

ORDINANCE NO. 1240

AN ORDINANCE OF THE CITY OF SOUTH EL MONTE AMENDING SOUTH EL MONTE MUNICIPAL CODE CHAPTER 17.15 “COMMERCIAL-RESIDENTIAL” ZONE TO ESTABLISH A MINIMUM RESIDENTIAL DENSITY FOR ALL NEW RESIDENTIAL DEVELOPMENT

WHEREAS, on January 9, 2018, the City Council approved a General Plan Amendment (GPA 10-001), adopting the final draft of the Housing Element and gave staff direction to submit to the California Department of Housing and Community Development (“HCD”) for their review and consideration; and

WHEREAS, the draft Housing Element was submitted to HCD on January 26, 2018. On April 26, 2018, additional corrections to the Housing Element were issued to the City by HCD; and

WHEREAS, it is the City’s understanding that HCD will approve the proposed Housing Element provided the City establish minimum residential density in the C-R Zone as well as require an Overlay Zone to create minimum residential development for all projects in said overlay; and

WHEREAS, the City Council desires to have the proposed Housing Element approved by HCD and as such, desires to amend the South El Monte Municipal Code (“SEMMC”) as provided herein.

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE DOES ORDAIN AS FOLLOWS:

**SECTION 1:** Proposed Zone Text Amendment (No. 19-19) amends Chapter 17.15 “Commercial-Residential” zone (“C-R zone”) of the South El Monte Municipal Code (“SEMMC”) to set minimum residential densities in order to comply with the requirements as set forth by the California Housing and Community Development Department (“HCD”).

**SECTION 2:** On November 19, 2019, the Planning Commission held a duly noticed public hearing to consider the proposed Zone Text Amendment (No. 19-19). Following the public hearing, the Planning Commission adopted Resolution No. 19-19 recommending that the City Council adopt the Zone Text Amendment proposed herein.

**SECTION 3:** After holding a duly noticed public hearing on December 3, 2019, the City Council introduced Ordinance No. 1240.

**SECTION 4:** CEQA. The City, as the Lead Agency, determined that the proposed text amendment is exempt from further review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “CEQA Guidelines”), because it consists of only minor text revisions and clarifications to existing zoning regulations and procedures related thereto, and will not have the effect of substantially changing regulatory standards or findings required therefor in accordance with CEQA, the proposed text amendment

is exempt from CEQA pursuant to Section 15061(b)(3) because the activity is governed by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. In this case, the subject Code Amendment is intended to address development standards in the C-R zone, does not include any project, and therefor will have no significant effect on the environment.

**SECTION 5:** Based upon the foregoing, the City Council hereby amends SEMMC Section 17.15.030 (General Development Standards) to read in its entirety as follows:

**“Table 17.15-B  
Commercial-Residential District General  
Development Standards**

<b>Development Feature</b>	<b>C-R</b>
Minimum Lot Size	Minimum lot area and width required for new parcels
Area	15,000 square feet
Width	100 feet
Maximum Residential Density	35 dwelling units per acre when abutting a single-family zone; 87 dwelling units per acre when abutting a multifamily zone; 100 dwelling units per acre when not abutting any residential zone
Minimum Residential Density	For developments comprised solely as residential, 20 dwelling units per acre.
Front and Side Yard Setbacks	None  For residential development only, 10 feet shall be required.
Interior Setback Abutting a Residential Zone	5 feet for one story, 15 feet for two story and 25 feet for three to five stories. Setbacks are measured from the residential property line.
Exceptions to Setbacks Requirements	See Section 17.15.050 for setback exceptions

Distance Between Dwellings	N/A
Maximum Height Limits	Maximum building height is 5 stories or 65 feet for Commercial, Commercial/Residential and Residential developments.
Accessory Structures	N/A
Landscaping	Minimum 10% of lot area
Fences and Walls	See Section 17.14.190 for commercial uses and Section 17.12.220 for Residential uses only.
Rooftop Equipment	Must be screened from Public View
Lighting	Photometric Plan is Required
Trash Collection Areas	Min. dim. 8' × 10' interior must be enclosed and screened from public view with a decorative structure.
Parking and Loading	Parking Demand Study Required

1. Minimum Lot Size for Multi-Family Development. The minimum lot size in the C-R zoning district shall be fifteen thousand square feet for new multifamily housing development.
2. No Setback Requirements for the First Two Floors from the Garvey or Santa Anita Avenue Property Lines. Above the second story, the setback from the Garvey or Santa Anita Avenue property lines shall be a minimum of five feet. All residential units developed at ground level along Garvey or Santa Anita Avenue shall be required to maintain a ten-foot setback from the front street property line.
3. Minimum Setbacks. No setbacks required from the street property line, except as required for corner cutoffs at intersections and residential development. If setbacks are provided, these areas shall only be used for landscaping and active pedestrian areas (e.g., plazas, outdoor dining). All street adjacent parking shall be set back a minimum of five feet and the setback area shall be fully landscaped.
4. Corner Cutoff at Intersection. In order to maintain visibility at intersections and to provide architectural interest for buildings at corner locations, buildings shall provide a ten-foot minimum corner cutoff and shall have an entrance to the building from this area. The minimum cutoff area shall be a triangular area that is determined by measuring ten

feet back from the corner along both street property lines and drawing a line between the two points.

5. Landscaped Buffer Within Setback Area. Landscaped buffer required. A minimum five-foot wide landscaped buffer shall be provided on the subject property adjacent to any residentially zoned property or intervening alley regardless of the actual building setback that is provided. A landscaped buffer is not required adjacent to an alley at areas where direct vehicular access is provided to the subject property.

**SECTION 6:** The City Clerk shall attest and certify to the passage and adoption of this Ordinance.

PASSED, APPROVED, AND ADOPTED this 14<sup>th</sup> day of January, 2020.

---

Gloria Olmos, Mayor

ATTEST:

---

Rose Juarez, City Clerk

APPROVED AS TO FORM:

---

Anthony R. Taylor, City Attorney

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

I, Rose Juarez, City Clerk of the City of South El Monte, do hereby certify that the foregoing Ordinance, being Ordinance No. 1240, was duly passed and approved by the City Council of the City of South El Monte at a regular meeting of said Council held on the 14<sup>th</sup> day of January 2020, and that said Ordinance was adopted by the following vote:

AYES:           Acosta, Angel, Retamoza, (Mayor) Olmos  
NOES:           None  
ABSENT:        Delgado  
ABSTAIN:       None

---

Rose Juarez, City Clerk