

CITY OF

MONTEREY PARK



SAMPLE BALLOT

and Voter Information Pamphlet

SPECIAL MUNICIPAL ELECTION
TUESDAY, APRIL 14, 1998

POLLS OPEN AT 7 A.M. AND CLOSE AT 7 P.M.

**THE LOCATION OF YOUR
POLLING PLACE
IS SHOWN AT BOTTOM OF BACK COVER**

WARNING: Your polling place may have been changed from a previous election.

NOTICE: APPLICATION TO "VOTE BY MAIL" ON BACK COVER

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INSTRUCTIONS TO VOTERS:

To vote on any measure, punch out the circled cross ⊕ in the voting square after the word "YES" or after the word "NO".

All marks except the punch holes are forbidden. All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly punch, tear or deface the ballot card, return it to the precinct board member and obtain another.

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**OFFICIAL BALLOT
CITY OF MONTEREY PARK
SPECIAL MUNICIPAL ELECTION
TUESDAY, APRIL 14, 1998**

THIS BALLOT STUB SHALL BE REMOVED
AND RETAINED BY THE VOTER

Remove circled cross ⊕ completely

No. 1234

I HAVE VOTED - HAVE YOU?

MEASURE SUBMITTED TO THE VOTERS

C SHALL AN ORDINANCE BE ADOPTED WHICH ESTABLISHES A LIMITED ANNUAL PARCEL TAX FOR THE CITY LIBRARY? THE PROCEEDS OF THE TAX ARE FOR THE LIBRARY ONLY, TO PAY FOR PHYSICAL EXPANSION OF THE FACILITY, MAINTAINING OPEN HOURS SEVEN DAYS A WEEK, AND ADDITIONAL BOOKS AND SUPPLIES. THIS SPECIAL LIBRARY TAX SPECIFICALLY SUPPLEMENTS AND DOES NOT REPLACE THE CITY LIBRARY GENERAL FUND BUDGET. THE TAX HAS A TWENTY YEAR TERM AND PROVIDES FOR CERTAIN EXEMPTIONS.	YES →	⊕
	NO →	⊕

D SHALL AN ORDINANCE OF THE CITY OF MONTEREY PARK APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN, ZONING MAP AND ZONING CODE WHICH CHANGE THE LAND USE CLASSIFICATION FROM INDUSTRIAL TO OFFICE PROFESSIONAL FOR THE PROPERTY IN THE SOUTHEASTERN PORTION OF THE CITY COMMONLY KNOWN AS MCCASLIN BUSINESS PARK BE ADOPTED?	YES →	⊕
	NO →	⊕

E SHALL AN ORDINANCE OF THE CITY OF MONTEREY PARK APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN ZONING MAP AND ZONING CODE TO CONSISTENTLY CLASSIFY THE LAND USE DESIGNATIONS TO OPEN SPACE FOR PROPERTIES CURRENTLY BEING USED FOR PUBLIC OR SEMI-PUBLIC PURPOSES BE ADOPTED?	YES →	⊕
	NO →	⊕

**TURN CARD OVER TO
CONTINUE VOTING**

(CALO53)

VOTE FRONT & BACK OF CARD

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Remove circled cross ⊕ completely

I HAVE VOTED - HAVE YOU?

MEASURE SUBMITTED TO THE VOTERS

F SHALL AN ORDINANCE OF THE CITY OF MONTEREY PARK APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN, ZONING MAP, ZONING CODE AND SPECIFIC PLANS BE ADOPTED? THE ORDINANCE (i) EXPANDS THE COMMERCIAL ZONE IN THE VISION TWENTY-ONE PLAN AREA, (ii) PROVIDES FOR GREATER HEIGHT AND FLOOR AREA RATIOS WITH GREATER PEDESTRIAN AMENITIES FOR THE VISION TWENTY-ONE PLAN AREA, AND (iii) ALLOWS FOR COMMERCIAL/RESIDENTIAL USE DEVELOPMENTS ALONG NORTH GARFIELD AVENUE AND GARVEY AVENUE BETWEEN ATLANTIC BOULEVARD AND NEW AVENUE.	YES →	⊕
	NO →	⊕

G SHALL AN ORDINANCE OF THE CITY OF MONTEREY PARK APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN AND ZONING MAP WHICH CHANGE THE LAND USE CLASSIFICATION FROM INDUSTRIAL TO COMMERCIAL FOR THE PROPERTY IN THE SOUTHEASTERN PORTION OF THE CITY COMMONLY KNOWN AS THE NORTHEAST PARCEL OF THE OPERATING INDUSTRIES, INC., SITE BE ADOPTED?	YES →	⊕
	NO →	⊕

**TURN CARD OVER TO
CONTINUE VOTING**

VOTE FRONT & BACK OF CARD

FOREIGN LANGUAGE TRANSLATIONS AVAILABLE

Pursuant to federal law, voter information and sample ballots have been translated and are available in the following language(s):

If you would like a copy of the translated ballot and sample ballot, at no cost to you, please telephone:
The Office of the City Clerk or call 1-800-481-8683.

SPANISH: Si usted quiere recibir una copia de la boleta y una boleta de muestra en español sin ningún costo para usted, sírvase telefonar:
A la Oficina del Secretario Municipal o
llame al 1-800-481-8683

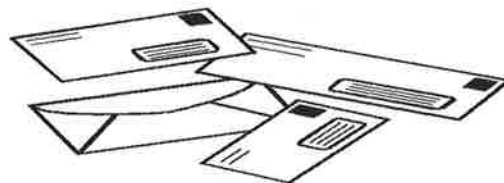
CHINESE: 如欲免費索取選票及選票樣本的中文本，請撥電話
與市書記員洽，或撥 1-800-481-8683

JAPANESE: もしも、日本語の投票用紙見本と、投票用紙が欲しい場合は、電話をかけてください。無料で調
達します。市の事務官か、 1-800-481-8683 に電話してください。

VIETNAMESE: Nếu quý vị muốn có một bản sao của lá phiếu và lá phiếu mẫu
bằng tiếng (diễn tên ngoại ngữ) hoàn toàn miễn phí, xin vui
lòng điện thoại: VĂN PHÒNG THỦ KÝ THÀNH PHỐ tại hoặc
gọi 1-800-481-8683

VOTING BY MAIL- AVAILABLE TO ALL VOTERS

To apply for a **MAIL BALLOT**, fill in the Application Form on the back page of this Voter Information Pamphlet and mail it to the City Clerk by the deadline stated on the form itself.



VOTER INFORMATION PAMPHLET

The following pages contain:

BALLOT MEASURES, ANALYSES, ARGUMENTS AND REBUTTALS

MEASURES: Some of the following pages may contain proposed measures, propositions or charter amendments. The portions to be deleted are printed in ~~strikeout type~~, and the portions to be added are underlined.

ANALYSIS: The Impartial Analysis is an impartial summary of the results of the proposed measure or proposition.

ARGUMENTS: Arguments and/or rebuttal arguments in support of or in opposition to the proposed laws are the opinions of the authors and have not been checked for accuracy by any official agency.

VOTING BY MAIL (ABSENTEE VOTING)

Voting by mail is available to **ALL REGISTERED VOTERS**. To apply for a **MAIL BALLOT**, fill in the Application Form on the back page of this Voter Information Pamphlet and mail it to the City Clerk by the deadline stated on the form itself.

YOUR HELP IS REQUESTED

We are looking for volunteers to work as Precinct Board Officers and we are looking for places to use as Polling Places for this and upcoming elections. If you are interested in serving as a Precinct Officer or letting us use your residence for a polling place, please call the Office of the City Clerk.

INTERNET WEB SITE(S) FOR POLLING PLACE INQUIRY

City of Monterey Park <http://ci.monterey-park.ca.us>
Los Angeles County Registrars Office <http://rcc.co.la.ca.us>

MEASURE C
ORDINANCE NO. _____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, ADDING CHAPTER 3.42, ENTITLED LIBRARY SPECIAL TAX TO THE MONTEREY PARK MUNICIPAL CODE

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA ORDAIN AS FOLLOWS:

SECTION 1. The People hereby amend the Monterey Park Municipal Code (MPMC) to establish a Library Special Tax, by adding Chapter 3.42 thereto, to read as follows:

Chapter 3.42
Library Special Tax

Sections:

- 3.42.010 Short title.
- 3.42.020 Definitions.
- 3.42.030 Exemptions.
- 3.42.040 Special Tax.
- 3.42.050 Purpose.
- 3.42.060 Special Fund.
- 3.42.070 Tax rate; contingency.
- 3.42.080 Term.
- 3.42.090 Adjustments and refunds.
- 3.42.100 Amendments.
- 3.42.110 Severability.
- 3.42.120 Effective date.

3.42.010 Short title.

This chapter shall be known and may be cited as the "Bruggemeyer Memorial Library Special Tax Ordinance."

3.42.020 Definitions.

The following words and phrases whenever used in this chapter shall be construed as defined in this section:

- (a) "Apartment" shall have the same meaning as Section 21.04.050 Apartment House.
- (b) "Building" shall have the same meaning as Section 21.04.080.
- (c) "Condominium project" means a condominium, a community apartment project, or a stock cooperative, all as defined in Section 1351 of the Civil Code.
- (d) "Dwelling unit" shall have the same meaning as Section 21.04.245.
- (e) "Library" means the Bruggemeyer Memorial Library system as the same may exist from time to time, together with any additions or betterments thereto, or improvements, extensions or expansions thereof.
- (f) "Maintenance and operating costs" of the library means all reasonable and necessary costs expended or incurred by the city for maintaining and operating the library, calculated in accordance with generally accepted accounting principles including, but not limited to:
 - (1) Those amounts necessary to maintain a "foundation program" which means those elements of library service which are basic to its function as a provider of information, education and cultural enrichment to all segments of the community, including, but not limited to, collection development and maintenance, lending services, information services, facility maintenance and administration and may include, but is not limited to, amounts paid or payable from time to time for books, periodicals, reference materials, research materials, subscription services or other information sources; the reasonable expenses of management and repair and other expenses necessary to maintain and preserve the library in good repair and working order, compensation of employees including, but not limited to salaries, wages and benefits; fees of auditors, accountants, attorneys or engineers; and insurance premiums.
 - (2) Depreciation, replacement and obsolescence charges or reserve therefor.
 - (3) But shall not be construed to mean costs to provide support services to the library by any other department of the City or for costs of major capital improvements.
- (g) "Single-family residential" shall have the same meaning as Section 21.04.235 Dwelling, Single Family.

Section. 3.42.030 Exemptions.

- (a) Nothing in this chapter shall be construed as imposing a tax upon any person when imposition of such tax upon that person would be in violation of either the Constitution of the United States or the Constitution of the State of California.
- (b) The tax imposed by this chapter shall not be levied upon the federal government, the state government, any state agency or any local governmental agency.
- (c) The tax imposed by this chapter shall not be levied upon a parcel of property which is owned by a house of worship or charitable or community service organization which qualifies for an exemption from ad valorem taxation under California law.
- (d) The tax imposed by this chapter shall not be levied upon any owner if such owner receives a low income/life line exemption pursuant to Resolution No.9663 from the utility user's tax imposed by Chapter 3.38 of this Municipal Code.
- (e) The tax imposed by this chapter shall not be levied upon any owner who has income, adjusted for family size, at or below eighty percent of the area median income as determined under the Section 8 Income Limits for Los Angeles County as published by the U.S. Department of Housing and Urban Development and applicable to the Community Development Block Grant Programs.
- (f) The tax imposed by this chapter shall not be levied upon a parcel of property which is not improved.
- (g) Property owners who own a single family dwelling unit or a dwelling unit in a residential condominium project and own a non-residential parcel both subject to the tax imposed by this chapter may exempt one non-residential parcel from this special tax.

Section. 3.42.040 Special Tax.

- (a) There is imposed a special tax on each residential dwelling unit and non-residential parcel within the City of Monterey Park for the purposes set forth in this chapter at the rate specified herein.
- (b) This tax is enacted under the authority of Sections 50075-50077.5 and 53717 of the California Government Code.

Section 3.42.050 Purpose

- (a) The purpose of this special tax is to provide funds to the City to pay for:
 - (1) Capital improvements, primarily consisting of physical expansion of the Library, and the associated bonded indebtedness including interest on such indebtedness for the improvements.
 - (2) Expand Library services to seven days a week.
 - (3) Increased Library budget for materials, and in particular for the Childrens' Reading Program, as a step toward meeting the minimum standards of the American Library Association.
 - (4) Additional maintenance and operation cost of the Library expansion.
- (b) The intent and purpose of this special tax is to supplement, not to replace the City's general fund budget appropriation for the library. The special tax funds are to be used for the above purposes and the City should not reduce its current level of funding to the library as a consequence of the additional funding provided by this initiative, except in emergencies recognized by both the City Council and the Library Board.
- (c) The City Council may provide for the collection of the special tax in the same manner and subject to the same penalties as, or with, other charges and taxes fixed and collected by the City, or by the County of Los Angeles on behalf of the City. If the special tax is collected by the County on behalf of the City, the County may deduct its reasonable costs incurred in such service.
- (d) City costs of enforcement and administration of tax, including refunds, shall be paid from the special tax revenue.
- (e) Priority of expenditures shall be as follows: (1) for the indebtedness for the capital improvements and interest thereon, (2) expanding library hours, (3) acquiring books and materials and promoting children reading programs.

3.42.060 Special Fund.

- (a) There is hereby established a special fund entitled "Library Special Tax Fund" (hereafter the "special fund"). Revenue collected pursuant to this chapter shall be deposited into said special fund and shall be used exclusively as provided in this chapter for the purposes for which the tax is imposed, and for no other purposes. Nothing in this section shall prevent disbursements from this special fund to reimburse the general fund if, and only if, money has been advanced from the general fund to pay for the uses provided for in this chapter. Advancement as used in this section shall mean only those general funds necessary to pay for services or goods authorized by this chapter but for which insufficient funds have yet to be collected in the special fund due to cycle of collection.
- (b) Any money raised by the special tax, including any interest accrued thereon, that remains unencumbered at the end of any fiscal year may be used in succeeding fiscal years for only the purposes stated in this chapter.

Section. 3.42.070 Tax rate; contingency.

- (a) An annual special tax is hereby levied on the following classification of property in the City:
- (1) \$25.00 on each single family residential dwelling unit or each dwelling unit in a residential condominium project.
 - (2) \$50.00 on each parcel improved with two residential units, which is not a condominium project.
 - (3) \$75.00 on each parcel improved with three or more residential units, which is not a condominium project.
 - (4) \$75.00 on each parcel improved with a non-residential building.
- (b) Notwithstanding any other provisions herein except Section 3.42.080, if in any fiscal year there is outstanding any bonded indebtedness issued on reliance on the revenue of this special tax, the annual special tax levy shall not decrease below the amount necessary for payment of that outstanding indebtedness and interest thereon.
- (c) Except as set forth in Subsection 3.42.070(b) above and herein, the annual special tax shall not be levied in any fiscal year in which the City Council's general fund budget and appropriations for the library is less than 5.3 % of the City's total general fund budget. Upon a four-fifths vote of the City Council and the Library Board of Trustees, the threshold percentage to levy the special tax in any fiscal year may be reduced to 5.0%. In determining the total general fund budget amount, the amount of any new or increased fees and charges approved after the calendar year 1997 shall be deducted from such calculation and determination.

Section 3.42.080 Term

The annual special tax provided for herein shall be levied in each of twenty consecutive fiscal years, commencing with the first fiscal year in which there is a levy pursuant to this chapter.

Section 3.42.090 Adjustments and refunds.

- (a) Requests for adjustments involving imposition of this special tax shall be filed with the Director of Management Services. Upon applicant's production of reasonably sufficient evidence of error in the computation of the tax or exemption therefrom, the Director of Management Services or his/her designee shall cause the tax to be recalculated, and shall so advise the Los Angeles County tax collector or other appropriate official.
- (b) Whenever it is alleged that the amount of any tax has been overpaid or paid more than once or has been erroneously or illegally collected or received by the City under this chapter, the refund procedure shall be as follows:
- (1) No claim for refund of tax payment shall be allowed in whole or in part unless filed with the City Clerk within a period of three years from the date of the claimed overpayment. All such claims for refund of the amount of the overpayment must be filed on forms furnished, and in the manner prescribed by the finance department of the City. Refunds may be made solely from the special tax revenues collected under this chapter.
 - (2) In the event the Director of Management Services denies the claim, he/she shall notify the claimant pursuant to California Government Code Section 913.
- (c) The Director of Management Services shall have the power to settle claims involving the special tax, and the power to accept and record underpayments or overpayments of such tax. The Director of Management Services shall have the authority to make refunds of this tax.
- (d) If the County of Los Angeles does not collect any tax due under this chapter, then the Director of Management Services shall have the power and duty to enforce all of the provisions of this chapter. In such cases, an assessment may be made against the owner of a parcel in the manner provided by law. Any unpaid tax due under this chapter shall be subject to all remedies provided under the Municipal Code and as provided by law.
- (e) The special tax shall be due in two equal installments in accordance with the collection procedures of the Los Angeles County tax collector, with the first installment due November 1st and the second installment due in the next succeeding February 1st, in each fiscal year. The owner of land, at the time set forth in California Revenue and Taxation Code Section 405 and 2192 for each fiscal year, shall have a personal obligation to the City until the tax is paid for such fiscal year.
- (f) The Director of Management Services may prepare a questionnaire to be served on the owner of a parcel subject to this special tax. The questionnaire may request information which would be useful to the Director of Management Services in the enforcement or administration of this chapter. The failure by an owner to provide the information requested within thirty days of receipt of the request, or the act of an owner in knowingly providing false information, shall be a misdemeanor.

Section 3.42.100 Amendments.

Procedural provisions of this chapter may be amended by ordinance duly enacted by the City Council.

Section 3.42.110 Severability.

If any section, subsection, part, clause, sentence or phrase of this chapter or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this chapter, the application thereof, and the tax imposed shall not be affected thereby but shall remain in full force and effect, it being the intention of the City Council and the voters to adopt each and every section, subsection, part, clause, sentence or phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

Section 3.42.120 Effective date.

The ordinance enacting this chapter as a part of the Monterey Park Municipal Code and levying the special tax described herein shall be effective ten days after the date on which the city council has declared the voters of the City of Monterey Park have approved said ordinance by a vote of not less than two-thirds of the votes by the electors voting on the special tax proposal set forth in said ordinance.

**IMPARTIAL ANALYSIS
Measure C -- Library Tax**

In November 1997, the City of Monterey Park Library Board of Trustees requested that the City Council place on the ballot of an upcoming election a special library tax measure to pay for (i) physical expansion of the City Library, (ii) expanding library services to seven days a week and (iii) additional books and supplies. At its January 7, 1998 meeting, the City Council unanimously decided to submit to the voters Measure C which would impose a special parcel tax on properties in the City in the amounts set forth in the table below.

If two-thirds (2/3) of the voters approve Measure C, a special annual parcel tax will be established and the monies collected shall be used by the City only as provided above. Property owners will pay the amounts shown below beginning with the 1998/99 property tax year, and for the next twenty years. The specific purpose of the tax is to supplement, not replace, the City's general fund budget for the library.

If in any year the City's general fund appropriation for the library is less than 5.3%* of the City's total general fund budget, the special tax will not be levied for that fiscal year. Measure C exempts property owners from the library tax who (i) are religious, charitable or community service organizations which qualify for other tax exemptions, (ii) are low-income, (iii) qualify for the City's utility user's life line program, or (iv) own unimproved property. Further, any property owner who owns both a residential dwelling unit and a non-residential parcel may exempt one non-residential parcel from this special tax.

Property Classification	Annual Amount to be Paid
Parcel Improved with a Single Family Residential Dwelling Unit or Each Dwelling Unit in a Residential Condominium Project	\$25.00
Parcel Improved with Two Residential Units, Not a Condominium Project	\$50.00
Parcel Improved with Three or More Residential Units, Not a Condominium Project	\$75.00
Parcel Improved with a Non-Residential Building	\$75.00

* This may be lowered to 5.0% upon a four-fifths (4/5) vote of the City Council and the Library Board of Trustees.

Anthony Canzoneri
City Attorney

ARGUMENT IN FAVOR OF MEASURE C

The people of Monterey Park need and deserve a really GOOD Library.

Since 1996, the number of people entering the library has increased 32%, to an average 200 people per hour (there are chairs for only 235).

Circulation has increased over 20%. But, with a decreased book budget, there are fewer books--and few funds to replace worn-out books.

Successful children's programs have resulted in overcrowded conditions--space and funding for the children is needed.

The LAMP Literacy Program--for those who need to learn or improve English language skills--has run out of space.

An absence of Sunday hours, makes it difficult for working adults to use the Library.

The Library roof is 38 years old. It is leaking. It is a threat to the materials in the Library.

THIS MODEST INITIATIVE WOULD MEET THESE NEEDS. IT WOULD...

- Expand the size of the Library by 40%, adding a second floor.
- Provide Sunday Library hours.
- Increase the yearly amount for Children's reading by \$60,000.
- Replace the roof.
- Increase the book budget by 40%--still below the American Library Assn. standards, but a significant step forward.
- Assure that the new funds will be for the Library only, and that the City will maintain its current budgetary level for the Library except in an emergency recognized by the City and the Library Board.

The cost is \$25 per year for an individual home owning family--the price of a modest dinner out. For a business it is \$75 per year.

THE LIBRARY IS THE FOCUS OF MONTEREY PARK'S CULTURAL AND EDUCATIONAL LIFE--AN EXCITING LIBRARY PROGRAM WILL ENHANCE PROPERTY VALUES MUCH MORE THAN THE MODEST COST.

Proposition C is for the Children and everyone else in Monterey Park. VOTE YES ON PROPOSITION C.

Manuel de la Puente, Member of Board, Bruggemeyer Library

Marina Tse, Member of Board, Bruggemeyer Library

Caroline Zook, President of Bruggemeyer Library Foundation

ARGUMENT AGAINST MEASURE C (None Filed)

MEASURE D
ORDINANCE NO. _____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, ADDING CHAPTER 21.14, ENTITLED OFFICE PROFESSIONAL, TO THE MONTEREY PARK MUNICIPAL CODE, MODIFYING SECTION 21.70.030 OF THE MONTEREY PARK MUNICIPAL CODE BY ADDING CERTAIN CONDITIONALLY PERMITTED USES IN THE OFFICE PROFESSIONAL ZONE, APPROVING A GENERAL PLAN AMENDMENT AND APPROVING A ZONE CHANGE FOR THE AREA COMMONLY KNOWN AS MCCASLIN BUSINESS PARK FROM MANUFACTURING (M) TO OFFICE PROFESSIONAL (O-P)

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The People find and determine that a Zone Change pursuant to Title 21 of the Monterey Park Municipal Code (MPMC), to change the zoning designation from M (Manufacturing) to O-P (Office Professional), and to establish appropriate development regulations for the O-P zone are in the public interest and consistent with the General Plan.

SECTION 2. The People hereby amend the Monterey Park Municipal Code (MPMC) to establish an O-P (Office Professional) Zone, by adding Chapter 21.14 thereto to read as follows:

Chapter 21.14

O-P --- Office Professional Zone

Sections:

- 21.14.010 Purpose
- 21.14.020 Permitted uses
- 21.14.030 Prohibited uses
- 21.14.040 Principal uses
- 21.14.050 Conditional uses
- 21.14.060 Standards of development generally
- 21.14.070 Lots
- 21.14.080 Yards
- 21.14.090 Building height
- 21.14.100 Floor area ratio (FAR)
- 21.14.110 Off-street Parking
- 21.14.120 Required walls
- 21.14.130 Trash facilities
- 21.14.140 Buffering and maintenance of landscaping and easements
- 21.14.150 Compressors, air-conditioning units or similar mechanical equipment
- 21.14.160 Lighting
- 21.14.170 Exceptions
- 21.14.180 Site development plan approval
- 21.14.190 Limitations on permitted uses

21.14.010 Purpose. In order to provide for the development of integrated professional, office and limited retail areas that exhibit a diversity of business activity from both revenue and service quality standpoints, and which are compatible and responsive to abutting land uses, including residential developments, the following regulations shall be applicable to all properties classified in the O-P zone.

21.14.020 Permitted uses. No person shall use, nor shall any property owner permit the use of any lot classified in any O-P zone for any use, other than the following as set out in Section 21.14.040 and 21.14.050.

21.14.030 Prohibited uses. All uses not permitted in this chapter shall be prohibited.

21.14.040 Principal uses. The principal uses shall be permitted as follows:

- Administrative and professional offices;
- Beauty salon or barber shop;
- Bookstore;
- Cellular phone, telephone and pager store;
- Coffee shop;
- Computer store, sales and service;
- Confectionary shop;
- Data processing facility;
- Delicatessen;
- Employment agency;

Financial institutions' corporate offices, no retail banking;
General research facility, not involving testing, manufacturing, fabrication or processing or sale of products, nor the use of a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U.F.C. Standard 79-3 or succeeding standard;

Gift shop;
Ice cream parlor;
Import and export offices;
Investment service offices, stock brokers;
Jewelry store, sales and service;
Legal offices;
Mail box and service store;
Medical equipment and supplies, sales and service;
Notary public;
Photocopying and blueprinting;
Public utility customer service office;
Real estate offices and title companies;
Restaurant, tearoom and cafe;
Service businesses;
Stationery;
Studio, art, dance, martial arts, photography;
Tax consulting;
Tobacco store;
Travel agency;
Video sales and rentals;

21.14.050 Conditional uses. Conditional uses shall be uses specifically enumerated in Section 21.70.030.

21.14.060 Standards of development generally. All premises in the O-P zone shall comply with the following standards of development as set out in Sections 21.14.070 through 21.14.190.

21.14.070 Lots. (a) Lot area. The minimum lot area of each lot shall be five thousand square feet.

(b) Lot width. The minimum width of each lot shall be fifty feet.

(c) Lot depth. The minimum depth of each lot shall be one hundred feet.

21.14.080 Yards. The following minimum yards shall be required on all lots:

(a) Front yard. No minimum front yard is required.

(b) Side and rear yards. Every lot shall have and maintain minimum side and rear yards as follows:

(1) When the side yard is adjacent to a street, the yard shall be at least fifteen feet in depth.

(2) When adjacent to a R-zone, the yard shall be no less than fifty feet, plus five feet in depth for each story above one story of building or each ten-foot increment above fifteen feet in height of building on the O-P zoned lot. Where there is an opening, including but not limited to windows, pedestrian doors and roll-up doors, in any building on the O-P zone facing a yard adjacent to a R-zone, the yard shall be no less than one hundred feet from any opening to the R zoned lot. The yard may be used for parking, excepting a minimum fifteen foot wide area abutting the R-zone which shall be landscaped and maintained in such a condition so as not to violate Section 9.54.010. The required landscaping shall also conform to the standards set forth in Section 21.14.140. When the O-P zoned lot is separated from a R-zone by an alley, a rear yard setback of forty feet shall be provided, as measured from the centerline of the alley. A minimum three-foot wide landscaped planter shall be installed and maintained along the alley, excepting at any vehicular access driveway.

(3) When adjacent to a commercially-zoned or M zoned lot, no yard is required.

21.14.090 Building height. No building or structure in excess of forty feet or three stories shall be located on any lot. Buildings or structures exceeding the height limits may be permitted upon approval of a conditional use permit.

21.14.100 Floor area ratio (FAR). The floor area ratio shall not exceed 0.5 when the lot is less than ten thousand square feet in area. When the lot is between ten thousand and twenty thousand square feet in area, the floor area ratio shall not exceed 0.65. When the lot is more than twenty thousand square feet in area, the floor area ratio shall not exceed 0.8. The floor area ratio may be increased to a maximum of 1.0 for all lots, upon approval of a conditional use permit.

21.14.110 Off-street parking and loading. Each O-P zoned lot shall have and maintain off-street parking and loading facilities as required by Chapter 21.40.

21.14.120 Required walls. Except as otherwise provided in Chapter 21.48, the following standards shall apply: (a) Where any part of the front yard or street side yard of a O-P zoned lot is used for parking or loading, a masonry wall compatible in color with the commercial building and/or sight-obscuring hedge a minimum of three feet in height shall be erected and maintained within a landscaped area a minimum of three feet in width adjacent to the sidewalk at the front or side yard property line as required by Section 21.40.180.

(b) When any O-P zoned lot has a common side or rear lot line with any R-zoned property, a six-foot solid decorative masonry

or concrete block wall compatible in color with the commercial building shall be constructed and maintained along all such common side or rear lot lines. Where an easement exists, abutting the common property line, the said decorative wall may be constructed along the boundary of the easement on the commercial lot. A minimum three-foot wide landscaped planter with automatic irrigation system shall be placed adjacent to the wall, planted with trees, shrubs, ground cover and vines. Where a parking lot on the O-P zoned lot abuts a R-zoned lot, the additional parking lot landscaping requirements of Section 21.40.180 shall apply.

21.14.130 Trash facilities. Each O-P zoned lot shall be provided with facilities for the storage and collection of trash as follows:

- (a) Any outdoor trash facility shall be enclosed by a minimum five-foot high solid masonry, brick or concrete wall except for the access way which shall be enclosed with solid decorative gates of the same height.
- (b) Location and size shall be subject to approval by the planner. When any O-P zoned lot has a common property line with a R-zoned lot, no trash facility shall be located within the required building setback.
- (c) Open vehicular and pedestrian access to and from such trash facility shall be provided. No parking spaces shall block such access to the trash facility.
- (d) Trash facilities shall be maintained in a closed manner at all times to prohibit visibility from public rights-of-way or adjacent property.

Notwithstanding any other provision of this title, all existing uses, buildings and structures in the O-P zone which do not conform to this Section shall provide a fully enclosed trash facility within six months of the effective date of this ordinance unless providing such trash facility will eliminate any existing required off-street parking spaces.

21.14.140 Buffering and maintenance of landscaping and easements. For O-P zoned lots with side or rear yards that are adjacent to an R zoned lot, the following buffering provisions shall be provided and maintained:

(a) Landscaping, irrigation and maintenance plans shall be required and the plans shall be subject to approval of the design review board under the provisions of Chapter 21.72. The plans shall incorporate, but not be limited to, fifteen-gallon minimum trees at time of planting, interspersed shrubs, ground cover, raised earthen berms and automatic sprinkler systems. The City may require the maintenance plan to include a bonafide service agreement with a City licensed landscaping service business. Maintaining an active service agreement on file with the Community Development Department shall be the responsibility of the owner of the subject property or by his authorized agent.

(b) All landscaped areas and easements shall be maintained in good condition, weed and disease free, and in compliance with Chapter 9.54.

Notwithstanding any other provision of this title, all O-P zoned lots that abut a R zone and do not have landscaping, irrigation and maintenance plans that have been approved by the design review board pursuant to requirements of Chapter 21.72 shall submit a landscaping, irrigation and maintenance plan for design review board approval within six months of the effective date of this ordinance.

21.14.150 Compressors, air-conditioning units or similar mechanical equipment. Each O-P zoned lot which has compressors, air-conditioning units or similar mechanical equipment, located on the roof and outside of the exterior walls of any building or structure, shall comply with the following:

(a) All such equipment shall be installed with permanent sound proofing measures, including but not limited to, enclosures, parapet and sound attenuating walls and screens. All such equipment shall comply with noise standards set forth in Chapter 9.53. The location, type and scope of soundproofing measures for such equipment shall be subject to the approval of the Community Development Department.

(b) All such equipment shall be maintained in a clean and proper condition to prevent collection of litter and filth, emissions of dust or fumes, vibration or electrical disturbances.

21.14.160 Lighting. All outdoor lighting shall be located and shielded so as to prevent the direct spillage of light or glare onto adjacent lots and streets.

21.14.170 Exceptions. Except as otherwise provided in this section, any use, building or structure which is in existence or for which a permit has been issued, as of the effective date hereof, and which conformed to all zoning regulations of the city then in effect at such time, shall not be rendered nonconforming within the meaning of Chapter 21.68, solely by reason of the application of the development standards as set forth in this chapter; provided that any such existing use, building or structure shall comply with the provisions hereof upon a change in use, or upon use, building or structure expansion or reconstruction, in whole or in part.

21.14.180 Site development plan approval. Prior to the issuance of a building permit or business license for any use, building or structure to be located on any lot, as to which the provisions of this chapter apply, the provisions of Chapter 21.72, with regard to site development plans shall be complied with.

21.14.190 Limitations on permitted uses. Every use permitted in the O-P zone shall comply with the following:

(a) All uses shall be conducted totally within a completely enclosed building, except for those uses which are customarily conducted in the open, as determined pursuant to Section 21.06.060 or Section 21.74.030. Those uses conducted in the open shall be no closer than one hundred feet to any R zoned lot, except for parking.

(b) No outdoor storage shall be allowed unless the same is enclosed by a view-obscuring fence or wall, provided that no stored material is visible above the fence or wall, that the fence or wall is approved by the Department of Community Development, and that such storage shall be limited to the accessory storage of items sold or utilized in the conduct of a permitted use on the premises. Where the O-P zoned lot is adjacent to a R zoned lot, no outdoor storage shall be permitted within one hundred feet of a R zoned lot.

- (c) No loading and unloading shall be permitted in any required side or rear yard.
- (d) Where the O-P zoned lot is adjacent to a R zoned lot, no deliveries of goods and commodities nor loading or unloading shall be conducted during the hours from 10:00 p.m. to 7:00 a.m.
- (e) There shall be no overnight parking of vehicles, except those vehicles used in conjunction with a permitted use.
- (f) Driveways may not exceed thirty feet in width or sixty percent of the lot frontage.
- (g) No use shall be permitted which produces or causes or emits any dust, gas, smoke, glare, noise, fumes, odors, electromagnetic emanations or vibrations which are or may be detrimental to the health, safety, welfare and peace of the city and its residents and businesses.
- (h) No use shall be permitted which uses or stores a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U. F. C. Standard 79-3 or succeeding standard. A business materials usage and operations form shall be filed with the Community Development Department prior to the approval of a certificate of occupancy. Notwithstanding any other provision of this title, all O-P zoned businesses that do not have a business materials usage and operations form on file shall submit a form within six months of the effective date of this ordinance.
- (i) No person shall, at any location within the O-P zone, create nor allow the creation of noise which causes the noise level to exceed the applicable noise standards set forth in Chapter 9.53. Where the O-P zoned lot is adjacent to a R zoned lot, the noise level at the property line of the R zoned lot shall not exceed the allowable noise level for residential properties.

SECTION 3. The People hereby amend Section 21.70.030 of the Monterey Park Municipal Code (MPMC) by adding the following conditionally permitted uses:

Use	Zone in which allowed subject to Conditional Use Permit
Auditorium, not within 300 feet of a R-zone	O-P
Buildings exceeding height limit	O-P
Business college (office or medical, dental).	O-P
Child care center, not within 300 feet of a R-zone	O-P
Commercial office or service units which are shared by more than one independently owned business enterprise	O-P
Commercial developments of five or more units or with an area of more than one acre, and within 300 feet of a R-zone	O-P
Financial institution (retail banking)	O-P
Floor area ratio not to exceed 1.0	O-P
Government or public facility, except those owned or operated by the City of Monterey Park	O-P
Gymnasium, reducing salon and health center	O-P
Hotel	O-P
Lot size over an acre	O-P
Places of entertainment, except as otherwise provided in this title	O-P

SECTION 4. The People APPROVE General Plan Amendment to change the land use designation in the Land Use Element from Industrial to Commercial for the area set forth in the attached map incorporated herein by this reference, based on the following findings:

1. The proposed General Plan Amendment will protect the health, safety and general welfare of the community as the amendment provides for a land use more compatible with surrounding single family residential development.
2. The proposed General Plan Amendment reflects the conditions of the community and are in keeping with the character of the area. The proposed land use designation of commercial is more compatible than the existing manufacturing designation with the surrounding single family residential areas.

SECTION 5. The People APPROVE the Zone Change to change the land use classification from M to O-P for the area set forth in the attached map incorporated herein by this reference.

IMPARTIAL ANALYSIS OF MEASURE D

If Measure D is approved by a majority of the voters, a new zoning designation will be created, the Office Professional (OP) Zone, and the area known as McCaslin Business Park will be rezoned from Industrial to Office Professional. The new OP Zone will permit general office and professional uses along with certain retail uses generally found in support of office/professional uses. The OP Zone provides additional regulations to protect residential property when an OP zoned lot abuts any residentially zoned property. The additional regulations include wall and landscaping requirements, restrictions on the location of trash enclosures, restrictions on outdoor use and restrictions on deliveries. In addition, no use is permitted in the OP Zone which uses or stores a hazardous material with a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by the Uniform Fire Code.

This Measure also applies this new zoning designation, the OP Zone, to an area in the southeastern portion of the City commonly known as McCaslin Business Park (north side of Potrero Grande Drive, east of Markland Drive). Measure D changes the land use designation in the City's General Plan and Zoning Map from Industrial to Office Professional Zone for the area known as McCaslin Business Park.

Anthony Canzoneri
City Attorney

ARGUMENT IN FAVOR OF MEASURE D

PRESERVE OUR QUALITY OF LIFE !!!!

Measure D will rezone the McCaslin Business Park from a Manufacturing use designation to a Office-Professional use. Under current zoning law uses such as municipal dumps, battery manufacturing and businesses with highly toxic chemicals can locate themselves next to hundreds of single family residences. Fortunately, the Business Park area has been primarily developed into a professional office use that is compatible with our bedroom community.

In November, 1996, a business with highly toxic chemicals was permitted to locate in this area due to its manufacturing zoning designation.

Residents should not have to live in fear of uses that might be harmful or hazardous to their quality of life by having a municipal dump or business with toxic chemicals operating next to their home. Measure D will ensure that residents are protected and their property values are not lost.

Measure D will protect our bedroom community, enhance the quality of life of all residents and bring in clean business opportunities that benefit all.

PLEASE, VOTE YES ON MEASURE D

Marie Purvis, Mayor
Tony Miera, 43 year Resident
Eva Chavez, 32 year Resident
Alice Pena, 38 year Resident
Abner Giannino, 47 year Resident

ARGUMENT AGAINST MEASURE D
(None Filed)

IMPARTIAL ANALYSIS OF MEASURE D

If Measure D is approved by a majority of the voters, a new zoning designation will be created, the Office Professional (OP) Zone, and the area known as McCaslin Business Park will be rezoned from Industrial to Office Professional. The new OP Zone will permit general office and professional uses along with certain retail uses generally found in support of office/professional uses. The OP Zone provides additional regulations to protect residential property when an OP zoned lot abuts any residentially zoned property. The additional regulations include wall and landscaping requirements, restrictions on the location of trash enclosures, restrictions on outdoor use and restrictions on deliveries. In addition, no use is permitted in the OP Zone which uses or stores a hazardous material with a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by the Uniform Fire Code.

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Anthony Canzoneri
City Attorney

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PLEASE, VOTE YES ON MEASURE D

Marie Purvis, Mayor
Tony Miera, 43 year Resident
Eva Chavez, 32 year Resident
Alice Pena, 38 year Resident
Abner Giannino, 47 year Resident

ARGUMENT AGAINST MEASURE D
(None Filed)

MEASURE E
ORDINANCE NO. _____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, ADDING CHAPTER 21.07, ENTITLED OPEN SPACE, TO THE MONTEREY PARK MUNICIPAL CODE, MODIFYING SECTION 21.70.030 OF THE MONTEREY PARK MUNICIPAL CODE BY ADDING CERTAIN CONDITIONALLY PERMITTED USES IN THE OPEN SPACE ZONE, APPROVING A GENERAL PLAN AMENDMENT TO PUBLIC/SEMI-PUBLIC AND APPROVING A ZONE CHANGE FOR THE AREAS KNOWN AS COMMUNITY PARKS, NEIGHBORHOOD PARKS, CITY FACILITIES, AND OTHER PUBLIC AND SEMI-PUBLIC LANDS TO O-S (OPEN SPACE)

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, DO HEREBY ORDAIN AS FOLLOW:

SECTION 1. The People find and determine that a Zone Change, pursuant to Title 21 of the Monterey Park Municipal Code (MPMC), to change the zoning designation to O-S (Open Space) and establish appropriate development regulations for the O-S zone, for community parks, neighborhood parks, city facilities, and other public and semi-public lands are in the public interest and consistent with the General Plan.

SECTION 2. THE People hereby amend the Monterey Park Municipal Code (MPMC) to establish an O-S (Open Space) zone, by adding Chapter 21.07 thereto, to read as follows:

Chapter 21.07
O-S — Open Space Zone

Sections:

- 21.07.010 Purpose
- 21.07.020 Permitted uses
- 21.07.030 Prohibited uses
- 21.07.040 Principal uses
- 21.07.050 Conditional uses
- 21.07.060 Standards of development
- 21.07.070 Off-street parking
- 21.07.080 Outdoor storage
- 21.07.090 Voter approval required

21.07.010 Purpose. In order to further the goals as set forth in City's general plan, establish and provide permanent outdoor recreational and open space resources, and to prevent inappropriate development of areas, which should be regulated to provide for recreational, conservation, aesthetic, historic, cultural, scenic or public health and safety uses, the following regulations shall be applicable to all properties classified in the O-S zone.

21.07.020 Permitted uses. No person shall use, nor shall any property owner permit the use of any lot classified in any O-S zone for any use, other than the following as set out in Sections 21.07.040 and 21.07.050. Any lot in the O-S zone shall primarily maintain land area devoted to an open space character.

21.07.030 Prohibited uses. All uses not permitted in this chapter shall be prohibited.

21.07.040 Principal uses. The principal uses shall be permitted as follows:

- (1) Public recreational uses such as parks, playgrounds, tennis courts, swimming pools, basketball courts, baseball/softball diamonds, roller rinks, recreational areas and trails, excepting those recreational uses specified in Section 21.70.030;
- (2) Publicly owned and operated community centers and enclosed recreational facilities such as gymnasiums, fitness centers, racquetball courts and indoor swimming pools;
- (3) Public restrooms;
- (4) Landscaping and public improvement easements and rights-of-way;
- (5) Landscaped vehicle parking areas required for any principal uses;
- (6) Unimproved public utility easements and rights-of-ways;
- (7) Comparable uses subject to the provisions of Section 21.74.030.

21.07.050 Conditional uses. Conditional uses shall be uses specifically enumerated in Section 21.70.030.

21.07.060 Standards of development. All premises in the O-S zone shall comply with the following standards of development:

- (a) Lot area. There shall be no minimum lot area requirement.

(b) Lot coverage. The maximum coverage of all structures on a lot shall be twenty-five percent of the total gross lot area. This coverage standard, however, may be increased if the City Council finds that the increase is necessary and/or desirable in meeting the purpose and intent of this chapter.

(c) Front yard. Each lot or parcel of land shall have a minimum front yard of twenty-five feet.

(d) Side yards. (1) Interior yard. Each lot or parcel of land shall have a minimum side yard of ten feet. When abutting a residential zone, the yard shall not be less than twenty-five feet. (2) Corner yard. Each lot or parcel of land shall have a minimum corner side yard of twenty-five feet.

(e) Rear yard. Each lot or parcel of land shall have a minimum rear yard of twenty-five feet.

(f) Height limits. No lot or parcel of land in the O-S zone shall have a building or structure in excess of two stories nor in excess of thirty-five feet in height. This height standard, however, may be increased if the city council finds that the increase is necessary and/or desirable in meeting the purpose and intent of this chapter.

21.07.070 Off-street parking. Each lot or parcel of land or building facilities in the O-S zone shall have and maintain off-street parking facilities as required by Chapter 21.40.

21.07.080 Outdoor storage. Outdoor storage of goods, materials or other items shall be prohibited between the frontage of any buildings and the public right-of-way. Any such exterior storage elsewhere on the lot shall be enclosed.

21.07.090 Voter approval. (a) Amendment of Zoning Map. No amendment of the zoning map of the city which changes the zoning designation of any lot or parcel from O-S to another zone designation shall be effective for any purpose whatsoever unless and until such amendment shall have been approved by a majority of those voters of the city voting thereon at any regular or special municipal election.

(b) Private Facilities. Any approval by the City Council for privately owned, operated or managed community centers, enclosed recreational facilities such as gymnasiums, fitness centers, racquetball courts or indoor swimming pools, or outdoor recreational uses such as tennis courts, baseball and softball diamonds, basketball courts, swimming pools, roller rinks and similar indoor/outdoor recreational uses, which are to be located on a lot or lots in which the city has a legal interest shall be approved by ordinance and shall be subject to referendum pursuant to California Elections Code Section 9235, et seq., as amended. No such approval shall become effective until 30 days from and after the date of adoption of said ordinance by the City Council.

SECTION 3. The People hereby amend Section 21.70.030 of the Monterey Park Municipal Code (MPMC) by adding the following conditionally permitted uses:

Use	Zone in which allowed subject to Conditional Use Permit
Agricultural and horticultural cultivation	O-S
Privately owned, operated or managed community centers, enclosed recreational facilities such as gymnasiums, fitness centers, racquetball courts or indoor swimming pools, or outdoor recreational uses such as tennis courts, baseball and softball diamonds, basketball courts, swimming pools, roller rinks and similar indoor/outdoor recreational uses	O-S
Food service or concessionaire type service accessory to the principal use of the property.	O-S
Golf Course	O-S
Greenhouse	O-S
Plant nursery	O-S
Golf driving range	O-S
Radio or television tower and transmitter	O-S

SECTION 4. The People **APPROVE** General Plan Amendments to change the land use designations in the Land Use Element to Public/Semi-Public for the areas set forth in the attached maps incorporated herein by reference, based on the following findings:

1. The proposed General Plan Amendment will protect the health, safety and general welfare of the community in that the amendments facilitate open space development that will be more compatible with surrounding single family residential development.
2. The proposed General Plan Amendments reflect the conditions of the community and are in keeping with the character of the area. The proposed land use designation of Public/Semi-Public will provide for the preservation of open space areas and minimize development impacts to the surrounding areas.

SECTION 5. The People **APPROVE** the Zone Change to change the land use classification to O-S for the areas set forth in the attached maps incorporated herein by this reference.

SECTION 6. The development proposed by GRRC, Inc. and referenced in the purported sublease dated September 26, 1983, (whether effective or not) between the City of Monterey Park and GRRC, Inc. for the construction of a racquetball/fitness/tennis club at the Garvey Ranch Park shall be exempt from the provisions of Chapter 21.07 of the Monterey Park Municipal Code so long as GRRC, Inc. and Monterey Park enter into a lease for said development at Garvey Ranch Park, GRRC, Inc. obtains all required approvals and permits, and GRRC, Inc. begins construction and performs substantial work within two years of adoption of this ordinance. If GRRC, Inc. (or its successor if approved by the City Council) fails to satisfy all conditions set forth above, then said development shall be subject to the provisions of Chapter 21.07. Notwithstanding such exemption, upon any change requesting a different use or requesting expansion of the use, buildings or structures, then said development shall comply with the provisions of Chapter 21.07.

IMPARTIAL ANALYSIS OF MEASURE E

If Measure E is approved by a majority of the voters, a new zoning designation will be created, the Open Space (OS) Zone, and the areas in the City used for community and neighborhood parks, city facilities, and other public and semi-public owned parcels will be rezoned to the OS Zone. The purpose of the OS Zone is to establish and provide for recreational and open space resources, and to minimize inappropriate development of OS Zoned areas.

The OS Zone will permit public recreational uses, both indoors and outdoors, and will require a conditional use permit be obtained for privately owned, operated or managed recreational uses, both indoors and outdoors, on an OS Zoned property. Any approval by the City Council of a privately owned, operated or managed recreational use, either indoors or outdoors, on an OS Zoned property is subject to referendum. Measure E provides that once a lot or parcel is zoned OS it can not be changed to a different zoning designation until such change is approved by a majority of the voters.

In addition, this Measure changes the land use designation on the City's Zoning Map to Open Space Zone for the City's community and neighborhood parks, the City's public facilities, and other public and semi-public owned parcels. The list and map indicating all parcels which will be rezoned if Measure E is approved is on file in the office of the City Clerk of the City of Monterey Park.

Finally, Measure E exempts from its provisions a development proposal at Garvey Ranch Park by GRRC, Inc., which is referenced in a purported sublease dated September 26, 1983, between the City of Monterey Park and GRRC, Inc.. This exemption remains valid if and only if, (i) GRRC, Inc. and the City enter into a lease for said development, (ii) GRRC, Inc. obtains all required approvals and permits, and (iii) GRRC, Inc. begins construction and performs substantial work, all within two years of adoption of Measure E.

Anthony Canzoneri
City Attorney

ARGUMENT IN FAVOR OF MEASURE E

SAVE OUR PARKS FROM DEVELOPERS!

During June, 1997, a developer proposed to build a high density condominium project in Garvey Ranch Park. The neighborhood was shocked. They found out that park land in Monterey Park was zoned for possible development. All that was required to destroy a park was three votes on the City Council. No notice was required. Over 300 residents protested the proposal for Garvey Ranch Park and it was withdrawn from the City Council's agenda. However, threatened losses of parks could still occur without notice in ANY neighborhood UNLESS THIS BALLOT MEASURE IS ADOPTED!

This proposed ordinance was drafted over several months by residents working with the City staff. This new ordinance will protect our parks by establishing a new OPEN SPACE ZONE to be used for recreational purposes ONLY. This ordinance will impose new protections limiting any private development within our scarce park land. This ordinance also will provide us the right to petition against proposals even if approved by the Council, and thereby require voter approval. No neighborhood could be deprived of its park by a mere City Council action or without warning. We need this ordinance.

SAVE OUR PARKS FOR FUTURE GENERATIONS! PLEASE VOTE YES ON MEASURE E!

Marie Purvis, Mayor
Judy Chu, Council member
George Ricci, Resident, Garvey Ranch Neighborhood

Larry Natitomi, Resident, Garvey Ranch Neighborhood
Rosemary Grego, Resident, Garvey Ranch Neighborhood

ARGUMENT AGAINST MEASURE E (None Filed)

Proposed Open Space General Plan Amendment & Zone Change

Affected Locations

- ① Barnes Park
- ② Bella Vista Park
- ③ Cascades Park
- ④ Civic Center
- ⑤ Edison Trails Park
- ⑥ Garvey Ranch Park
- ⑦ Garvey Reservoir
- ⑧ George Elder Park
- ⑨ Highlands Park
- ⑩ La Loma Park
- ⑪ Langley Center & Park
- ⑫ Pine Tree Park
- ⑬ Sequoia Nachi Gardens
- ⑭ Sierra Vista Park
- ⑮ Sunnyslopes Park
- ⑯ Water Conservation Garden

↘ City Street



MEASURE F
ORDINANCE NO. _____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN, GENERAL PLAN MAP, ZONING MAP, ZONING CODE TEXT, AND THE NORTH ATLANTIC BOULEVARD, GARVEY/GARFIELD, MID-ATLANTIC AND SOUTH GARFIELD SPECIFIC PLANS FOR PROPERTY GENERALLY LOCATED BETWEEN ATLANTIC BOULEVARD AND NEW AVENUE NORTH OF NEWMARK, THE SOUTH GARFIELD SPECIFIC PLAN AREA AND THE MID ATLANTIC SPECIFIC PLAN AREA.

THE PEOPLE OF THE CITY OF MONTEREY PARK DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Pursuant to Monterey Park Ordinance No. TEMP01 the North Atlantic Boulevard Specific Plan and the Garvey/Garfield Specific Plan are amended as follows: 1) By expanding the plans by including additional properties as indicated on Exhibit "A" attached hereto and incorporated herein by this reference; 2) By merging into one plan area and designating the newly created area as the Vision Twenty-One Plan Area as set forth on Exhibit "B" attached hereto and incorporated herein by this reference; 3) By creating the North Atlantic, North Garfield, West Garvey, Garvey/Garfield, and East Garvey sub-areas as indicated on Exhibit "B" attached hereto and incorporated herein by this reference; and 4) By adopting the development standards for the Vision Twenty-One Plan Area. Such Ordinance Number TEMP01 is hereby adopted.

Section 2. Pursuant to Monterey Park Ordinance Nos. TEMP02, and TEMP05 the land use designation on the Land Use Map of the Monterey Park General Plan will be amended for certain property within the Vision Twenty-One Plan Area from medium and high density residential and public/semi-public to commercial, and from medium density residential to high density residential as set forth on the map attached hereto as Exhibit "C" incorporated herein by this reference. Such Ordinance Nos. TEMP02, and TEMP05 are hereby adopted.

Section 3. Pursuant to Monterey Park Ordinance Nos. TEMP04, and TEMP05 certain properties within the Vision Twenty-One Plan Area will be rezoned from medium and high density residential to various commercial zone classifications, and from medium density residential to high density residential as set forth on the map attached hereto as Exhibit "D" incorporated herein by this reference. Such Ordinance Nos. TEMP04, and TEMP05 are hereby adopted.

Section 4. Pursuant to Monterey Park Ordinance No. TEMP06, Section 21.70.030 of the Monterey Park Municipal Code will be amended to allow as a conditional use residential uses on the second story or above in the West Garvey, North Garfield, East Garvey and Garvey/Garfield Vision Twenty-One Plan Area Sub-Areas. Such Ordinance No. TEMP06 is hereby adopted.

Section 5. Pursuant to Monterey Park Ordinance Nos. TEMP07, TEMP08, TEMP09, TEMP10, TEMP11, and TEMP12 Chapters 21.16, 21.22, 21.24, and 21.26 of the Monterey Park Municipal Code and the North Atlantic Boulevard and Garvey Garfield Specific Plans will be amended to change height and floor area ratio allowances for all property within the Vision Twenty-One Plan Area if and only if approved amenities are provided, as summarized below. Such Ordinance Nos. TEMP07, TEMP08, TEMP09, TEMP10, TEMP11, and TEMP12 are hereby adopted.

<u>Vision Twenty-One Plan Sub-Area</u>	<u>Bonus Height (Maximum) only if Approved Amenities are Provided*</u>
North Garfield	4 stories or 55 feet
West Garvey	4 stories or 55 feet
East Garvey	4 stories or 55 feet
North Atlantic	10 stories or 130 feet within 200 feet south of Hellman
	8 stories or 100 feet for the rest of the North Atlantic Sub-area
Garvey Garfield	4 stories or 55 feet
	6 stories or 82 feet on all four corners of the Garvey/Garfield intersection, as set forth on the map attached hereto as Exhibit "E" incorporated herein by this reference.

All other height standards are to remain the same.

* Approved amenities as described in Appendix C, of the Vision Twenty-One Plan, are attached to Ordinance No. TEMP11.

<u>Vision Twenty-One Plan Sub-Area</u>	<u>Bonus Floor Area Ratio Only if Approved Amenities are Provided*</u>
North Atlantic	Within 200 feet south of Hellman -- Maximum 3:1 and a minimum 1.5:1 (non-retail)/0.6:1 (retail) Remaining area -- Maximum 2:1 and a minimum 1:1 (non retail)/0.6:1 (retail)
North Garfield	2:1 maximum
Garvey Garfield	2:1 maximum
East Garvey	2:1 maximum

All other floor area ratio standards are to remain the same.

* Approved amenities as described in Appendix C, of the Vision Twenty-One Plan, are attached to Ordinance No. TEMP11.

Vision Twenty-One Plan Sub-Area

Minimum Lot Size and Lot Frontage

North Atlantic

Minimum lot size of 50,000 square feet within 200 feet of Hellman Avenue.
Minimum lot frontage of 200 feet along Atlantic Boulevard.

Vision Twenty-One Plan Sub-Area

Minimum Buffer Zone (Greenbelt)

North Atlantic

15 feet adjacent to residential zones

Vision Twenty-One Plan Sub-Area

Additional Building Setbacks on Rear of Parcels Adjacent to Residential Zones

North Atlantic

Adjacent to residentially zoned properties, building setbacks shall be 15 feet for buildings 15 feet or under, 25 feet for buildings over 15 feet, and 45 feet for buildings over 35 feet in height.

Buildings could take the form of stair-stepping floors, with outdoor decks over the floor below, or the entire roof could slope.

All other lot requirements are to remain the same.

Section 6. Pursuant to Monterey Park Ordinances Nos. TEMP12, TEMP13, and TEMP14 the Garvey/Garfield, Mid-Atlantic Boulevard, and South Garfield Boulevard Specific Plans will be amended to eliminate lot consolidation requirements except for the parcels located at the intersection of Garvey and Garfield Avenues as indicated on Exhibit "E". Such Ordinance Nos. TEMP12, TEMP13, and TEMP14 are hereby adopted.

Section 7. Notwithstanding the provisions of this ordinance and the ordinances adopted herein, all residential uses which were lawfully in existence as of January 16, 1998, shall be deemed conforming and permitted uses, buildings and structures provided that no enlargement or expansion of any such buildings shall be permitted. "Residential uses lawfully in existence" means as of January 16, 1998, all residential buildings legally completed, and all residential buildings which received zoning approvals and completed substantial construction pursuant to a validly issued building permit so as to have acquired a vested right. If buildings or structures are partially or wholly destroyed, said buildings or structures may be reconstructed repaired or replaced provided that the new building or structure shall not intensify the previous use and shall not increase the previous gross square footage.

IMPARTIAL ANALYSIS MEASURE F

In 1993, the City Council of the City of Monterey Park formed an Economic Development Task Force to review the status of the City's economic health and to investigate and present findings on ways to stimulate economic growth in the City. In February 1995, the Task Force presented its findings to the City Council, who then formed the Economic Development Advisory Committee ("EDAC") to implement the findings of the Task Force. In May 1997, EDAC presented its annual report to the City Council which included specific recommendations to amend the City's development codes. The City Council adopted the recommendations and requested ordinances be prepared to place these recommendations on a ballot at a special election. Measure F is a master ordinance which includes all the ordinances necessary to implement the EDAC recommendations. Measure F is also known as the Vision 21 Plan.

If Measure F is approved by a majority of the voters, the City's General Plan, Specific Plans, Zoning Map and Zoning Code will be amended. The areas affected by the amendments will be Atlantic Boulevard from Hellman Avenue to Mabel Avenue, Garfield Avenue from Hellman Avenue to Newmark Avenue, and Garvey Avenue from Atlantic Boulevard to New Avenue. This area is called the Vision 21 Plan Area.

Measure F will expand the commercial zone along Atlantic Boulevard, Garvey Avenue and Garfield Avenue in the Vision 21 Plan Area by changing the General Plan and Zoning Map from Multi-Family Residential to Commercial for the properties located behind the properties abutting North Atlantic Boulevard, Garvey Avenue, and North Garfield Avenue. Existing residential buildings located on the properties rezoned from Multi-Family Residential to Commercial will remain conforming and legal uses even after adoption of Measure F, as more fully explained below. Measure F will also allow additional building height and greater floor area ratio in the Vision 21 Plan Area if approved amenities are provided. For the North Atlantic area, Measure F will require greater buffer area and building setbacks for parcels adjacent to residential zones.

Measure F will permit residential uses on the second story or above with a conditional use permit in the Vision 21 Plan Area, except for the North Atlantic area. Measure F eliminates the requirement for lot consolidation in all of Monterey Park's Specific Plans except for parcels located at the intersection of Garvey and Garfield Avenues.

For the properties being rezoned from Multi-Family Residential to Commercial, all residential uses lawfully in existence as of January 16, 1998, shall be deemed conforming and permitted uses and buildings. If the buildings are partially or wholly destroyed, the buildings may be reconstructed, repaired or replaced provided that the new building will not intensify the previous use and will not increase the previous gross square footage, "Residential uses lawfully in existence" is defined as all residential buildings legally completed, and all residential buildings which received zoning approvals and completed substantial construction pursuant to a validly issued building permit so as to have acquired a vested right as of January 16, 1998.

Anthony Canzoneri
City Attomey

ARGUMENT IN FAVOR OF MEASURE F

We all want to maintain our municipal services. They add to the Quality of Life in Monterey Park. These include excellent Police and Fire response times, well maintained Parks, and clean streets among other things.

These services are paid from the city's general Fund. Property and Sales Tax comprise 54 % of the current General Fund. Unfortunately, these revenue sources have been declining. In fact, our sales tax revenue is the lowest per capita in the San Gabriel Valley, and lower than L.A. County.

In order to keep the services we want, without suffering huge tax increases, we must find a way to generate more sales tax.

MEASURE F provides an opportunity to do that by increasing the amount of commercially zoned land available for development. The areas to be rezoned are North Atlantic Boulevard, North Garfield Avenue, and the East - West Garvey Avenue Corridor.

Although building heights and density will be allowed to increase, it's not a give away. Developers will have to provide pedestrian amenities and parking. All building codes and standards will be met. All adverse traffic impacts will be mitigated. All projects will require an Environmental analysis.

Individual property owners won't be forced from their property. Eminent Domain cannot be used in the rezoned area. Individual property owners can make their own deals, but are not forced to do so.

In general, residential property in a commercial zone should increase in value.

MEASURE F is our last chance to attract quality retail development. It will create shopping opportunities while generating needed sales tax to support municipal services. Change will not occur overnight, but this is our last chance. If we do nothing, we'll have nothing!

VOTE YES FOR OUR FUTURE, VOTE YES ON MEASURE F.

Irv Gilman
31 year resident/Community activist

Tony Wong
30 year resident/Former Planning Commissioner

Song Park
Chamber of Commerce - Treasurer

Anthony Wong
Member of Monterey Park Lions Club

Carmen M. Leon Kane
12 year resident/ Chairperson Economic Development Advisory Commission

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE F

Residents of Monterey Park want to determine the future of its bedroom community. Unfortunately, developers and business owners, those who will profit the most from Measure F. are influencing the city to overdevelop the areas of Garvey and Garfield Avenue.

Are you one of the 335 residential properties affected in the proposed rezoned area? How would you like your property next to a four story commercial project with only a fifteen foot buffer zone? Taller buildings along Garvey will block the view of the San Gabriel mountains for many residents. Residential properties next to commercial properties will lower in value. How many future homeowners want to be next to a commercial building?

Measure F wants you to believe that future traffic impacts will be mitigated. How can this be? The city has not mitigated the current traffic problems along Garvey during rush hour traffic!

The city has promised to provide financial support to businesses in building parking structures. No wonder businesses see this as a sweet deal.

Many commercial properties in this city still advertise their vacancies. Why do we need more commercial structures with more vacancies?

Measure F is not our last chance to attract quality retail development. Residents want controlled growth and tighter restrictions that protect the financial position of the city, and not just a give away to businesses and developers as outlined in Measure F. We all want to add to the quality of life in Monterey Park. Measure F is not the right one for Monterey Park. VOTE "NO."

Neighborhood Preservation Committee of Monterey Park

Co-chairs:

Louise Davis

42 year resident/ City Treasurer and Former Mayor

Marcia Spira

36 year resident/ Former Design Review Board Commercial Commissioner

Ruth Willner

40 year resident/ Former Community Relations Commissioner

Mitchell Ing

14 year resident/ Banker

ARGUMENT AGAINST MEASURE F

Vote "no" to stop overdevelopment in Monterey Park!

Measure F will change residential neighborhoods to commercial zoning.

Vote "no" to stop further traffic congestion and parking problems in the city!

Measure F will allow greater height and commercial/residential use along Garvey Avenue and Garfield Avenue, which will permit businesses to have living quarters on the second, third and fourth stories. Monterey Park does not need the added congestion and additional visual blight on a major thoroughfare. Since the city has not properly enforced the cleanup and sign codes along Garvey Avenue and Garfield Avenue, why should the voters allow businesses to expand?! Monterey Park has old business signs on top of buildings even though the business has not existed for over six years.

Vote "no" to Measure F to protect the homeowners' rights in the proposed expanded area. As commercial construction encroaches in residential neighborhoods, most major banks and savings and loans lenders view this as a risk. When homeowners want to refinance and potential buyers are seeking financing, they will find their choices of lenders and loan products more limited and possibly higher in cost.

Measure F benefits developers and businesses at the expense of the homeowners.

Vote "no" to Measure F and send a clear message that the voters want to protect the bedroom community we all enjoy in Monterey Park.

Measure F is too drastic of a measure in an attempt to raise money for the city. There are less drastic measures, proven in other efficient cities, while protecting the homeowner's rights.

A "no" vote will tell city hall --- we do not want overdevelopment at the expense of residential neighborhoods! Our city is not for sale to developers! We will defend and protect our bedroom community.

Neighborhood Preservation Committee of Monterey Park

Co-Chairs: Louise Davis Marcia Spira Ruth Willner Mitchell Ing

Exhibit A

NORTH ATLANTIC AND GARVEY/GARFIELD EXPANSION

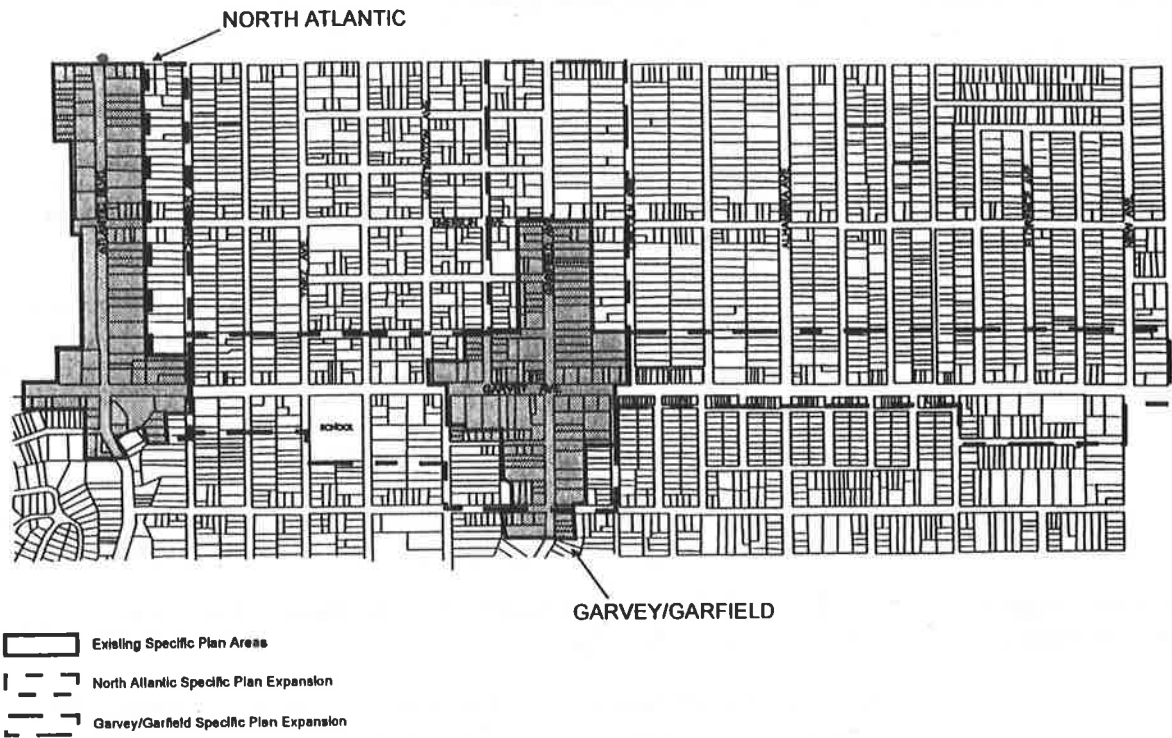


Exhibit B

VISION TWENTY-ONE PLAN AREA AND SUB-AREAS

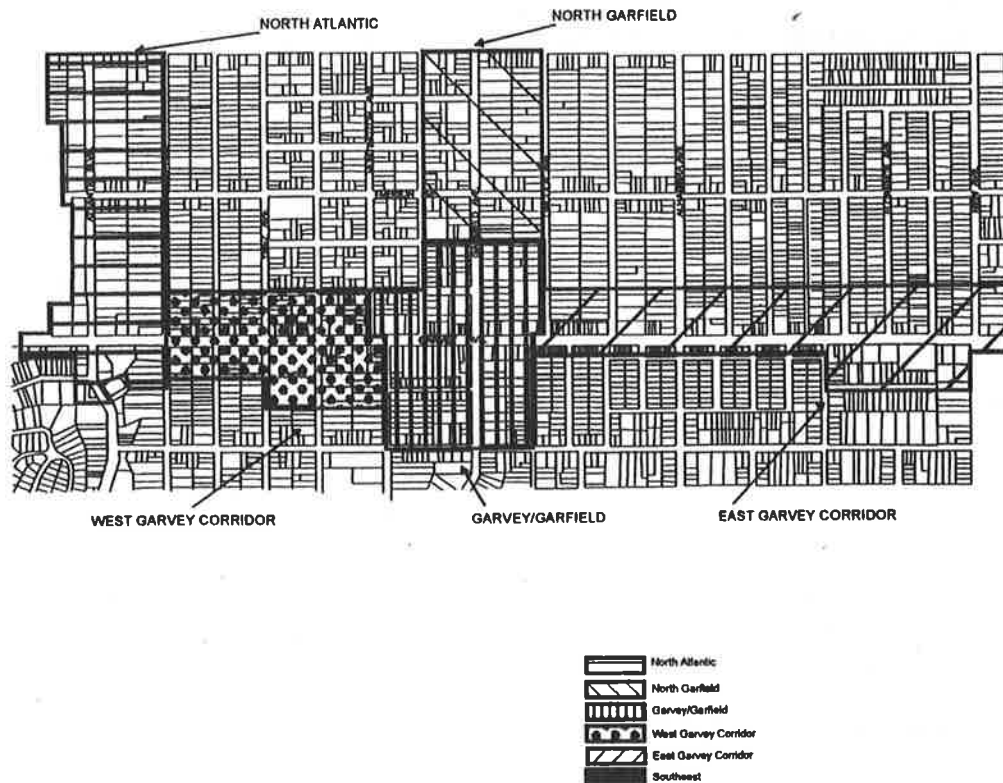


Exhibit C

General Plan Amendment

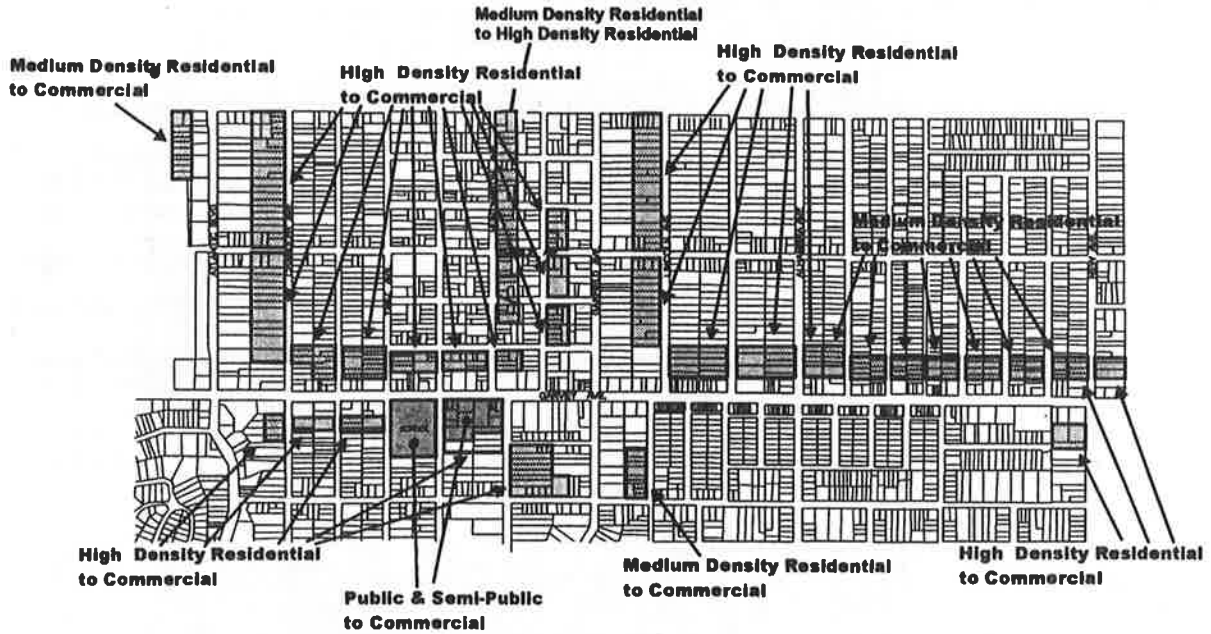
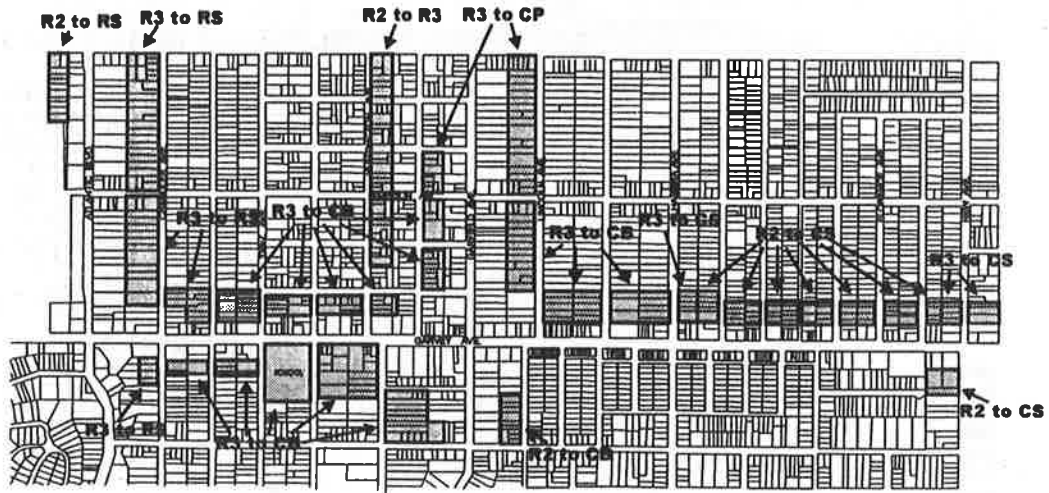


Exhibit D

ZONING

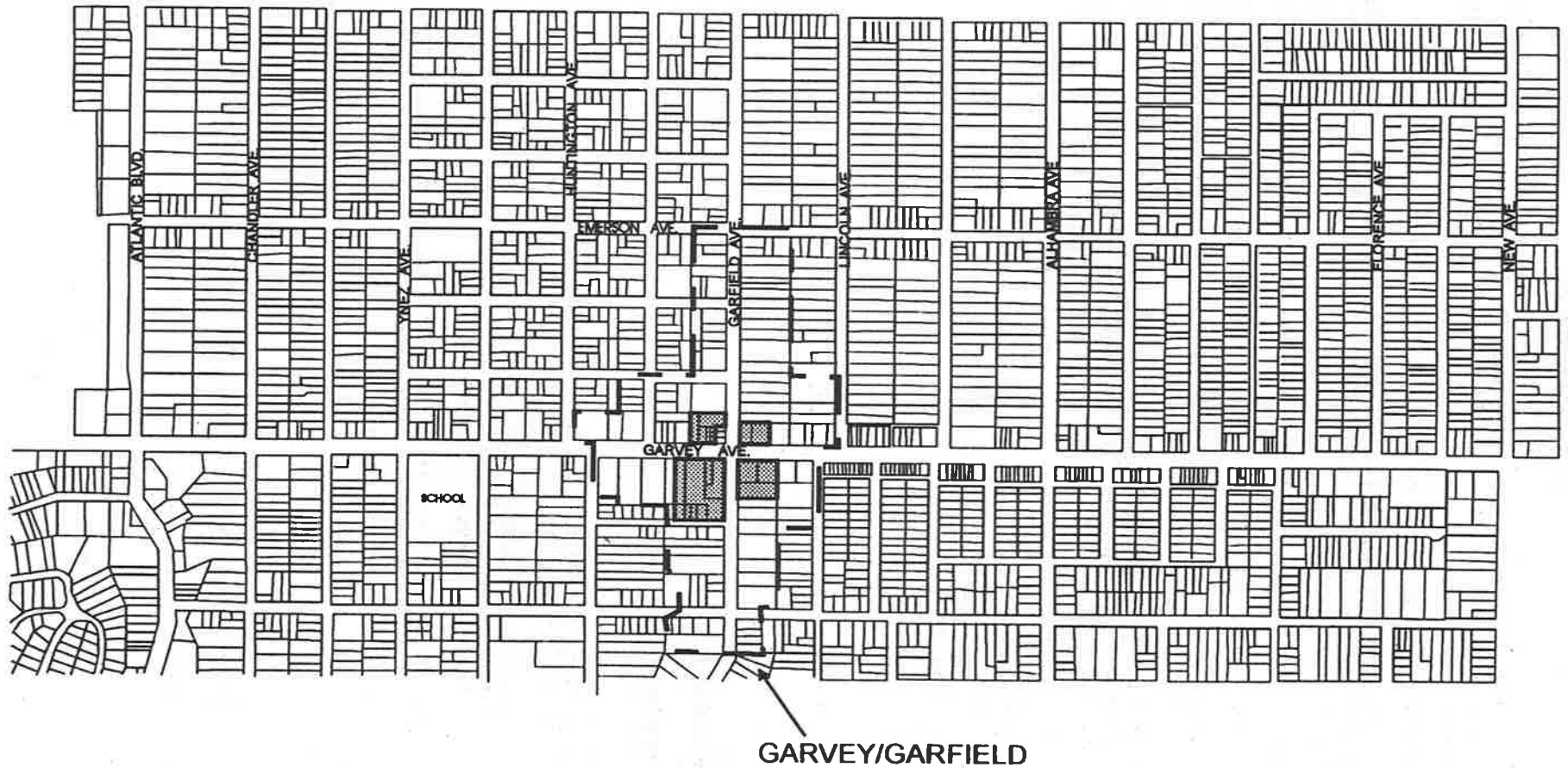


- R-2 Medium Density Residential
- R-3 High Density Residential
- C-B Central Business
- C-S Commercial Services
- C-P Commercial/Professional
- R-S Regional Specialty Center

Exhibit E

GARVEY/GARFIELD

REQUIRED LOT CONSOLIDATION



-  Garvey/Garfield Specific Plan Area
-  Special Height & F.A.R. Districts
Required Lot Consolidation

**MEASURE G
ORDINANCE NO. _____**

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT FROM INDUSTRIAL TO COMMERCIAL AND APPROVING A ZONE CHANGE FROM M (MANUFACTURING) TO R-S (P-D) (REGIONAL SPECIALTY WITH PLANNED DEVELOPMENT DISTRICT OVERLAY) FOR AN AREA IN THE SOUTHEAST REGION OF THE CITY.

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, DOES HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The People **APPROVE** the General Plan Amendment to change the land use designation in the Land Use Element from Industrial to Commercial for the area set forth in the attached map incorporated herein by this reference, based on the following findings:

1. The subject amendment is compatible with the land use designations of the surrounding properties.
2. The subject amendment will revitalize deteriorating development existing in the City and broaden its economic base.
3. The subject amendment will not be detrimental to the health, safety and general welfare of the community and will not adversely impact the adjoining properties.

SECTION 2. The People **APPROVE** the Zone Change to change the land use classification from M to R-S (P-D) for the area set forth in the attached map incorporated herein by this reference.

**IMPARTIAL ANALYSIS
MEASURE G**

If Measure G is approved by a majority of the voters, the land use designation in the City's General Plan for an area in the southeastern portion of the City will be changed from Industrial to Commercial. The subject area is part of the site commonly known as the Operating Industries, Inc. landfill property, but only the portion north of the Pomona (60) Freeway. In addition to the General Plan amendment, Measure G also changes the zoning designation for this area from Manufacturing (M) to Regional Specialty with Planned Development District Overlay (R-S(P-D)). The R-S (P-D) zoning designation allows for commercial development with a master plan.

Anthony Canzoneri, City Attorney

ARGUMENT IN FAVOR OF MEASURE G

The 45 acre property on the north side of the Pomona Freeway is the only large developable piece of land in our community.

Only 10 acres of the land was used as a municipal dump many years ago. However, there is NO TOXIC WASTE on this site, only solid waste which can be easily capped eliminating any health and safety problems to our community. MEASURE G will add assurance that no toxic waste will ever enter this site. Currently, our City is working with the EPA to regain jurisdiction over this site. It will happen and when it does, we must be in a position to develop the land to benefit Monterey Park.

YES on Measure G will:

- 1). Change the current use from Industrial to Commercial, and
- 2). Change the zone from Manufacturing to a Regional Specialty with a Planned Development District Overlay.

In plain English, this means the entire 45 acres can be designated for one purpose such as an "Automobile Row" or an "Entertainment and Restaurant Area". Furthermore, with a Planned Development District Overlay, we would have the ability to plan the development space by space with the flexibility to bring in the right business.

There are no guarantees in life, but we will be better off if we are prepared to take advantage of an opportunity. A successful development on the 45 acres will generate new sales tax revenue - enough to make our community financially healthy and able to afford the fine municipal services we all want. The danger is if we do nothing we will have nothing.

Do you have the vision to see a fine commercial development - a landmark development - on the 45 acres? If you can see it, we can do it!

VOTE YES.

Irv Gilman
31 year resident/Community Activist

Carmen M. Leon Kane
12 year resident/Chairperson EDAC

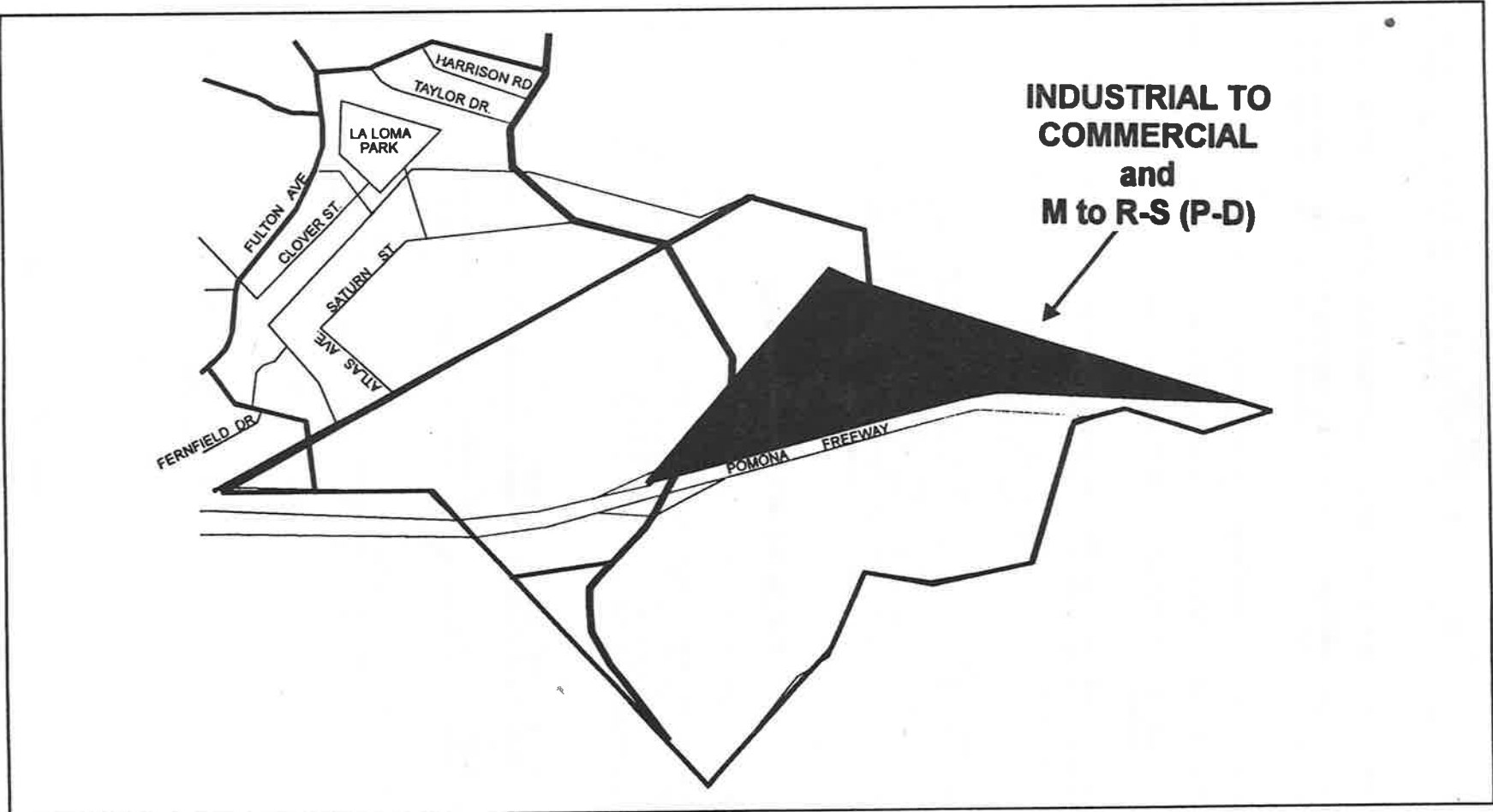
Tony Wong
30 year resident/Former Planning Commissioner

Song Park
Chamber of Commerce - Treasurer

Anthony Wong
Member of Monterey Park Lions Club

**ARGUMENT AGAINST MEASURE G
(None Filed)**

GENERAL PLAN AMENDMENT AND ZONE CHANGE



**INDUSTRIAL TO
COMMERCIAL
and
M to R-S (P-D)**



DAVID M BARRON, CITY CLERK
CITY HALL, 320 W NEWMARK AVE
MONTEREY PARK, CA 91754-2818
626/307-1359
FAX: 626/288-6861

BULK RATE
CAR RT SORT
U.S. POSTAGE
PAID
DMI
1933

POLLS OPEN AT 7 A.M. AND CLOSE AT 7 P.M.

WHEN POLLING PLACE IS INACCESSIBLE TO THE HANDICAPPED,
BALLOT MAY BE VOTED OUTSIDE THE POLLING PLACE*

TEAR ON PERFORATED LINE AND ATTACH POSTAGE TO REVERSE SIDE

APPLICATION TO "VOTE BY MAIL"


CITY OF MONTEREY PARK, SPECIAL MUNICIPAL ELECTION, APRIL 14, 1998

To obtain a vote by mail ballot, complete the information on this form. This application may be faxed to the elections official.
This application **MUST BE RECEIVED** by the elections official by: **April 7, 1998**

Print Name		Date of Birth (optional)	
First	Middle	Last	
Residence Address in the City (PO Box, Rural Route not acceptable)			
City and Zip		Phone #	
THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE PROPER SIGNATURE OF THE APPLICANT			
I have not applied for a vote by mail ballot for this election by any other means. I certify under penalty of perjury under the laws of the State of California that the name and residence address on this application are true and correct.			
X _____		DATE _____	
SIGNATURE OF APPLICANT			
WARNING: Perjury is punishable by imprisonment in state prison for two, three or four years. (Section 126 of the California Penal Code.)			

FOR OFFICIAL USE ONLY:	
Precinct No.	Ballot Group No.
Ballot No.	
Date Issued	
Date Returned	
Signature Matches	
Voters with specified disabilities may qualify as PERMANENT ABSENT VOTERS. Contact your local county elections official for further information.	

BALLOT TYPE
CAL053

Polling Place ↓
↓
↓
Ballot Group No. and Voter ID No.
Precinct No. and Handicapped Accessibility
Polling Place Description
Polling Place Address ↓
↓
↓
*  DELIVER TO: _____

RESOLUTION NO. 10264

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, RECITING THE FACT OF THE SPECIAL ELECTION HELD ON APRIL 14, 1998, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

WHEREAS, a Special Election was held and conducted in the City of Monterey Park, California, on Tuesday, April 14, 1998, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, pursuant to Resolution No. 10232 adopted January 7, 1998, the City Clerk canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of ballots cast in the precincts except absent voter ballots and provisional ballots was 2,572.

That the whole number of absent voter ballots cast in the City was 1,008, the whole number of provisional ballots cast in the City was 48, making a total of 3,628 ballots cast in the City.

SECTION 2. That the measures voted upon at the election are as follows:

MEASURE C:

Shall an ordinance be adopted which establishes a limited annual parcel tax for the City Library? The proceeds of the tax are for the Library only, to pay for physical expansion of the facility, maintaining open hours seven days a week, and additional books and supplies. This special Library tax specifically supplements and does not replace the City Library General Fund budget. The tax has a twenty year term and provides for certain exemptions.

MEASURE D:

Shall an ordinance of the City of Monterey Park approving amendments to the City's General Plan, Zoning Map and Zoning Code which change the land use classification from Industrial to Office Professional for the property in the southeastern portion of the City commonly known as McCaslin Business Park be adopted?

MEASURE E:

Shall an ordinance of the City of Monterey Park approving amendments to the City's General Plan Zoning Map and Zoning Code to consistently classify the land use designations to Open Space for properties currently being used for public or semi-public purposes be adopted?

MEASURE F:

Shall an ordinance of the City of Monterey Park approving amendments to the City's General Plan, Zoning Map, Zoning Code and Specific Plans be adopted? The ordinance (i) expands the commercial zone in the Vision Twenty-One Plan Area, (ii) provides for greater height and floor area ratios with greater pedestrian amenities for the Vision Twenty-One Plan Area, and (iii) allows for commercial/residential use developments along north Garfield Avenue and Garvey Avenue between Atlantic Boulevard and New Avenue.

MEASURE G:

Shall an ordinance of the City of Monterey Park approving amendments to the City's General Plan and Zoning Map which change the land use classification from Industrial to Commercial for the property in the southeastern portion of the City commonly known as the northeast parcel of the Operating Industries, Inc., site be adopted?

SECTION 3. That the number of votes given at each precinct and the number of votes given in the City and for and against the measures were as listed in Exhibit "A" attached.

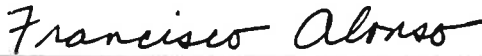
SECTION 4. The City Council does declare and determine that:

- (1) That as a result of the Election, the required two-thirds of the voters, voting on Measure C did vote in favor of it and that the measure did carry, and shall be deemed adopted and ratified.
- (2) That as a result of the Election, a majority of the voters voting on Measure D did vote in favor of it and that the measure did carry, and shall be deemed adopted and ratified.
- (3) That as a result of the Election, a majority of the voters voting on Measure E did vote in favor of it and that the measure did carry, and shall be deemed adopted and ratified.
- (4) That as a result of the Election, a majority of the voters voting on Measure F did not vote in favor of it and the measure failed.
- (5) That as a result of the Election, a majority of the voters, voting on Measure G did vote in favor of it and that the measure did carry, and shall be deemed adopted and ratified.

SECTION 5. The City Clerk shall enter on the records of the City Council of the City, Exhibit A (attached) showing the results of the election: (1) The whole number of votes cast in the City; (2) The measures voted upon; (3) The number of votes given at each precinct for and against the measures; (4) The total number of votes for and against each measure.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED ON April 21, 1998.


Francisco Alonso, Mayor

ATTEST:


David M. Barron, City Clerk
City of Monterey Park, California

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }SS
CITY OF MONTEREY PARK }

I, DAVID M. BARRON, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 10264 was duly adopted by the City Council of the City of Monterey Park at a Regular Meeting held on the 21st day of April, 1998, by the following vote of the Council:

AYES:	COUNCIL MEMBERS:	PURVIS, VALENZUELA, CHU, ALONSO
NOES:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	BALDERRAMA


David M. Barron
City Clerk of the City of Monterey Park

CITY CLERK'S CERTIFICATE OF CANVASS

"EXHIBIT A"

I, David M. Barron, City Clerk of the City of Monterey Park, authorized by Resolution No. 10264, adopted by the City Council on April 16, 1998, do certify that I have canvassed the returns of the Special Election held on April 14, 1998, and find the number of votes given at each precinct and the number of votes given in the City to persons voted for and against the measures were as follows:

PCT	* MEASURE C		MEASURE D		MEASURE E		MEASURE F		MEASURE G		TOTAL VOTES CAST
	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	
1	78	23	68	20	70	19	41	44	71	14	448
6	93	27	84	22	84	25	38	61	72	26	532
10	39	32	55	16	53	20	27	40	51	17	350
14	75	40	76	33	75	31	46	57	76	29	540
16	98	60	124	29	125	30	57	84	114	31	751
17	143	62	141	55	133	55	78	106	119	63	955
22	202	85	244	39	253	31	118	157	208	66	1,403
24	175	113	214	69	213	67	101	150	147	101	1,350
26	106	51	106	44	94	54	63	61	79	40	698
30	131	67	127	60	125	65	67	91	101	53	857
35	56	34	53	30	53	32	24	41	37	29	389
38	97	69	113	48	120	40	61	81	99	44	771
42	95	37	108	19	103	22	57	62	98	23	624
43	187	65	195	47	198	43	80	138	166	55	1,174
46	88	45	92	35	99	28	53	62	87	28	617
90	37	20	38	18	39	17	23	29	36	18	275
AV1	615	341	699	224	687	240	367	543	645	262	4,623
AV2	33	11	29	13	32	10	18	22	32	8	208
PROV	41	4	37	3	35	3	21	11	24	4	163
TOTAL VOTES	2,389	1,185	2,603	823	2,591	832	1,342	1,840	2,262	911	16,778
VOTER TURNOUT	66.84%	33.15%	76%	24%	76%	24%	42%	58%	71%	29%	

* REQUIRES TWO-THIRDS VOTE

TOTAL REGISTERED VOTERS - 24,077

BALLOTS CAST 3,628

VOTER TURNOUT 15.06%

David M. Barron
CITY CLERK

ORDINANCE NO. 1932

AN ORDINANCE OF THE PEOPLE OF THE CITY
OF MONTEREY PARK, CALIFORNIA, ADDING
CHAPTER 3.42, ENTITLED LIBRARY SPECIAL
TAX TO THE MONTEREY PARK MUNICIPAL
CODE

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA ORDAIN AS
FOLLOWS:

SECTION 1. The People hereby amend the Monterey Park Municipal Code (MPMC) to
establish a Library Special Tax, by adding Chapter 3.42 thereto, to read as follows:

Chapter 3.42

Library Special Tax

Sections:

- 3.42.010 Short title.
- 3.42.020 Definitions.
- 3.42.030 Exemptions.
- 3.42.040 Special Tax.
- 3.42.050 Purpose.
- 3.42.060 Special Fund.
- 3.42.070 Tax rate; contingency.
- 3.42.080 Term.
- 3.42.090 Adjustments and refunds.
- 3.42.100 Amendments.
- 3.42.110 Severability.
- 3.42.120 Effective date.

3.42.010 Short title.

This chapter shall be known and may be cited as the "Bruggemeyer Memorial Library
Special Tax Ordinance."

3.42.020 Definitions.

The following words and phrases whenever used in this chapter shall be construed as defined in this section:

- (a) "Apartment" shall have the same meaning as Section 21.04.050 Apartment House.
- (b) "Building" shall have the same meaning as Section 21.04.080.
- (c) "Condominium project" means a condominium, a community apartment project, or a stock cooperative, all as defined in Section 1351 of the Civil Code
- (d) "Dwelling unit" shall have the same meaning as Section 21.04.245.
- (e) "Library" means the Bruggemeyer Memorial Library system as the same may exist from time to time, together with any additions or betterments thereto, or improvements, extensions or expansions thereof.
- (f) "Maintenance and operating costs" of the library means all reasonable and necessary costs expended or incurred by the city for maintaining and operating the library, calculated in accordance with generally accepted accounting principles including, but not limited to:
 - (1) Those amounts necessary to maintain a "foundation program" which means those elements of library service which are basic to its function as a provider of information, education and cultural enrichment to all segments of the community, including, but not limited to, collection development and maintenance, lending services, information services, facility maintenance and administration and may include, but is not limited to, amounts paid or payable from time to time for books, periodicals, reference materials, research materials, subscription services or other information sources; the reasonable expenses of management and repair and other expenses necessary to maintain and preserve the library in good repair and working order, compensation of employees including, but not limited to salaries, wages and benefits; fees of auditors, accountants, attorneys or engineers; and insurance premiums.
 - (2) Depreciation, replacement and obsolescence charges or reserve therefor.
 - (3) But shall not be construed to mean costs to provide support services to the library by any other department of the city or for costs of major capital improvements.
- (g) "Single-family residential" shall have the same meaning as Section 21.04.235 Dwelling, Single Family.

Section. 3.42.030 Exemptions.

- (a) Nothing in this chapter shall be construed as imposing a tax upon any person when imposition of such tax upon that person would be in violation of either the Constitution of the United States or the Constitution of the State of California.
- (b) The tax imposed by this chapter shall not be levied upon the federal government, the state government, any state agency or any local governmental agency.
- (c) The tax imposed by this chapter shall not be levied upon a parcel of property which is owned by a house of worship or charitable or community service organization which qualifies for an exemption from ad valorem taxation under California law.
- (d) The tax imposed by this chapter shall not be levied upon any owner if such owner receives a low income/life line exemption pursuant to Resolution No.9663 from the utility user's tax imposed by Chapter 3.38 of this Municipal Code.
- (e) The tax imposed by this chapter shall not be levied upon any owner who has income, adjusted for family size, at or below eighty percent of the area median income as determined under the Section 8 Income Limits for Los Angeles County as published by the U.S. Department of Housing and Urban Development and applicable to the Community Development Block Grant Programs.
- (f) The tax imposed by this chapter shall not be levied upon a parcel of property which is not improved.
- (g) Property owners who own a single family dwelling unit or a dwelling unit in a residential condominium project and own a non-residential parcel both subject to the tax imposed by this chapter may exempt one non-residential parcel from this special tax.

Section. 3.42.040 Special Tax.

- (a) There is imposed a special tax on each residential dwelling unit and nonresidential parcel within the city of Monterey Park for the purposes set forth in this chapter at the rate specified herein.
- (b) This tax is enacted under the authority of Sections 50075-50077.5 and 53717 of the California Government Code.

Section 3.42.050 Purpose

- (a) The purpose of this special tax is to provide funds to the City to pay for:
 - (1) Capital improvements, primarily consisting of physical expansion of the Library, and the associated bonded indebtedness including interest on such indebtedness for the improvements.
 - (2) Expand Library services to seven days a week.
 - (3) Increased Library budget for materials, and in particular for the Childrens' Reading Program, as a step toward meeting the minimum standards of the American Library Association
 - (4) Additional maintenance and operation cost of the Library expansion.
- (b) The intent and purpose of this special tax is to supplement, not to replace the City's general fund budget appropriation for the library. The special tax funds are to be used for the above purposes and the City should not reduce its current level of funding to the library as a consequence of the additional funding provided by this initiative, except in emergencies recognized by both the City Council and the Library Board.
- (c) The City Council may provide for the collection of the special tax in the same manner and subject to the same penalties as, or with, other charges and taxes fixed and collected by the City, or by the County of Los Angeles on behalf of the City. If the special tax is collected by the County on behalf of the City, the County may deduct its reasonable costs incurred in such service.
- (d) City costs of enforcement and administration of tax, including refunds, shall be paid from the special tax revenue.
- (e) Priority of expenditures shall be as follows: (1) for the indebtedness for the capital improvements and interest thereon, (2) expanding library hours, (3) acquiring books and materials and promoting children reading programs.

3.42.060 Special Fund.

- (a) There is hereby established a special fund entitled "Library Special Tax Fund" (hereafter the "special fund"). Revenue collected pursuant to this chapter shall be deposited into said special fund and shall be used exclusively as provided in this chapter for the purposes for which the tax is imposed, and for no other purposes. Nothing in this section shall prevent disbursements from this special fund to reimburse the general fund if, and only if, money has been advanced from the general fund to pay for the uses provided for in this chapter. Advancement as used in this section shall mean only those general funds necessary to pay for services or goods authorized by this chapter but for which insufficient funds have yet to be collected in the special fund due to cycle of collection.

- (b) Any money raised by the special tax, including any interest accrued thereon, that remains unencumbered at the end of any fiscal year may be used in succeeding fiscal years for only the purposes stated in this chapter.

Section. 3.42.070 Tax rate; contingency.

- (a) An annual special tax is hereby levied on the following classification of property in the City:
- (1) \$25.00 on each single family residential dwelling unit or each dwelling unit in a residential condominium project.
 - (2) \$50.00 on each parcel improved with two residential units, which is not a condominium project.
 - (3) \$75.00 on each parcel improved with three or more residential units, which is not a condominium project.
 - (4) \$75.00 on each parcel improved with a non-residential building.
- (b) Notwithstanding any other provisions herein except Section 3.42.080, if in any fiscal year there is outstanding any bonded indebtedness issued on reliance on the revenue of this special tax, the annual special tax levy shall not decrease below the amount necessary for payment of that outstanding indebtedness and interest thereon.
- (c) Except as set forth in Subsection 3.42.070(b) above and herein, the annual special tax shall not be levied in any fiscal year in which the City Council's general fund budget and appropriations for the library is less than 5.3 % of the City's total general fund budget. Upon a four-fifths vote of the City Council and the Library Board of Trustees, the threshold percentage to levy the special tax in any fiscal year may be reduced to 5.0%. In determining the total general fund budget amount, the amount of any new or increased fees and charges approved after the calendar year 1997 shall be deducted from such calculation and determination.

Section 3.42.080 Term

The annual special tax provided for herein shall be levied in each of twenty consecutive fiscal years, commencing with the first fiscal year in which there is a levy pursuant to this chapter.

Section 3.42.090 Adjustments and refunds.

- (a) Requests for adjustments involving imposition of this special tax shall be filed with the Director of Management Services. Upon applicant's production of reasonably sufficient evidence of error in the computation of the tax or exemption therefrom, the Director of Management Services or his/her designee shall cause the tax to be recalculated, and shall so advise the Los Angeles County tax collector or other appropriate official.
- (b) Whenever it is alleged that the amount of any tax has been overpaid or paid more than once or has been erroneously or illegally collected or received by the city under this chapter, the refund procedure shall be as follows:
 - (1) No claim for refund of tax payment shall be allowed in whole or in part unless filed with the city clerk within a period of three years from the date of the claimed overpayment. All such claims for refund of the amount of the overpayment must be filed on forms furnished, and in the manner prescribed by the finance department of the city. Refunds may be made solely from the special tax revenues collected under this chapter.
 - (2) In the event the Director of Management Services denies the claim, he/she shall notify the claimant pursuant to California Government Code Section 913.
- (c) The Director of Management Services shall have the power to settle claims involving the special tax, and the power to accept and record underpayments or overpayments of such tax. The Director of Management Services shall have the authority to make refunds of this tax.
- (d) If the County of Los Angeles does not collect any tax due under this chapter, then the Director of Management Services shall have the power and duty to enforce all of the provisions of this chapter. In such cases, an assessment may be made against the owner of a parcel in the manner provided by law. Any unpaid tax due under this chapter shall be subject to all remedies provided under the Municipal Code and as provided by law.
- (e) The special tax shall be due in two equal installments in accordance with the collection procedures of the Los Angeles County tax collector, with the first installment due November 1st and the second installment due in the next succeeding February 1st, in each fiscal year. The owner of land, at the time set forth in California Revenue and Taxation Code Section 405 and 2192 for each fiscal year, shall have a personal obligation to the City until the tax is paid for such fiscal year.
- (f) The Director of Management Services may prepare a questionnaire to be served on the owner of a parcel subject to this special tax. The questionnaire may request information which would be useful to the Director of Management Services in the enforcement or administration of this chapter. The failure by an owner to provide the information requested within thirty days of receipt of the request, or the act of an owner in knowingly providing false information, shall be a misdemeanor.

Section 3.42.100 Amendments.

Procedural provisions of this chapter may be amended by ordinance duly enacted by the city council.

Section 3.42.110 Severability.

If any section, subsection, part, clause, sentence or phrase of this chapter or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this chapter, the application thereof, and the tax imposed shall not be affected thereby but shall remain in full force and effect, it being the intention of the city council and the voters to adopt each and every section, subsection, part, clause, sentence or phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

Section 3.42.120 Effective date.

The ordinance enacting this chapter as a part of the Monterey Park Municipal Code and levying the special tax described herein shall be effective ten days after the date on which the city council has declared the voters of the City of Monterey Park have approved said ordinance by a vote of not less than two-thirds of the votes by the electors voting on the special tax proposal set forth in said ordinance.

**APPROVED AND ADOPTED AT THE APRIL 14, 1998, SPECIAL MUNICIPAL
ELECTION IN THE CITY OF MONTEREY PARK**

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK,
CALIFORNIA, ADDING CHAPTER 21.14, ENTITLED OFFICE PROFESSIONAL,
TO THE MONTEREY PARK MUNICIPAL CODE, MODIFYING SECTION 21.70.030
OF THE MONTEREY PARK MUNICIPAL CODE BY ADDING CERTAIN
CONDITIONALLY PERMITTED USES IN THE OFFICE PROFESSIONAL ZONE,
APPROVING A GENERAL PLAN AMENDMENT AND APPROVING A
ZONE CHANGE FOR THE AREA COMMONLY KNOWN AS
MCCASLIN BUSINESS PARK FROM MANUFACTURING (M) TO
OFFICE PROFESSIONAL (O-P)

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, DO
HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The People find and determine that a Zone Change pursuant to Title 21 of the Monterey Park Municipal Code (MPMC), to change the zoning designation from M (Manufacturing) to O-P (Office Professional), and to establish appropriate development regulations for the O-P zone are in the public interest and consistent with the General Plan.

SECTION 2. The People hereby amend the Monterey Park Municipal Code (MPMC) to establish an O-P (Office Professional) Zone, by adding Chapter 21.14 thereto to read as follows:

Chapter 21.14

O-P --- Office Professional Zone

Sections:

- 21.14.010 Purpose
- 21.14.020 Permitted uses
- 21.14.030 Prohibited uses
- 21.14.040 Principal uses
- 21.14.050 Conditional uses
- 21.14.060 Standards of development generally
- 21.14.070 Lots
- 21.14.080 Yards
- 21.14.090 Building height
- 21.14.100 Floor area ratio (FAR)
- 21.14.110 Off-street Parking

- 21.14.120 Required walls
- 21.14.130 Trash facilities
- 21.14.140 Buffering and maintenance of landscaping and easements
- 21.14.150 Compressors, air-conditioning units or similar mechanical equipment
- 21.14.160 Lighting
- 21.14.170 Exceptions
- 21.14.180 Site development plan approval
- 21.14.190 Limitations on permitted uses

21.14.010 Purpose. In order to provide for the development of integrated professional, office and limited retail areas that exhibit a diversity of business activity from both revenue and service quality standpoints, and which are compatible and responsive to abutting land uses, including residential developments, the following regulations shall be applicable to all properties classified in the O-P zone.

21.14.020 Permitted uses. No person shall use, nor shall any property owner permit the use of any lot classified in any O-P zone for any use, other than the following as set out in Section 21.14.040 and 21.14.050.

21.14.030 Prohibited uses. All uses not permitted in this chapter shall be prohibited.

21.14.040 Principal uses. The principal uses shall be permitted as follows:

- Administrative and professional offices;
- Beauty salon or barber shop;
- Bookstore;
- Cellular phone, telephone and pager store
- Coffee shop;
- Computer store, sales and service;
- Confectionary shop;
- Data processing facility;
- Delicatessen;
- Employment agency;
- Financial institutions' corporate offices, no retail banking;
- General research facility, not involving testing, manufacturing, fabrication or processing or sale of products, nor the use of a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U.F.C. Standard 79-3 or succeeding standard;
- Gift shop;
- Ice cream parlor;
- Import and export offices;
- Investment service offices, stock brokers;
- Jewelry store, sales and service;
- Legal offices;

Mail box and service store;
Medical equipment and supplies, sales and service;
Notary public;
Photocopying and blueprinting;
Public utility customer service office
Real estate offices and title companies;
Restaurant, tearoom and cafe;
Service businesses;
Stationery;
Studio, art, dance, martial arts, photography;
Tax consulting;
Tobacco store;
Travel agency;
Video sales and rentals;

21.14.050 Conditional uses. Conditional uses shall be uses specifically enumerated in Section 21.70.030.

21.14.060 Standards of development generally. All premises in the O-P zone shall comply with the following standards of development as set out in Sections 21.14.070 through 21.14.190.

21.14.070 Lots. (a) Lot area. The minimum lot area of each lot shall be five thousand square feet.

(b) Lot width. The minimum width of each lot shall be fifty feet.

(c) Lot depth. The minimum depth of each lot shall be one hundred feet.

21.14.080 Yards. The following minimum yards shall be required on all lots:

(a) Front yard. No minimum front yard is required.

(b) Side and rear yards. Every lot shall have and maintain minimum side and rear yards as follows:

(1) When the side yard is adjacent to a street, the yard shall be at least fifteen feet in depth.

(2) When adjacent to a R-zone, the yard shall be no less than fifty feet, plus five feet in depth for each story above one story of building or each ten-foot increment above fifteen feet in height of building on the O-P zoned lot. Where there is an opening, including but not limited to windows, pedestrian doors and roll-up doors, in any building on the O-P zone facing a yard adjacent to a R-zone, the yard shall be no less than one hundred feet from any opening to the R zoned lot. The yard may be used for parking, excepting a minimum fifteen foot wide area abutting the R-zone which shall be landscaped and maintained in such a condition so as not to violate Section 9.54.010. The required landscaping shall also conform to the standards set forth in Section 21.14.140. When the O-P zoned lot is separated from a R-zone by an alley, a rear yard setback of forty feet shall be provided, as measured from the centerline of the alley. A minimum three-foot wide landscaped planter shall be installed and maintained along the alley, excepting at any vehicular access driveway.

(3) When adjacent to a commercially-zoned or M zoned lot, no yard is required.

21.14.090 Building height. No building or structure in excess of forty feet or three stories shall be located on any lot. Buildings or structures exceeding the height limits may be permitted upon approval of a conditional use permit.

21.14.100 Floor area ratio (FAR). The floor area ratio shall not exceed 0.5 when the lot is less than ten thousand square feet in area. When the lot is between ten thousand and twenty thousand square feet in area, the floor area ratio shall not exceed 0.65. When the lot is more than twenty thousand square feet in area, the floor area ratio shall not exceed 0.8. The floor area ratio may be increased to a maximum of 1.0 for all lots, upon approval of a conditional use permit.

21.14.110 Off-street parking and loading. Each O-P zoned lot shall have and maintain off-street parking and loading facilities as required by Chapter 21.40.

21.14.120 Required walls. Except as otherwise provided in Chapter 21.48, the following standards shall apply: (a) Where any part of the front yard or street side yard of a O-P zoned lot is used for parking or loading, a masonry wall compatible in color with the commercial building and/or sight-obscuring hedge a minimum of three feet in height shall be erected and maintained within a landscaped area a minimum of three feet in width adjacent to the sidewalk at the front or side yard property line as required by Section 21.40.180.

(b) When any O-P zoned lot has a common side or rear lot line with any R-zoned property, a six-foot solid decorative masonry or concrete block wall compatible in color with the commercial building shall be constructed and maintained along all such common side or rear lot lines. Where an easement exists, abutting the common property line, the said decorative wall may be constructed along the boundary of the easement on the commercial lot. A minimum three-foot wide landscaped planter with automatic irrigation system shall be placed adjacent to the wall, planted with trees, shrubs, ground cover and vines. Where a parking lot on the O-P zoned lot abuts a R-zoned lot, the additional parking lot landscaping requirements of Section 21.40.180 shall apply.

21.14.130 Trash facilities. Each O-P zoned lot shall be provided with facilities for the storage and collection of trash as follows:

(a) Any outdoor trash facility shall be enclosed by a minimum five-foot high solid masonry, brick or concrete wall except for the access way which shall be enclosed with solid decorative gates of the same height.

(b) Location and size shall be subject to approval by the planner. When any O-P zoned lot has a common property line with a R-zoned lot, no trash facility shall be located within the required building setback.

(c) Open vehicular and pedestrian access to and from such trash facility shall be provided. No parking spaces shall block such access to the trash facility.

(d) Trash facilities shall be maintained in a closed manner at all times to prohibit visibility from public rights-of-way or adjacent property.

Notwithstanding any other provision of this title, all existing uses, buildings and structures in the O-P zone which do not conform to this Section shall provide a fully enclosed trash facility within six months of the effective date of this ordinance unless providing such trash facility will eliminate any existing required off-street parking spaces.

21.14.140 Buffering and maintenance of landscaping and easements. For O-P zoned lots with side or rear yards that are adjacent to an R zoned lot, the following buffering provisions shall be provided and maintained:

(a) Landscaping, irrigation and maintenance plans shall be required and the plans shall be subject to approval of the design review board under the provisions of Chapter 21.72. The plans shall incorporate, but not be limited to, fifteen-gallon minimum trees at time of planting, interspersed shrubs, ground cover, raised earthen berms and automatic sprinkler systems. The City may require the maintenance plan to include a bonafide service agreement with a City licensed landscaping service business. Maintaining an active service agreement on file with the Community Development Department shall be the responsibility of the owner of the subject property or by his authorized agent.

(b) All landscaped areas and easements shall be maintained in good condition, weed and disease free, and in compliance with Chapter 9.54.

Notwithstanding any other provision of this title, all O-P zoned lots that abut a R zone and do not have landscaping, irrigation and maintenance plans that have been approved by the design review board pursuant to requirements of Chapter 21.72 shall submit a landscaping, irrigation and maintenance plan for design review board approval within six months of the effective date of this ordinance.

21.14.150 Compressors, air-conditioning units or similar mechanical equipment. Each O-P zoned lot which has compressors, air-conditioning units or similar mechanical equipment, located on the roof and outside of the exterior walls of any building or structure, shall comply with the following:

(a) All such equipment shall be installed with permanent sound proofing measures, including but not limited to, enclosures, parapet and sound attenuating walls and screens. All such equipment shall comply with noise standards set forth in Chapter 9.53. The location, type and scope of soundproofing measures for such equipment shall be subject to the approval of the Community Development Department.

(b) All such equipment shall be maintained in a clean and proper condition to prevent collection of litter and filth, emissions of dust or fumes, vibration or electrical disturbances.

21.14.160 Lighting. All outdoor lighting shall be located and shielded so as to prevent the direct spillage of light or glare onto adjacent lots and streets.

21.14.170 Exceptions. Except as otherwise provided in this section, any use, building or structure which is in existence or for which a permit has been issued, as of the effective date hereof, and which conformed to all zoning regulations of the city then in effect at such time, shall not be rendered nonconforming within the meaning of Chapter 21.68, solely by reason of the application of the development standards as set forth in this chapter; provided that any such existing use, building or structure shall comply with the provisions hereof upon a change in use, or upon use, building or structure expansion or reconstruction, in whole or in part.

21.14.180 Site development plan approval. Prior to the issuance of a building permit or business license for any use, building or structure to be located on any lot, as to which the provisions of this chapter apply, the provisions of Chapter 21.72, with regard to site development plans shall be complied with.

21.14.190 Limitations on permitted uses. Every use permitted in the O-P zone shall comply with the following:

(a) All uses shall be conducted totally within a completely enclosed building, except for those uses which are customarily conducted in the open, as determined pursuant to Section 21.06.060 or Section 21.74.030. Those uses conducted in the open shall be no closer than one hundred feet to any R zoned lot, except for parking.

(b) No outdoor storage shall be allowed unless the same is enclosed by a view-obscuring fence or wall, provided that no stored material is visible above the fence or wall, that the fence or wall is approved by the Department of Community Development, and that such storage shall be limited to the accessory storage of items sold or utilized in the conduct of a permitted use on the premises. Where the O-P zoned lot is adjacent to a R zoned lot, no outdoor storage shall be permitted within one hundred feet of a R zoned lot.

(c) No loading and unloading shall be permitted in any required side or rear yard.

(d) Where the O-P zoned lot is adjacent to a R zoned lot, no deliveries of goods and commodities nor loading or unloading shall be conducted during the hours from 10:00 p.m. to 7:00 a.m.

(e) There shall be no overnight parking of vehicles, except those vehicles used in conjunction with a permitted use.

(f) Driveways may not exceed thirty feet in width or sixty percent of the lot frontage.

(g) No use shall be permitted which produces or causes or emits any dust, gas, smoke, glare, noise, fumes, odors, electromagnetic emanations or vibrations which are or may be detrimental to the health, safety, welfare and peace of the city and its residents and businesses.

(h) No use shall be permitted which uses or stores a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U. F. C. Standard 79-3 or succeeding standard. A business materials usage and operations form shall be filed with the Community Development Department prior to the approval of a certificate of occupancy. Notwithstanding any other provision of this title, all O-P zoned businesses that do not have a business materials usage and operations form on file shall submit a form within six months of the effective date of this ordinance.

(I) No person shall, at any location within the O-P zone, create nor allow the creation of noise which causes the noise level to exceed the applicable noise standards set forth in Chapter 9.53. Where the O-P zoned lot is adjacent to a R zoned lot, the noise level at the property line of the R zoned lot shall not exceed the allowable noise level for residential properties.

SECTION 3. The People hereby amend Section 21.70.030 of the Monterey Park Municipal Code (MPMC) by adding the following conditionally permitted uses:

Use	Zone in which allowed subject to Conditional Use Permit
Auditorium, not within 300 feet of a R-zone	O-P
Buildings exceeding height limit	O-P
Business college (office or medical, dental).	O-P
Child care center, not within 300 feet of a R-zone	O-P
Commercial office or service units which are shared by more than one independently owned business enterprise	O-P
Commercial developments of five or more units or with an area of more than one acre, and within 300 feet of a R-zone	O-P
Financial institution (retail banking)	O-P
Floor area ratio not to exceed 1.0	O-P
Government or public facility, except those owned or operated by the City of Monterey Park	O-P
Gymnasium, reducing salon and health center	O-P
Hotel	O-P
Lot size over an acre	O-P
Places of entertainment, except as otherwise provided in this title . . .	O-P

SECTION 4. The People APPROVE General Plan Amendment to change the land use designation in the Land Use Element from Industrial to Commercial for the area set forth in the attached map incorporated herein by this reference, based on the following findings:

1. The proposed General Plan Amendment will protect the health, safety and general welfare of the community as the amendment provides for a land use more compatible with surrounding single family residential development.
2. The proposed General Plan Amendment reflects the conditions of the community and are in keeping with the character of the area. The proposed land use designation of commercial is more compatible than the existing manufacturing designation with the surrounding single family residential areas.

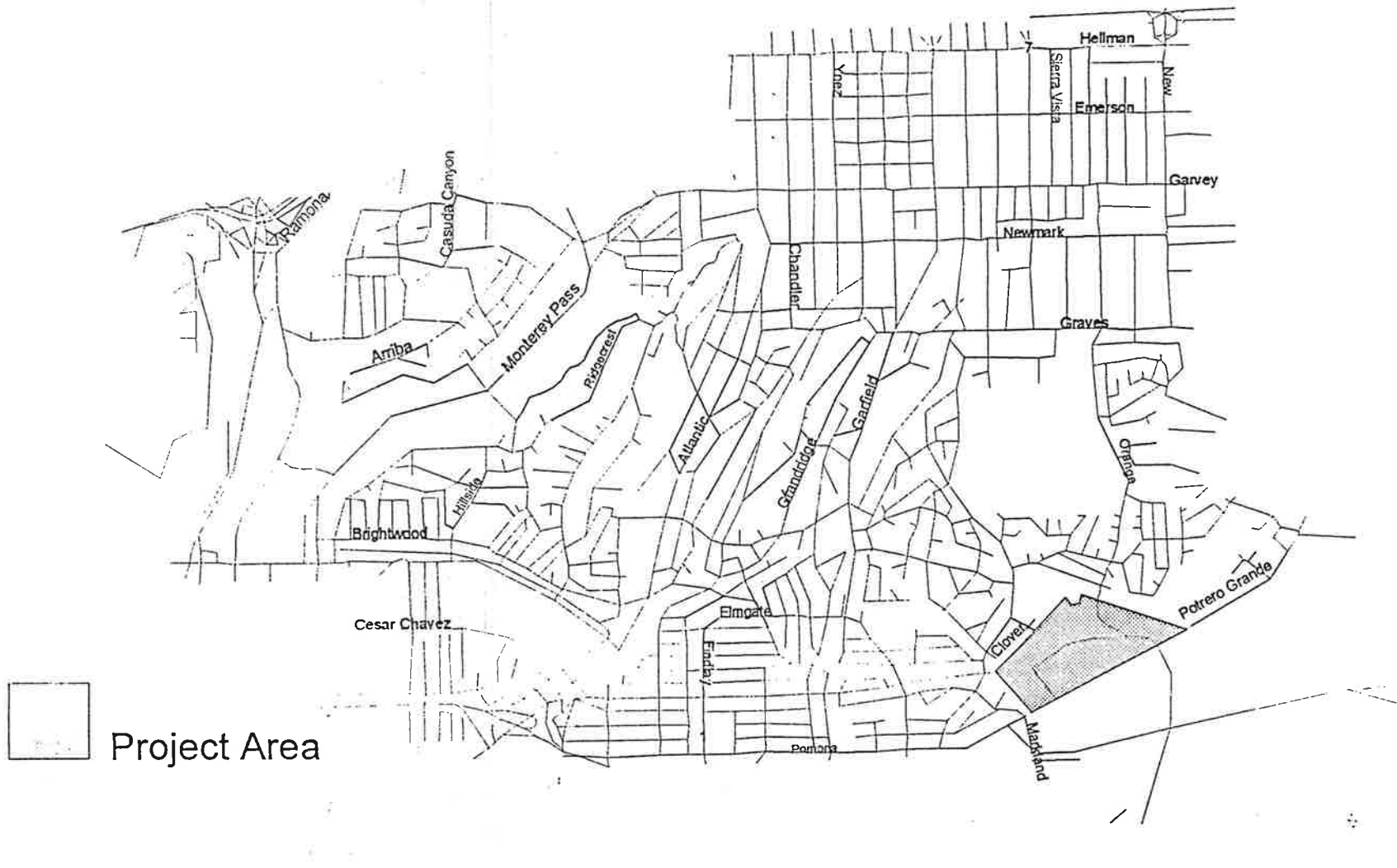
SECTION 5. The People **APPROVE** the Zone Change to change the land use classification from M to O-P for the area set forth in the attached map incorporated herein by this reference.

(1997OP-.ORD)

REV: 12/30/97
11.45 A.M.

APPROVED AND ADOPTED AT THE APRIL 14, 1998,
SPECIAL MUNICIPAL ELECTION IN THE CITY OF MONTEREY PARK

MCCASLIN BUSINESS PARK GENERAL PLAN AMENDMENT AND ZONE CHANGE



AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, ADDING CHAPTER 21.07, ENTITLED OPEN SPACE, TO THE MONTEREY PARK MUNICIPAL CODE, MODIFYING SECTION 21.70.030 OF THE MONTEREY PARK MUNICIPAL CODE BY ADDING CERTAIN CONDITIONALLY PERMITTED USES IN THE OPEN SPACE ZONE, APPROVING A GENERAL PLAN AMENDMENT TO PUBLIC/SEMI-PUBLIC AND APPROVING A ZONE CHANGE FOR THE AREAS KNOWN AS COMMUNITY PARKS, NEIGHBORHOOD PARKS, CITY FACILITIES, AND OTHER PUBLIC AND SEMI-PUBLIC LANDS TO O-S (OPEN SPACE)

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, DO HEREBY ORDAIN AS FOLLOW:

SECTION 1. The People find and determine that a Zone Change, pursuant to Title 21 of the Monterey Park Municipal Code (MPMC), to change the zoning designation to O-S (Open Space) and establish appropriate development regulations for the O-S zone, for community parks, neighborhood parks, city facilities, and other public and semi-public lands are in the public interest and consistent with the General Plan.

SECTION 2. THE People hereby amend the Monterey Park Municipal Code (MPMC) to establish an O-S (Open Space) zone, by adding Chapter 21.07 thereto, to read as follows:

Chapter 21.07

O-S --- Open Space Zone

Sections:

- 21.07.010 Purpose
- 21.07.020 Permitted uses
- 21.07.030 Prohibited uses
- 21.07.040 Principal uses
- 21.07.050 Conditional uses
- 21.07.060 Standards of development
- 21.07.070 Off-street parking
- 21.07.080 Outdoor storage
- 21.07.090 Voter approval required

21.07.010 Purpose. In order to further the goals as set forth in City's general plan, establish and provide permanent outdoor recreational and open space resources, and to prevent inappropriate development of areas, which should be regulated to provide for recreational, conservation, aesthetic, historic, cultural, scenic or public health and safety uses, the following regulations shall be applicable to all properties classified in the O-S zone.

21.07.020 Permitted uses. No person shall use, nor shall any property owner permit the use of any lot classified in any O-S zone for any use, other than the following as set out in Sections 21.07.040 and 21.07.050. Any lot in the O-S zone shall primarily maintain land area devoted to an open space character.

21.07.030 Prohibited uses. All uses not permitted in this chapter shall be prohibited.

21.07.040 Principal uses. The principal uses shall be permitted as follows:

- (1) Public recreational uses such as parks, playgrounds, tennis courts, swimming pools, basketball courts, baseball/softball diamonds, roller rinks, recreational areas and trails, excepting those recreational uses specified in Section 21.70.030;
- (2) Publicly owned and operated community centers and enclosed recreational facilities such as gymnasiums, fitness centers, racquetball courts and indoor swimming pools;
- (3) Public restrooms;
- (4) Landscaping and public improvement easements and rights-of-way;
- (5) Landscaped vehicle parking areas required for any principal uses;
- (6) Unimproved public utility easements and rights-of-ways;
- (7) Comparable uses subject to the provisions of Section 21.74.030.

21.07.050 Conditional uses. Conditional uses shall be uses specifically enumerated in Section 21.70.030.

21.07.060 Standards of development. All premises in the O-S zone shall comply with the following standards of development:

- (a) Lot area. There shall be no minimum lot area requirement.
- (b) Lot coverage. The maximum coverage of all structures on a lot shall be twenty-five percent of the total gross lot area. This coverage standard, however, may be increased if the city council finds that the increase is necessary and/or desirable in meeting the purpose and intent of this chapter.
- (c) Front yard. Each lot or parcel of land shall have a minimum front yard of twenty-five feet.

(d) Side yards. (1) Interior yard. Each lot or parcel of land shall have a minimum side yard of ten feet. When abutting a residential zone, the yard shall not be less than twenty-five feet. (2) Corner yard. Each lot or parcel of land shall have a minimum corner side yard of twenty-five feet.

(e) Rear yard. Each lot or parcel of land shall have a minimum rear yard of twenty-five feet.

(f) Height limits. No lot or parcel of land in the O-S zone shall have a building or structure in excess of two stories nor in excess of thirty-five feet in height. This height standard, however, may be increased if the city council finds that the increase is necessary and/or desirable in meeting the purpose and intent of this chapter.

21.07.070 Off-street parking. Each lot or parcel of land or building facilities in the O-S zone shall have and maintain off-street parking facilities as required by Chapter 21.40.

21.07.080 Outdoor storage. Outdoor storage of goods, materials or other items shall be prohibited between the frontage of any buildings and the public right-of-way. Any such exterior storage elsewhere on the lot shall be enclosed.

21.07.090 Voter approval. (a) Amendment of Zoning Map. No amendment of the zoning map of the city which changes the zoning designation of any lot or parcel from O-S to another zone designation shall be effective for any purpose whatsoever unless and until such amendment shall have been approved by a majority of those voters of the city voting thereon at any regular or special municipal election.

(b) Private Facilities. Any approval by the City Council for privately owned, operated or managed community centers, enclosed recreational facilities such as gymnasiums, fitness centers, racquetball courts or indoor swimming pools, or outdoor recreational uses such as tennis courts, baseball and softball diamonds, basketball courts, swimming pools, roller rinks and similar indoor/outdoor recreational uses, which are to be located on a lot or lots in which the city has a legal interest shall be approved by ordinance and shall be subject to referendum pursuant to California Elections Code Section 9235, et seq., as amended. No such approval shall become effective until 30 days from and after the date of adoption of said ordinance by the City Council.

SECTION 3. The People hereby amend Section 21.70.030 of the Monterey Park Municipal Code (MPMC) by adding the following conditionally permitted uses:

Use	Zone in which allowed subject to Conditional Use Permit
Agricultural and horticultural cultivation. . . .	O-S
Privately owned, operated or managed community centers, enclosed recreational facilities such as gymnasiums, fitness centers, racquetball courts or indoor swimming pools, or outdoor recreational uses such as tennis courts, baseball and softball diamonds, basketball courts, swimming pools, roller rinks and similar indoor/outdoor recreational uses	O-S
Food service or concessionaire type service accessory to the principal use of the property.	O-S
Golf Course	O-S
Greenhouse	O-S
Plant nursery	O-S
Golf driving range	O-S
Radio or television tower and transmitter	O-S

SECTION 4. The People **APPROVE** General Plan Amendments to change the land use designations in the Land Use Element to Public/Semi-Public for the areas set forth in the attached maps incorporated herein by reference, based on the following findings:

1. The proposed General Plan Amendment will protect the health, safety and general welfare of the community in that the amendments facilitate open space development that will be more compatible with surrounding single family residential development.
2. The proposed General Plan Amendments reflect the conditions of the community and are in keeping with the character of the area. The proposed land use designation of Public/Semi-Public will provide for the preservation of open space areas and minimize development impacts to the surrounding areas.

SECTION 5. The People **APPROVE** the Zone Change to change the land use classification to O-S for the areas set forth in the attached maps incorporated herein by this reference.

SECTION 6. The development proposed by GRRC, Inc. and referenced in the purported sublease dated September 26, 1983, (whether effective or not) between the City of Monterey Park and GRRC, Inc. for the construction of a racquetball/fitness/tennis club at the Garvey Ranch Park shall be exempt from the provisions of Chapter 21.07 of the Monterey Park Municipal Code so long as GRRC, Inc. and Monterey Park enter into a lease for said development at Garvey Ranch Park, GRRC, Inc. obtains all required approvals and permits, and GRRC, Inc. begins construction and performs substantial work within two years of adoption of this ordinance. If GRRC, Inc. (or its successor if approved by the City Council) fails to satisfy all conditions set forth above, then said development shall be subject to the provisions of Chapter 21.07. Notwithstanding such exemption, upon any change requesting a different use or requesting expansion of the use, buildings or structures, then said development shall comply with the provisions of Chapter 21.07.

(1997\OS.ORD\REV-1-7-98-1:44PM)

APPROVED AND ADOPTED AT THE APRIL 14, 1998,
SPECIAL MUNICIPAL ELECTION IN THE CITY OF MONTEREY PAREK

Proposed Open Space General Plan Amendment & Zone Change

Affected Locations

- ① Barnes Park
- ② Bella Vista Park
- ③ Cascades Park
- ④ Civic Center
- ⑤ Edison Trails Park
- ⑥ Garvey Ranch Park
- ⑦ Garvey Reservoir
- ⑧ George Elder Park
- ⑨ Highlands Park
- ⑩ La Loma Park
- ⑪ Langley Center & Park
- ⑫ Pine Tree Park
- ⑬ Sequoia Nachi Gardens
- ⑭ Sierra Vista Park
- ⑮ Sunnyslopes Park
- ⑯ Water Conservation Garden
- △ City Street



ORDINANCE NO. 1935

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT FROM INDUSTRIAL TO COMMERCIAL AND APPROVING A ZONE CHANGE FROM M (MANUFACTURING) TO R-S (P-D) (REGIONAL SPECIALTY WITH PLANNED DEVELOPMENT DISTRICT OVERLAY) FOR AN AREA IN THE SOUTHEAST REGION OF THE CITY

THE PEOPLE OF THE CITY OF MONTEREY PARK, CALIFORNIA, DOES HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The People APPROVE the General Plan Amendment to change the land use designation in the Land Use Element from Industrial to Commercial for the area set forth in the attached map incorporated herein by this reference, based on the following findings:

1. The subject amendment is compatible with the land use designations of the surrounding properties.
2. The subject amendment will revitalize deteriorating development existing in the City and broaden its economic base.
3. The subject amendment will not be detrimental to the health, safety and general welfare of the community and will not adversely impact the adjoining properties.

SECTION 2. The People APPROVE the Zone Change to change the land use classification from M to R-S (P-D) for the area set forth in the attached map incorporated herein by this reference.

APPROVED AND ADOPTED AT THE APRIL 14, 1998,
SPECIAL MUNICIPAL ELECTION IN THE CITY OF MONTEREY PARK

GENERAL PLAN AMENDMENT AND ZONE CHANGE

