



# PLANNING COMMISSION AGENDA

## CITY OF EL MONTE PLANNING COMMISSION

TUESDAY, MAY 10, 2022

7:00 P.M.

CITY HALL EAST – COUNCIL CHAMBERS  
11333 VALLEY BOULEVARD

### CITY OF EL MONTE PLANNING COMMISSION

#### CHAIRPERSON

Amy Wong

#### VICE-CHAIRPERSON

Alfredo Nuño

#### COMMISSIONER

Cesar Peralta

#### COMMISSIONER

Rafael Gonzalez

#### COMMISSIONER

Pablo Tamashiro

Phone: (626) 258-8626  
www.elmonteca.gov  
planning@elmonteca.gov

This meeting shall be conducted in compliance with the procedures set forth under AB361 which allows local legislative bodies to continue conducting virtual meetings under certain emergency circumstances without strictly complying with traditional Brown Act teleconferencing requirements, so long as there is a live comment option for public comments, meetings are paused for any technical difficulties that affect public participation, and each agenda contains information on how to access the meeting as well as how to participate in public comment virtually. The El Monte City Council has availed itself of the procedures of AB361 for meetings of the City of El Monte's Legislative Bodies by resolution last approved at its meeting of May 3, 2022.

### Members of the public wishing to observe the meeting may do so in one of the following ways:

- (1) Attend the meeting in person at the City's Council Chambers. All COVID-19 safety precautions (e.g. wearing a mask and social distancing) shall be followed at all times.
- (2) Turn your TV to Channel 3.
- (3) Visit the City's website at: <http://www.elmonteca.gov/378/council-meeting-videos>

### Members of the public wishing to make public comment may do so in one of the following ways:

- (1) Call-in Conference (253) 215-8782; Meeting ID 838 4114 2659 and then press #. Press # again when prompted for participant ID. Once admitted into the meeting, press \*9 to request to speak.
- (2) Email or Telephone– All interested parties can submit comments in advance to the Planning Division's general email at [planning@elmonteca.gov](mailto:planning@elmonteca.gov) or by calling the City's telephone line: (626) 258-8626. All comments must be received by the Planning Division no later than 3:00 pm on May 10, 2022.

**Instruction regarding accommodation under the Americans with Disabilities Act can be found on the last page of this Agenda.**

**OPENING OF MEETING**

1. Call Meeting to Order
2. Flag Salute
3. Roll Call
4. Approval of Agenda
5. Commission Disclosures

**6. Public Comments**

Citizens wishing to address the Planning Commission on land use and development matters may do so at this time. Note that the Commission cannot respond to or take any action on the item.

Citizens wishing to speak on an agenda item will be given the opportunity to speak after the item is presented by staff.

Limit your comments to three (3) minutes. State your name & address for the record.

**CONSENT CALENDAR****7.1 Approval of Modification Committee Minutes**

None

**7.2 Approval of Planning Commission Minutes**

4/12/22 & 4/26/22

**REGULAR AGENDA**

8. **Code Amendment (CA) No. 800 to Title 15 (Building and Construction) of the El Monte Municipal Code (EMMC); CA No. 801 to Title 17 (Zoning Code) of the EMMC; and Specific Plan Amendment (SPA) No. 01-22 (for the Gateway and Downtown Main Street Transit Oriented Specific Plans).**

*Address/Location:* CA Nos 800 & 801: Citywide

SPA No. 01-22 Gateway Specific Plan: The 60-acre area roughly bounded by Main Street to the north, Santa Anita Avenue to the east, the I-10 Freeway to the south and the Rio Hondo River to the west; and

SPA No. 01-22 Downtown Main Street Transit Oriented Specific Plan (Downtown Specific Plan): the 115-acre area roughly bounded by the railroad to the northeast, Ramona Boulevard to the south and Santa Anita Avenue to the west.

- Request:* The project will be presented to the Planning Commission as the recommending body and to the City Council at a future public hearing for a final decision.
- Title 15 (Building and Construction) of the EMMC – Adopt the 2020 Los Angeles County Building Code in its entirety and update the Certificate of Occupancy requirements.
- Title 17 (Zoning Code) of the EMMC – Adopt comprehensive zoning standards for the following Divisions –
- Division A – Matrix of Land Uses.
  - Division 1 – Introduction.
  - Division 2 – Residential Zoning Districts.
  - Division 3 – Multiuse Zoning Districts.
  - Division 4 – Commercial and Manufacturing Zoning Districts.
  - Division 5 – Performance Standards.
  - Division 6 – General Property Development Standards.
  - Division 7 – Parking and Landscaping Regulations.
  - Division 8 – Signage and Billboard Regulations.
  - Division 9 – Wireless Regulations.
  - Division 10 – Affordable Housing Regulations.
  - Division 11 – Regulations Applicable for Specific Uses.
  - Division 12 – Administration of Applications and Permits.
  - Division 13 – Specific Plans.
  - Division 14 – Design Guidelines.
  - Division 15 – Definitions.
- Gateway Specific Plan – Update the Plan to be consistent with the proposed Zoning Code updates. This includes updating all the permitted uses.
- Downtown Specific Plan – Update the Plan to be consistent with the proposed Zoning Code updates. More significant updates are proposed for Chapter 2 Land Use, which includes updates maps, development standards and permitted uses.
- CEQA Determination:* An Initial Study (IS) was prepared for the project and determined there would be less than significant environmental impacts on the environment. There, a Negative Declaration (ND) was prepared and circulated in accordance with the requirements of the California Environmental Quality (CEQA) Act, as amended.
- Case Planner:* Jason C. Mikaelian, AICP, Deputy Director
- Recommendation:* Adopt a resolution recommending the City Council adopt an Ordinance to approve the Negative Declaration and approve the requested entitlements.
- Resolution:* 3633

9. Director's Report
10. City Attorney's Report
11. Commissioner Comments

**NEXT SCHEDULED CITY PLANNING COMMISSION MEETING**

**Tuesday, May 24, 2022 at 7:00 P.M.**  
City Hall East – City Council Chambers

**Availability of staff reports:** Copies of the staff reports or other written documentation relating to each item of business described hereinabove are available on the City's Home Page at [www.elmonteca.gov](http://www.elmonteca.gov) or <https://www.ci.el-monte.ca.us/AgendaCenter/Planning-Commission-2>. You may also call the Planning Division at (626) 258-8626 for more information.

**Individuals with special needs:** The City of El Monte wishes to assist individuals with special needs. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (626) 258-8626. Notification 48 hours prior to the meeting will enable us to make reasonable arrangements to ensure accessibility to this meeting. [28 Code of Federal Regulations 35.102-35.104 ADA Title II]

**General explanation of how the meeting is conducted:**

1. The staff report is presented by City Planning staff.
2. The City Planning Commissioners ask questions if necessary for clarification.
3. The City Planning Commission Chair opens the public hearing.
4. The applicant makes a presentation to the City Planning Commission.
5. Individuals speaking in favor of the project address the Commission.
6. Individuals speaking against the project address the Commission.
7. The applicant responds to project opponents.
8. The public hearing is closed.
9. City Planning Commission members discuss the project.
10. City Planning Commission members vote on the project.
11. At the next scheduled Commission meeting, which is usually two weeks after the hearing, a resolution confirming the Commission action will be adopted.
12. Any interested party who disagrees with the City Planning Commission decision may appeal the Commission's decision to the City Council within 10 calendar days of the adoption of the resolution. Any appeal filed must be directed to the City Clerk's Office and must be accompanied by a fee of \$868.80 or \$1,357.50 (depending on the type of project). Any individual that received notice of this meeting from the City of El Monte will receive notice of an appeal, if one is filed.

## **PLANNING COMMISSION MINUTES**

### **ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING HELD ON TUESDAY, APRIL 12, 2022 AT CITY HALL COUNCIL CHAMBERS 11333 VALLEY BOULEVARD, EL MONTE, CALIFORNIA**

- 1. Call Meeting to Order** – Meeting was called to order by Chairperson Wong at 7:02 p.m.
- 2. Flag Salute** – The Flag Salute was led by Chairperson Wong.
- 3. Roll Call** – The roll call was led by Senior Planner Lee

**Commissioners present:** Gonzalez (Virtual), Peralta (Virtual), Wong (Virtual), Nuño (Virtual), and Tamashiro (Virtual).

**Commissioners Absent:** None

**Staff Present:** Director Donavanik  
Deputy Director Mikaelian  
City Attorney Tabares (Virtual)  
Senior Planner Lee

#### **4. Approval of Agenda:**

Motion: by Commissioner Gonzalez to approve agenda; seconded by Commissioner Tamashiro.

Motion carried 5 - 0.

#### **5. Commission Disclosures:**

None.

#### **6. Public Comments:**

None.

### **CONSENT CALENDAR**

#### **7.1 Approval of Modification Committee Minutes:**

None.

#### **7.2 Approval of Planning Commission Minutes:**

Motion: by Vice-Chairperson Nuño to approve March 22, 2022 Planning Commission Minutes; seconded by Commissioner Tamashiro.

Motion carried 5-0.

## **PUBLIC HEARING**

### **8. Conditional Use Permit (CUP) No. 02-19 & Variance (VAR) No. 02-22**

Address/Location: 4732 Peck Road / APN: 8547-014-013

The applicant is requesting approval of CUP No. 02-19 and VAR No. 02-22 to remove an existing 50-foot-high mono-palm wireless facility and construct a new wireless facility designed as a 65-foot-high mono-eucalyptus tree. The wireless facility is located behind an existing service station (Mobil Gas Station). The subject site is 30,000 square feet in size and is located within the MMU (Mixed/Multi-Use) zone. This request is made pursuant to the requirements of Chapters 17.20, 17.24, and 17.82 of the El Monte Municipal Code (EMMC).

Senior Planner Lee provided a PowerPoint presentation.

Following the discussion, it was moved by Commissioner Gonzalez to adopt Resolution No. 3632, approve the requested entitlements, and adopt the Categorical Exemption presented by staff; seconded by Commissioner Peralta.

Motion carried 5 - 0.

## **REGULAR AGENDA**

### **9. Code Amendment (CA) Nos. 800 and 801, General Plan Amendment (GPA) No. 01-22, Zone Change (ZC) No. 02-22 & Specific Plan Amendment (SPA) No. 03-22**

The City of El Monte initiated the following:

- CA No. 800 (Title 15 – Building and Construction of the El Monte Municipal Code (EMMC)) – Adopt the 2020 Los Angeles County Building Code in its entirety and update the Certificate of Occupancy requirements;
- CA No. 801 (Title 17 – Zoning Code of the EMMC) – Comprehensive update of the City's Zoning Code;
- GPA No. 01-22 and ZC No. 02-22 – Change the General Plan Land Use Map and/or Zoning Map for 26 different project areas; and
- SPA No. 03-22 – Updates to the El Monte Gateway Specific Plan and the Downtown Main Street Transit-Oriented Specific Plan

Deputy Director Mikaelian provided a PowerPoint presentation.

Following discussion, the Planning Commission received presentation from staff on the proposed General Plan Land Use Map and Zoning Map changes; the proposed Negative Declaration; and directed staff to return on a future Planning Commission meeting with the full Cas, GPA, ZC and SPA.

## **REPORTS AND OTHER ITEMS**

### **10. Director's Report:**

Deputy Director Mikaelian informed the Commission that the City Council approved Council Districting for six (6) districts and one mayor at large. Staff is working on correcting the remaining Housing Element comments from the State. Certification of the Housing Element should happen soon.

### **11. City Attorney's Report:**

None.

### **12. Commissioner Comments:**

Commissioner Tamashiro: Thanked staff for their due diligence.

Commissioner Gonzalez: Thanked fellow commissioners and staff.

Commissioner Peralta: None.

Vice-Chairperson Nuño: None.

Chairperson Wong: Thanked staff and Commissioners and wished everyone a happy Earth Day. Spoke on the City's unique diversity and mom and pop businesses that sets El Monte apart from other cities. Hope the Zoning Code updates will uplift residents and preserve local businesses. Chairperson also highlighted that housing prices continue to increase. She hopes everyone will stay safe from the latest variant and continuing to meet on Zoom is the safest way to meet.

### **13. Adjournment**

Meeting adjourned at 8:32 p.m.

Respectfully submitted,

---

Planning Commission Chairperson  
Amy Wong

---

Planning Commission Secretary  
Jason C. Mikaelian, AICP, Deputy Director

## **PLANNING COMMISSION MINUTES**

### **ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING HELD ON TUESDAY, APRIL 26, 2022 AT CITY HALL COUNCIL CHAMBERS 11333 VALLEY BOULEVARD, EL MONTE, CALIFORNIA**

- 1. Call Meeting to Order** – Meeting was called to order by Chairperson Wong at 7:05 p.m.
- 2. Flag Salute** – The Flag Salute was led by Chairperson Wong.
- 3. Roll Call** – The roll call was led by Senior Planner Bu

**Commissioners present:** Gonzalez (Virtual), Peralta (Virtual), Wong (Virtual), and Nuño (Virtual).

**Commissioners Absent:** Tamashiro

**Staff Present:** Director Donovanik  
Deputy Director Mikaelian  
City Attorney Tabares  
Senior Planner Bu

#### **4. Approval of Agenda:**

Motion: by Commissioner Gonzalez to approve agenda; seconded by Vice-Chairperson Nuño.

Motion carried 4 - 0.

#### **5. Commission Disclosures:**

None.

#### **6. Public Comments:**

None.

### **CONSENT CALENDAR**

#### **7.1 Approval of Modification Committee Minutes:**

None.

#### **7.2 Approval of Planning Commission Minutes:**

None.

## **REGULAR AGENDA**

### **8.1 Time Extension (EA) No. 05-22 for Design Review (DR) No. 01-21**

Address/Location: 10334 Garvey Avenue

The applicant has submitted a Time Extension request for a previously approved three-story, 17-unit apartment complex with 37 open parking spaces (including 16 tandem spaces). The approved project also includes 3,523 square feet of common open and recreation space. The project was originally approved by the Planning Commission on April 27, 2021.

Senior Planner Bu provided a PowerPoint presentation.

Following the discussion, it was moved by Vice-Chairperson Nuño to approve the Time Extension request for a new expiration date of May 7, 2023; seconded by Commissioner Peralta.

Motion carried 4 - 0.

### **8.2 Study Session #1 for Inclusionary Housing Ordinance**

Address/Location: Citywide

On February 1, 2022, the City Council adopted the final draft Housing Element, which was subsequently submitted to the California Department of Housing and Community Development (HCD) for their review and certification. The Housing Element includes Housing Program #12 which requires the City to adopt an Inclusionary Housing Ordinance (IHO). Study Session #1 is intended to inform the Planning Commission of different incentives, development standards, and alternative methods of compliance that may be utilized for the IHO.

Deputy Director Mikaelian provided a PowerPoint presentation.

Following discussion, the Planning Commission received presentation from staff; and directed staff to return on a future Planning Commission meeting date with the full project.

## **REPORTS AND OTHER ITEMS**

### **10. Director's Report:**

Deputy Director Mikaelian: Announced that at the Planning Commission meeting of May 10, 2022, the Planning Division will be presenting the Zoning Code Update for City Council recommendation.

### **11. City Attorney's Report:**

None.

## **12. Commissioner Comments:**

Commissioner Gonzalez: Thanked staff and commissioners.

Commissioner Peralta: None.

Vice-Chairperson Nuño: None.

Chairperson Wong: Thanked staff and commissioners.

## **13. Adjournment**

Meeting adjourned at 8:13 p.m.

Respectfully submitted,

---

Planning Commission Chairperson  
Amy Wong

---

Planning Commission Secretary  
Jason C. Mikaelian, AICP, Deputy Director

**TO:** CITY PLANNING COMMISSION

**FROM:** BETTY DONAVANIK  
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKAELIAN, AICP  
COMMUNITY & ECONOMIC DEVELOPMENT  
DEPUTY DIRECTOR

**BY:** JASON C. MIKAELIAN, AICP  
COMMUNITY & ECONOMIC DEVELOPMENT  
DEPUTY DIRECTOR

**APPLICATIONS:**

- CODE AMENDMENT NO. 800 – TITLE 15 BUILDING AND CONSTRUCTION CODE;
- CODE AMENDMENT NO. 801 – TITLE 17 ZONING CODE; AND
- SPECIFIC PLAN AMENDMENT (SPA) NO. 01-22 – GATEWAY SPECIFIC PLAN AND DOWNTOWN SPECIFIC PLANS

**LOCATIONS:**

- CA NO. 800 & CA NO. 801 – CITYWIDE; AND
- SPA NO. 01-22 – THE 60-ACRE GATEWAY AND 115-ACRE DOWNTOWN SPECIFIC PLAN AREAS

**APPLICANT:** CITY OF EL MONTE

**ENVIRONMENTAL DETERMINATION:** AN INITIAL STUDY (IS) WAS PREPARED FOR THE PROJECT AND DETERMINED THERE WOULD BE LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS ON THE ENVIRONMENT. THEREFORE, A NEGATIVE DECLARATION (ND) WAS PREPARED AND CIRCULATED FROM MARCH 28, 2022 TO APRIL 26, 2022, IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY (CEQA) ACT, AS AMENDED

**RECOMMENDATION:** ADOPT RESOLUTION NO. 3633 RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE TO APPROVE THE NEGATIVE DECLARATION AND APPROVE THE REQUESTED ENTITLEMENTS LISTED ABOVE

## **PROJECT DESCRIPTION:**

In May 2021, the City of El Monte initiated the following entitlements:

- Code Amendment (CA) No. 800 – To update Title 15 (Building and Construction Code) of the El Monte Municipal Code (EMMC);
- CA No. 801 – To update Title 17 (Zoning Code) of the EMMC; and
- Specific Plan Amendment (SPA) No. 01-22 – To update the 60-acre Gateway Specific Plan (SP-1) and the 115-acre Downtown Main Street Transit-Oriented District Specific Plan (the Downtown Specific Plan) (SP-4).

The project also includes General Plan Amendment (GPA) No. 02-22 and Zone Change (ZC) No. 03-22 – to change the land use designation and/or zoning for 26 areas with a total area of 138 acres. However, this will be presented separately to the Planning Commission on May 24, 2022. Attachment A is the Planning Commission Resolution with findings for the entitlements. Attachment B is the draft City Council Ordinance (for CA No. 800; CA No. 801; and SPA No. 01-22). Attachment C provides a link to the City's website, which includes the full text of the entitlements.

The City completed a comprehensive update to its General Plan in June 2011. However, the City had not completed a comprehensive update of its Zoning Code in over 40 years, with some of its Chapters dating back to the 1960s and 1970s. Over the years, countless smaller Zoning Code updates have been approved, resulting in a patchwork of zoning districts, land uses, definitions and development standards.

Initially, staff's approach was to complete a series of medium-sized updates to the overall Zoning Code. Since 2019, new standards were adopted for single-family, commercial and manufacturing zoning districts. In May 2021, Planning Staff began working to update the City's multiple-family standards. The Planning Commission conducted a Study Session and staff met with the City Council Development Ad-Hoc Committee. However, it soon became apparent that a more comprehensive update of the full Zoning Code was needed. The project's scope was further expanded to include updates to the Building and Construction Code, Gateway Specific Plan and Downtown Specific Plan, as well as updates to the City's General Plan Land Use Map and Zoning Map.

## **ASSESSMENT OF THE ZONING CODE:**

Staff completed an assessment of the existing Zoning Code. This included reviewing portions that had recently been updated and/or are closely linked to state or federal legislation or federal court rulings. While many of these portions have been reorganized, their contents have primarily been left unchanged. This includes the following:

- Rurban Housing Overlay District (RHOD) Chapter, which was updated in 2017;
- Freeway Billboard Overlay Zone, which was established in 2017 and updated in 2019;
- Accessory Dwelling Unit (ADU) and Junior ADU Section, which reflects a series of California Legislative Bills, with the most recent becoming effective on January 1, 2021 (However, staff completed a thorough review of the Section to ensure the update fully complies with State requirements);

- Urban Dwellings Section and Urban Lot Splits Section, which reflects California Senate Bill No. 9 that became effective on January 1, 2022 (However, staff completed a thorough review of the Section to ensure the update fully complies with State requirements);
- Adult Entertainment Establishments Section, which reflects federal court rulings;
- Massage Establishments Section, which was updated in 2017;
- Commercial Cannabis establishments Section, which reflects a City Council Ordinance adopted in 2019;
- Water Efficiency Chapter, which reflects the State’s 2016 Model Water Efficiency Landscape Ordinance (MWELo);
- Wireless New and Substantially Changed Chapter and Wireless Eligible Facilities Request Chapter, which reflects federal legislation;
- Density Bonus Chapter, which reflects State requirements and laws (However, staff completed a thorough review of the Chapter to ensure the update fully complies with State requirements); and
- Development Agreements Chapter, which reflects State requirements and laws.

It was determined that all remaining Chapters and Sections need to be updated. In addition, staff added Chapters for Rules and Measurements, Performance Standards and General Property Development Standards.

**PLANNING COMMISSION STUDY SESSIONS:**

The Planning Commission held a total of eight (8) Study Sessions from August 2021 through January 2022 and a public meeting during the environmental circulation period. Specifically, they included the following:

- Study Session #1 (August 24, 2021) – Proposed Zoning Code Organization, Zoning Review Committee, Community Outreach Program and Timeline;
- Study Session #2 (September 14, 2021) – General Regulations, Rules and Measurements, Zoning Districts and Nonconforming Provisions;
- Study Session #3 (October 12, 2021) – Permits and Entitlements;
- Study Session #4 (November 9, 2021) – Community Outreach Summary, Single-family Zoning Districts and Multiple-family Zoning Districts;
- Study Session #5 (November 30, 2021) – Multiuse Zoning District, Commercial Zoning Districts, Manufacturing Zoning Districts, General Property Development Standards and Performance Standards;
- Study Session #6 (December 7, 2021) – Regulations for Specific Residential and Nonresidential Uses;
- Study Session #7 (December 21, 2021) – Signage Regulations;
- Study Session #8 (January 18, 2022) – Parking Regulations and Landscaping Regulations; and
- Public Meeting (April 12, 2022) – Change the General Plan Land Use Designation and/or Zoning for 26 areas throughout the City and review the environmental document.

The Planning Commission provided questions and comments at each of the meetings. The different comments have been incorporated in the final draft of the Zoning Code.

## **COMMUNITY OUTREACH:**

Outreach activities included the following:

### *Stakeholder Interviews*

Staff conducted interviews with developers, design professionals, project managers, property managers and others familiar with the City's development process. Comments provided included the need to modify standards in order to make development more viable, updating land uses where appropriate, streamlining the development process, encourage more "by-right" uses when appropriate, increase green space requirements and increasing property maintenance.

### *Community Survey*

From late August until early October 2021, City staff circulated a Community Survey. In order to promote the survey, staff attended the weekly Farmers Market, included a story in the City newsletter (mailed to all households), sent email blasts to all business license holders and distributed the survey to all visitors at City Hall. The survey was also translated into Spanish and Mandarin. A total of 432 surveys were completed. Results included the following:

- 64 percent of the respondents were El Monte residents, with the remaining being business owners, developers/design professionals or visitors.
- Main residential neighborhood strengths included pride in neighborhoods, access to schools/parks/transit and variety of neighborhoods/housing types.
- Main residential issues included properties need to be better maintained, housing too expensive and too much traffic.
- Main commercial strengths included access to freeways/transit, wide variety of small/unique businesses and smalltown feel.
- Main commercial issues included too much underutilized land, need uses with good jobs and need national restaurants/businesses.
- Top programs that should be implemented included implement a street tree planting program, complete improvements to streets and intersections and improve sidewalk/pedestrian access.
- Top concerns that should be addressed included increased homelessness, poorly maintained vacant properties and need to incorporate sustainability in new projects.

### *Other Outreach Activities*

In-person outreach was limited due to the Coronavirus pandemic. Therefore, staff held a virtual Community Workshop on October 20, 2021. Approximately 40 people participated in the workshop. In addition, staff met with the Chamber of Commerce Board of Directors on September 30, 2021. Finally, staff met with the City Council Development Ad-Hoc Committee five (5) times over the past 12 months.

Much of the feedback received has been incorporated in the final draft of the Zoning Code.

## **CA NO. 800 – TITLE 15 BUILDING AND STRUCTURE CODE UPDATED:**

Title 15 of the EMMC includes the Building and Structure Code. The Code Amendment primarily calls to adopt the 2020 Los Angeles County Building Code in its entirety. In addition, the Certificate of Occupancy Chapter is moved from Title 17 of the EMMC to Title 15. The Chapter is fully updated and its flow is now consistent with Title 17's Zoning Clearance Chapter.

## **CA NO. 801 – TITLE 17 ZONING CODE UPDATE:**

This Code Amendment is for all the Chapters of the Zoning Code. The Zoning Code is completely reorganized into 15 Divisions (with each Division covering a different topic). The Divisions are further divided into Chapters and Sections and Subsections. Tables, maps and graphics are added throughout the Zoning Code to make the document more user friendly. The Chapters also follow a similar format to provide consistency throughout the document. The Divisions and Chapters include the following:

### *Table of Contents*

This lists all the Divisions and Chapters of the Zoning Code.

## **Division A – Citywide Matrix of Permitted Uses**

### *Chapter 17.A – Permitted Uses*

This is a table listing all the permitted uses and the most common zoning districts. Therefore, staff or an applicant can review the table to see which zoning districts a specific use is permitted, and whether it is permitted “by-right” or requires an entitlement. Uses that are not listed in the table are not permitted.

## **Division 1 – Introduction**

### *Chapter 17.10 – General Regulations*

This Chapter consolidates items that apply to the entire Zoning Code. Proposed Sections include the following:

- 17.10.050: Planning Authorities – This Section identifies the responsibilities of the City Council, Planning Commission, City Manager, Community and Economic Development Director (Community Development Director) and Planning Staff. It also outlines the responsibilities of the new Zoning Review Committee (replacing the Modification Committee);
- 17.10.060: Applicant Responsibilities – This Section summarizes that it is the applicant's responsibility to provide accurate and complete information;
- 17.10.070: Planning Permits and Actions – This Section provides a comprehensive table listing the different types of permits and actions, the recommending body (if applicable), the review authority (i.e. decision maker) and the appeal body;
- 17.10.080: Projects with Multiple Applications or Actions – This Section states the applications should be filed concurrently and should follow the review process of the application requiring the highest planning review authority;
- 17.10.090: Continuing Public Hearings – This Section limits the number of times a public hearing can be continued without requiring new noticing;

- 17.10.100: Ability to Appeal – This Section provides the appeal process for Planning Commission, Zoning Review Committee and Community Development Director decisions;
- 17.10.110: Application Resubmittals – This Section provides limits on when a denied or revoked application may be resubmitted;
- 17.10.120: Inactive Applications – This Section provides clarity on when staff can administratively withdraw inactive applications;
- 17.10.130: Changes to an Approved Project – This Section defines minor changes (which can be approved by the Community Development Director) and major changes (which shall be approved by the original planning authority) to an approved project;
- 17.10.140: Revocation of Permits – This Section provides the process to revoke an entitlement that was obtained in a fraudulent manner, has expanded beyond the original approval, is being exercised contrary to the conditions of approval or is being exercised in a way to constitute a nuisance; and
- 17.10.150: Fees – This Section requires the payment of fees prior to accepting an application.

#### *Chapter 17.12 – Rules and Measurements*

This Chapter provides rules to resolve questions about the meaning or applicability of any part of the Title. Proposed Sections include the following:

- 17.12.010: Rules of Interpretation – This Section included the process to follow when there are conflicting requirements within the Zoning Code and with other requirements of the EMMC;
- 17.12.030: Uses Expressly Prohibited – This Section clarifies that a use must be listed for it to be permitted; all other uses are prohibited (except as permitted in Section 17.12.050);
- 17.12.040: Procedures for Interpretations – This Section outlines the process to interpret the meaning or applicability of all provisions and requirements of the Zoning Code;
- 17.12.050: Additional Permitted Uses – This Section outlines the process to add uses that are not specifically listed, but are similar to another use that is listed;
- 17.12.060: Measurements and Calculations – This Section outlines the way to measure distance, floor area, floor area ratio (FAR), fractions, height, lot area, lot coverage, lot line and frontage, residential density, building separation, setbacks and yards; and
- 17.12.080: Measuring Sign Area – This Section outlines how to measure sign area.

#### *Chapter 17.14 – Zoning Classifications and Map*

This Chapter lists all the different zoning districts. This includes changing the numbering of the Office Commercial zoning district from C-O to C-1. In addition, it folded the Light Commercial (C-1) zoning district into the Neighborhood Commercial (C-2) zoning districts and it folded the Heavy Commercial (C-4) zoning district into the General Commercial (C-3) zoning district. This results in only three (3) commercial zoning districts: the C-1, C-2 and C-3 zoning districts. In addition, the Parking (P) zoning district was removed and the Railroad (RR), Transitway (TW) and River/Wash (RW) zoning districts were added.

### *Chapter 17.16 – Nonconforming Provisions*

This Chapter permits nonconforming uses and structure to continue until they are removed, restricted or abandoned. Proposed Sections include the following:

- 17.16.020: Nonconforming Buildings or Structures – This Section outlines when a damaged structure can be rebuilt, the legality of buildings or structures and making additions to nonconforming yard setbacks;
- 17.16.040: Nonconforming Residential Uses – This Section includes two (2) tables that outline what zoning district should be followed and what type of entitlement is required when requesting residential additions (e.g. the process to expand a residential unit on property zoned Light Manufacturing/M-1);
- 17.16.050: Nonconforming Nonresidential uses – This Section limits when nonconforming nonresidential uses can expand; and
- 17.16.070: Loss of a Legal Nonconforming Status – This Section outlines the process to terminate a nonconforming use when it is determined to be a public nuisance.

## **Division 2 – Residential Zoning Districts and Overlays**

### *Chapter 17.20 – One-family Dwelling Zoning Districts*

This Chapter consolidates the City’s three (3) One-family Dwelling zoning districts (R-1A, R-1B and R-1C) into one Chapter. Proposed Sections include the following:

- 17.20.040: Permitted Uses – This Section includes a table listing the zoning districts, permitted uses and whether the use is permitted “by-right” or requires an entitlement; and
- 17.20.050: Development Standards – This Section includes a table listing development standards including height, yard setbacks, lot specifications, density and floor area. The most significant update is to the R-1B zoning district’s density, which is now more flexible for properties with greater street frontage.

### *Chapter 17.22 – Rurban Homesteads Overlay District (RHOD)*

This Chapter outlines development standards for the the City’s equestrian area. This Chapter’s organization and contents are not changed.

### *Chapter 17.24 – Multiple-family Dwelling Zoning Districts*

This Chapter consolidates the City’s three (3) multiple-family Dwelling zoning districts (Low Density Multiple-family/R-2, Medium Density Multiple-family/R-3 and High Density Multiple-family/R-4) into one Chapter. Proposed Sections include the following:

- 17.20.040: Permitted Uses – This Section includes a table listing the zoning districts, permitted uses and whether the use is permitted “by-right” or requires an entitlement; and
- 17.20.050: Development Standards – This Section includes a table listing development including height, yard setbacks, lot specifications, density, floor area and open space. The most significant updates include the following:
  - Maximum density for the R-3 zoning district is more flexible for properties with greater street frontage;
  - Maximum floor area in the R-3 and R-4 zoning districts is increased for larger projects;

- A floor area bonus is established for projects with more than ten (10) units. Through the bonus, projects can receive additional floor area if the project incorporates affordable housing, environmental benefits, open space features and/or architectural enhancements; and
- Open space requirements are slightly reduced for larger projects.

### **Division 3 – Multiuse Zoning District**

#### *Chapter 17.30 – Mixed/Multiuse Zoning District*

This Chapter outlines uses and development standards for the Mixed/Multiuse (M/MU) zoning district. Proposed Sections include the following:

- 17.30.030: Permitted Uses – This Section includes a table listing the zoning district, permitted uses and whether the use is permitted “by-right” or requires an entitlement; and
- 17.20.040: Development Standards – This Section includes a table listing development standards including height, yard setbacks, lot specifications, density and open space. The most significant updates include the following:
  - Minimum lot area and density is added for mixed-use projects with residential;
  - Maximum density is higher for properties greater than 40,000 square feet;
  - Open space requirements are slightly reduced for mixed-use projects with residential; and
  - Minimum top plate height is now flexible for projects that need a lower height to meet Los Angeles County Fire requirements.

### **Division 4 – Commercial and Manufacturing Zoning Districts**

#### *Chapter 17.40 – Commercial Zoning Districts*

This Chapter consolidates the City’s three (3) Commercial zoning districts (Office Commercial/C-1, Neighborhood Commercial/C-2 and General Commercial/C-3) into one Chapter. Proposed Sections include the following:

- 17.40.030: Permitted Uses – This Section includes a table listing the zoning districts, permitted uses and whether the use is permitted “by-right” or requires an entitlement; and
- 17.40.040: Development Standards – This Section includes a table listing development standards including height, lot specifications and yard setbacks. The most significant updates include the following:
  - Landscape setbacks are increased when abutting residential zoning districts;
  - Minimum density is added for multiple-family developments;
  - Mixed-use horizontal projects with residential are permitted in the C-3 zoning district and within ¼-mile of a Major Transit Intersection (MTI); and
  - Open space requirements are slightly reduced for multiple-family developments.

#### *Chapter 17.42 – Manufacturing Zoning Districts*

This Chapter consolidates the City’s two (2) Manufacturing zoning districts (Light Manufacturing/M-1 and General Manufacturing/M-2) into one Chapter. Proposed Sections include the following:

- 17.42.030: Permitted Uses – This Section includes a table listing the zoning districts, permitted uses and whether the use is permitted “by-right” or requires an entitlement; and
- 17.42.040: Development Standards – This Section includes a table listing development standards including height, lot specifications and yard setbacks. No significant changes are proposed to the development standards.

#### *Chapter 17.44 – Public and Quasi-public Zoning Districts*

This Chapter consolidates the City’s seven (7) Public and Quasi-public zoning districts (Public Facilities/PF, Open Space/OS, Airport/AP, Railroad/RR, River Wash/RW, Transitway/TW and Residential Mobilehome Park/RMP) into one Chapter. Proposed Sections include the following:

- 17.44.020: Permitted Uses – This Section includes a table listing the zoning districts, permitted uses and whether the use is permitted “by-right” or requires an entitlement; and
- 17.44.030: Development Standards – This Section lists the development standards of the different zoning districts. For the AP zoning district, the Section refers to the most recent Airport Master Plan and for the RR, RW, TW and RMP states the standards should be established during the public hearing process.

### **Division 5 – Performance Standards**

#### *Chapter 17.50 – Performance Standards*

The contents of this Chapter are newly added to the Zoning Code. It provides performance standards intended to mitigate objectionable environmental effects of proposed and existing uses and guard against activities, uses and conditions that would adversely affect public health and safety. Proposed Sections include the following:

- 17.50.020: Applicability and Exempt Uses – This Section highlights which uses and projects are subject to this Chapter;
- 17.50.050: Air Quality – This Section prohibits the direct or indirect discharge of air contaminants into the atmosphere that exceed any local, state or federal standards;
- 17.50.070: Construction Impacts – This Section requires notification to adjacent properties when construction is to commence, the proper securing of sites, a preconstruction meeting, limitations on construction hours, a truck/traffic management plan, staging areas and proper refuse disposal;
- 17.50.100: Hazardous Materials – This Section requires a Conditional Use Permit (CUP) for any use that includes the storage of hazardous materials;
- 17.50.110: Noise – This Section includes a table listing permissible noise levels within certain zoning districts and during the day and night;
- 17.50.120: Property Maintenance – This Section includes requirements for certain project to incorporate Covenants, Conditions and Restrictions (CC&Rs) or Maintenance Agreement to ensure ongoing property maintenance; and
- 17.50.130: Reflective Surfaces – This Section limits the types of building materials used in projects to reduce the potential for glare.

## **Division 6 – General Development Standards**

### *Chapter 17.60 – General Development Standards*

This Chapter prescribes development standards and site regulations that apply, except where specifically stated, to all zoning districts. While some of the Chapter's Section existed for many years, they were scattered throughout the Zoning Code. The different Sections are now consolidated into one Chapter. Proposed Sections include the following:

- 17.60.020: Flat Lots – This Section provides clarity on existing flag lots, including determine yards, calculating FAR and calculating lot coverage;
- 17.60.030: Height Exceptions and Restrictions – This Section limits the height of ancillary roof mounted equipment for different zoning district. In addition, it limits the height of buildings adjacent to residential zoning districts;
- 17.60.040: Outdoor Display and Storage – This Section provides standards for outdoor storage and display in nonresidential areas. The strictest standards are for the Office Commercial (C-1) and Mixed/Multiuse (M/MU) zoning districts and the least restrictive are the Manufacturing (M-1 and M-2) zoning districts;
- 17.60.050: Outdoor Lighting – This Section provides performance standards for lighting in residential zoning districts and nonresidential zoning districts as well as lighting for special uses (e.g. drive-thru facilities, vehicle sales, service stations, etc.);
- 17.60.070: Private Streets and Shared Driveways – This Section establishes minimum setbacks and the designation of property lines for private streets, shared driveways with access easements and shared driveways under common ownership;
- 17.60.100: Screening – This Section outlines screening requirements for roof mounted equipment and ground mounted equipment;
- 17.60.120: Walls, Fences and Hedges – This Section outlines maximum heights and permitted materials for walls and fences for residential and nonresidential uses. In addition, it includes new standards for retaining walls; and
- 17.60.130: Yard Encroachments – This Section provides yard encroachment exceptions for architectural features such as cornices, chimneys, bay windows and porches. In addition, it identifies maximum encroachments for mechanical equipment.

## **Division 7 – Parking and Landscaping Regulations**

### *Chapter 17.70 – Parking Regulations*

This Chapter outlines the on-site parking requirements for uses and design standards for parking areas. Proposed Sections include the following:

- 17.70.040: Required On-site Parking for Residential Uses – This Section includes tables that provide parking requirements for the following residential uses: single-family residential; multiple-family residential; affordable housing projects; live/work units; senior housing; Single Room Occupancy (SRO) facilities; and urban dwellings;
- 17.70.050: Required On-site Parking for Nonresidential Uses – This Section includes tables that provide parking requirements for the following nonresidential

uses: community care facilities; public and quasi-public uses; assembly uses; entertainment uses; retail uses; office uses; service uses; industrial uses; and transportation uses;

- 17.70.060: Required On-site Loading Spaces – This Section includes a table that outlines loading requirements. The table is divided into different land uses such as urban housing, food and beverage establishments and offices. The number of loading spaces vary depending on the needs of the use;
- 17.70.070: Parking Reductions and Adjustments – This Section lists the following categories of parking reductions: downtown uses; downtown parking credits; car sharing; and shared parking;
- 17.70.080: Parking Lot, Spaces and Driveway Development/Design Standards – This Section includes design standards for parking lots such as parking space dimensions; parking space degrees and aisle width; screening; maximum slopes for ramps; landscaping overhangs; driveway widths; residential circular driveways; and paving materials;
- 17.70.090: Electric Vehicle Charging Spaces – This new Section provides parking requirements for charging stations. In some instances, the requirements are stricter than what is required per the California Building Code; and
- 17.70.100: Bicycle Parking – This new Section provides bicycle parking requirements. In some instances, the requirements are stricter than what is required per the California Building Code.

#### *Chapter 17.72 – Landscaping Requirements*

This Chapter outlines the landscaping and irrigation plans for new, expanded and remodeled projects. Proposed Sections include the following:

- 17.72.040: Landscaping Requirements General – This Section outlines landscaping requirements for all projects, regardless of the use. This includes having a planting palette, including a mixture of plant materials and requiring ongoing maintenance;
- 17.72.050: Landscaping Requirements for Residential Uses – This Section lists minimum planting requirements for street setbacks areas, driveway planters and common open space areas (for multiple-family projects). In addition, it requires new projects include parkway trees for each 40 feet of street frontage;
- 17.72.060: Landscaping Requirements for Nonresidential Uses – This Section lists minimum planting requirements for street setback areas, parking areas and vehicle access areas. In addition, it requires new projects include parkway trees for each 24 feet of street frontage; and
- 17.72.070: Landscaping Reductions – This Section outlines possible adjustments to landscaping requirements for narrow residential lots, buildings constructed less than ten (10) feet from a street property line, landscaping on parking podiums, landscaping in parking lots with solar canopy facilities and landscaping for vehicle dealerships.

#### *Chapter 17.74 – Water Efficiency*

This Chapter outlines the City's requirements to comply with the State's Model Water Efficiency Landscaping Ordinance (MWELo). While the Chapter is reorganized, its contents are not changed.

## Division 8 – Signage and Billboard Regulations

### *Chapter 17.80 – Signage Regulations*

This Chapter provides standards for signage in residential and nonresidential zoning districts. Proposed Sections include the following:

- 17.80.030: Exempt Signs – This Section lists the different types of signs that are not subject to the Signage Regulations Chapter. This includes the following: address signs; barber poles; equipment signs; interior graphics or signs; garage or yard sale signs; government signs; real estate signs; noncommercial temporary signs; and some window signs;
- 17.80.040: Prohibited Signs – This Section lists the different types of signs that are prohibited. This includes the following: animated signs; box signs; outdoor advertising signs; portable signs; pole signs; roof signs; certain types of sign illumination; certain types of sign material; signs in the public rights-of-way; and windblown devices/balloons;
- 17.80.050: General Procedures – This Section outlines the different types of sign permits including the following: sign permits; building permits; encroachment permits; temporary sign permits; and master sign programs;
- 17.80.060: Signs for Residential, Public and Quasi-public Zoning Districts – This Section permits limited signing for multiple-family uses, nonresidential uses in residential zones (e.g. schools or religious facilities); and signs for legal nonconforming uses;
- 17.80.070: Building Signs for Multiuse, Commercial and Manufacturing Zoning Districts – Signs will now be permitted on up to three (3) elevations. The maximum combined area of building sign will be based on building façade length (previously it was based on building façade square footage). Types of signs permitted include the following: wall signs; marquee or projecting signs; canopy or awning signs; permanent window signs; and building identification and major tenant signs;
- 17.80.080: Freestanding Signs for Multiuse, Commercial and Manufacturing Zoning Districts – The Section separates freestanding signs into two (2) categories: monument signs (up to eight (8) feet high) and pylon signs (up to 25 feet high). The Section also provides standards for such signs including maximum area, width, height, copy area and planter area. In addition, it outlines minimum setbacks to street property lines, adjacent property lines and separation from residential zoning districts;
- 17.80.090: Signs for the Gateway and Downtown Specific Plans – The Gateway and the Downtown areas have unique sign needs. This Section provides specialized standards the call for pedestrian oriented signing and allow certain types of signs (e.g. A-frame signs and painted wall signs) that are not permitted in other areas of the City. This Section also prohibits pylon signs;
- 17.80.100: Signs for Specific Uses and Sign Types – This new Section outlines sign requirements for the following uses: adult entertainment establishments; drive-thru businesses; hotels and motels; schools; religious facilities; live/work units; recycling facilities; theatres and concert venues; vehicle sales and lease; vehicle service stations; and vehicle washing facilities. It also includes operational standards for electronic copy signs (automatic readerboard); and
- 17.80.110: Temporary Signs – This Section outlines temporary window signs, temporary banners and temporary project construction signs.

### *Chapters 17.82 and 17.84 – Billboard Overlay Zone and Outdoor Advertising*

These Chapters outlined regulations for new electronic billboards within the Billboard Overlay Zone and nonconforming static billboards in other portions of the City. While the Chapters are reorganized, their contents are not changed.

## **Division 9 – Wireless Regulations**

### *Chapters 17.90 and 17.92 – New/Substantially Changed and Eligible Facilities Request*

These Chapters outlined wireless regulations. While the Chapters are reorganized, their contents are not changed.

## **Division 10 – Affordable Housing Regulations**

### *Chapter 17.100 – Density Bonus Provisions*

This Chapter outlines the City's density bonus provisions. While the Chapter is reorganized, its contents are not changed.

## **Division 11 – Regulations Applicable for Specific Uses**

### *Chapter 17.110 – Standards for Specific Residential Uses*

This Chapter provides development, operational and other requirements for the following residential uses: Accessory Buildings; Accessory Dwelling Units (ADUs) and Junior ADUs; Home Occupation Businesses; Live/Work Units; Mixed-use Projects – Vertical or Horizontal; Single Room Occupancy (SRO) Facilities; Transitional Uses; Urban Dwellings; Urban Lot Splits; and Urban Housing Developments.

### *Chapter 17.112 – Standards for Specific Nonresidential Uses*

This Chapter provides development, operational and other requirements for the following nonresidential uses: Adult Entertainment Establishments; Alcohol Sales Uses; Alternative Financial Establishments; Automated Teller Machines (ATMs); Collection Containers; Correctional Facilities; Drive-thru Businesses; Emergency Shelters; Hotels or Motels; Low Barrier Navigation Centers; Multiple-tenant Commercial Centers; Outdoor Dining Areas; Pawnbrokers or Pawnshops; Personal Service Uses (General, Restricted and Massage); Recycling Facilities; Secondary Vendors; Significant Tobacco Retailers; Vehicle Sales and Lease; Vehicle Repair Facilities; Vehicle Service Stations; and Vehicle Washing Facilities.

## **Division 12 – Applications and Permits**

### *Chapter 17.120 – Zoning Clearances and Administrative Permits*

This Chapter outlines the process to obtain a Zoning Clearance (ZC) and Administrative Permit (AP). Existing contents within the Chapter remain unchanged. However, the Chapter is reorganized and several new Sections are added including Applicability, Time Periods and Appeals.

### *Chapter 17.121 – Initial Plan Reviews*

The contents of this Chapter are newly added to the Zoning Code. The Initial Plan Review (IPR) process was adopted by the City Council in 2012, however, it was never

formally added to the Zoning Code. Sections of this Chapter include Applicability, General Procedures and Time Periods.

#### *Chapter 17.122 – Design Reviews and Minor Design Reviews*

This Chapter outlines the process to obtain Design Review (DR) or Minor Design Review (MDR) approval. Proposed Sections include the following:

- 17.122.020: Applicability – This Section outlines development thresholds that require MDR and DR approval.
- 17.122.030: General Procedures – This Section states the following –
  - MDRs are reviewed and approved, approved with conditions or denied by the Community Development Director. Applications for projects within the RHOD require a notice published in the newspaper, mailed to all property owners within 300 feet and posted on the property. All other applications do not require public noticing; and
  - DRs are reviewed and approved, approved with conditions or denied by the Planning Commission. Applications require a public hearing with a notice published in the newspaper, mailed to all property owners within 500 feet and posted on the property.
- 17.122.040: Necessary Findings – Findings were updated to the following:
  - The DR or MDR will not be detrimental to the public health, safety or welfare or injurious to the subject property or other improvements in the vicinity;
  - The architectural design provides a desirable environment for its occupants, neighbors and visitors through its careful placement of building mass and its use of materials, textures and colors and will remain appealing through ongoing maintenance;
  - The site plan and layout incorporate measures to encourage and protect alternative modes of transportation such as pedestrians, bicyclists and transit riders;
  - The landscaping, including the location, type, size and maintenance, complies with Chapter 17.72 (Landscaping Requirements) and Chapter 17.74 (Water Efficiency) of the Zoning Code; and
  - The DR or MDR is consistent with the purpose and policies of the City's General Plan, Zoning Code, any applicable Specific Plan and the Comprehensive Design Guidelines.
- 17.122.050: Time Periods – The time periods for most entitlements have been standardized. Project approvals are for 12 months. A one (1) year extension may be approved by the Community Development Director and additional extensions may be approved by the Planning Commission; and
- 17.122.060: Appeals – The appeals period references Section 17.10.100 (Appeals) of the Title.

#### *Chapter 17.123 – Conditional and Minor Use Permits*

This Chapter outlines the process to obtain a Conditional Use Permit (CUP) or Minor Use Permit (MUP). The MUP process has been added to the Zoning Code. Proposed Sections include the following:

- 17.123.020: Applicability – This Section refers to Division A (Citywide Matrix of Permitted Uses). Uses that require a CUP or MUP are subject to this Chapter;
- 17.123.030: General Procedures – This Section states the following –

- MUPs are reviewed and approved, approved with conditions or denied by the Zoning Review Committee. Applications require a public hearing with a notice published in the newspaper, mailed to all property owners within 300 feet and posted on the property and
- CUPs are reviewed and approved, approved with conditions or denied by the Planning Commission. Applications require a public hearing with a notice published in the newspaper, mailed to all property owners within 500 feet and posted on the property.
- 17.123.040: Necessary Findings – Findings were updated to the following:
  - The CUP or MUP will not be detrimental to the public health, safety or welfare or injurious to the subject property or other improvements in the vicinity;
  - The proposed use applied for at the location indicated is one (1) for which a CUP or MUP is authorized;
  - The subject property for the proposed use is adequate in size and shape to accommodate such use and that the yards, space, walls, fence, parking, loading, landscaping and other features required for the proposed use are provided;
  - The subject property abuts streets and highways adequate in width and pavement type to carry the kind of traffic which will be generated by the proposed use; and
  - The CUP or MUP is consistent with the purpose and policies of the City's General Plan, Zoning Code, any applicable Specific Plan and the Comprehensive Design Guidelines.
- 17.123.050 and 17.123.060: Time Periods and Appeals – The same as DR and MDRs.

#### *Chapter 17.125 – Variances and Minor Variances*

This Chapter outlines the process to obtain a Variance (V) or Minor Variance (MV). The MV replaces the Modification (MOD) entitlement. Proposed Sections include the following:

- 17.125.020: Applicability – This Section lists development standards that may be adjusted through an MV permit. All other development standards require a V permit;
- 17.125.030: General Procedures – This Section states MVs are reviewed the same as MUPs while Vs are reviewed the same as CUPs;
- 17.125.040: Necessary Findings – Findings were updated to the following:
  - The V or MV will not be detrimental to the public health, safety or welfare or injurious to the subject property or other improvements in the vicinity;
  - The V or MV will not authorize a use or activity that is not otherwise expressly authorized in the subject property's zoning classification;
  - There are exceptional or extraordinary circumstances applicable to the property involved (e.g. location, shape, size, surroundings and topography), so that the strict application of the Zoning Code denies the property owner of privileges enjoyed by others in the vicinity and under identical zoning classifications;
  - The V or MV will not provide special privileges for the property involved, which are inconsistent with other properties in the vicinity and within the same zoning classification; and

- The V or MV is consistent with the purpose and policies of the City's General Plan, Zoning Code, any applicable Specific Plan and the Comprehensive Design Guidelines.
- 17.125.050 and 17.125.060: Time Periods and Appeals – The same as DR and MDRs.

*Chapter 17.126 – Modification for an Individual with a Disability*

This Chapter outlines the process to obtain a Modification for an Individual with a Disability (MOD). Proposed Sections include the following:

- 17.126.020: Applicability – This Section states any disabled person, a developer providing housing for disabled persons or a provider of housing for disabled person may apply for a MOD;
- 17.126.030: General Procedures – This Section states MODs are reviewed and approved, approved with conditions or denied by the Community Development Director. Applications do not require public noticing;
- 17.126.040: Necessary Findings – Findings were updated to the following:
  - The person that will live in the housing which is the subject of the Modification request is a qualified individual with a disability protected under fair housing laws;
  - The MOD is necessary to make the housing available to disabled person protected under fair housing laws; and
  - The MOD will not adversely affect the purpose, goals and policies of the City's General Plan, Zoning Code, any applicable Specific Plan and the Comprehensive Design Guidelines.
- 17.126.050: Time Periods – Project approvals are for 12 months. A one (1) year extension may be approved by the Community Development Director. No additional extensions may be granted; and
- 17.126.060: Appeals – The same as DR and MDRs.

*Chapter 17.127 – Planned Residential Developments*

This Chapter outlines the process to obtain a Planned Residential Development (PRD) for larger multiple-family projects. Proposed Sections include the following:

- 17.127.020: Applicability – This Section identifies the required zoning, minimum lot size and minimum open space areas necessary to request approval of a PRD;
- 17.127.030: General Procedures – This Section states PRDs are processed the same way as CUPs;
- 17.127.040: Permitted Exceptions – This Section lists the zoning exceptions PRDs may qualify for including reduced setbacks, reduced upper floor setbacks, reduced building separations, reduced open space dimensions, increased lot coverage and increased FAR;
- 17.127.050: Necessary Findings – Findings were updated to the following:
  - The PRD will not be detrimental to the public health, safety or welfare or injurious to the subject property or other improvements in the vicinity;
  - The PRD is centered around common open space, recreational areas and/.or the public street;
  - The PRD will provide for a comprehensive for harmonious arrangement of buildings, housing types, open spaces, off-street parking and development

- amenities. The internal street and walkway system is designed for the efficient and safe movement of vehicles, bicyclists and pedestrians;
- The PRD is demonstratively, superior to the development that could have occurred under the standards applicable to the underlying zoning district, and will achieve superior community design, environmental preservation and/or substantial public benefit; and
- The PRD is consistent with the purpose and policies of the City’s General Plan, Zoning Code, any applicable Specific Plan and the Comprehensive Design Guidelines.
- 17.127.060 and 17.127.070: Time Periods and Appeals – The same as DR and MDRs.

*Chapter 17.128 – General Plan Amendments and Zoning Amendments*

This Chapter outlines the process to obtain several different types of Amendments. Proposed Sections include the following:

- 17.128.020: Applicability – General Plan Amendments (GPAs) include text revisions, land use map revisions and any other map, table, illustration or similar revision to the City’s 2011 General Plan. Zoning Amendments include Zone Changes (ZCs) to the zoning map and Code Amendments (CAs) to any text, table or illustration. General Plan Conformity (GPC) applications include vacations to public streets or alleyways;
- 17.128.030: General Procedures – This Section states the following –
  - GPA, ZC and CA applications require a public hearing before the Planning Commission as the recommending body and a public hearing before the City Council as the final decision-making body. For applications that include a specific property, the noticing is the same as a CUP. For applications that do not include a specific property, noticing is limited to a notice published in the newspaper; and
  - GPC applications are approved or denied by the Planning Commission. Public notification is not required.
- 17.128.040: Necessary Findings – Findings were updated to the following:
  - GPA, ZC or CA –
    - The Amendment will not be detrimental to the public health, safety or welfare or injurious to the City;
    - The subject property is suitable for the requested/anticipated land uses/development; and
    - The Amendment is consistent with the purpose, goals and policies of the City’s General Plan, Zoning Code and any applicable Specific Plan.
  - GPC –
    - The proposed Vacation is anticipated to serve the public interest and be a public benefit; and
    - The proposed Vacation is consistent with the purpose, goals and policies of the City’s General Plan.
- 17.128.050: Time Periods – GPAs are effective immediately after adoption of a City Council Resolution while ZCs and CAs are effective 30 days after the second reading of a City Council Ordinance; and
- 17.128.060: Appeals – The same as DR and MDRs.

### *Chapter 17.129 – Development Agreements*

This Chapter outlines the process to obtain a Development Agreement (DA) with the City. While the Chapter is reorganized, its contents are not changed.

## **Division 13 – Specific Plans**

### *Chapter 17.130 – Specific Plans*

This Chapter outlines the process to establish and amend a Specific Plan (SP). Proposed Sections include the following:

- 17.130.020: Applicability – This Section identifies the required zoning and minimum lot size necessary to request approval of an SP.
- 17.130.040: Preparation and Content – This Section outlines the required contents of a SP, including a boundary survey map, land use and development standards, infrastructure and its relationship with the goals, policies and objectives of the General Plan.
- 17.130.060: Necessary Findings – Findings were updated to the following:
  - The SP will not be detrimental to the public health, safety or welfare or injurious to the City;
  - The subject property (or properties) proposed for the SP has unique characteristics such as topography, location, size or surroundings that are enhanced by special land use and development standards;
  - The SP provides for pedestrian, bicycle and transit access to, and where feasible, within the property, including connection to the City or regional networks;
  - The SP results in development of desirable character and use types that will be compatible with surrounding area and provides effective buffering from adjacent uses as found necessary; and
  - The SP is consistent with the purpose, goals and policies of the City’s General Plan and Comprehensive Design Guidelines.

### *Chapters 17.131 and 17.134 – Gateway Specific Plan and Downtown Specific Plan*

Refer to SPA No. 01-22-A and -B on the following page.

## **Division 14 – Design Guidelines**

### *Chapter 17.140 – Comprehensive Design Guidelines*

This Chapter’s organization and contents are not changed.

## **Division 15 – Definitions**

### *Chapters 17.150 and 17.152 – Use Definitions and General Definitions*

The first Chapter includes a definition for every use listed in Division A. The second Chapter includes definitions for all other necessary terms.

## **SPA NO. 01-22-A – GATEWAY SPECIFIC PLAN UPDATE:**

The 60-acre Gateway Specific Plan was adopted by the City Council in 2007. The area is roughly bounded by the Rio Hondo River, I-10 Freeway and Main Street. The Transit Station was rebuilt in 2012 and the 133-unit affordable housing project was complete in 2015. A 208-unit Parcel 4 project is currently under construction. Language throughout the Specific Plan is updated to reflect current conditions. However, the only significant content change is with the list of permitted uses. Table 2-3 (Permitted Uses) refers to the same list of uses and definitions used in Chapter 17.150 (Use Definitions) of the Zoning Code.

## **SPA NO. 01-22-B – DOWNTOWN SPECIFIC PLAN UPDATE:**

The 115-acre Downtown Specific Plan was adopted by the City Council in April 2017. The triangle-shaped area is roughly bounded by the railroad to the northeast, Ramona Avenue to the south and Santa Anita Avenue to the west. Over the past seven (7) years, several projects have moved forward including the Norms Restaurant, Progress Brewery on Main, the 106-unit Cesar Chavez Affordable housing project (under construction), the 50-unit Domus affordable housing project (under construction) and the weekly Farmers Market. Since the Specific Plan and Zoning Code have many overlapping Chapters, it was necessary for staff to review the Specific Plan for consistency. Staff also took this as an opportunity to update other Specific Plan development standards as noted below:

### *Chapter 1 – Introduction and Background*

Only minor changes are proposed.

### *Chapter 2 – Land Use*

- Figure 2-1 (Subareas Map) shows the following updates: the properties on the south side of Main Street between Santa Anita Avenue and Granada Avenue is now part of the “Main Street” Subarea; the triangle property bounded by Valley Boulevard, Main Street and Santa Anita Avenue is now part of the “Monte Vista” Subarea; and Granada Avenue is now the boundary line between the “Zócalo” and “Station Subarea;”
- Figure 2-2 (Development Standards Summary Map) shows the following updates: the Subareas Map is updated to reflect the above bullet; the restriction on street facing residential is mostly removed for Valley Boulevard; and the maximum FAR only includes nonresidential uses (consistent with the M/MU zoning district);
- Figure 2-3 (Development Setbacks Map) shows the following updates: the Subareas Map is updated to reflect the first bullet under Chapter 2; the blue colored minimum setback requirement of 20 feet has been reduced to ten (10) feet (consistent with the green colored setback requirement);
- Section 2.2.2 (Development Opportunity Reserve) was updated to provide additional details. See comments in Chapter 6 (Administration). This information is also incorporated in Chapter 17.70 (Parking Regulations) of the Zoning Code;
- Table 2-3 (Permitted Uses) refers to the same list of uses and definitions used in Chapter 17.150 (Use Definitions) of the Zoning Code;
- A new Section is added for public open space requirements for nonresidential projects;

- Section 2.3.2 (Parking Development Standards) is updated to reflect changes proposed in Chapter 17.70 (Parking Regulations) of the Zoning Code;
- Multiple-family open space requirements are updated to reflect changes proposed in Section 17.110.120 (Urban Housing Developments) of the Zoning Code; and
- Section 2.8.17 (Building Signage) is updated to reflect changes proposed in Chapter 17.80 (Signage Regulations) of the Zoning Code.

### *Chapter 3 – Mobility and Beautification*

- Figure 3-1 (Transit Routes Map) is updated to reflect changes to bus service and the temporary relocation of the City’s Trolley Station; and
- Figure 3-7 (Bicycle Circulation Map) is updated to reflect changes in the City’s Bicycle Master Plan.

### *Chapters 4 and 5 – Infrastructure/Public Facilities and Implementation*

Only minor changes are proposed.

### *Chapter 6 – Administration*

- Section 6.4 (Permitted Land uses and Interpretations) incorporates language from the Zoning Code regarding procedures for interpretations and adding new uses; and
- Section 6.9 (Development Opportunity Reserve (DOR)) is fully updated to include an application process to accumulate DOR credits to exceed floor area and/or number of dwellings. The list of public improvements, public amenities or other incentives is also updated to include the following:
  - Provide on-site affordable housing;
  - Consolidate parcels of land;
  - Exceed the minimum parking requirements for the proposed land use;
  - Incorporate on-site public art;
  - Provide publicly accessible open space. This can be for residential-only projects, mixed-use projects or nonresidential projects;
  - Construct public improvements (as listed in Table 5-1);
  - Payment of an in-lieu fee (to implement the construction improvements listed in Table 5-1); and
  - Other publicly accessible improvements, amenities or other incentives considered by the Community and Economic Development Director.

### *Appendix A – Definitions*

Definitions are provided for several terms. However, use definitions refer to Chapter 17.150 (Use Definitions) of the Zoning Code.

## **HOUSING ELEMENT IMPLEMENTATION:**

On February 1, 2022, the City Council approved the 2021-2029 General Plan Housing Element Update. Staff subsequently forwarded the plan to the California Department of Housing and Community Development (HCD). Program No. 5 of the implementation plan calls to incorporate the following items as part of the Comprehensive Zoning Code updates (note: these have all be added to the update):

- Permit multiple-family residential projects be approved “by-right” (i.e. no CUP);
- Fully update the PRD Chapter of the Zoning Code, to allow the flexible use of zoning standards for larger projects;
- Incorporate minimum densities for residential-only projects and mixed-use project with housing located in commercial zoning districts;
- Reduce parking and open space requirements for residential project that are developed at higher densities;
- Incorporate tables, graphics and illustrations to make the document easier for the public to navigate;
- Include an FAR bonus for multiple-family residential projects that incorporate items such as affordable units, environmental benefits, open space amenities and quality design;
- Require mixed-use project in the M/MU zoning district to have a minimum 50 percent of the floor area to be residential;
- Remove the public hearing requirement for projects where 20 percent or more of the units are reserved for lower or very low-income households;
- Review the Accessory Dwelling Unit (ADU) and Urban Dwellings Section to ensure full compliance with state law;
- Review the Density Bonus Chapter to ensure full compliance with state law; and
- Incorporate recent state laws including Assembly Bill 101 (Low Barrier Navigation Center), Assembly Bill 139 (Emergency and Transitional Housing), Assembly Bill 2162 (Supportive Housing) and Assembly Bill 1783 (Employee and Group Housing).

### **ENVIRONMENTAL REVIEW AND PUBLIC NOTICING:**

In accordance with the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, an Initial Study (IS) was prepared for the project. The IS determined that there would be less than significant environmental impacts on the environment. Therefore, a negative Declaration (ND) has been prepared, with no mitigation measures. Key environmental categories evaluated included aesthetics, air quality, energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, population and housing, recreation and transportation.

The IS/ND and supporting documentation were available for public review from March 28, 2022 to April 26, 2022. A Public Meeting was also held with the Planning Commission on April 12, 2022. No written or oral comments were received on the document. Attachment D provides a link to the IS/ND and all supporting documentation. Attachment E is the public notice for the May 10, 2022 Planning Commission meeting.

### **RECOMMENDATION:**

Staff recommends that the Planning Commission take the following actions:

- Adopt Resolution No. 3633 recommending the City Council adopt an Ordinance and approve the Negative Declaration and the requested entitlements.

## **CODE UPDATE WEBPAGE:**

- [CITY OF EL MONTE ZONING CODE UPDATE | El Monte, CA \(elmonteca.gov\)](http://www.elmonteca.gov)

## **ATTACHMENTS:**

- Attachment A – Planning Commission Resolution No. 3633 with findings for the entitlements.
- Attachment B – Draft City Council Ordinance and the following Exhibits:
  - No. 1 – Title 15 Building and Construction:  
<http://www.elmonteca.gov/DocumentCenter/View/5331>
  - No. 2 – Title 17 Zoning:  
Link to Document: <http://www.elmonteca.gov/DocumentCenter/View/5332>  
Link to Figures: <http://www.elmonteca.gov/DocumentCenter/View/5340>
  - No. 3 – SP-1 Gateway Specific Plan:  
Link to Document: <http://www.elmonteca.gov/DocumentCenter/View/5329>
  - No. 4 – SP-4 Downtown Specific Plan:  
Link to Document: <http://www.elmonteca.gov/DocumentCenter/View/5328>
- Attachment C – Initial Study and Negative Declaration (IS/ND) Environmental Document.
- Attachment D – May 10, 2022 Planning Commission Public Notice.

**ATTACHMENT A**  
**PLANNING COMMISSION RESOLUTION AND FINDINGS**

---

## RESOLUTION NO. 3633

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION AND AN ORDINANCE TO APPROVE CODE AMENDMENTS TO REPEAL AND REPLACE IN THEIR ENTIRETY TITLE 15 (BUILDING AND CONSTRUCTION) AND TITLE 17 (ZONING) OF THE EL MONTE MUNICIPAL CODE AND A SPECIFIC PLAN AMENDMENT TO UPDATE THE 60-ACRE GATEWAY SPECIFIC PLAN AND 115-ACRE DOWNTOWN MAIN STREET TRANSIT-ORIENTED SPECIFIC PLAN

**WHEREAS**, in May 2021, City of El Monte (the “City”) Planning Division staff initiated the following for consideration by the Planning Commission and City Council:

- Code Amendment (CA) No. 800 – To update Title 15 (Building and Construction Code) of the El Monte Municipal Code (EMMC);
- CA No. 801 – To update Title 17 (Zoning) of the EMMC;
- Specific Plan Amendment (SPA) No. 01-22 – To update the 60-acre Gateway Specific Plan (SP-1) and the 115-acre Downtown Main Street Transit-Oriented District Specific Plan (the “Downtown Specific Plan”) (SP-4); and
- General Plan Amendment (GPA) No. 02-22 and Zone Change (ZC) No. 03-22 – to change the land use designation and/or zoning for 26 areas of the City with a total area of 138 acres.

**WHEREAS**, the Planning Commission will consider GPA No. 02-22 and ZC No. 03-22 at a future Planning Commission public hearing;

**WHEREAS**, the City Council will consider all the entitlements concurrently at a future public hearing;

**WHEREAS**, CA No. 800 and CA No. 801 will affect all properties in the City;

**WHEREAS**, SPA No. 01-22 will affect all properties within the 60-acre Gateway Specific Plan (roughly bounded by Main Street to the north, Santa Anita Avenue to the east, the I-10 San Bernardino Freeway south and the Rio Hondo River to the west) and within the 115-acre Downtown Specific Plan (roughly bounded by the railroad to the north, Ramona Boulevard to the south and Santa Anita Avenue to the west);

**WHEREAS**, “Exhibit No. 1” is the draft City Council Ordinance, which includes Title 15 (Building and Construction) of the EMMC, Title 17 (Zoning) of the EMMC, the Gateway Specific Plan and the Downtown Specific Plan as exhibits;

**WHEREAS**, the City has not completed a comprehensive update to its Zoning Code in over 40 years, resulting in a patchwork of zoning districts, land uses, definitions and development standards;

**WHEREAS**, the City adopted the Gateway Specific Plan in 2007, with only minor amendments completed in the past 15 years. The City adopted the Downtown Specific Plan in 2017, which has never been amended;

**WHEREAS**, Program No. 5 of the 2021-2029 General Plan Housing Element calls for the City to complete a comprehensive update of its Zoning Code. The City's Regional Housing Needs Allocation (RHNA) calls for the construction of up to 8,502 residential units. The proposed Zoning Code and Specific Plan updates incorporate development standards, policies and incentives to foster the development of a variety of residential project types and reduce development constraints to help meet the housing needs of the community;

**WHEREAS**, the Planning Commission held eight (8) Study Sessions from August 2021 through January 2022 to discuss and provide direction regarding key Chapters of the Zoning Code update and also held a public meeting during the environmental circulation period. In addition, Planning Division staff met with the City Council Development Ad-Hoc Committee five (5) times since June 2021 to discuss the updates and solicit direction;

**WHEREAS**, the City conducted public outreach to seek public input which included stakeholder interviews, a community survey, a community workshop and a meeting with the Chamber of Commerce Board of Directors;

**WHEREAS**, public comments and direction received from the Planning Commission and the City Council Development Ad-Hoc Committee regarding the topics discussed have been incorporated into the proposed Zoning Code update;

**WHEREAS**, the proposed Zoning Code update includes a new format intended to facilitate ease of use by reorganizing Divisions and Chapters, updating definitions, clarifying or revising language to limit misinterpretation, as well as, revising and adding exhibits/figures to better depict regulations and/or standards; and

**WHEREAS**, the proposed Zoning Code update incorporates recent trends in planning and development and changes in State Law, including updates to regulations pertaining to parking, landscaping, density bonus, Accessory Dwelling Units (ADUs), urban dwellings and urban lot splits;

**WHEREAS**, the draft updated Zoning Code was made available for public review beginning on March 28, 2022;

**WHEREAS**, the Planning Commission has carefully considered all pertinent testimony, the recommendation of Planning Division staff and the staff report and presentation offered at a public hearing on May 10, 2022.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Planning Commission of the City of El Monte, County of Los Angeles, State of California, as follows:

**SECTION 1 - ENVIRONMENTAL.** In accordance with the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, an Initial Study (IS) was prepared for the project. The IS determined that there would be less than significant environmental impacts on the environment. Therefore, a negative Declaration (ND) has been prepared, with no mitigation measures. Key environmental categories evaluated included aesthetics, air quality, energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, population and housing, recreation and transportation. The IS/ND and supporting documentation were available for public review from March 28, 2022 to April 26, 2022. No written or oral comments were received on the environmental document.

**SECTION 2 – CODE AMENDMENT NO. 800 AND NO. 801.** All necessary findings to approve the Code Amendments to Titles 15 (Building and Construction) and 17 (Zoning) can be made in a positive manner and are as follows:\

- A. The Amendments will not be detrimental to the public health, safety or welfare or injurious to the City.

*Finding of Fact:*

Title 15 (Building and Construction) – The Amendment calls to adopt the 2020 Los Angeles County Building Code in its entirety. In addition, the Certificate of Occupancy Chapter is moved from Title 17 to Title 15 of the EMMC. The Chapter is fully updated and its flow is now consistent with Title 17’s Zoning Clearance Chapter. Adoption of the new Building Code will provide stricter construction standards that will further improve public health, safety and welfare of the City.

Title 17 (Zoning) – The Amendment calls for numerous updates that will maintain or improve public health, safety and welfare of the City. This includes the following examples:

- Division No. 1 (Introduction) – Ability to revoke any permit provided certain findings can be made; Process to change an approved project; Process to measure distances from property lines, uses and structures; and limitations on expanding nonconforming uses;
- Division No. 2 (Residential Zoning Districts) – Limits the types of nonresidential uses permitted; preserves equestrian uses when appropriate; and Increases setback and height requirements for multiple-family structures adjacent to single-family zoning districts;
- Division No. 3 (Multiuse Zoning District) – Limits commercial uses that may be inconsistent with a mixed-use environment with residential uses; Increases setback and height requirements for structures adjacent to residential zoning districts;

- Division No. 4 (Commercial and Manufacturing Zoning Districts) – Limits commercial uses that have the potential for greater traffic or noise to the General Commercial (C-3) and Manufacturing (M-1 and M-2) zoning districts; Limits industrial uses that have the potential for greater truck traffic, noise, odor or other impacts to the General Manufacturing (M-2) zoning district; limits multiple-family housing in nonresidential zoning districts to the Office Commercial (C-1), Neighborhood Commercial (C-2) and certain properties within the General Commercial (C-3) zoning districts; and Increases setback and height requirements for structures adjacent to residential zoning districts;
- Division No. 5 (Performance Standards) – This new Division establishes performance standards to mitigate dangerous or objectionable environmental effects of proposed and existing uses and guard against activities, uses and conditions that may adversely affect the health and safety or residents, the community and the surrounding areas. This includes minimum standards for the following: air quality; uses that generate cold, heat and humidity; construction activities; discharges to the public sewer systems; energy consumption; hazardous materials; noise; reflective surfaces; and vibrations. In addition, it requires the recordation of Covenants, Conditions and Restrictions (CC&Rs) or Maintenance Agreements for most new projects to ensure the ongoing maintenance of properties;
- Division No. 6 (General Property Development Standards) – Limits heights for structures adjacent to residential zoning districts; Regulates outdoor display; Regulated outdoor lighting; Requires screening for roof mounted and ground mounted equipment; Limits security bars and gates; and Establishes design standards for walls and fences;
- Division No. 7 (Parking and Landscaping Regulations) – Allows for the reduction of parking for properties in the Downtown; Allows for the sharing of properties that have alternate parking peak needs; Requires electrical vehicle parking spaces for nonresidential uses with standards greater than those required by the State; and Requires bicycle parking spaces for residential and nonresidential uses with standards greater than those required by the State;
- Division No. 8 (Signage) – Limits signage in residential zoning districts; Limits lighting for signs that face residential zoning districts; and Allows for the abatement of nonconforming signs;
- Division No. 9 (Wireless) – No content changes are proposed;
- Division No. 10 (Affordable Housing) – No content changes are proposed;
- Division No. 11 (Regulations for Specific Uses) – This Division includes specific development and/or operational standards for many uses that has the potential to negatively effect public health, safety or welfare. This includes the following uses: home occupation businesses; mixed-use projects with residential; single-room occupancy; transitional uses; adult entertainment establishments; alcohol sales businesses; alternative financial establishments (e.g. check cashing); drive-thru businesses; emergency shelters; low barrier navigation centers; pawnbrokers or

pawnshops; massage establishments; recycling facilities; secondhand vendors; significant tobacco retailers; vehicle repair facilities; and vehicle washing facilities;

- Division No. 12 (Entitlements and Permits) – Increases the mailing radius from 300 feet to 500 feet for General Plan Amendments, Zone Changes, Conditional Use Permits, Variances and Design Reviews to increase the number of people notified when new projects are proposed; and Establishes the Zoning Review Committee to provide public review for projects or adjustments to the Zoning Code that may impact the surround area, but not at a high enough level to warrant review by the Planning Commission;
- Division No. 13 (Specific Plans) – Increases the mailing radius for Specific Plans and Specific Plan Amendments from 300 feet to 500 feet to increase the number of people notified when new projects are proposed;
- Division No. 14 (Design Guidelines) – No changes are proposed; and
- Division No. 15 (Definitions) – Provides a clear definition for every use listed in the Zoning Code. This will reduce the possibility of approving a use without realizing the full list of potential impacts on the surrounding area.

B. The Amendments are consistent with the purpose, goals and policies of the City's General Plan.

*Finding of Fact:*

Title 15 (Building and Construction) – The Amendment calls to adopt the 2020 Los Angeles County Building Code in its entirety. In addition, the Certificate of Occupancy Chapter is moved from Title 17 of the EMMC to Title 15. Ensuring projects use the most current Building Codes is consistent with the purpose of the General Plan's Public Health and Safety Element. Specifically, Policy PHS-1.1 states "Building Codes: Ensure that new and retrofitted buildings comply with the most recently adopted City and State building codes governing seismic safety and structural design to minimize the potential for damage, personal injury and loss from earthquakes."

Title 17 (Zoning) – The Amendment implements a significant number of General Plan goals and policies. These are primarily found in the Community Design Element, Land Use Element and Housing Element and includes the following:

*Community Design Element*

Goal CD-2 – Attractive commercial corridors exemplified by consistency of hardscape, landscaping, signage, sidewalks and other treatments appropriate to their context to foster a pleasant driving and pedestrian experience:

- CD-2.11 Sign Regulation. Beautify corridors by regulating the appearance and placement of commercial signs, billboards, and utility lines and removing or consolidating other distracting appurtenances wherever feasible to present a unified corridor image;

- CD-2.13 Sign Context Sensitivity. Require appropriately scaled signs based on different uses – clean monument signage for commercial centers; informational signs for roadways; and smaller-scale, customized, pedestrian-oriented signs for districts; and
- CD-2.14 Sign Quality. Prohibit signs that incorporate blinking or flashing elements, pole structures, roof signs, or temporary lettering or structures; require the use of high-quality materials, complementary colors and non-distracting lighting.

Goal CD-4 – High-quality architectural design of residential, commercial and industrial buildings evidenced by thoughtful attention and balance of quality materials, durability, aesthetics, functionality and sustainability concepts:

- CD-4.2 Building Scale. Reduce the bulk and perceived size of larger buildings by dividing their mass into smaller parts, stepping down to adjacent structures and using pedestrian-scale features;
- CD-4.3 Massing. Discourage single-plane massing by incorporating a variety of rooflines, articulated wall planes and multiple forward and recessed walls;
- CD-4.6 Rooflines. Require rooflines of varied elevations and finished and refined terminations (e.g. cornice, pediment, etc.) suited to the use of the building;
- CD-4.7 Landscaping. Require lush and well-maintained landscaping appropriate the structure and its use and context in a manner that meets community expectations for quality; and
- CD-4.8 Parking and Garages. Parking and garages should be designed to fulfill their function without detracting from the aesthetic quality of the building face viewed by the public.

Goal CD-7 – A modern, clean industrial park that provides opportunity for investment and commerce and is denoted by its clean, attractive and well-managed environment compatible with surrounding residential neighborhoods:

- CD-7.12 Landscaping. Require landscaping on industrial sites to present a refined image of a modern industrial park, reduce the perceived mass of structures, and provide buffers to adjacent uses;
- CD-7.13 Loading. Require site loading and service areas to be as far as possible from the streetfront and ensure that such uses are adequately screened with high-quality articulated walls, trees, and other landscaping to present a clean finish to passersby;
- CD-7.14 Parking. Parking and paved areas should not be the dominant view of the industrial site; encourage employee and truck parking be placed to the side or behind the facility so that the dominant feature is the building architecture and landscaping frontage; and
- CD-7.15 Operational Impacts. Promote a clean industrial park image and reduce the impact of uses on neighboring properties or residences by adhering to the following considerations:

- Screen parking, storage, and service areas from public view with landscaped walls, berms, and appropriate landscaping;
- Reduce the impact of industrial uses on adjacent properties with walls and landscaping, locating service, delivery, and loading areas far from adjacent uses and public streets; and
- Require mitigation of noise, odor, lighting, and other impacts from affecting adjacent residential neighborhoods.

Goal CD-8 – Attractive, vibrant and convenient commercial centers that convey a quality shopping experience through the careful application of land use, site design, design policies and architectural standards:

- CD-8.4 Parking. For internal parking areas, provide ample landscaping using landscaped bays, shade trees, and clearly delineated pedestrian routes with shade trees and landscaping along walkways that allow easy and safe passage to retail uses;
- CD-8.7 Landscaping. Require landscaping to define building entrances, key activity hubs, focal points and the street edge; provide screening for unattractive/unsightly service areas; and serve as buffers between neighboring uses;
- CD-8.8 Signage. Within commercial centers, encourage high-quality signage (e.g. wall signs, raised letter signs, projecting double-faced signs, customized logos) and distinct styles that complement building architecture; signage should not be uncoordinated or present a cluttered image;
- CD-8.9 Lighting. Lighting fixtures should be compatible with the building architectural design. Accent lighting of buildings and landscape is encouraged, such as the use of shaded gooseneck lights, indirect lighting, cove lighting or "wall washing," rim lighting or eaves, and overhead down lighting;
- CD-8.10 Walls and Fencing. Require only high-quality fencing and preferably articulated walls with quality natural looking materials that demarcate buildings; prohibit chain-link fencing, solid unarticulated block walls and other low-quality materials that may sacrifice aesthetics for functionality;
- CD-8.11 Condominium Associations. Require developers/owners that wish to subdivide commercial centers into individually-owned properties to create condominium associations that can address common land use and operational issues and allow the City to negotiate with a single entity;
- CD-8.12 Conditions for Operation. Enforce, through development agreements or other discretionary approval process, requirements for property maintenance and a legal and financial means for enforcing compliance with City codes and regulations; and
- CD-8.16 Mixed/Multiuse Projects. Require all new residential, commercial, and mixed-use projects proposed in minor and major nodes to conform in project design to mixed/multiuse overlay zone or subsequent corridor implementation plan when drafted.

Goal CD-9 – Quality neighborhoods evidenced by distinct identities; focal points that provide recreation and social opportunities; attractive streetscapes that accommodate autos, pedestrians, and cyclists; and attractive and well-designed residential projects that improve property values:

- CD-9.7 – Single-Family Housing. Require that single-family detached and attached housing be well designed to assure a high level of neighborhood quality in consideration of the following:
  - Avoidance of box-like structures through the articulation and modulation of building elevations, variation of rooflines and features to create visual interest;
  - Quality architectural design treatment of all elevations that are visible from public places and adjacent private residences;
  - Minimize paving for driveways and parking areas in front yard setbacks; and
  - Encourage street-facing architecture by placing entries, porches and windows at the front of the residence and connecting them to the sidewalk by a pathway.
- CD-9.8 – Multiple-Family Housing. Require that new multifamily residential projects be designed to convey a high level of visual and physical quality and distinctive neighborhood character in consideration of the following principles:
  - Architectural treatment of building elevations and modulation of mass to convey the character of separate units, avoiding the sense of a singular building mass and volume;
  - Incorporation of usable and functional private open space for each unit and common open space that creates a pleasant living environment and attractive locations for recreation; and
  - Reduce the visual impact of parking through consolidated parking, shared driveways, lane-accessed designs, landscape buffers and other techniques.

#### *Land Use Element*

Goal LU-1 Compatible residential, commercial, and industrial development that is sensitively integrated with existing development and neighborhoods and minimizes impacts on surrounding land uses:

- LU-1.2 Mitigation. Require new uses to provide buffers between existing uses where potential adverse impacts could occur, such as decorative walls, setbacks and landscaping, restricted vehicular access, parking enclosures and lighting control;
- LU-1.4 Heavy Industry. Within proximity to sensitive land uses, limit development or expansion of industrial, manufacturing, and distribution uses that create toxics, air pollutants, vehicular and truck traffic, or present other public health and safety hazards; and

- LU-1.7 Residential Compatibility. Discourage duplexes, triplexes, quadplexes and apartments from being constructed in predominantly single-family residential neighborhoods to preserve the character and integrity of neighborhoods.

Goal LU-2 – Revitalization and redevelopment of residential, commercial and industrial areas through the sensitive integration of infill development, elimination of blight, and master planning efforts:

- LU-2.1 – Underutilized Uses. Facilitate and increase the concentration of commercial and industrial uses to activity centers, major intersections and other focused areas;
- LU-2.2 – Midblock Residential. Introduce midblock residential uses, such as mixed/multiuse housing, condominiums, apartments and live-work units to stimulate the revitalization and reuse of major corridors and removal of underused and incompatible uses; and
- LU-2.4 – Planning Tools. Utilize specific plans, planned developments and specialized zoning districts to foster cohesive and well-designed residential, mixed-use, commercial, and industrial districts. This can be applied to large vacant lands or for the reuse of existing properties or for a district/ subdistrict.

Goal LU-7 – Establish a diversified district of sustainable manufacturing, distribution, and technology-oriented business that provides opportunity for investment, entrepreneurship and significant creation of well-paid jobs in a sustainable environment that minimizes traffic impacts, promotes a clean environment, ensures long-term vitality and strengthens neighborhoods:

- LU-7.3 – Prohibited Land Uses. Prohibit industrial uses that use, store, produce, or transport toxic and hazardous materials; generate unacceptable levels of air or noise pollution; or result in other adverse impacts within proximity to residences; and
- LU-7.15 – Land Use Buffers. Require developers and property owners to mitigate the negative impacts (e.g. noise, air quality, traffic, etc.) of their nonresidential operations that materially affect the quality of life of neighboring residential areas as a precondition to expansion, relocation or operation of nonresidential uses.

GOAL LU-9 – Recreate vibrant commercial corridors with the introduction of a mix of higher density residential uses, sensitively integrated commercial uses concentrated at critical nodes and tree-lined streetscapes that are aesthetically pleasing, encourage walking, and inspire community pride:

- LU-9.1 – Corridor Reuse. Promote the reuse of strip commercial and industrial corridors by consolidating retail and commercial uses into activity nodes and transitioning intervening areas for midblock residential or mixed/multiuse developments;

- LU-9.2 – Housing Types. Sensitively integrate higher density residential uses (e.g., townhomes, stacked units, live-work, etc.) along Peck Road and Durfee Avenue. Incorporate urban density residential uses along Garvey Avenue and at Five Points;
- LU-9.3 – Prohibited Uses. Prohibit industrial and commercial uses along major corridors that detract from residential neighborhoods and adjacent residential uses; and
- LU-9.8 – Lot Consolidation. Develop a sliding scale of residential densities – i.e. the larger the property or the greater the number of merged parcels, the greater the residential density, as permitted per the Land Use Plan for mixed/multiuse and urban/multiuse housing.

#### *2021-2029 Housing Element*

Goal H-2 – Adequate sites for new housing that create a vibrant downtown, revitalize transportation corridors with quality housing, and motivate reinvestment and revitalization in neighborhoods.

- H-2.1 – Housing Sites. Provide adequate sites through land use, zoning, and specific plan designations to allow single-family homes, multi-family homes, Accessory Dwelling Units (ADUs), urban housing, mixed-use housing, mobile homes and special needs housing.
- H-2.4 – Urban Housing. Provide zoning designations necessary to develop urban housing at high densities along Garvey Avenue Corridor and the 5-Points Area, providing for linkages to transit, commercial activity and communities like parks and recreation centers.
- H-2.5 – Major Corridors. Direct the production of quality mixed/multiuse projects along major corridors Durfee Avenue, Peck Road, and Garvey Avenue to allow for efficient land use practices, improved mobility and energy conservation.
- H-2.6 – Work/Live and Live/Work. Provide opportunities for work/live and live/ work housing in the Downtown Core, along major corridors and within the Flair Business Park.
- H-2.9 – Neighborhood Protection. Protect established single-family neighborhoods, through measures including use of zoning standards and objective design standards, from the transition, intensification and encroachment of nonresidential uses and higher density housing that detracts from the character of the neighborhood.
- H-2.10 – Transit Oriented Development (TOD) Housing. Support the development of TODs, which contains a variety of mixed-use projects vertically or horizontally integrated with commercial, professional, entertainment and recreational uses.

Goal H-3 – A diversity of quality housing types and prices that meet the needs of residents, support the economic development and revitalization, and provide opportunities for residents of all ages and income levels:

- H-3.7 – Diverse Housing. Support the production of varied housing types, including single-family, townhomes, apartments and special needs housing that are priced at levels affordable to all income levels;
- H-3.8 – Unique Housing. Permit and encourage the construction of innovative housing types, such as tiny, shipping container, modular, earth/green roof and wood pallet houses; and
- H-3.9 – Development Standards. Provide zoning, development standards and appropriate regulatory incentives to facilitate quality live-work, mixed use and other housing suited to different lifestyle needs.

Goal H-4 – Adequate rental, homeownership, and supportive services to individuals, families, and those with special needs that will help them find and maintain affordable housing in the community:

- H-4.4 – Homeless People. Support adequate opportunities for emergency, transitional, and permanent supportive housing, including services, within El Monte through the implementation of land use and zoning practices and monitoring through permitting procedures.

Program H-5 – Incorporate the following items as part of the Comprehensive Zoning Code updates:

- Permits multiple-family residential projects be approved “by-right” (i.e. no CUP);
- Fully updates the Planned Residential Development (PRD) Chapter of the Zoning Code, to allow the flexible use of zoning standards for larger projects;
- Incorporate minimum densities for residential-only projects and mixed-use project with housing located in commercial zoning districts;
- Reduce parking and open space requirements for residential project that are developed at higher densities;
- Incorporate tables, graphics and illustrations to make the document easier for the public to navigate;
- Include a Floor Area Ratio (FAR) bonus for multiple-family residential projects that incorporate items such as affordable units, environmental benefits, open space amenities and quality design;
- Require mixed-use project in the Mixed/Multiuse (M/MU) zoning district to have a minimum 50 percent of the floor area to be residential;
- Remove the public hearing requirement for projects where 20 percent or more of the units are reserved for lower or very low-income households;
- Review the Accessory Dwelling Unit (ADU) and Urban Dwellings Section to ensure full compliance with state law;
- Review the Density Bonus Chapter to ensure full compliance with state law; and
- Incorporate recent state laws including Assembly Bill 101 (Low Barrier Navigation Center), Assembly Bill 139 (Emergency and Transitional Housing), Assembly Bill 2162 (Supportive Housing) and Assembly Bill 1783 (Employee and Group Housing).

**SECTION 3 – SPECIFIC PLAN AMENDMENT NO. 01-22 FINDINGS.** All necessary findings to approve the Specific Plan Amendments to SP-1 (Gateway Specific Plan) and SP-4 (Downtown Specific Plan) can be made in a positive manner and are as follows:

- A. The subject properties proposed for the Specific Plan Amendments has unique characteristics such as topography, location, size or surroundings that are enhanced by special land use and development standards.

*Finding of Fact:*

Gateway Specific Plan

The boundaries for the 60-acre Gateway Specific Plan remain unchanged and the characteristics that supported establishing the Specific Plan in 2007 remain in place. The Gateway area is unique as its centerpiece is the El Monte Bus Station, the largest bus station in the United States west of Chicago. The station was replaced and nearly doubled in size in 2012. The Specific Plan’s four (4) Subareas remain the same: Mixed-use (along Santa Anita Avenue); Transit (around the Bus Station); River (the triangular shaped property west of the Rio Hondo River) and Park/Open Space (including Fletcher Park and the Pioneer Park area).

Downtown Specific Plan

The outer boundaries for the 115-acre Downtown Specific Plan remain unchanged and the characteristics that supported establishing the Specific Plan in 2017 remain in place. The Downtown area is unique as it includes Main Street, which is the historic heart of El Monte. In addition, the area is bounded by two (2) major transportation hubs – the El Monte Bus Station and the El Monte Metrolink Station.

The Specific Plan’s four (4) Subareas remain the same: Main Street (along Main Street); Zócalo (just south of Main Street); Station (the areas adjacent to the Metrolink Station and across the street from the Bus Station); and Monte Vista (along Ramona Boulevard and portions of Valley Boulevard). Several adjustments are proposed within the Subareas: the two (2) small properties west of Santa Anita Avenue are now part of Monte Vista; the properties on the south side of Main Street between Santa Anita Avenue and Granada Avenue are now part of the Main Street Subarea; and Lexington Avenue is now the boundary line between Station and Zócalo Subareas.

- B. The Specific Plan Amendments result in the development of desirable character and use types that will be compatible with the surrounding area and provides effective buffering from adjacent uses as found necessary.

*Finding of Fact:*

### Gateway Specific Plan

The overall character and mix of use types will remain in place. This includes developing a highly urban character centered around the El Monte Bus Station and along the I-10 Freeway. Commercial uses will focus along Santa Anita Avenue and the Freeway and high density will be focused on the interior of the area. Enhancing existing open space areas and connecting to the Emerald Necklace remain a significant priority.

### Downtown Specific Plan

The overall character and mix of use types will remain in place. This includes maintaining a small-town feel along Main Street and permitting multi-story urban housing in the Station Subarea closest to transit. The “good neighbor” policy requiring lower building heights and landscaping for properties adjacent to residential zoning district remains in place.

- C. The Specific Plan Amendments contributes to a balance of land uses throughout the City.

### *Finding of Fact:*

### Gateway Specific Plan

The Gateway Specific Plan calls to establish a vibrant, mixed-use urban activity center in the City. Objectives of the Specific Plan include the following: creating a model for TODs; encouraging sustainable design, improving open space and recreational experiences; improving connectivity to the surrounding areas; increasing the housing supply; and creating new jobs for the community. The Amendment updates the list of permitted uses so they are consistent with those listed and defined in the updated Zoning Code. Permitted uses continue to focus on high density transit-oriented housing, destination retail development and recreational uses. The vacant property west of the Rio Hondo River will remain targeted for transportation related or industrial uses.

### Downtown Specific Plan

The Downtown Specific is divided into four (4) Subareas: Main Street; Zócalo; Station; and Monte Vista. In order to simplify the list of permitted uses, the Specific Plan consolidates the Main Street and Zócalo Subareas, as they have very similar characteristics. The Amendment updates the list of permitted uses so they are consistent with those listed and defined in the updated Zoning Code. Permitted uses continue to be focused on pedestrian-oriented retail, eateries, entertainment, housing and office/service. Auto related uses are prohibited. This mix of uses is highly consistent with what would be proposed for a TOD.

- D. The Specific Plan Amendments are consistent with the purpose, goals and policies of the City’s General Plan.

### *Finding of Fact:*

### Gateway Specific Plan

The adoption of the Gateway Specific Plan in 2007 occurred prior to the completion of the existing General Plan. Nonetheless, the Specific Plan's implementation is discussed in the Land Use and Economic Development Elements with the following policies:

- LU-5.2 – Land Use: El Monte Gateway. Facilitate transit-oriented developments with a range of residential, commercial, hotel and recreational uses that serve as destination points for the region and catalyst for the revitalization of and investment in the Gateway area; and
- ED-5.1 – Economic Development: Retail Sales. Focus the El Monte Gateway area on a socializing and entertaining retail experience targeted to affluent clientele.

The 2021-2029 Housing Element also includes policies that support high density housing in the Gateway Specific Plan. The City's RHNA calls for the construction of 1,190 units in the Gateway Specific Plan. Housing Element policies includes the following:

- H-2.3 – Housing: Gateway Specific Plan. Continue to implement the development envisioned for the Specific Plan, which calls for the construction of urban housing with mix of apartments and ownerships units for different income levels; and
- H-2.10 – Housing: Transit Oriented Development (TOD) Housing. Support the development of TODs, which contains a variety of mixed-use projects vertically or horizontally integrated with commercial, professional, entertainment and recreational uses.

### Downtown Specific Plan

The adoption of the Downtown Specific Plan in 2017 was a significant implementation measure of the General Plan. Goals and policies include the following:

#### *Land Use Element*

Goal LU-5 – Establish the Downtown as the mixed-use, mixed-income and cultural heart of El Monte. Its historical role is augmented by new housing, business, parks, cultural facilities, and transit-oriented development. The population is diverse, the architecture is human scaled, and the character authentic.

- LU-5.1 Land Use Mix. Accommodate retail commercial, office, restaurant, entertainment, civic, cultural and housing land uses in accordance with the Land Use Plan's designations and subdistrict boundaries as may be more defined by a specific plan; and
- LU-5.3 Housing. Facilitate development of mixed/multiuse housing, including transit-oriented development that provides housing options for persons of all ages and income levels that enhances the customer base for downtown business and activities.

### *Economic Development Element*

Goal ED-5 – Expanding businesses and new businesses will invest in the continued development and improvement of El Monte Main Street, creating a thriving central place that defines the popular image of El Monte.

- ED-5.1 – Retail Sales. Focus El Monte Main Street on a small-town retail, restaurant and entertainment destination; and
- ED-5.3 – Physical Environment. Create an attractive downtown business environment by implementing the land use, design, and environmental strategic actions set forth in the Downtown El Monte Main Street Transit-Oriented Specific Plan:
  - Create a welcoming social environment with public spaces, outdoor cafes, generous placement of street furniture and special events; and
  - Introduce mixed-use housing and urban housing to generate both daytime and nighttime spending supportive of retail.

### *The 2021-2029 Housing Element*

The City's RHNA calls for the construction of 1,777 units in the Downtown Specific Plan (the highest of the ten (10) areas identified in the Element). Housing Element goals and policies include the following:

Goal H-2 – Adequate sites for new housing that create a vibrant downtown, revitalize transportation corridors with quality housing, and motivate reinvestment and revitalization in neighborhoods.

- H-2.2 Downtown Core. Direct the production of new quality housing, including mixed/multi-use and mixed-income housing along with appropriate amenities, as appropriate, into the Downtown Core;
- H-2.4 Urban Housing. Provide zoning designations necessary to develop urban housing at high densities along Garvey Avenue Corridor and the 5-Points Area, providing for linkages to transit, commercial activity and communities like parks and recreation centers;
- H-2.6 Work-Live and Live-Work. Provide opportunities for work-live and live-work housing in the Downtown Core, along major corridors, and within the Flair Business Park; and
- H-2.10 Transit-Oriented Housing. Support the development of the TOD, which contains a variety of mixed-use projects vertically or horizontally integrated with commercial, professional, entertainment, and recreational uses.

**SECTION 4 – APPLICATIONS REVIEWED BETWEEN THE PLANNING COMMISSION RECOMMENDATION DATE AND THE EFFECTIVE DATE.** The Planning Commission and Modification Committee may review and consider applications under the updated Zoning Code or Specific Plans prior to the effective date of Code Amendment No. 801, Specific Plan Amendment No. 01-22, General Plan Amendment No. 02-22 and Zone Change No. 03-22. However, the applicant shall submit a “hold harmless” letter that they fully understand that any approvals shall not be effective until

the Amendments are in effect. In addition, the letter shall state that they understand the approvals shall be null and void if the Amendments are not approved or the Amendments are revised in a way that would impact the approvals (where the use would not be permitted or a development standard is no longer met). Furthermore, a condition of approval shall also be added stating “this approval is contingent on the adoption of Code Amendment No. 801, Specific Plan Amendment No. 01-22, General Plan Amendment No. 02-22 and/or Zone Change No. 03-22.” The appeal period shall run with the Planning Commission or Modification Committee decision date.

**SECTION 5 – APPROVALS.** The Planning Commission determines that the Code Amendments and Specific Plan Amendment is in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines and does hereby recommend the City Council adopt the Negative Declaration (ND) and adopt an ordinance approving CA No. 800, CA No. 801 and SPA No. 01-22.

**SECTION 5 – PLANNING COMMISSION APPROVAL.** The Secretary of the Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution.

---

Amy Wong, Chairperson

ATTEST:

---

Jason C. Mikaelian, AICP, Secretary  
El Monte City Planning Commission

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE             )

I, Jason C. Mikaelian, AICP, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3633 adopted by the Planning Commission of the City of El Monte, at a special meeting by said Commission held on May 10, 2022 by the following votes to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Jason C. Mikaelian, Secretary  
El Monte City Planning Commission

**EXHIBIT 1**  
**DRAFT CITY COUNCIL ORDINANCE**

*See Attachment B of the Planning Commission Packet*

**ATTACHMENT B**  
**DRAFT CITY COUNCIL ORDINANCE**

ORDINANCE NO. \_\_\_\_\_  
(CODE AMENDMENT NO. 800;  
CODE AMENDMENT NO. 801; AND  
SPECIFIC PLAN AMENDMENT NO. 01-22)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, TO ADOPT A NEGATIVE DECLARATION AND APPROVE CODE AMENDMENTS TO REPEAL AND REPLACE IN THEIR ENTIRETY TITLE 15 (BUILDING AND CONSTRUCTION) AND TITLE 17 (ZONING) OF THE EL MONTE MUNICIPAL CODE AND A SPECIFIC PLAN AMENDMENT TO UPDATE THE 60-ACRE GATEWAY SPECIFIC PLAN AND 115-ACRE DOWNTOWN MAIN STREET TRANSIT-ORIENTED SPECIFIC PLAN**

**WHEREAS**, pursuant to California Constitution Article XI, Section 7, the City of El Monte (the “City”) has the authority to enact local planning and land use regulations to protect the public health, safety, and welfare of their residents through its police power;

**WHEREAS**, the City of El Monte’s (the “City”) police power provides the right to adopt and enforce zoning regulations;

**WHEREAS**, Title 15 (the “Building and Construction Code”) of the El Monte Municipal Code (the “EMMC”) contains the majority of the City’s construction standards and Regulations;

**WHEREAS**, Title 17 (the “Zoning Code”) of the EMMC contains the majority of the City’s zoning standards and regulations;

**WHEREAS**, Specific Plans are a planning tool many cities use to establish detailed development and implementation measures to which future projects located within a specific geographic area must achieve;

**WHEREAS**, the City has not completed a comprehensive update to its Zoning Code in over 40 years, resulting in a patchwork of zoning districts, land uses, definitions and development standards;

**WHEREAS**, the City adopted the 60-acre Gateway Specific Plan (SP-1) in 2007, with only minor amendments completed in the past 15 years. The City adopted the 115-acre Downtown Main Street Transit-Oriented District Specific Plan (the “Downtown Specific Plan”) (SP-4) in 2017, which has not been amended since adoption;

**WHEREAS**, in May 2021, the City set out to undertake a comprehensive update to the City's Zoning Code, along with other zone changes and amendments, intended to streamline the development process, improve the zoning framework, comply with changes in State law, and incorporate long-range planning goals and best practices;

**WHEREAS**, in May 2021, City Planning Division staff initiated the following entitlements for consideration:

- Code Amendment No. 800 – To update Title 15 (Building and Construction Code) of the EMMC;
- Code Amendment No. 801 – To update Title 17 (Zoning Code) of the EMMC;
- Specific Plan Amendment No. 01-22 – To update the 60-acre Gateway Specific Plan (SP-1) and the 115-acre Downtown Specific Plan (SP-4); and
- General Plan Amendment No. 02-22 and Zone Change No. 03-22 – to change the land use designation and/or zoning for 26 areas of the City with a total area of 138 acres.

**WHEREAS**, concurrently and subject to approval of this Ordinance, General Plan Amendment No. 02-22 will be considered by the City Council by Resolution and Zone Change No. 03-22 will be considered by the City Council by separate Ordinance;

**WHEREAS**, Code Amendment No. 800 and Code Amendment No. 801 will affect all properties in the City;

**WHEREAS**, Specific Plan Amendment No. 01-22 will affect all properties within the 60-acre Gateway Specific Plan (roughly bounded by Main Street to the north, Santa Anita Avenue to the east, the I-10 San Bernardino Freeway south and the Rio Hondo River to the west) and within the 115-acre Downtown Specific Plan (roughly bounded by the railroad to the north, Ramona Boulevard to the south and Santa Anita Avenue to the west);

**WHEREAS**, Program No. 5 of the 2021-2029 General Plan Housing Element calls for the City to complete a comprehensive update of its Zoning Code. The City's Regional Housing Needs Allocation (RHNA) calls for the construction of up to 8,502 residential units. The proposed Zoning Code and Specific Plan updates incorporate development standards, policies and incentives to foster the development of a variety of residential project types and reduce development constraints to help meet the housing needs of the community;

**WHEREAS**, the Planning Commission held eight (8) Study Sessions from August 2021 through January 2022 to discuss and provide direction regarding key Chapters of the Zoning Code update and also held a public meeting during the environmental circulation period. In addition, Planning Division staff met with the City Council

Development Ad-Hoc Committee five (5) times since June 2021 to discuss the updates and solicit direction;

**WHEREAS**, the City conducted public outreach to seek public input which included stakeholder interviews, a community survey, a community workshop and a meeting with the Chamber of Commerce Board of Directors;

**WHEREAS**, public comments and direction received from the Planning Commission and the City Council Development Ad-Hoc Committee regarding the topics discussed have been incorporated into the proposed Zoning Code update;

**WHEREAS**, the proposed Zoning Code update includes a new format intended to facilitate ease of use by reorganizing Divisions and Chapters, updating definitions, clarifying or revising language to limit misinterpretation, as well as, revising and adding exhibits/figures to better depict regulations and/or standards;

**WHEREAS**, the proposed Zoning Code update incorporates recent trends in planning and development and changes in State Law, including updates to regulations pertaining to parking, landscaping, density bonus, Accessory Dwelling Units (ADUs), urban dwellings and urban lot splits;

**WHEREAS**, the draft updated Zoning Code was made available for public review beginning on March 28, 2022;

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on May 10, 2022 to consider proposed Code Amendment No. 800, Code Amendment No. 801 and Specific Plan Amendment No. 01-22 concerning the prospective approval of the Ordinance;

**WHEREAS**, evidence, both written and oral, was duly presented to and considered by the Planning Commission at said public hearing on May 10, 2022, and after the close of said public hearing, and after deliberation, the Planning Commission approved Resolution No. 3633 recommending the City Council adopt the proposed Ordinance;

**WHEREAS**, evidence, both written and oral, was duly presented to and considered by the City Council at a duly noticed public hearing on June 7, 2022, and after the close of such public hearing, and after deliberation, the City Council considered the First Reading of this Ordinance; and

**WHEREAS**, notices of the Planning Commission and City Council public hearings were placed in a local newspaper and mailed to all property owners in accordance with the EMMC, and all interested persons were given full opportunity to be heard and present evidence.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. The recitals above are true and correct and incorporated herein by reference.**

**SECTION 2. Findings for Code Amendment No. 800 and Code Amendment No. 801:** All necessary findings to approve the Code Amendments to Titles 15 (Building and Construction Code) and Title 17 (Zoning Code) can be made in a positive manner and are as follows:

- A. The Amendments will not be detrimental to the public health, safety or welfare or injurious to the City.

*Finding of Fact:*

Title 15 (Building and Construction Code) – The Amendment calls to adopt the 2020 Los Angeles County Building Code in its entirety. In addition, the Certificate of Occupancy Chapter is moved from Title 17 to Title 15 of the EMMC. The Chapter is fully updated and its flow is now consistent with Title 17’s Zoning Clearance Chapter. Adoption of the new Building Code will provide stricter construction standards that will further improve public health, safety and welfare of the City.

Title 17 (Zoning Code) – The Amendment calls for numerous updates that will maintain or improve public health, safety and welfare of the City. This includes the following examples:

- Division No. 1 (Introduction) – Ability to revoke any permit provided certain findings can be made; Process to change an approved project; Process to measure distances from property lines, uses and structures; and limitations on expanding nonconforming uses;
- Division No. 2 (Residential Zoning Districts) – Establishes development standards for One-family Dwelling (R-1), Low Density Multiple-family Dwelling (R-2), Medium Density Multiple-family Dwelling (R-3) and High Density Multiple-family Dwelling (R-4) zoning districts; limits the types of nonresidential uses permitted in residential zoning districts preserves equestrian uses when appropriate; and Increases setback and height requirements for multiple-family structures adjacent to single-family zoning districts;
- Division No. 3 (Multiuse Zoning District) – Establishes development standards for the Mixed/Multiuse (M/MU) zoning district. Limits commercial uses that may be inconsistent with a mixed-use environment with residential uses; Increases setback and height requirements for structures adjacent to residential zoning districts;
- Division No. 4 (Commercial and Manufacturing Zoning Districts) – Establishes development standards for the Office Commercial (C-1), Neighborhood Commercial (C-2), General Commercial (C-3), Light Manufacturing (M-1) and General Manufacturing (M-2). Limits commercial uses that have the potential for greater traffic or noise to the C-3, M-1 and

M-2 zoning districts; Limits industrial uses that have the potential for greater truck traffic, noise, odor or other impacts to the M-2 zoning district; limits multiple-family housing in nonresidential zoning districts to the C-1, C-2 and certain properties within the C-3 zoning districts; and Increases setback and height requirements for structures adjacent to residential zoning districts;

- Division No. 5 (Performance Standards) – This new Division establishes performance standards to mitigate dangerous or objectionable environmental effects of proposed and existing uses and guard against activities, uses and conditions that may adversely affect the health and safety or residents, the community and the surrounding areas. This includes minimum standards for the following: air quality; uses that generate cold, heat and humidity; construction activities; discharges to the public sewer systems; energy consumption; hazardous materials; noise; reflective surfaces; and vibrations. In addition, it requires the recordation of Covenants, Conditions and Restrictions (CC&Rs) or Maintenance Agreements for most new projects to ensure the ongoing maintenance of properties;
- Division No. 6 (General Property Development Standards) – Limits heights for structures adjacent to residential zoning districts; Regulates outdoor display; Regulated outdoor lighting; Requires screening for roof mounted and ground mounted equipment; Limits security bars and gates; and Establishes design standards for walls and fences;
- Division No. 7 (Parking and Landscaping Regulations) – Allows for the reduction of parking for properties in the Downtown; Allows for the sharing of properties that have alternate parking peak needs; Requires electrical vehicle parking spaces for nonresidential uses with standards greater than those required by the State; and Requires bicycle parking spaces for residential and nonresidential uses with standards greater than those required by the State;
- Division No. 8 (Signage) – Limits signage in residential zoning districts; Limits lighting for signs that face residential zoning districts; and Allows for the abatement of nonconforming signs;
- Division No. 9 (Wireless) – No content changes are proposed;
- Division No. 10 (Affordable Housing) – No content changes are proposed;
- Division No. 11 (Regulations for Specific Uses) – This Division includes specific development and/or operational standards for many uses that has the potential to negatively affect public health, safety or welfare. This includes the following uses: home occupation businesses; mixed-use projects with residential; single-room occupancy; transitional uses; adult entertainment establishments; alcohol sales businesses; alternative financial establishments (e.g. check cashing); drive-thru businesses; emergency shelters; low barrier navigation centers; pawnbrokers or pawnshops; massage establishments; recycling facilities; secondhand vendors; significant tobacco retailers; vehicle repair facilities; and vehicle washing facilities;

- Division No. 12 (Entitlements and Permits) – Increases the mailing radius from 300 feet to 500 feet for General Plan Amendments, Zone Changes, Conditional Use Permits, Variances and Design Reviews to increase the number of people notified when new projects are proposed; and Establishes the Zoning Review Committee to provide public review for projects or adjustments to the Zoning Code that may impact the surround area, but not at a high enough level to warrant review by the Planning Commission;
- Division No. 13 (Specific Plans) – Increases the mailing radius for Specific Plans and Specific Plan Amendments from 300 feet to 500 feet to increase the number of people notified when new projects are proposed;
- Division No. 14 (Design Guidelines) – No changes are proposed; and
- Division No. 15 (Definitions) – Provides a clear definition for every use listed in the Zoning Code. This will reduce the possibility of approving a use without realizing the full list of potential impacts on the surrounding area.

B. The Amendments are consistent with the purpose, goals and policies of the City’s General Plan.

*Finding of Fact:*

Title 15 (Building and Construction Code) – The Amendment calls to adopt the 2020 Los Angeles County Building Code in its entirety. In addition, the Certificate of Occupancy Chapter is moved from Title 17 of the EMMC to Title 15. Ensuring projects use the most current Building Codes is consistent with the purpose of the General Plan’s Public Health and Safety Element. Specifically, Policy PHS-1.1 states “Building Codes: Ensure that new and retrofitted buildings comply with the most recently adopted City and State building codes governing seismic safety and structural design to minimize the potential for damage, personal injury and loss from earthquakes.”

Title 17 (Zoning Code) – The Amendment implements a significant number of General Plan goals and policies. These are primarily found in the Community Design Element, Land Use Element and Housing Element and includes the following:

*Community Design Element*

Goal CD-2 – Attractive commercial corridors exemplified by consistency of hardscape, landscaping, signage, sidewalks and other treatments appropriate to their context to foster a pleasant driving and pedestrian experience:

- CD-2.11 Sign Regulation. Beautify corridors by regulating the appearance and placement of commercial signs, billboards, and utility lines and removing or consolidating other distracting appurtenances wherever feasible to present a unified corridor image;
- CD-2.13 Sign Context Sensitivity. Require appropriately scaled signs based on different uses – clean monument signage for commercial centers;

informational signs for roadways; and smaller-scale, customized, pedestrian-oriented signs for districts; and

- CD-2.14 Sign Quality. Prohibit signs that incorporate blinking or flashing elements, pole structures, roof signs, or temporary lettering or structures; require the use of high-quality materials, complementary colors and non-distracting lighting.

Goal CD-4 – High-quality architectural design of residential, commercial and industrial buildings evidenced by thoughtful attention and balance of quality materials, durability, aesthetics, functionality and sustainability concepts:

- CD-4.2 Building Scale. Reduce the bulk and perceived size of larger buildings by dividing their mass into smaller parts, stepping down to adjacent structures and using pedestrian-scale features;
- CD-4.3 Massing. Discourage single-plane massing by incorporating a variety of rooflines, articulated wall planes and multiple forward and recessed walls;
- CD-4.6 Rooflines. Require rooflines of varied elevations and finished and refined terminations (e.g. cornice, pediment, etc.) suited to the use of the building;
- CD-4.7 Landscaping. Require lush and well-maintained landscaping appropriate the structure and its use and context in a manner that meets community expectations for quality; and
- CD-4.8 Parking and Garages. Parking and garages should be designed to fulfill their function without detracting from the aesthetic quality of the building face viewed by the public.

Goal CD-7 – A modern, clean industrial park that provides opportunity for investment and commerce and is denoted by its clean, attractive and well-managed environment compatible with surrounding residential neighborhoods:

- CD-7.12 Landscaping. Require landscaping on industrial sites to present a refined image of a modern industrial park, reduce the perceived mass of structures, and provide buffers to adjacent uses;
- CD-7.13 Loading. Require site loading and service areas to be as far as possible from the streetfront and ensure that such uses are adequately screened with high-quality articulated walls, trees, and other landscaping to present a clean finish to passersby;
- CD-7.14 Parking. Parking and paved areas should not be the dominant view of the industrial site; encourage employee and truck parking be placed to the side or behind the facility so that the dominant feature is the building architecture and landscaping frontage; and
- CD-7.15 Operational Impacts. Promote a clean industrial park image and reduce the impact of uses on neighboring properties or residences by adhering to the following considerations:
  - Screen parking, storage, and service areas from public view with landscaped walls, berms, and appropriate landscaping;

- Reduce the impact of industrial uses on adjacent properties with walls and landscaping, locating service, delivery, and loading areas far from adjacent uses and public streets; and
- Require mitigation of noise, odor, lighting, and other impacts from affecting adjacent residential neighborhoods.

Goal CD-8 – Attractive, vibrant and convenient commercial centers that convey a quality shopping experience through the careful application of land use, site design, design policies and architectural standards:

- CD-8.4 Parking. For internal parking areas, provide ample landscaping using landscaped bays, shade trees, and clearly delineated pedestrian routes with shade trees and landscaping along walkways that allow easy and safe passage to retail uses;
- CD-8.7 Landscaping. Require landscaping to define building entrances, key activity hubs, focal points and the street edge; provide screening for unattractive/unsightly service areas; and serve as buffers between neighboring uses;
- CD-8.8 Signage. Within commercial centers, encourage high-quality signage (e.g. wall signs, raised letter signs, projecting double-faced signs, customized logos) and distinct styles that complement building architecture; signage should not be uncoordinated or present a cluttered image;
- CD-8.9 Lighting. Lighting fixtures should be compatible with the building architectural design. Accent lighting of buildings and landscape is encouraged, such as the use of shaded gooseneck lights, indirect lighting, cove lighting or "wall washing," rim lighting or eaves, and overhead down lighting;
- CD-8.10 Walls and Fencing. Require only high-quality fencing and preferably articulated walls with quality natural looking materials that demarcate buildings; prohibit chain-link fencing, solid unarticulated block walls and other low-quality materials that may sacrifice aesthetics for functionality;
- CD-8.11 Condominium Associations. Require developers/owners that wish to subdivide commercial centers into individually-owned properties to create condominium associations that can address common land use and operational issues and allow the City to negotiate with a single entity;
- CD-8.12 Conditions for Operation. Enforce, through development agreements or other discretionary approval process, requirements for property maintenance and a legal and financial means for enforcing compliance with City codes and regulations; and
- CD-8.16 Mixed/Multiuse Projects. Require all new residential, commercial, and mixed-use projects proposed in minor and major nodes to conform in project design to mixed/multiuse overlay zone or subsequent corridor implementation plan when drafted.

Goal CD-9 – Quality neighborhoods evidenced by distinct identities; focal points that provide recreation and social opportunities; attractive streetscapes that accommodate autos, pedestrians, and cyclists; and attractive and well-designed residential projects that improve property values:

- CD-9.7 – Single-Family Housing. Require that single-family detached and attached housing be well designed to assure a high level of neighborhood quality in consideration of the following:
  - Avoidance of box-like structures through the articulation and modulation of building elevations, variation of rooflines and features to create visual interest;
  - Quality architectural design treatment of all elevations that are visible from public places and adjacent private residences;
  - Minimize paving for driveways and parking areas in front yard setbacks; and
  - Encourage street-facing architecture by placing entries, porches and windows at the front of the residence and connecting them to the sidewalk by a pathway.
- CD-9.8 – Multiple-Family Housing. Require that new multifamily residential projects be designed to convey a high level of visual and physical quality and distinctive neighborhood character in consideration of the following principles:
  - Architectural treatment of building elevations and modulation of mass to convey the character of separate units, avoiding the sense of a singular building mass and volume;
  - Incorporation of usable and functional private open space for each unit and common open space that creates a pleasant living environment and attractive locations for recreation; and
  - Reduce the visual impact of parking through consolidated parking, shared driveways, lane-accessed designs, landscape buffers and other techniques.

#### *Land Use Element*

Goal LU-1 Compatible residential, commercial, and industrial development that is sensitively integrated with existing development and neighborhoods and minimizes impacts on surrounding land uses:

- LU-1.2 Mitigation. Require new uses to provide buffers between existing uses where potential adverse impacts could occur, such as decorative walls, setbacks and landscaping, restricted vehicular access, parking enclosures and lighting control;
- LU-1.4 Heavy Industry. Within proximity to sensitive land uses, limit development or expansion of industrial, manufacturing, and distribution uses that create toxics, air pollutants, vehicular and truck traffic, or present other public health and safety hazards; and
- LU-1.7 Residential Compatibility. Discourage duplexes, triplexes, quadplexes and apartments from being constructed in predominantly

single-family residential neighborhoods to preserve the character and integrity of neighborhoods.

Goal LU-2 – Revitalization and redevelopment of residential, commercial and industrial areas through the sensitive integration of infill development, elimination of blight, and master planning efforts:

- LU-2.1 – Underutilized Uses. Facilitate and increase the concentration of commercial and industrial uses to activity centers, major intersections and other focused areas;
- LU-2.2 – Midblock Residential. Introduce midblock residential uses, such as mixed/multiuse housing, condominiums, apartments and live-work units to stimulate the revitalization and reuse of major corridors and removal of underused and incompatible uses; and
- LU-2.4 – Planning Tools. Utilize specific plans, planned developments and specialized zoning districts to foster cohesive and well-designed residential, mixed-use, commercial, and industrial districts. This can be applied to large vacant lands or for the reuse of existing properties or for a district/ subdistrict.

Goal LU-7 – Establish a diversified district of sustainable manufacturing, distribution, and technology-oriented business that provides opportunity for investment, entrepreneurship and significant creation of well-paid jobs in a sustainable environment that minimizes traffic impacts, promotes a clean environment, ensures long-term vitality and strengthens neighborhoods:

- LU-7.3 – Prohibited Land Uses. Prohibit industrial uses that use, store, produce, or transport toxic and hazardous materials; generate unacceptable levels of air or noise pollution; or result in other adverse impacts within proximity to residences; and
- LU-7.15 – Land Use Buffers. Require developers and property owners to mitigate the negative impacts (e.g. noise, air quality, traffic, etc.) of their nonresidential operations that materially affect the quality of life of neighboring residential areas as a precondition to expansion, relocation or operation of nonresidential uses.

GOAL LU-9 – Recreate vibrant commercial corridors with the introduction of a mix of higher density residential uses, sensitively integrated commercial uses concentrated at critical nodes and tree-lined streetscapes that are aesthetically pleasing, encourage walking, and inspire community pride:

- LU-9.1 – Corridor Reuse. Promote the reuse of strip commercial and industrial corridors by consolidating retail and commercial uses into activity nodes and transitioning intervening areas for midblock residential or mixed/multiuse developments;
- LU-9.2 – Housing Types. Sensitively integrate higher density residential uses (e.g., townhomes, stacked units, live-work, etc.) along Peck Road and Durfee Avenue. Incorporate urban density residential uses along Garvey Avenue and at Five Points;

- LU-9.3 – Prohibited Uses. Prohibit industrial and commercial uses along major corridors that detract from residential neighborhoods and adjacent residential uses; and
- LU-9.8 – Lot Consolidation. Develop a sliding scale of residential densities – i.e. the larger the property or the greater the number of merged parcels, the greater the residential density, as permitted per the Land Use Plan for mixed/multiuse and urban/multiuse housing.

### *2021-2029 Housing Element*

Goal H-2 – Adequate sites for new housing that create a vibrant downtown, revitalize transportation corridors with quality housing, and motivate reinvestment and revitalization in neighborhoods.

- H-2.1 – Housing Sites. Provide adequate sites through land use, zoning, and specific plan designations to allow single-family homes, multi-family homes, Accessory Dwelling Units (ADUs), urban housing, mixed-use housing, mobile homes and special needs housing.
- H-2.4 – Urban Housing. Provide zoning designations necessary to develop urban housing at high densities along Garvey Avenue Corridor and the 5-Points Area, providing for linkages to transit, commercial activity and communities like parks and recreation centers.
- H-2.5 – Major Corridors. Direct the production of quality mixed/multiuse projects along major corridors Durfee Avenue, Peck Road, and Garvey Avenue to allow for efficient land use practices, improved mobility and energy conservation.
- H-2.6 – Work/Live and Live/Work. Provide opportunities for work/live and live/ work housing in the Downtown Core, along major corridors and within the Flair Business Park.
- H-2.9 – Neighborhood Protection. Protect established single-family neighborhoods, through measures including use of zoning standards and objective design standards, from the transition, intensification and encroachment of nonresidential uses and higher density housing that detracts from the character of the neighborhood.
- H-2.10 – Transit Oriented Development (TOD) Housing. Support the development of TODs, which contains a variety of mixed-use projects vertically or horizontally integrated with commercial, professional, entertainment and recreational uses.

Goal H-3 – A diversity of quality housing types and prices that meet the needs of residents, support the economic development and revitalization, and provide opportunities for residents of all ages and income levels:

- H-3.7 – Diverse Housing. Support the production of varied housing types, including single-family, townhomes, apartments and special needs housing that are priced at levels affordable to all income levels;

- H-3.8 – Unique Housing. Permit and encourage the construction of innovative housing types, such as tiny, shipping container, modular, earth/green roof and wood pallet houses; and
- H-3.9 – Development Standards. Provide zoning, development standards and appropriate regulatory incentives to facilitate quality live-work, mixed use and other housing suited to different lifestyle needs.

Goal H-4 – Adequate rental, homeownership, and supportive services to individuals, families, and those with special needs that will help them find and maintain affordable housing in the community:

- H-4.4 – Homeless People. Support adequate opportunities for emergency, transitional, and permanent supportive housing, including services, within El Monte through the implementation of land use and zoning practices and monitoring through permitting procedures.

Program H-5 – Incorporate the following items as part of the Comprehensive Zoning Code updates:

- Permits multiple-family residential projects be approved “by-right” (i.e. no CUP);
- Fully updates the Planned Residential Development (PRD) Chapter of the Zoning Code, to allow the flexible use of zoning standards for larger projects;
- Incorporate minimum densities for residential-only projects and mixed-use project with housing located in commercial zoning districts;
- Reduce parking and open space requirements for residential project that are developed at higher densities;
- Incorporate tables, graphics and illustrations to make the document easier for the public to navigate;
- Include a Floor Area Ratio (FAR) bonus for multiple-family residential projects that incorporate items such as affordable units, environmental benefits, open space amenities and quality design;
- Require mixed-use project in the Mixed/Multiuse (M/MU) zoning district to have a minimum 50 percent of the floor area to be residential;
- Remove the public hearing requirement for projects where 20 percent or more of the units are reserved for lower or very low-income households;
- Review the Accessory Dwelling Unit (ADU) and Urban Dwellings Section to ensure full compliance with state law;
- Review the Density Bonus Chapter to ensure full compliance with state law; and
- Incorporate recent state laws including Assembly Bill 101 (Low Barrier Navigation Center), Assembly Bill 139 (Emergency and Transitional Housing), Assembly Bill 2162 (Supportive Housing) and Assembly Bill 1783 (Employee and Group Housing).

**SECTION 3. Amendment to Building and Construction Code and Zoning**

**Code:**

- A. Title 15 (Building and Construction) of the El Monte Municipal Code is repealed and replaced in its entirety as set forth in Exhibit A.
  
- B. Title 17 (Zoning) of the El Monte Municipal Code is repealed and replaced in its entirety as set forth in Exhibit B.

**SECTION 4. Findings for Specific Plan Amendment No. 01-22:** All necessary findings to approve the Specific Plan Amendments to the Gateway Specific Plan and Downtown Main Street Transit Oriented Specific Plan can be made in a positive manner and are as follows:

- A. The subject properties proposed for the Specific Plan Amendments has unique characteristics such as topography, location, size or surroundings that are enhanced by special land use and development standards.

*Finding of Fact:*

Gateway Specific Plan

The boundaries for the 60-acre Gateway Specific Plan remain unchanged and the characteristics that supported establishing the Specific Plan in 2007 remain in place. The Gateway area is unique as its centerpiece is the El Monte Bus Station, the largest bus station in the United States west of Chicago. The station was replaced and nearly doubled in size in 2012. The Specific Plan's four (4) Subareas remain the same: Mixed-use (along Santa Anita Avenue); Transit (around the Bus Station); River (the triangular shaped property west of the Rio Hondo River) and Park/Open Space (including Fletcher Park and the Pioneer Park area).

Downtown Specific Plan

The outer boundaries for the 115-acre Downtown Specific Plan remain unchanged and the characteristics that supported establishing the Specific Plan in 2017 remain in place. The Downtown area is unique as it includes Main Street, which is the historic heart of El Monte. In addition, the area is bounded by two (2) major transportation hubs – the El Monte Bus Station and the El Monte Metrolink Station.

The Specific Plan's four (4) Subareas remain the same: Main Street (along Main Street); Zócalo (just south of Main Street); Station (the areas adjacent to the Metrolink Station and across the street from the Bus Station); and Monte Vista (along Ramona Boulevard and portions of Valley Boulevard). Several adjustments are proposed within the Subareas: the two (2) small properties west of Santa Anita Avenue are now part of Monte Vista; the properties on the south side of Main Street between Santa Anita Avenue and Granada Avenue are now

part of the Main Street Subarea; and Lexington Avenue is now the boundary line between Station and Zócalo Subareas.

- B. The Specific Plan Amendments result in the development of desirable character and use types that will be compatible with the surrounding area and provides effective buffering from adjacent uses as found necessary.

*Finding of Fact:*

Gateway Specific Plan

The overall character and mix of use types will remain in place. This includes developing a highly urban character centered around the El Monte Bus Station and along the I-10 Freeway. Commercial uses will focus along Santa Anita Avenue and the Freeway and high density will be focused on the interior of the area. Enhancing existing open space areas and connecting to the Emerald Necklace remain a significant priority.

Downtown Specific Plan

The overall character and mix of use types will remain in place. This includes maintaining a small-town feel along Main Street and permitting multi-story urban housing in the Station Subarea closest to transit. The “good neighbor” policy requiring lower building heights and landscaping for properties adjacent to residential zoning district remains in place.

- C. The Specific Plan Amendments contributes to a balance of land uses throughout the City.

*Finding of Fact:*

Gateway Specific Plan

The Gateway Specific Plan calls to establish a vibrant, mixed-use urban activity center in the City. Objectives of the Specific Plan include the following: creating a model for TODs; encouraging sustainable design, improving open space and recreational experiences; improving connectivity to the surrounding areas; increasing the housing supply; and creating new jobs for the community. The Amendment updates the list of permitted uses so they are consistent with those listed and defined in the updated Zoning Code. Permitted uses continue to focus on high density transit-oriented housing, destination retail development and recreational uses. The vacant property west of the Rio Hondo River will remain targeted for transportation related or industrial uses.

Downtown Specific Plan

The Downtown Specific is divided into four (4) Subareas: Main Street; Zócalo; Station; and Monte Vista. In order to simplify the list of permitted uses, the Specific Plan consolidates the Main Street and Zócalo Subareas, as they have very similar characteristics. The Amendment updates the list of permitted uses so

they are consistent with those listed and defined in the updated Zoning Code. Permitted uses continue to be focused on pedestrian-oriented retail, eateries, entertainment, housing and office/service. Auto related uses are prohibited. This mix of uses is highly consistent with what would be proposed for a TOD.

- D. The Specific Plan Amendments are consistent with the purpose, goals and policies of the City's General Plan.

*Finding of Fact:*

Gateway Specific Plan

The adoption of the Gateway Specific Plan in 2007 occurred prior to the completion of the existing General Plan. Nonetheless, the Specific Plan's implementation is discussed in the Land Use and Economic Development Elements with the following policies:

- LU-5.2 – Land Use: El Monte Gateway. Facilitate transit-oriented developments with a range of residential, commercial, hotel and recreational uses that serve as destination points for the region and catalyst for the revitalization of and investment in the Gateway area; and
- ED-5.1 – Economic Development: Retail Sales. Focus the El Monte Gateway area on a socializing and entertaining retail experience targeted to affluent clientele.

The 2021-2029 Housing Element also includes policies that support high density housing in the Gateway Specific Plan. The City's RHNA calls for the construction of 1,190 units in the Gateway Specific Plan. Housing Element policies includes the following:

- H-2.3 – Housing: Gateway Specific Plan. Continue to implement the development envisioned for the Specific Plan, which calls for the construction of urban housing with mix of apartments and ownerships units for different income levels; and
- H-2.10 – Housing: Transit Oriented Development (TOD) Housing. Support the development of TODs, which contains a variety of mixed-use projects vertically or horizontally integrated with commercial, professional, entertainment and recreational uses.

Downtown Specific Plan

The adoption of the Downtown Specific Plan in 2017 was a significant implementation measure of the General Plan. Goals and policies include the following:

*Land Use Element*

Goal LU-5 – Establish the Downtown as the mixed-use, mixed-income and cultural heart of El Monte. Its historical role is augmented by new housing, business, parks, cultural facilities, and transit-oriented development. The

population is diverse, the architecture is human scaled, and the character authentic.

- LU-5.1 Land Use Mix. Accommodate retail commercial, office, restaurant, entertainment, civic, cultural and housing land uses in accordance with the Land Use Plan's designations and subdistrict boundaries as may be more defined by a specific plan; and
- LU-5.3 Housing. Facilitate development of mixed/multiuse housing, including transit-oriented development that provides housing options for persons of all ages and income levels that enhances the customer base for downtown business and activities.

### *Economic Development Element*

Goal ED-5 – Expanding businesses and new businesses will invest in the continued development and improvement of El Monte Main Street, creating a thriving central place that defines the popular image of El Monte.

- ED-5.1 – Retail Sales. Focus El Monte Main Street on a small-town retail, restaurant and entertainment destination; and
- ED-5.3 – Physical Environment. Create an attractive downtown business environment by implementing the land use, design, and environmental strategic actions set forth in the Downtown El Monte Main Street Transit-Oriented Specific Plan:
  - Create a welcoming social environment with public spaces, outdoor cafes, generous placement of street furniture and special events; and
  - Introduce mixed-use housing and urban housing to generate both daytime and nighttime spending supportive of retail.

### *The 2021-2029 Housing Element*

The City's RHNA calls for the construction of 1,777 units in the Downtown Specific Plan (the highest of the ten (10) areas identified in the Element). Housing Element goals and policies include the following:

Goal H-2 – Adequate sites for new housing that create a vibrant downtown, revitalize transportation corridors with quality housing, and motivate reinvestment and revitalization in neighborhoods.

- H-2.2 Downtown Core. Direct the production of new quality housing, including mixed/multi-use and mixed-income housing along with appropriate amenities, as appropriate, into the Downtown Core;
- H-2.4 Urban Housing. Provide zoning designations necessary to develop urban housing at high densities along Garvey Avenue Corridor and the 5-Points Area, providing for linkages to transit, commercial activity and communities like parks and recreation centers;
- H-2.6 Work-Live and Live-Work. Provide opportunities for work-live and live-work housing in the Downtown Core, along major corridors, and within the Flair Business Park; and

- H-2.10 Transit-Oriented Housing. Support the development of the TOD, which contains a variety of mixed-use projects vertically or horizontally integrated with commercial, professional, entertainment, and recreational uses.

**SECTION 5. Amendment to Specific Plans.**

- A. The Gateway Specific Plan (SP-1) is repealed and replaced in its entirety as set forth in Exhibit C.
- B. The Downtown Main Street Transit Oriented Specific Plan (SP-4) is repealed and replaced in its entirety as set forth in Exhibit D.

**SECTION 6. California Environment Quality Act (CEQA):** In accordance with the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, an Initial Study (IS) was prepared for the project. The IS determined that there would be less than significant environmental impacts on the environment. Therefore, a negative Declaration (ND) has been prepared, with no mitigation measures. Key environmental categories evaluated included aesthetics, air quality, energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, population and housing, recreation and transportation. The IS/ND and supporting documentation were available for public review from March 28, 2022 to April 26, 2022. No written or oral comments were received on the environmental document.

**SECTION 7. Effectiveness:** The City Council reviewed and considered this Ordinance concurrently with consideration of General Plan Amendment No. 02-22 by Resolution and Zone Change No. 03-22 by separate Ordinance. The City intends this Ordinance and related approvals of General Plan Amendment No. 02-22 and Zone Change No. 03-22 to be mutually contingent so that none is effective without the others.

**SECTION 8. Inconsistent Provisions:** Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

**SECTION 9. Severability:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase, or the application thereof to any person or circumstance, would be subsequently declared invalid or unconstitutional.

**SECTION 10. Publication and Effective Date:** The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in a newspaper of general circulation within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of El Monte at the regular meeting of this \_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jessica Ancona  
Mayor of the City of El Monte

ATTEST:

\_\_\_\_\_  
Catherine A. Eredia  
City Clerk of the City of El Monte

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )     SS:  
CITY OF EL MONTE                     )

I, Catherine A. Eredia, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. \_\_\_\_ was introduced for a first reading on the \_\_ day of \_\_\_\_\_, 2022 and approved for a second reading and adopted by said Council at its regular meeting held on the \_\_ day of \_\_\_\_\_, 2022 by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Catherine A. Eredia, City Clerk of the City of El Monte

**EXHIBIT 1**  
**TITLE 15 BUILDING AND CONSTRUCTION**

*Link to Document:* <http://www.elmonteca.gov/DocumentCenter/View/5331>

**EXHIBIT 2**  
**TITLE 17 ZONING**

*Link to Document:* <http://www.elmonteca.gov/DocumentCenter/View/5332>

*Link to Figures:* <http://www.elmonteca.gov/DocumentCenter/View/5340>

**EXHIBIT 3**  
**SP-1 GATEWAY SPECIFIC PLAN**

*Link to Document:* <http://www.elmonteca.gov/DocumentCenter/View/5329>

**EXHIBIT 4**  
**DOWNTOWN SPECIFIC PLAN**

*Link to Document:* <http://www.elmonteca.gov/DocumentCenter/View/5328>

---

**ATTACHMENT C**

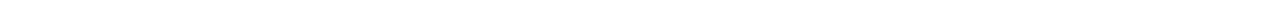
**INITIAL STUDY AND NEGATIVE DECLARATION (IS/ND) ENVIRONMENTAL**

*Link to Document:* <http://www.elmonteca.gov/DocumentCenter/View/5330>

---

**ATTACHMENT D**

**MAY 10, 2022 PLANNING COMMISSION PUBLIC NOTICE**



**CITY OF EL MONTE PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT AN  
INITIAL STUDY/NEGATIVE DECLARATION**

**Hablamos Español - Favor de hablar con  
Jeni Colon (626) 258-8626**

- TO:** All Interested Parties
- FROM:** City of El Monte Planning Division
- APPLICATION:** Code Amendment (CA) No. 800 to Title 15 (Building and Construction); CA No. 801 to Title 17 (Zoning Code) of the El Monte Municipal Code (EMMC), Specific Plan Amendment (SPA) No. 03-22 (for the Gateway and Downtown Main Street Specific Plans); General Plan Amendment (GPA) No. 01-22; and Zone Change (ZC) No. 02-22.
- PROPERTY LOCATIONS:** Citywide – Updates to Title 15 (Building and Construction) and Title 17 (Zoning Code) of the EMMC.  
El Monte Gateway Specific Plan – Updates to the 60-acre Specific Plan (area roughly bounded by the railroad and Rio Hondo River to the northwest, Main Street to the north, Santa Anita Avenue to the east and the I-10 Freeway to the south).  
Downtown Main Street Specific Plan – Updates to the 115 acre Specific Plan (area roughly bounded by Santa Anita to the west, the railroad to the northeast and Ramona Avenue to the south).
- HAZARDOUS SITES:** This portion of the project does not include individual sites.
- PROJECT SUMMARY:** The project will be presented to the Planning Commission as the recommending body. The project will be presented to the City Council for a final decision at a future public hearing.  
Project Overview – The City of El Monte initiated a comprehensive update to Title 17 (Zoning Code) and minor updates to Title 15 (Building and Construction) of the EMMC. The project also includes minor updates to the Gateway and Downtown Main Street Specific Plan.  
Title 15 (Building and Construction) of the EMMC – Adopt the 2020 Los Angeles County Building Code in its entirety and update the Certificate of Occupancy requirements.  
Title 17 (Zoning Code) of the EMMC, including the following Divisions –
- Divisions A – Table of Contents; and Matrix of Land Uses.
  - Division 1 – General Regulations; Rules and Measurements; Zoning Classifications and Map; and Nonconforming Provisions.
  - Division 2 – One-Family Dwelling Residential Zones; Rurban Homesteads Overlay District; and Multiple-Family Dwelling Residential Zones.
  - Division 3 – Mixed/Multiuse Zone.
  - Division 4 – Commercial Zones; Manufacturing Zones; and Public and Quasi-Public Zones.
  - Division 5 – Performance Standards.
  - Division 6 – General Property Development Standards (such as equipment screening, refuse storage and walls/fences).

- Division 7 – Parking Regulations; Landscape Regulations; and Landscape Water Efficiency.
- Division 8 – Signage Regulations; Billboard Overlay Zone; and Outdoor Advertising Structures.
- Division 9 – Wireless: New and Substantially Changed; and Wireless: Eligible Facilities Request.
- Division 10 – Density Bonus Provisions.
- Division 11 – Regulations for Specific Residential Uses (such as live/work units, mixed-use and urban housing).
- Division 12 – Zoning Clearance and Administrative Permits; Initial Plan Review; Design and Minor Design Review; Conditional and Minor Use Permit; Variance and Minor Variance; Modification for an Individual with a Disability; Planning Residential Development; General Plan and Zoning Amendments; and Development Agreements.
- Division 13 – Specific Plans; Gateway Specific Plan; Mountain View Specific Plan; Flair Spectrum Specific Plan; and Downtown Main Street Specific Plan.
- Division 14 – Design Guidelines.
- Division 15 – Use Definitions; and General Definitions.

El Monte Gateway Specific Plan – Update permitted land uses and make the Specific Plan consistent with the new Zoning Code and State Law.

Downtown Main Street Specific Plan – Update permitted land uses and make the Specific Plan consistent with the new Zoning Code.

**APPLICANT:** City of El Monte.

**PROPERTY OWNERS:** Citywide.

**ENVIRONMENTAL DOCUMENTATION:** An Initial Study (IS) prepared for the Project determined that there would be less than significant environmental impacts on the environment. Therefore, a Negative Declaration (ND) has been prepared. The IS/ND and supporting documentation was available for public review from March 28, 2022 through April 26, 2022. Publication and public circulation of the IS/ND will be effectuated by the City in accordance with Public Resources Code Sections 21091–21092.6 of the California Environmental Quality Act (CEQA) and State CEQA Guidelines Sections 15072-15073 and 15105, as applicable, prior to ND adoption.

**PUBLIC HEARING:** The IS/ND and supporting materials are available for review at:

- City of El Monte Website: <http://www.elmonteca.gov/655/CITY-OF-EL-MONTE-ZONING-CODE-UPDATE-TAX->
- Planning Division Public Counter at El Monte City Hall West, 11333 Valley Boulevard, El Monte, California
- Requested via e-mail at [planning@elmonteca.gov](mailto:planning@elmonteca.gov)

The Planning Commission will hold a public hearing to receive testimony, orally and in writing, on the proposed Project. The public hearing is scheduled for:

Date: Tuesday, May 10, 2022

Time: 7:00 PM

Place: El Monte City Hall East – City Council Chambers  
11333 Valley Boulevard  
El Monte, CA 91731

**OPTIONS TO PARTICIPATE:**

Members of the public wishing to observe the meeting may do so in one of the following ways:

- (1) Attend the meeting in person at the City's Council Chambers. All COVID-19 safety precautions (e.g. wearing a mask and social distancing) shall be followed at all times.
- (2) Turn your TV to Channel 3.
- (3) Visit the City's website at <http://www.elmonteca.gov/378/Council-Meeting-Videos>.
- (4) Call-in Conference Line at (253) 215-8782; Meeting ID 838 4114 2659, then press #, press # again when prompted for participant ID.

Members of the public wishing to make public comment may do so in one of the following ways:

- (1) Call-in Conference Line at (253) 215-8782; Meeting ID 838 4114 2659, then press #, press # again when prompted for participant ID. Once admitted into the meeting, press \*9 to request to speak.
- (2) E-mail or Telephone – All interested parties can submit questions/comments in advance to the Planning Division's general e-mail address: [planning@elmonteca.gov](mailto:planning@elmonteca.gov) or by calling (626) 258-8626. All questions/comments must be received by the Planning Division no later than 3:00 pm on May 10, 2022.

**AMERICAN WITH DISABILITIES ACT:**

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Should you need special assistance to participate in this meeting, please contact the Planning Division by calling (626) 258-8626. Notification 48 hours prior to the meeting will enable the City of El Monte to make reasonable arrangements to ensure accessibility to this meeting.

**PUBLISHED DATE:**

April 28, 2022, by Jason C. Mikaelian, AICP, Deputy Director, Community and Economic Development