

ORDINANCE NO. 891

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ROSEMEAD, COUNTY OF LOS ANGELES, STATE OF
CALIFORNIA APPROVING ZONE CHANGE 10-02, AMENDING A
PORTION OF THE CITY OF ROSEMEAD ZONING MAP TO
ACHIEVE CONSISTENCY WITH THE CITY GENERAL PLAN**

THE CITY COUNCIL OF THE CITY OF ROSEMEAD DOES
HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. The following findings are adopted in support of Zone Change 10-02 to bring all zoning designations on the City of Rosemead Zoning Map into consistency with the land use designations outlined in the General Plan.

- A. The City Council of the City of Rosemead recently adopted an amendment to the Land Use Element of the General Plan, which reallocated the amount of land designated for mixed-use development in the City and established three new land use designations (High Intensity Commercial, Mixed-Use Residential/Commercial, and Mixed-Use High Density Residential/Commercial).
- B. The majority of all existing portions of the City that were designated for mixed-use development in the 2008 General Plan changed to their prior General Plan designation as stated in the 1987 General Plan.
- C. The current Zoning Map is now inconsistent with the General Plan Land Use Map, and does contain zoning land use designations to implement the new High Intensity Commercial, Mixed-Use Residential, and Mixed-Use High Density land use designations.
- D. Section 65860 et seq of the California Government Code states that a zoning ordinance shall be consistent with the city general plan if the city has officially adopted such plan and the various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan.
- E. The City wishes to adopt a comprehensive zoning map update to bring the Zoning Map into consistency with the City's General Plan to ensure careful regulation and well-designed projects through effective land use planning. This zone change will establish two new zoning designations, "Regional Commercial C-4 zone" and

"Residential/Commercial Mixed-Use Development Overlay zone", to implement the new land use designations in the General Plan.

- F. The proposed zone change ensures and maintains internal consistency with all of the objectives, policies, general land uses, programs, and actions of all elements of the General Plan. The update does not conflict with current General Plan policies, objectives or programs.
- G. The proposed zone change would not be detrimental to the public convenience, health, safety, or general welfare of the City.
- H. The proposed zone change will not have significant adverse effects on the environment.

Section 2. The Rosemead City Council adopted a General Plan update and certified an accompanying Program Environmental Impact Report (Program EIR) on October 14, 2008. The certified Program EIR provided a program-level assessment of the environmental impacts resulting from development pursuant to land use policy and implementation of the goals and policies set forth in all chapters of the updated General Plan, as well as long-term implementation of the General Plan through a revised Zoning Code. On April 13, 2010, the City Council adopted an addendum EIR, along with a new Statement of Overriding Considerations, for the 2010 General Plan update. The Addendum EIR is based on the 2008 Program EIR in accordance with CEQA Guidelines Section 15164. Zone Change 10-02 is consistent with the Program EIR and Addendum, and pursuant to Public Resources Code 21083.3 and CEQA Guidelines sections 15162, 15168, and 15183 is exempt from the requirement that additional environmental documentation be prepared.

The City Council, having final approval authority over this project, has reviewed and considered all comments received during the public review period prior to the approval of this project.

Section 3. The City Council HEREBY FINDS AND DETERMINES that Zone Change 10-02 is in the best interest of the public necessity and general welfare, and good city planning practice dictates and supports the proposed zone change, in that the change to the Rosemead Municipal Code will provide a superior level of planning and protection to the quality and character of the City.

Section 4. The City Council FURTHER FINDS AND DETERMINES that Zone Change 10-02 is consistent with the Rosemead General Plan as follows:

- A. Land Use: California State law requires zoning to be compliant with the goals, objectives and policies of the General Plan. Zone Change 10-02 will

satisfy this requirement. The zoning map revision will specifically bring all zoning designations into compliance with the goals and policies of the 2010 General Plan land use designations.

B. Circulation: The zoning map update will bring City zoning designations into compliance with the goals, objectives, and policies of the General Plan. Potential impacts to traffic and transportation depend on the extent of a proposed project and local conditions. Each new proposed project will be required to provide efficient vehicular access to the site. Furthermore, all developments will be required to satisfy the parking requirements outlined in the municipal code.

C. Housing: The proposed zone change will not induce substantial new population growth nor displace existing housing units or people. The zoning map update will bring City zoning designations into compliance with the goals, objectives, and policies of the General Plan. The new Regional Commercial C-4 and Residential/Commercial Mixed-Use Development Overlay zones are proposing maximum Floor Area Ratios (FAR) and densities consistent with what is already established in the City's General Plan.

D. Resource Management: The zoning map update will bring City zoning designations into compliance with the goals, objectives, and policies of the General Plan. No land is being re-designated to allow development which was formally targeted for some conservation or resource management or extraction purpose.

E. Noise: Zone Change 10-02 would implement the goals and policies established in the 2010 General Plan Update. The associated development standards to the zones identified and established in this update will require new developments to comply with the City's Noise Ordinance. Noise impacts would be similar to and possibly less than, the level of impacts identified in the 2008 General Plan EIR.

F. Public Safety: Impacts to law or fire enforcement, parks, and public facilities are area or community specific. The proposed zone change would not impact police, fire, or school services, and there would be no change in demand for or use of public parks. The entire City of Rosemead is located in Flood Zone C (flood insurance is not mandatory) and is free from any flood hazard designations

Section 5. The City Council hereby adopts the Zone Change 10-02, amending the City of Rosemead Zoning Map to bring all zoning designations into consistency with the land use designations outlined in the General Plan. The zoning map has been attached hereto as Exhibit "A".

Section 6. If any section, subsection, sentence, clause or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Rosemead HEREBY DECLARES that it would have passed and adopted Ordinance No. 890 and each and all provisions thereof, irrespective of the fact that any one or more of said provisions may be declared to be invalid.

Section 7. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

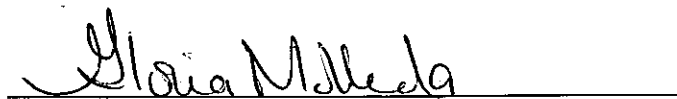
Section 8. ADOPTION. The City Clerk shall certify to the adoption of this ordinance and shall publish a summary of this ordinance and post a certified copy of the full ordinance in the office of the City Clerk at least five days prior to the adoption and within 15 days after adoption of the ordinance, the City Clerk shall publish a summary of the ordinance with the names of the council members voting for and against the ordinance. This ordinance shall take effect thirty days after the date of its adoption.

Section 9. The City Clerk shall certify to the adoption of this Ordinance.

PASSED AND APPROVED, this 11 day of Mar, 2010.


GARY TAYLOR, Mayor

ATTEST:


GLORIA MOLLEDA, City Clerk


Joseph M. Montes, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF ROSEMEAD)

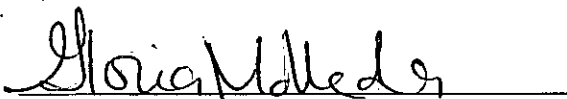
I, Gloria Molleda, City Clerk of the City of Rosemead, California, do hereby certify that the foregoing **Ordinance No. 891** was regularly introduced and placed upon its first reading at a regularly meeting of the City Council on 27th of April, 2010. That after said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 11th of May, 2010 by the following vote to wit:

Yes: Armenta, Clark, Low, Ly

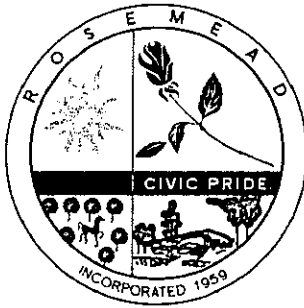
No: Taylor

Absent: None

Abstain: None

A handwritten signature in cursive script, reading "Gloria Molleda", is written over a horizontal line.

Gloria Molleda
City Clerk



ROSEMEAD CITY COUNCIL STAFF REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: JEFF ALLRED, CITY MANAGER 

DATE: MAY 11, 2010

SUBJECT: ORDINANCE 891 – SECOND READING: APPROVING ZONE CHANGE 10-02, AMENDING A PORTION OF THE CITY OF ROSEMEAD ZONING MAP TO ACHIEVE CONSISTENCY WITH THE CITY GENERAL PLAN

SUMMARY

On April 27, 2010, the City Council introduced Ordinance No. 891, which approved Zone Change 10-02, amending a portion of the City of Rosemead Zoning Map to achieve consistency with the City General Plan. Ordinance No. 891 is now before Council at the required second reading for adoption.

Staff Recommendation

Staff requests that City Council ADOPT Ordinance No. 891 at its second reading.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process.

Prepared by:


GLORIA MOLLEDA
CITY CLERK

Attachment A – Ordinance No. 891