



MEMO

TO: Ian McAleese, City of South El Monte
FROM: Michael Austin, WSP
SUBJECT: South El Monte Comprehensive Municipal Code Update Existing Conditions Memo
DATE: March 26, 2022

INTRODUCTION

The South El Monte Comprehensive Zoning Code Update will advance the City's 6th Cycle Housing Element Goals, develop and adopt Objective Development Standards, implement pro-housing policies and programs, and revise and adopt housing supportive parking policies and programs. Specifically, this project is intended to accelerate housing production and reduce housing costs through faster permitting and introducing certainty in local design and development standards. The main objective of this project will be an updated zoning code of the City of South El Monte that is fully consistent with the latest General Plan, State and Federal law, streamlined to be more housing-friendly, and consistent with the California Department of Housing and Community Development's pro-housing goals.

This existing conditions memo serves as a baseline foundation for the project and presents themes of the current environment related to the zoning code. This memo summarizes findings from a review of all current plans, documents, and applicable zoning code sections. The findings from this memo will be used to inform subsequent phases of this project, beginning with the preliminary recommendations memo. A reference list of adopted pro-housing legislation is included as Attachment A.

AUDIT PROCESS

For this Existing Conditions Memo, State-adopted pro-housing legislation was reviewed for key requirements and strategies. Chapters 10, 12, 13, 15, 16, and 17 were then reviewed for high-level compliance with this legislation, as well as for zoning standards that encourage compact mixed-use districts. These chapters were reviewed in the context that they may include standards related to residential development; standards not related to residential development were not reviewed.



AUDIT FINDINGS

PROGRAM AND POLICY AUDIT

The Adopted 6th Cycle Housing Element sets a goal for the City to provide opportunities for housing development through a range of density and housing types to accommodate current and future needs, including the need for lower-income and special needs households. The Housing Element plans a transition from mixed-density neighborhoods to higher density development through strategies such as rezoning; transitioning Manufacturing zoned areas to Commercial-Residential zoning designations is identified as a primary rezone. Additionally, the Housing Element plans to review and remove local regulatory constraints on housing development; a zoning code update to accommodate higher density housing through streamlining, guiding, and incentivizing developers to apply for development permits; and a streamlined ADU permitting process. The Land Use Element identifies several themes that are reinforced in the Housing Element, including

- conflicting residential and industrial land uses,
- the limited amount of vacant land, and
- limitations that regulatory constraints pose to new multi-family housing development.

Policies that center on preserving existing single-family neighborhoods may be inconsistent with Housing Element guiding principles of encouraging multi-family developments. Policies related to the creation of commercial development are consistent with the Housing Element goals of rezoning Manufacturing zones to Commercial-Residential zones as a way of addressing housing needs.

To ensure public health, safety, and the general welfare, the Municipal Code designates certain districts and control the uses of the land, the use and design of structures, open spaces, parking, and population density. Regulations specific to residential uses intend to appropriately locate areas for a variety of housing types and dwelling unit densities consistent with the General Plan. The current regulations allow for low- and medium-low densities for residential zones, which may act as a barrier to medium-density residential development. Zoning regulations may not articulate support for missing middle housing.

The current structure of the Municipal Code includes a comprehensive index that makes it easily searchable. Definitions for relevant terms are provided at the beginning of each section, a few of which may require an update. While some chapters of the Municipal Code include tables that summarize the development standards for certain zones, this inclusion is not consistent. Chapters missing development standards summary tables, including those dedicated to single-family and multiple residential zones, may be more difficult to read and interpret.

The Municipal Code presents many references to standards set by the County of Los Angeles, such as the Los Angeles County Building Code, and the State of California, such as the Government Code, and in some instances reference years of most recent revisions that may be outdated. Throughout the Municipal Code, specific terms are not always used consistently which leads to discrepancies among some subsections. Some subsections establishing standards for



housing construction are focused and firm in their content such that portions are contrary to recent State housing legislation, such as Senate Bill (SB) 9 mandating ministerial approval of urban lot splits. Other subsections, such as the Accessory Dwelling Unit subsection, are largely in compliance with recent State law, such as Assembly Bill (AB) 68. Some subsections that center heavily on reference to State law, such as the Density Bonus subsection, are mostly compliant and require moderate-scale revisions. In general, standards related to State-mandated streamlined ministerial approval for certain housing development projects, such as SB 35 and AB 1174, are not present; neither are State-mandated standards relating to residentially-zoned parcels identified in the City's Housing Element. Some subsections related to higher-density housing, such as the Residential Condominiums subsection, use cautionary language that may discourage higher-density development and may contribute to negative community perception of such development. Chapters are varying lengths; the Zoning chapter in particular is organized in many subsections and includes separate subsections for many zoning designations as well as certain types of housing, which may contribute to standards affecting housing being located in multiple subsections.

STAFF INTERVIEW

An interview with City staff was conducted to determine themes of how the zoning code's structure and contents impacts its use and utility. Key themes centered on:

- inconsistencies related to language, standards, and procedures throughout different portions of the zoning code due to multiple previous rounds of spot-revisions without conformance amendments;
- inconsistencies in policy structure resulting from an organization structure that does not consistently gather all related policy information in dedicated sections;
- a general zoning code structure that is difficult for users to navigate when searching for specific information;
- word choice and syntax that may lead to multiple interpretations of policy language; and
- zoning standards that do not allow for adequate mixed-use zones with a strong sense of place.

NEXT STEPS

Recommendations for code revisions and updates will be summarized in the upcoming *Preliminary Recommendations Memo*.

ATTACHMENTS

- Attachment A: Reference list of adopted pro-housing legislation



ATTACHMENT A: REFERENCE LIST OF ADOPTED PRO-HOUSING LEGISLATION

Legislation Category	Legislation Bill
Accessory Dwelling Units	AB 670; AB 881; AB 68; SB 13; AB 587
Density Bonus	AB 2345; AB 1763; AB 571
Development Requirements	AB 2162; AB 139; SB 1226; SB 478
Project Approvals and Streamlining	SB 478; SB 9; AB 1397; AB 2162; AB 101; SB 330; SB 8; AB 1174; AB 168; SB 35
Sites inventory	AB 1397; AB 166
Tenant Protections	AB 1397
Zoning and Land Use	SB 10; SB 234; AB 101; AB 2162