

## ORDINANCE NO. 2247

### AN ORDINANCE IMPLEMENTING THE GENERAL PLAN HOUSING ELEMENT BY MAKING CERTAIN CHANGES TO TITLE 21 OF THE MONTEREY PARK MUNICIPAL CODE (MPMC)

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

**SECTION 1:** The City Council finds and declares that:

- A. The City initiated the proposed amendments to the Monterey Park Municipal Code (“MPMC”) pursuant to MPMC § 21.38.020. This application is identified as ZCA 24-01.
- B. The City’s Housing Element (“HE”) was certified by the California Department of Housing and Community Development (“HCD”) on March 30, 2023. The HE requires the City Council to consider various amendments to the MPMC to implement the HE.
- C. On July 23, 2024, the Planning Commission conducted a duly noticed public hearing to assess the proposed MPMC amendments in ZCA 24-01, considered all oral and written evidence, and adopted Resolution 05-24 recommending that the City Council adopt this Ordinance.
- D. This Resolution and its findings are made based upon the entire administrative record including, without limitation, evidence accepted during the public hearings before the Planning Commission (on July 23, 2024) and the City Council (on August 21, 2024).

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

- A. Amendments to the MPMC accomplished by this Ordinance are consistent with the goals, policies and objectives of the General Plan. This Ordinance implements the following HE programs: Program 4 which provides for the housing of special needs populations; Program 5 which seeks to allow flexibility in development standards to facilitate the development of affordable housing; and Program 7 which requires reconciling residential densities with the R-3 zone. Among other things, these regulations will provide housing opportunities for households in all income levels without constraining housing development in the City.
- B. These regulations will not adversely affect surrounding properties. Such regulations will operate citywide and will not affect a change in the use or the intensity of use of property in any zone.
- C. These regulations promote public health, safety, and general welfare and

serve the goals and purposes of the MPMC's zoning regulations. Among other things, the regulations will reduce barriers to the development of housing to address the California Legislature's determination regarding a statewide housing shortage.

**SECTION 3: *Environmental Review.*** The City reviewed the environmental impacts of the proposed Ordinance pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). The City Council finds and determines that this Ordinance is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; "CEQA") for the following reasons:

- A. This Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2);
- B. There is no possibility that the Ordinance itself may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3);
- C. The Ordinance, by itself, does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378). The Ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment; and
- D. CEQA Guideline § 15164 provides that an addendum to an adopted environmental impact report may be prepared where none of the conditions described in CEQA Guidelines § 15162 have occurred. The City Council finds as follows:
  - 1. On December 5, 2019, the City Council adopted Resolution No. 12124 certifying the Monterey Park Focused General Plan Update Final Environmental Impact Report (the "FEIR")(State Clearing House (SCH) No. 2001-01-1074), which is incorporated by reference and found at:  
<https://www.montereypark.ca.gov/DocumentCenter/View/16507/Reso-12124---attachments-included>.
  - 2. On January 19, 2022, the City Council adopted Resolution No. 2022-R2 adopting an addendum to the FEIR analyzing the impacts of the City's 2021-2029 Housing Element update ("FEIR Addendum"), which is incorporated by reference and found at:  
<https://www.montereypark.ca.gov/DocumentCenter/View/16506/2022-R2---Addendum-to-the-Final-Environmental-Impact-Report>.

3. The EIR and Addendum evaluated, among other things, the environmental impacts resulting from increasing the dwelling unit density in the R-3 zone, and sliding scale parking requirements (the "Housing Goals").
4. The Housing Goals are an activity contemplated by the EIR and Addendum.
5. The Housing Goals do not contemplate any changes which will require major revisions to the EIR or Addendum, nor are there any substantial changes with respect to the circumstances under which the EIR and Addendum were undertaken.
6. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR and Addendum were certified showing: (1) the Housing Goals will have one or more significant effects not discussed in the EIR or Addendum; and (2) significant effects previously examined will be substantially more severe than shown in the EIR or Addendum.

**SECTION 4:** *Amendment.* MPMC Table 21.08(F) is deleted in its entirety.

**SECTION 5:** *Amendment.* MPMC section 21.22.020 (Applicability) is amended in its entirety as follows:

**“§ 21.22.020 Applicability.**

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

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

another site except for joint parking situations approved by the Planning Commission and through an appropriate recorded legal instrument approved by the City Attorney as to form.”

**SECTION 6: Amendment.** MPMC section 21.22.040 is amended in its entirety as follows:

**“§ 21.22.040 Regulations for Residential Uses.**

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

**SECTION 7: Amendment.** MPMC Table 21.22(A) (Residential Parking Standards) is amended as follows:

<b>Dwelling Uses</b>	<b>Min. Required No. of Spaces</b>
<b>Single Family Dwelling</b>	
4 or fewer bedrooms*	2 enclosed garage spaces
5-7 bedrooms*	3 enclosed garage spaces plus 1 additional open parking space per bedroom above 5
8 or more bedrooms*	4 enclosed garage spaces plus 1 additional open parking space per bedroom above 5
<b>Multifamily Dwelling: per unit*</b>	
<i>Multiple Family</i>	
2 or fewer bedrooms*	1 space
3 bedrooms*	2 spaces; plus 1 guest parking space per 4 dwelling units
4 bedrooms*	2 spaces; plus 1 guest parking space per 4 dwelling units
5 bedrooms*	3 spaces; plus 1 guest parking space per 4 dwelling units
6 or more bedrooms*	3 spaces; plus 1 additional open parking space per bedroom above 5; plus 1 guest parking space per 4 dwelling units
<b>Boardinghouse</b>	1 per bedroom
<b>Rehabilitation Facility</b>	1 per bedroom
<b>Second Dwelling Unit</b>	
Less than or equal to 600 SF	1 enclosed garage space
Greater than 600 SF	2 enclosed garage spaces
<b>Senior Citizen Housing</b>	
Moderate Income Unit	1 per unit; plus 1 for property manager unit
Guest Parking	1 per 4 units

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Mixed Moderate Income & Low/Very Low Income Unit	0.8 per unit; plus 1 for property manager unit
Guest Parking	1 per 4 units (3 minimum)
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Low Income Unit	0.65 per unit; plus 1 for property manager unit
Guest Parking	1 per 6 units (2 minimum)
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Very Low Income Unit	0.5 per unit; plus 1 for property manager unit
Guest Parking	1 per 8 units (2 minimum)
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<b>Single Room Occupancy (SRO)</b>	1 per bedroom

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**NOTE:**

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

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**SECTION 8:** *Amendment.* All references to “Chapter 21.22,” and any table in Chapter 21.22 replaced with the phrase “this Title,” throughout Title 21 of the MPMC.

**SECTION 9:** *Amendment.* MPMC section 21.04.367 is deleted in its entirety.

**SECTION 10:** *Amendment.* MPMC Table 21.12(A) is amended by deleting the “Emergency shelter” use and corresponding provision.

**SECTION 11:** *Amendment.* MPMC section 21.12.030(B) is deleted in its entirety.

**SECTION 12:** *Amendment.* MPMC Table 21.22(C) is amended by deleting “Emergency Shelter” uses and corresponding minimum requirements.

**SECTION 13:** *Amendment.* The MPMC is amended by establishing a new section entitled “21.02.240 Emergency Shelter” as follows:

“§ 21.02.240 **Emergency Shelter.**

**(A) Zone.** Emergency shelters are permitted in the R-3—High-density residential and O-P Office Professional Non-McClaslin Business Park zones.

**(B) Standards.** Emergency shelters must satisfy the following:

- (1) In no event may occupancy exceed 40 residents at any one time.
- (2) Sufficient parking to accommodate all employees working in the emergency shelter, provided that the standards do not require more parking for

emergency shelters than other residential or commercial uses within the same zone.

- (3) All proposed on-site intake and waiting areas must be within a fully enclosed building. Exterior intake and waiting areas must be covered by a permanent structure. The intake and waiting area must be suitably sized to prevent queuing in the public right-of-way or within any parking lot, but may not exceed 400 square feet.
- (4) Each emergency shelter must have an on-site management office. At least one employee must be present in the on-site management office at all times that the emergency shelter is operating.
- (5) Not more than one emergency shelter is permitted within a radius of 300 feet from another emergency shelter.
- (6) Individual occupancy in an emergency shelter is limited to six months during any 12 consecutive month period.
- (7) Exterior lighting must be provided at all building entrances and outdoor activity areas and must be activated between sunset and sunrise of each day.
- (8) Each emergency shelter must have at least one on-site security personnel present while the emergency shelter is operational.
- (9) The emergency shelter may provide one or more of the following specific facilities and services including, without limitation:
  - (a) Commercial kitchen facilities designed and operated in compliance with applicable law;
  - (b) Dining area;
  - (c) Laundry;
  - (d) Recreation room;
  - (e) Support services (e.g., training, counseling); and
  - (f) Child care facilities.

**(C) Procedure.** A permit application for an emergency shelter must considered and, if appropriate, approved ministerially by the City Planner. An application must be filed on forms provided by the City Planner and accompanied by fees set by city council resolution.”

**SECTION 14: Amendment.** MPMC section 21.04.855 is deleted in its entirety.

**SECTION 15:** *Amendment.* MPMC section 21.04.895 is deleted in its entirety.

**SECTION 16:** *Amendment.* The MPMC is amended by establishing a new section entitled “21.02.250 Supportive Housing” as follows:

“§ 21.02.250 **Supportive Housing.**

- (A) **Zone.** Supportive Housing is permitted in the R-3—High-density residential and O-P Office Professional Non-McClaslin Business Park zones.
- (B) **Procedure.** A permit application for supportive housing must be considered and, if appropriate, approved ministerially by the City Planner. An application must be filed on forms provided by the City Planner and accompanied by fees set by city council resolution.
- (C) **Standards.** Supportive housing must satisfy all objective development standards in the underlying zoning designation.
- (D) **Parking.** Supportive housing must provide not less than the following on-site parking:
  - (1) Three or fewer bedrooms: two enclosed garage spaces, plus one guest space for every two dwelling unit or 0.3 spaces for each bed in dormitory housing.
  - (2) Four or more bedrooms: two enclosed garage spaces, plus one guest space for every dwelling unit or 0.3 spaces for each bed in dormitory housing.
- (E) **Covenant.** All units are subject to a recorded affordability restriction which must be approved by the City Planner, in a form approved by the City Attorney.”

**SECTION 17:** *Amendment.* MPMC Table § 21.08(A) is amended to delete the use entitled “Supportive housing, licensed for seven or more persons” and the corresponding regulations.

**SECTION 18:** *Amendment.* MPMC Table 21.10(A) is amended to delete the use entitled “Supportive Housing” and the corresponding regulations.

**SECTION 19:** *Amendment.* MPMC Table 21.22(C) is amended to delete the use entitled “Supportive housing” and the corresponding regulations.

**SECTION 20:** *Amendment.* MPMC section 21.32.020(D) is amended as follows:

- “(D) The additional boarding house conditional use permit requirements do not apply

to the following uses if otherwise permitted by a valid conditional use permit: congregate care facility (multiple units on one property); fraternity/sorority house; home care licensed for seven or more persons; senior housing; or transitional housing licensed for seven or more persons.”

**SECTION 21:** *Electronic Signatures.* This Ordinance may be executed with electronic signatures in accordance with Government Code § 16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

**SECTION 22:** *Construction.* This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council’s intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

**SECTION 23:** *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

**SECTION 24:** *Reliance On Record.* Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

**SECTION 25:** *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 26:** *Preservation.* This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution’s effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

**SECTION 27:** *Limitations.* The City Council’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the city’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.



**SECTION 28: Recordation.** The City Clerk, or designee, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

**SECTION 29: Effective Date.** This Ordinance will become effective 30 days after second reading and adoption.

PASSED AND ADOPTED this 4<sup>th</sup> day of September, 2024.

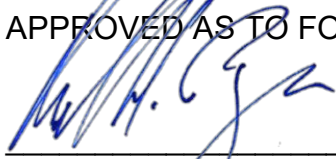


Thomas Wong, Mayor

ATTEST:

  
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Maychelle Yee, City Clerk

APPROVED AS TO FORM:


  
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Karl H. Berger, City Attorney

State of California            )  
County of Los Angeles        ) §.  
City Of Monterey Park        )

I, Maychelle Yee, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Ordinance No. 2247 was introduced, and placed upon its first reading at a meeting of the City Council of the City of Monterey Park, held on the 21<sup>st</sup> day of August, 2024. That thereafter on the 4<sup>th</sup> day of September, 2024, said Ordinance was duly passed, approved and adopted by the following vote:

Ayes:                    Council Members: Lo, Yiu, Ngo, Wong, Sanchez  
Noes:                    Council Members: None  
Absent:                 Council Members: None  
Abstain:                Council Members: None  
Recusal:                Council Members: None

Dated this 4<sup>th</sup> day of September, 2024.

  
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Maychelle Yee, City Clerk  
City of Monterey Park, California