



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Community Development

MEETING DATE: August 6, 2024

STAFF REFERENCE: Craig Jimenez, Director

AGENDA LOCATION: PH-1

GOVERNMENT CODE SECTION 84308 APPLIES: No

TITLE: Amendment to Title 17 (Zoning) of the Monrovia Municipal Code to Add Governmental Services to the Permitted Use Types for the Historic Commercial Downtown (HCD) Zone; Introduction and First Reading of Ordinance No. 2024-07; and Find that the Ordinance is Categorically Exempt from Review Under California Environmental Quality Act (CEQA) Guidelines Sections 15305 and 15061(b)(3)

OBJECTIVE: To allow Governmental Services as a permitted use in the Historic Commercial Downtown (HCD) Zone

BACKGROUND: Last year, the City purchased a 27,000 square foot building at 324-328 South Myrtle Avenue with the intent that it would be used as the temporary location for the Monrovia Community Center during the upcoming renovation of that building planned for next year. It is also anticipated that it will temporarily house the City's administrative activities during a future remodel of City Hall. It was noted at that time that prior to the City occupying the building, an amendment to the City's zoning regulations pertaining to the HCD Zone would need to be made to allow "governmental services" as a permitted use in the Historic Commercial Downtown (HCD) zone. This amendment is contained in the proposed Ordinance No. 2024-07.

ANALYSIS: The balance and coordination of uses in commercial areas is important for the vitality and continued economic prosperity of commercial areas. Zoning is one of the primary tools used by local jurisdictions to regulate and encourage desirable uses.

Specifically, the HCD and the PD-5 (Planned Development-Area 5) Zones were established to support Old Town Monrovia's pedestrian-oriented focus. The use regulations for these zones encourage businesses that will draw people to Myrtle Avenue and Old Town's side streets. The HCD zone in particular recognizes Old Town's significance with the purpose of preserving the historic role of the commercial downtown. Well-designed, pedestrian-oriented commercial uses, such as small shops, banks, and restaurants, are permitted by right on the ground floor. Office uses are allowed by right on the ground floor behind a retail storefront or in areas of a building that are not at ground level (e.g. basements, second floors).

The proposed Ordinance is limited in scope adding "Governmental Services" as a permitted use in the HCD Zone, both at street level and non-street level. *Governmental Services* are defined in the Zoning Ordinance (MMC § 17.08.030) as "administrative, clerical, public contact offices or other community facilities of a government agency including public safety facilities together with incidental storage."

The adoption of this Ordinance would allow the Community Center and eventually City Hall to temporarily operate close to their current locations during their respective renovations. Uses such as the Community Center or City Hall are of similar intensity to other uses currently permitted in Old Town, such as offices or entertainment venues.

This proposed change to the use regulations would only affect property within the HCD Zone, which extends throughout the City's downtown along Myrtle Avenue between Olive Avenue and Foothill Boulevard (excluding Foothill Park Plaza and Library Park). It is important to note that Governmental Services does not include other institutional uses such as *public maintenance facilities* (e.g. Monrovia Corporate Yard), *public transportation facilities*, *utility distribution facilities* or *utility operation facilities*. These uses are all defined separately in the Monrovia Municipal Code.

The proposed Ordinance does not modify any of the existing development standards for the HCD zone.

Planning Commission Review

At their meeting of July 10, 2024, the Planning Commission held a duly noticed public hearing to review the proposed change to the Monrovia Municipal Code. No public testimony was offered, either orally or in writing. The Planning Commission expressed no concerns with the proposed amendment and at the close of the public hearing, voted 5-0 (Rose and Vachani, absent) to adopt Planning Commission Resolution 2024-0005 recommending adoption of Ordinance No. 2024-07 to the City Council.

ENVIRONMENTAL IMPACT: Pursuant to the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, City staff has determined that this Ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. City staff has determined that the adoption of this Ordinance will not have a significant environmental effect and therefore, the Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)), and independently, the Ordinance is categorically exempt (Class 5) pursuant to Section 15305 of the State CEQA Guidelines (14 CCR § 15305). The Ordinance only expands the list of allowable uses to include “governmental services,” as defined in the Monrovia Municipal Code and currently permitted in the P/QP zone, as a permitted use within existing buildings in the HCD zone. This use is of similar intensity to other uses permitted within the HCD zone. The Ordinance does not change the density or development standards within the HCD zone, or change the existing definition of “governmental services.” New development within the HCD zone must be reviewed under existing processes and regulations prescribed by the Monrovia Municipal Code.

FISCAL IMPACT: There is no direct fiscal impact associated with the adoption of the ordinance. |

[BB1]

OPTIONS: The following options are presented for consideration of the City Council:

1. Introduce Ordinance No. 2024-07, as presented, amending the Monrovia Municipal Code to allow Governmental Services as a permitted use in the Historic Commercial Downtown (HCD) Zone.
2. Reject the amendments of the Monrovia Municipal Code contained in Ordinance No. 2024-07 and refer the proposed ordinance back to the Planning Commission to address any stated concerns of the City Council.

RECOMMENDATION: Staff recommends that the City Council introduce Ordinance No. 2024-07. The Planning Commission adopted Planning Commission Resolution 2024-0005 recommending that the City Council adopt Ordinance No. 2024-07.

COUNCIL ACTION REQUIRED: If the City Council concurs, then following the public hearing, the appropriate action would be a motion to introduce, waive further reading, and read by title only Ordinance No. 2024-07.

PLANNING COMMISSION RESOLUTION NO. 2024-0005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONROVIA, CALIFORNIA, RECOMMENDING ADOPTION TO THE CITY COUNCIL OF ORDINANCE NO. 2024-07, AMENDING SECTION 17.14.020 (USE RESTRICTIONS FOR THE HCD ZONE) OF THE MONROVIA MUNICIPAL CODE TO ADD GOVERNMENTAL SERVICES TO THE PERMITTED USE TYPES FOR THE HISTORIC COMMERCIAL DOWNTOWN (HCD) ZONE, AND RECOMMENDING THAT THE ORDINANCE BE FOUND TO BE CATEGORICALLY EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RECITALS

(i) City staff has initiated an amendment to the Zoning Ordinance of the Monrovia Municipal Code to amend the use regulations to include “governmental services” as a permitted use in the Historic Commercial Downtown (HCD) zone.

(ii) On July 10, 2024, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on Ordinance No. 2024-07. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with this Ordinance.

(iii) Environmental Review

Pursuant to the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, City staff has determined that Ordinance No. 2024-07 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. City staff has determined that the adoption of this Ordinance will not have a significant environmental effect and therefore, the Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)), and independently, the Ordinance is categorically exempt (Class 5) pursuant to Section 15305 of the State CEQA Guidelines (14 CCR § 15305). The Ordinance only expands the list of allowable uses to include “governmental services” as defined in the Monrovia Municipal Code and currently permitted in the P/QP zone, as a permitted use within existing buildings in the HCD zone. This use is of similar intensity to other uses permitted within the HCD zone. The Ordinance does not change the density or development standards within the HCD zone, or change the existing definition of “governmental services.” New development within the HCD zone must be reviewed under existing processes and regulations prescribed by the Monrovia Municipal Code. The Planning Commission has reviewed the Ordinance and based upon the whole record before it, in the exercise of its independent judgment and analysis, concurs that City staff correctly concluded that it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment, and independently, that the Ordinance meets the qualifications of a Class 5 Categorical Exemption.

(iv) The custodian of records for all materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those

documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California 91016.

- (v) All legal prerequisites to the adoption of this Resolution have occurred.

RESOLUTION

NOW, THEREFORE, the Planning Commission of the City of Monrovia hereby finds, determines and resolves as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct.
2. Adoption of Ordinance No. 2024-07 will not have a significant effect on the environment for the reasons stated in the Recitals above.
3. Ordinance No. 2024-07 is in conformance with the environmental goals and policies adopted by the City.
4. Ordinance No. 2024-07 is consistent with the objectives, policies, general land uses, and programs of the City of Monrovia General Plan, and adopted goals and policies of the City. The Ordinance only expands the list of allowable uses to include “governmental services” as defined in the Monrovia Municipal Code and currently permitted in the P/QP zone, as a permitted use within existing buildings in the HCD zone. This use is of similar intensity to other uses permitted within the HCD zone. The Ordinance does not change the density or development standards within the HCD zone, or change the exiting definition of “governmental services” in the Monrovia Municipal Code. New development within the HCD zone must be reviewed under existing processes and regulations prescribed by the Monrovia Municipal Code.
5. Ordinance No. 2024-07 will not adversely affect the public health, safety, or welfare in that it will provide for the orderly and consistent development in the City in accordance with the General Plan.
6. Based upon the findings and conclusions set forth above, the Planning Commission hereby recommends adoption of Ordinance No. 2024-07 to the City Council as set forth in “Exhibit A,” attached hereto and incorporated herein by this reference.
7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

SIGNATURES TO FOLLOW ON NEXT PAGE

Exhibit "A"

Ordinance No. 2024-07

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING SECTION 17.14.020 (USE RESTRICTIONS FOR THE HCD ZONE) OF THE MONROVIA MUNICIPAL CODE TO ADD GOVERNMENTAL SERVICES TO THE PERMITTED USE TYPES FOR THE HISTORIC COMMERCIAL DOWNTOWN (HCD) ZONE, AND FINDING ADOPTION OF THE ORDINANCE TO BE CATEGORICALLY EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA does ordain as follows:

SECTION 1. City staff has initiated an amendment to the Zoning Ordinance of the Monrovia Municipal Code to amend the use regulations to include “governmental services” as a permitted use in the Historic Commercial Downtown (HCD) zone.

SECTION 2. On July 10, 2024, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on Ordinance No. 2024-07. At the hearing, all interested persons were given the opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence and testimony presented in connection with this Ordinance. Following the close of the public hearing, the Planning Commission adopted Resolution No. 2024-0005 recommending approval of Ordinance No. 2024-07 to the City Council.

SECTION 3. On _____, 2024, the City Council of the City of Monrovia conducted a duly noticed public hearing on Ordinance No. 2024-07. At the hearing, all interested persons were given the opportunity to be heard. The City Council received and considered the staff report, the Planning Commission’s recommendation, and all the information, evidence, and testimony presented in connection with this Ordinance.

SECTION 4. Pursuant to the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, City staff has determined that Ordinance No. 2024-07 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. City staff has determined that the adoption of this Ordinance will not have a significant environmental effect and therefore, the Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)), and independently, the Ordinance is categorically exempt (Class 5) pursuant to Section 15305 of the State CEQA Guidelines (14 CCR § 15301). The Ordinance only expands the list of allowable uses to include “governmental services,” as defined in the Monrovia Municipal Code and currently permitted in the P/QP zone, as a permitted use within existing buildings in the HCD zone. This use is of similar intensity to other uses permitted within the HCD zone. The Ordinance does not change

the density or development standards within the HCD zone, or change the existing definition of “governmental services.” New development within the HCD zone must be reviewed under existing processes and regulations prescribed by the Monrovia Municipal Code. The City Council has reviewed the Ordinance and based upon the whole record before it, in the exercise of its independent judgement and analysis, concurs that City staff correctly concluded that it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment, and independently, that the Ordinance meets the qualifications of a Class 5 Categorical Exemption.

SECTION 5. The custodian of records for all materials that constitute the record of the proceedings upon which this decision is based is the City Clerk. Those documents are available for public review in the Office of the City Clerk located at 415 South Ivy Avenue, Monrovia, California 91016.

SECTION 6. The use table in Title 17 (Zoning), Chapter 17.14 (Historic Commercial Downtown (HCD) Zone), Section 17.14.020 (Use Restrictions for the HCD Zone) of the Monrovia Municipal Code is hereby amended by adding “Governmental Services” alphabetically to the use table under the “Institutional Uses” heading as a permitted use (“P”) at “Street Level” and “Non-Street Level,” to read as follows:

<i>Use</i>	<i>Street Level</i>	<i>Non-Street Level</i>
<i>Institutional Uses</i>		
Club and lodge facilities		C
Cultural exhibits		P
Governmental Services	P	P
Religious Assembly		C

SECTION 7. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 8. This Ordinance shall take effect thirty (30) days after its final passage and adoption. A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the City Council meeting at which this proposed Ordinance is to be adopted. Within fifteen (15) days after adoption of this Ordinance, the City Clerk is instructed to publish a summary of this Ordinance with the names of those City Council members voting for and against this Ordinance, and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance along with the names of those City Council members voting for and against this Ordinance or amendment at least until the day of such publication.

INTRODUCED this _____ day of _____, 2024

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2024.

Becky A. Shevlin, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, MMC, City
Clerk City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia

PASSED, APPROVED AND ADOPTED this 10th day of July, 2024.



Aaron Stehura, Chair
Monrovia Planning Commission

ATTEST:



Craig Jimenez, AICP, Secretary
Monrovia Planning Commission

APPROVED AS TO FORM:



Chelsea Straus, Assistant City Attorney
City of Monrovia

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONROVIA

I, Craig Jimenez, AICP, Secretary of the Monrovia Planning Commission, Monrovia, California, do hereby certify that the foregoing is a full, true and correct copy of Planning Commission Resolution 2024-0005. It was duly adopted and passed at a regular meeting of the Monrovia Planning Commission on the 10th day of July, 2024 by the following vote:

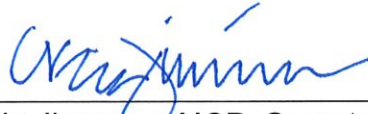
AYES: Austin, Brown, Schaeffler, Shieff, Stehura

NOES:

ABSTAIN:

EXCUSED: Rose, Vachani

ATTEST:



Craig Jimenez, AICP, Secretary
Planning Commission

ORDINANCE NO. 2024-07

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SECTION 3. On August 6, 2024, the City Council of the City of Monrovia conducted a duly noticed public hearing on Ordinance No. 2024-07. At the hearing, all interested persons were given the opportunity to be heard. The City Council received and considered the staff report, the Planning Commission’s recommendation, and all the information, evidence, and testimony presented in connection with this Ordinance.

SECTION 4. Pursuant to the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, City staff has determined that Ordinance No. 2024-07 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. City staff has determined that the adoption of this Ordinance will not have a significant environmental effect and therefore, the Ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)), and independently, the Ordinance is categorically exempt (Class 5) pursuant to Section 15305 of the State CEQA Guidelines (14 CCR § 15305). The Ordinance only expands the list of allowable uses to include “governmental services,” as defined in the Monrovia Municipal Code and currently permitted in the P/QP zone, as a permitted use within existing buildings in the HCD zone. This use is of similar intensity to other uses permitted within the HCD zone. The Ordinance does not change the density or development standards within the HCD zone, or change the existing definition of “governmental services.” New development within the HCD zone must be reviewed under existing processes and regulations prescribed by the Monrovia Municipal Code. The City Council has reviewed the Ordinance and based upon the whole record before it, in the exercise of its independent judgement and analysis, concurs that City staff correctly concluded that it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment, and independently, that the Ordinance meets the qualifications of a Class 5 Categorical Exemption.

SECTION 5. The custodian of records for all materials that constitute the record of the proceedings upon which this decision is based is the City Clerk. Those documents are available for public review in the Office of the City Clerk located at 415 South Ivy Avenue, Monrovia, California 91016.

SECTION 6. The use table in Title 17 (Zoning), Chapter 17.14 (Historic Commercial Downtown (HCD) Zone), Section 17.14.020 (Use Restrictions for the HCD Zone) of the Monrovia Municipal Code is hereby amended by adding “Governmental Services” alphabetically to the use table under the “Institutional Uses” heading as a permitted use (“P”) at “Street Level” and “Non-Street Level,” to read as follows:

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Cultural exhibits		P
Governmental Services	P	P
Religious Assembly		C

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SECTION 8. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage.

INTRODUCED this 6th day of August, 2024

PASSED, APPROVED, AND ADOPTED this 3rd day of September, 2024.

Becky A. Shevlin, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, MMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia