dwelling Unit

Less than or equal to 600 SF	1 enclosed garage space
Greater than 600 SF	2 enclosed garage spaces

Senior Citizen Housing

Moderate Income Unit	1 per unit; plus 1 for property manager unit
Guest Parking	1 per 4 units

Mixed Moderate Income & Low/Very Low Income Unit	0.8 per unit; plus 1 for property manager unit
Guest Parking	1 per 4 units (3 minimum)

Low Income Unit	0.65 per unit; plus 1 for property manager unit
Guest Parking	1 per 6 units (2 minimum)

Very Low Income Unit	0.5 per unit; plus 1 for property manager unit
Guest Parking	1 per 8 units (2 minimum)

Single Room Occupancy (SRO)	1 per bedroom
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NOTE:

*A den, library, study or similar habitable room which in the determination of the City Planner could be used as a bedroom will be considered a bedroom for purposes of determining required parking.

SECTION 7: Amendment. All references to “Chapter 21.22,” and any table in Chapter 21.22 are either stricken or replaced with the phrase “this Title,” throughout Title 21 of the MPMC.

SECTION 8: Amendment. MPMC section 21.04.367 is deleted in its entirety.

SECTION 9: *Amendment.* MPMC Table 21.12(A) is amended by deleting the “Emergency shelter” use and corresponding provision.

SECTION 10: *Amendment.* MPMC section 21.12.030(B) is deleted in its entirety.

SECTION 11: *Amendment.* MPMC Table 21.22(C) is amended by deleting “Emergency Shelter” uses and corresponding minimum requirements.

SECTION 12: *Amendment.* The MPMC is amended by establishing a new section entitled “21.02.240 Emergency Shelter” as follows:

“§ 21.02.240 Emergency Shelter.

This section is established to implement applicable law, including Government Code section 65583, related to the City’s assessment of housing needs.

- (A) Zone.** Emergency shelters may be permitted in the R-3—High-density residential and O-P Office Professional Non-McClaslin Business Park zones, subject to the provisions of this Title.
- (B) Standards.** Emergency shelters must satisfy the following:
- (1) In no event may occupancy exceed 40 residents at any one time.
 - (2) Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.
 - (3) All proposed on-site intake and waiting areas must be within a fully enclosed building. Exterior intake and waiting areas must be covered by a permanent structure. The intake and waiting area must be suitably sized to prevent queuing in the public right-of-way or within any parking lot, but may not exceed 400 square feet.
 - (4) Each emergency shelter must have an on-site management office. At least one employee must be present in the on-site management office at all times that the emergency shelter is operating.
 - (5) Not more than one emergency shelter is permitted within a radius of 300 feet from another emergency shelter.
 - (6) Individual occupancy in an emergency shelter is limited to six months during any 12 consecutive month period.

- (7) Exterior lighting must be provided at all building entrances and outdoor activity areas, and must be activated between sunset and sunrise of each day.
 - (8) Each emergency shelter must have at least one on-site security personnel present while the emergency shelter is operational.
 - (9) The emergency shelter may provide one or more of the following specific facilities and services including, without limitation:
 - (a) Commercial kitchen facilities designed and operated in compliance with applicable law;
 - (b) Dining area;
 - (c) Laundry;
 - (d) Recreation room;
 - (e) Support services (e.g., training, counseling); and
 - (f) Child care facilities.
- (C) **Procedure.** A permit application for an emergency shelter will be considered and approved ministerially by the City Planner, pursuant to applicable law upon compliance with this Section. An application must be filed on forms provided by the City Planner and subject to applicable fees set by resolution of the City Council.

SECTION 13: *Amendment.* MPMC section 21.04.855 is deleted in its entirety.

SECTION 14: *Amendment.* MPMC section 21.04.895 is deleted in its entirety.

SECTION 15: *Amendment.* The MPMC is amended by establishing a new section entitled “21.02.250 Supportive Housing” as follows:

“§ 21.02.250 Supportive Housing.

This section is established to implement applicable law, including Government Code section 65651, regarding supportive housing.

- (A) **Zone.** Supportive Housing may be permitted in the R-3—High-density residential and O-P Office Professional Non-McClaslin Business Park zones, subject to the provisions of this Title.
- (B) **Procedure.** A permit application for supportive housing will be considered and approved ministerially by the City Planner, pursuant to applicable law upon compliance with this Section. An application must be filed on forms provided by the City Planner and subject to applicable fees set by resolution of the City Council.

- (C) **Standards.** Supportive housing must satisfy all objective development standards in the underlying zoning designation.
- (D) **Parking.** Supportive housing must provide not less than the following on-site parking:
- (1) Three or fewer bedrooms: two enclosed garage spaces, plus one guest space for every two dwelling unit or 0.3 spaces for each bed in dormitory housing.
 - (2) Four or more bedrooms: two enclosed garage spaces, plus one guest space for every dwelling unit or 0.3 spaces for each bed in dormitory housing.
- (E) **Covenant.** All units are subject to a recorded affordability restriction which must be submitted, reviewed, and approved by the City Planner, on a form approved by the City Attorney.”

SECTION 16: *Amendment.* MPMC Table § 21.08(A) is amended to delete the use entitled “Supportive housing, licensed for 7 or more persons” and the corresponding regulations.

SECTION 17: *Amendment.* MPMC Table 21.10(A) is amended to delete the use entitled “Supportive Housing” and the corresponding regulations.

SECTION 18: *Amendment.* MPMC Table 21.22(C) is amended to delete the use entitled “Supportive housing” and the corresponding regulations.

SECTION 19: *Amendment.* MPMC section 21.32.020(D) is amended as follows:

“(D) The additional boarding house conditional use permit requirements do not apply to the following uses if otherwise permitted by a valid conditional use permit: congregate care facility (multiple units on one property); fraternity/sorority house; home care licensed for seven or more persons; senior housing; or transitional housing licensed for seven or more persons.”

SECTION 20: *Electronic Signatures.* This Ordinance may be executed with electronic signatures in accordance with Government Code § 16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 21: *Construction.* This Ordinance must be broadly construed 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 22: *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 23: *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 City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 24: *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 25: *Preservation.* This Resolution does not affect any penalty, forfeiture, or liability incurred before, or prelude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 26: *Limitations.* The City Council'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 City Council'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 27: *Recordation.* The City Clerk, or designee, 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 15 days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 28: *Effective Date.* This Ordinance will become effective 30 days after second reading and adoption.

PASSED AND ADOPTED this ____ day of _____, 2024.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

APPROVED AS TO FORM:
KARL H. BERGER, CITY ATTORNEY

Justin A. Tamayo, Deputy City Attorney