

Jeff Ortiz, Chair  
Leo Barrera, Vice Chair  
Gracie Retamoza, Commissioner  
Jackie Rubio, Commissioner  
Kenneth Tang, Commissioner



Gerardo Marquez, Director of Community  
Development & Public Works  
Renee Reyes, Secretary  
Adrian De Leon, Assistant City Attorney

**CITY OF SOUTH EL MONTE**  
**CALL AND NOTICE OF SPECIAL MEETING**  
**CALLED BY CHAIR JEFF ORTIZ**  
**AGENDA**

March 25, 2026, 6:00 PM  
1415 Santa Anita Avenue, South El Monte, CA 91733

**NOTICE IS HEREBY GIVEN** that a Special Meeting of the Planning Commission of the City of South El Monte will be held on Wednesday, March 25 2026 at City Hall in the Council Chambers, 1415 Santa Anita Avenue, South El Monte, CA 91733

**PUBLIC COMMENT**

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/86581711880>

Webinar ID: 865 8171 1880

Or call in: 1 669 900 6833, when prompted, enter 86581711880#

Each speaker will be limited to five minutes. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. This is the only opportunity for public input except for scheduled public hearing items. All comments or queries shall be addressed to the Commission as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the Planning Commission shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

**LIVE STREAMING OF MEETINGS**

The City of South El Monte live streams the Planning Commission Meetings over the Internet at <https://www.cityofsouthelmonte.org/129/Meeting-Agendas-Minutes>. After the meetings, recordings are immediately posted. NOTE: Your attendance at this public meeting may result in the streaming and recording of your image and/or voice.

**AMERICANS WITH DISABILITIES ACT**

In accordance with the Americans with Disabilities Act of 1990, if you require a

disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 579-6540 at least 72 hours prior to the meeting.

### **GENERAL COMMENT**

Members of the public wishing to submit a general comment or a comment on any item listed on agenda, can email [rreyes@soelmonte.org](mailto:rreyes@soelmonte.org) or call (626) 579-6540 to leave a voicemail message. Written public comments will be provided to the City Council and will be part of the record but will not be read aloud.

### **MEETINGS**

The Planning Commission holds regular meetings on the fourth Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California. Special meeting's start times are to be determined.

### **POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES**

Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

### **VIEWING OF AGENDA PACKETS**

Full agenda packet can be viewed either at <https://www.cityofsouthelmonte.org/129/Agendas-Minutes> or in the City Clerk's Office during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

### **ISSUES RELATED TO AGENDA**

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Renee Reyes, Secretary  
Ph (626) 652-3175

### **AGENDA BEGINS ON THE FOLLOWING PAGE**

**1. ROLL CALL**

Commissioners: Retamoza, Rubio, Tang, Vice Chair Barrera, and Chair Ortiz

**2. PLEDGE OF ALLEGIANCE**

Commissioner Retamoza

**3. PRESENTATIONS - None**

**4. APPROVAL OF AGENDA**

By motion of the Planning Commission, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

**5. PUBLIC COMMENT**

Speakers may only provide public comments on items listed on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Commission objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Commission as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the Commission shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

**6. CONSENT CALENDAR**

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously pulled by a member of the Planning Commission during "Approval of the Agenda" for individual consideration. Any items pulled shall be individually considered immediately after taking action on the Consent Calendar.

**6.a. CONSIDERATION AND APPROVAL OF THE REGULAR PLANNING COMMISSION MEETING MINUTES OF FEBRUARY 24, 2026.**

**RECOMMENDED ACTION:** Staff is requesting approval of the Minutes of the February 24, 2026, Planning Commission Meeting.

**7. PUBLIC HEARINGS**

**7.a. CONSIDERATION OF RESOLUTION NO. 26-05 WHEREBY THE PLANNING COMMISSION RECOMMENDS THE CITY COUNCIL CONSIDER A ZONE TEXT AMENDMENT (NO. 26-01), TO AMEND CHAPTER 17.12 "ACCESSORY DWELLING UNITS", TO COMPLY WITH NEW REQUIREMENTS SET FORTH BY THE STATE OF CALIFORNIA.**

**RECOMMENDED ACTION:** Staff recommends that the Planning Commission adopt Resolution No. 26-05, recommending that the City Council adopt Zone Text Amendment (No. 26-01) to amend and replace South El Monte Municipal Code ("SEMMC") Chapter 17.12 "Accessory

Dwelling Units” to bring the SEMMC into conformity with the newly amended State law.

**7.b. AN RESOLUTION OF THE CITY OF SOUTH EL MONTE CITY COUNCIL ADOPTING ZONE TEXT AMENDMENT (NO. 26-02) TO AMEND SOUTH EL MONTE MUNICIPAL CODE SECTION 17.03.230 TO IMPOSE A BUFFER DISTANCE FROM JURISDICTIONAL BOUNDARIES TO 350 FEET AND A 1,000 FOOT BUFFER FROM ALL SENSITIVE USES**

**RECOMMENDED ACTION:** Staff recommends the Planning Commission:

- Initiate by motion a Zone Text Amendment (ZTA) to the South El Monte Municipal Code.
- Approve Resolution No. 26-06 to recommend that the City Council approve Zone Text Amendment No. 26-02 (ZTA 26-02) to:
  - Amend the South El Monte Municipal Code Section 17.03.230 to add a sensitive use buffer and a jurisdictional boundary buffer for massage establishments.

**8. GENERAL BUSINESS**

**8.a. RE-ORGANIZATION - VOTE FOR VICE CHAIR**

**RECOMMENDED ACTION:** Staff recommends the Planning Commission elect a Vice Chair.

**8.b. RE-ORGANIZATION - VOTE FOR CHAIR**

**RECOMMENDED ACTION:** Staff recommends the Planning Commission elect a Chair.

**8.c. 2025 HOUSING ELEMENT ANNUAL PROGRESS REPORT**

**RECOMMENDED ACTION:** Staff recommends that the Planning Commission receive and forward the Housing Element Annual Progress Report for Calendar Year 2025 to the City Council. The attached report shall be forwarded to the California Department of Housing and Community Development and the Governor’s Office of Planning and Research.

**9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS**

AB 1234, section 53232.3(d) requires Members of a legislative body to provide brief reports on meetings attended at the expense of the local agency (i.e., Conferences, seminars, training etc.) at the next regular meeting of the legislative body.

**10. CORRESPONDENCE - None**

**11. COMMISSIONERS AGENDA**

**11.a. COMMISSIONER TANG**

1. Recycling Facility Regulations and Location Review — Current zoning

and operation for recycling in the City, location of existing recycling centers, future land use, safety, buffering, or policy considerations the Planning Commission should evaluate following the recent fire at a recycling yard.

**11.b. VICE CHAIR BARRERA**

1. Is Rustic & Chic still operating?
2. Updates for speed bumps being installed on Michael Hunt Dr. and status on survey that was taken.

**12. STAFF MEMBER COMMENTS - None**

**13. ADJOURNMENT**

**NEXT REGULAR PLANNING COMMISSION MEETING:**

Tuesday, April 28, 2026, at 6:00 p.m.

**CERTIFICATION**

I, Renee Reyes, Secretary, hereby certify under penalty of perjury that a true, accurate copy of the foregoing agenda was posted on this 19th of March 2026, twenty-four (24) hours prior to the meeting per Government Code 54954.2 at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at [www.cityofsouthelmonte.org](http://www.cityofsouthelmonte.org).

*Renee Reyes*  
Secretary

**CITY OF SOUTH EL MONTE**  
**REGULAR PLANNING COMMISSION MEETING MINUTES**  
Tuesday, February 24, 2026, 6:00 P.M.

1. **ROLL CALL** – Chair Ortiz called the meeting to order at 6:04 p.m.

PRESENT: Commissioner(s): Chair Ortiz, Vice Chair Barrera, and Retamoza

ABSENT: Commissioner(s): Tang and Rubio

STAFF PRESENT: Adrian De Leon, Assistant City Attorney; Gerardo Marquez, Director of Community Development & Public Works; Charlize Hernandez; Planning Assistant, and Renee Reyes, Secretary.

Zoom was provided for the Public to participate during public comment via teleconference.

2. **PLEDGE OF ALLEGIANCE** – Vice Chair Barrera led the Pledge of Allegiance.

3. **PRESENTATIONS** - None

4. **APPROVAL OF AGENDA**

A motion was made by Commissioner Retamoza seconded by Vice Chair Barrera, to approve the agenda. Motion passed 3-0 by the following vote:

AYES: Commissioner(s): Retamoza, Vice Chair Barrera, Chair Ortiz

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): Tang and Rubio

ABSTAIN: Commissioner(s): None

Commissioner Rubio joined the meeting at 6:07 p.m.

5. **PUBLIC COMMENT**

Chair Ortiz opened Public Comment.

1. Tammy Hinley – Asked questions regarding the project on Lexington-Gallatin.
2. Bill Hinley – Expressed his concerns regarding parking on Lexington-Gallatin Rd.
3. Jasmine – Expressed her concerns regarding the Lexington-Gallatin project.

4. Edgar Castaneda – Spoke his support for the Lexington-Gallatin project.
5. Johny Ventura – Spoke about an item from a prior City Council meeting regarding a pylon sign.

Chair Ortiz read a letter for Public Comment:

6. J.R. – Expressed their concerns about the Lexington-Galatin project.

Chair closed Public Comment seeing no one else wishing to speak.

## **6. CONSENT CALENDAR**

A motion was made by Vice Chair Barrera, seconded by Commissioner Rubio, to approve the agenda. Motion passed 4-0, by the following vote:

### **6.a. CONSIDERATION AND APPROVAL OF THE REGULAR PLANNING COMMISSION MEETING MINUTES OF JANUARY 27, 2026.**

**RECOMMENDED ACTION:** Staff is requesting approval of the Minutes of the January 27, 2026, Regular Planning Commission Meeting.

AYES: Commissioner(s): Rubio, Retamoza, Vice Chair Barrera, and Chair Ortiz

NAYS: Commissioner(s): None

ABSTAIN: Commissioner(s): None

ABSENT: Commissioner(s): None

Chair Ortiz opened Public Hearing at 6:22 p.m. for Item 7.a.

## **7. PUBLIC HEARING**

### **7.a. ADOPTION OF RESOLUTION NO. 26-01 APPROVING TIME EXTENSION (TX 25-03) FOR CONDITIONAL USE PERMIT (CUP 20-06) TO CONSTRUCT A NEW 65,084 SQ. FT. WAREHOUSE, OFFICE, AND RETAIL BUILDING ON THE PROPERTY LOCATED AT 2512 ROSEMEAD BLVD.**

Charlize Hernandez, Assistant Planner provided a brief presentation on the subject site.

Commissioners posed questions to Staff and the applicant.

Kelly, project manager, responded to questions.

Chair Ortiz opened and closed Public Comment seeing no one wishing to speak.

**RECOMMENDED ACTION:** Staff recommends that the Planning Commission adopt Resolution No. 26-01, approving Time Extension No. 25-03 for Conditional Use Permit No. 20-06 for the proposed development of a 2.54-acre site with a 65,084 square foot warehouse, office, and retail building at 2512 Rosemead Boulevard.

A motion was made by Vice Chair Barrera seconded by Commissioner Rubio, to adopt Resolution No. 26-01, approving Time Extension No. 25-03. Motion passed 4-0 by the following vote:

AYES: Commissioner(s): Rubio, Retamoza, Vice Chair Barrera, and Chair Ortiz

NAYS: Commissioner(s): None

ABSTAIN: Commissioner(s): None

ABSENT: Commissioner(s): Tang

Chair Ortiz closed Public Hearing for Item 7.a. at 6:30 p.m.

Chair Ortiz opened Public Hearing at 6:30 p.m. for Item 7.b.

**7.b. CONSIDERATION OF RESOLUTION NO. 26-02, RECOMMENDING THAT THE CITY COUNCIL CERTIFY AN ENVIRONMENTAL IMPACT REPORT (ENVIRONMENTAL ASSESSMENT REVIEW NO. 25-01), INCLUDING MITIGATION MONITORING AND REPORTING PROGRAM, ADOPT CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, GENERAL PLAN AMENDMENT (NO. 23-03), ZONE CHANGE (NO. 23-01), AND RESOLUTION NO. 26-03 AND 26-04, CONDITIONALLY APPROVING A SUBDIVISION (NO. 23-01) AND CONDITIONAL USE PERMIT (NO. 23-07), IN ORDER TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM ( C ) COMMERCIAL TO (C-M) COMMERCIAL-MANUFACTURING, AND CHANGE THE ZONING DESIGNATION FROM ( C ) COMMERCIAL TO (M) MANUFACTURING, AND SUBDIVIDE ONE PARCEL INTO TWO SEPARATE LOTS, TO ALLOW FOR THE DEVELOPMENT OF A FUTURE PUBLIC CITY PARK ON AN APPROXIMATELY 10.7-ACRE LOT BY THE CITY AND DEVELOPMENT OF AN APPROXIMATELY 221,815 SQUARE-FOOT INDUSTRIAL BUILDING BY THE DEVELOPER ON AN APPROXIMATELY 10.5-ACRE LOT FOR THE PROPERTY LOCATED AT 825 LEXINGTON-GALLATIN ROAD, SOUTH EL MONTE, CA.**

Gerardo Marquez, Director of Community Development and Public Works provided a presentation on the subject site.

Commissioners posed questions to Staff and the applicant.

Chair Ortiz opened Public Comment.

1. Bill Henley – Posed questions and suggested ideas about subject site.

2. Jasmine – Posed questions and concerns about project.
3. Rick Martinez, applicant – Answered Commissioners questions and concerns.
4. Dana Privitt, firm that prepared environmental report – Answered Commissioners questions and concerns.

Chair Ortiz closed Public Comment.

**RECOMMENDED ACTION: Staff recommends that the Planning Commission:**

- (i) Adopt Resolution No. 26-02, forwarding to the City Council a recommendation to certify the Final EIR, approve General Plan Amendment (No. 23-03), and approve Zone Change (No. 23-01), and
- (ii) Adopt Resolution No. 26-03, and 26-04, conditionally approving a Subdivision (No. 23-01) and Conditional Use Permit (No. 23-07) for the development of a future public city park on an approximately 10.7-acre lot by the City and development of an approximately 221,815 square-foot industrial building by the developer on an approximately 10.5-acre lot.

A motion was made by Commissioner Rubio, seconded by Commissioner Retamoza, to approve item 7.b. Motion passed 4-0 by the following vote:

AYES: Commissioner(s): Rubio, Retamoza, Vice Chair Barrera, and Chair Ortiz

NAYS: Commissioner(s): None

ABSTAIN: Commissioner(s): None

ABSENT: Commissioner(s): Tang

Chair Ortiz closed Public Hearing for Item 7.b. at 7:19 p.m.

8. **GENERAL BUSINESS** - None
9. **COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS** - None
10. **CORRESPONDENCE** – None
11. **COMMISSIONERS’ AGENDA** - None
12. **STAFF MEMBER COMMENTS**

**12.a. 2026 PLANNING COMMISSION ACADEMY**

Gerardo Marquez, Director of Community Development and Public Work gave information to Commissioners about the Academy.

## 12.b. 2026-2027 PLANNING COMMISSION RE-ORGANIZATION

Gerardo Marquez, Director of Community Development and Public Work moved item to the next Planning Commission meeting.

### 13. ADJOURNMENT

At 7:21 p.m., there being no more business before the Commission, Chair Ortiz adjourned the meeting to a Regular Planning Commission Meeting on Tuesday, March 24, 2026, at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at [www.cityofsouthelmonte.org](http://www.cityofsouthelmonte.org) on this 19<sup>th</sup> day of March 2026.

\_\_\_\_\_  
Secretary

DRAFT



## Planning Commission Agenda Report Agenda Item No. 7.a.

**DATE:** March 25, 2026

**TO:** Honorable Chairman and Members of the Planning Commission

**APPROVED BY:** Gerardo Marquez, Director of Community Development and Public Works

**SUBMITTED BY:** Charlize Hernandez, Assistant Planner

**SUBJECT:** CONSIDERATION OF RESOLUTION NO. 26-05 WHEREBY THE PLANNING COMMISSION RECOMMENDS THE CITY COUNCIL CONSIDER A ZONE TEXT AMENDMENT (NO. 26-01), TO AMEND CHAPTER 17.12 "ACCESSORY DWELLING UNITS", TO COMPLY WITH NEW REQUIREMENTS SET FORTH BY THE STATE OF CALIFORNIA.

**PUBLIC NOTICE:** Notice of public hearing was posted on March 5, 2026.

**ENVIRONMENTAL DETERMINATION:** Resolution 26-05 is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080.17, Act not applicable to local ordinances regulating construction of dwelling units and second units).

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**BACKGROUND:** The proposed ordinance will amend Chapter 17.12 of the South El Monte Municipal Code to comply with recent changes to state law that impose new limits on local authority to regulate Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). Except as otherwise noted, these new laws took effect on January 1, 2026. The Planning Commission's action serves as a recommendation to the City Council.

In recent years, the California Legislature has approved, and the Governor has signed into law, a number of bills that impose new limits on local authority to regulate ADUs and JADUs. In late 2025, four new bills were enacted that further amend state ADU law as summarized in the Discussion section below.

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution No. 26-05, recommending that the City Council adopt Zone Text Amendment (No. 26-01) to amend and replace South El Monte Municipal Code ("SEMMC") Chapter 17.12 "Accessory Dwelling Units" to bring the SEMMC into conformity with the newly amended State law.

**ANALYSIS:** AB 462 took effect immediately when signed, but technically it doesn't require any change to a local ADU ordinance; the City is only required to follow the new rules for CDP processing and issuance of a Certificate of Occupancy (CofO), if applicable. But the remaining bills take effect January 1, 2026, and for the City's ADU ordinance to remain valid and enforceable, it must comply with the new changes in state law. Adopting the proposed ordinance (Exhibit A to Attachment 1) ensures that the City's ADU ordinance will be in compliance with state law. Staff recommends that the Planning Commission approve the Zone Text Amendment, recommending that the City Council adopt the proposed ordinance.

AB 462 modifies several permitting requirements associated with processing ADUs including those located in the Coastal Zone.

Beyond changes to CDP processing, AB 462 modifies the rules governing the issuance of a certificate of occupancy (CofO) for an ADU. Historically, state law has prohibited a local agency from issuing a CofO for an ADU before one is issued for the primary dwelling (i.e., the primary dwelling must have a CofO before the ADU can receive one).

AB 462 creates a narrow exception to this prohibition for detached ADUs when all of the following conditions are satisfied: (1) the Governor has declared a state of emergency for the county on or after February 1, 2025; (2) the primary dwelling was substantially damaged or destroyed by an event referenced in the state of emergency proclamation; and (3) the ADU has been issued construction permits and passed all required inspections. (Gov. Code, § 66328(b).) If these conditions are satisfied, the detached ADU can receive a CofO before the primary dwelling. In all other scenarios, the primary dwelling still needs a CofO before one can be issued for an ADU.

AB 462 was enacted as an urgency measure that *took effect immediately* when signed by the Governor (on October 10, 2025).

The following three bills were enacted as non-urgency measures and took effect on January 1, 2026.

### **AB 1154 – JADU Owner-Occupancy; Short-Term Rental**

When a JADU is developed, existing state law requires a property owner to reside in the JADU or remaining portion of the single-family dwelling. AB 1154 narrows this requirement to now only apply when a JADU shares sanitation facilities (bathroom) with the single-family dwelling. If the JADU has its own bathroom, then the property owner does not have to reside on the property at all. (See amended Gov. Code, § 66333(b).)

AB 1154 also expressly prohibits JADUs from being used as short-term rentals (i.e., rented for a term shorter than 30 days). (See amended Gov. Code, § 66333(g).) Most ADU ordinances already include this prohibition (as well as prohibiting ADUs from being used as short-term rentals), but now it's required by state law.

### **SB 9; SB 543 – ADU Ordinance Submittal to HCD; Approval**

Under existing law, local agencies are required to submit a copy of their ADU ordinance to the California Department of Housing and Community Development (HCD) within 60 days of adoption.

This year's SB 9<sup>11</sup> and SB 543 create a penalty for failing to do so by rendering null and void any local ordinance that is not submitted to HCD within 60 days of adoption. (See amended Gov. Code, § 66326(d); new Gov. Code, § 66333.5(d).) The bills further specify that a local ADU ordinance is null and void if HCD issues findings that the ordinance does not comply with state law and the local agency fails to respond to HCD within 30 days. (*Id.*)

### **SB 543 – ADU Size; Number of ADUs; Impact Fees; Application Timeline**

SB 543 makes numerous changes and clarifications to state ADU law, the most notable of which are summarized below.

#### *ADU & JADU Size*

Existing law limits the maximum size of a JADU to 500 square feet and prohibits local ADU ordinances from imposing certain development standards that would prevent an ADU created under Government Code section 66314 through 66322 from being at least 800 square feet.

SB 543 amends state ADU law to specify that allowable square footage of an ADU or JADU refers to square footage of “interior livable space.” (See amended Gov. Code, § 66313(d), 66321(b)(2).)

#### *Impact Fees*

Existing law exempts ADUs that are 750 square feet or smaller from development impact fees (DIFs).

SB 543 clarifies that DIFs may not be imposed on an ADU that has 750 or fewer square feet of *interior* livable space or on a JADU with 500 or fewer square feet of *interior* livable space.

The bill also exempts an ADU or JADU with fewer than 500 square feet of interior livable space from school impact fees. (See amended Gov. Code, § 66311.5.)

#### *Quantity of ADUs Created Under Government Code Section 66323*

Existing state law creates four categories of ADUs that must be approved if they comply with the limited standards provided in Government Code section 66323(a)(1)–(4). These are:

1. a converted ADU and JADU created on a lot with a proposed or existing single-family dwelling (Gov. Code, § 66323(a)(1));
2. a detached ADU created on a lot with a proposed or existing single-family dwelling (Gov. Code, § 66323(a)(2));
3. converted ADUs created in an existing multifamily dwelling (Gov. Code, § 66323(a)(3)); and
4. detached ADUs created on a lot with a proposed or existing multifamily dwelling.

For some time, there has been uncertainty as to whether ADUs created under Government Code section 66323 could be combined. Some practitioners interpreted the statute to not require local agencies to allow combinations. Initially, HCD took the same

position, in its 2020 ADU Handbook. But for the last few years, HCD has taken the opposite position: that yes, combinations are permitted. (See HCD January 2025 ADU Handbook, at p. 19 [“Pursuant to Government Code section 66323, subdivision (a), local governments must allow units created pursuant to subparagraphs (1) and (2) together or (3) and (4) together”].)

SB 543 codifies HCD’s most recent interpretation by amending Government Code section 66323 to specifically allow combinations. Thus, a lot with a multifamily dwelling can now have a converted ADU or ADUs created under section 66323(a)(3) *and* detached ADUs created under section 66323(a)(4). And a lot with a single family dwelling can now have a converted ADU and a JADU created under section 66323(a)(1) *and* a detached ADU created under section 66323(a)(2).

### *ADU Permitting Process*

Existing law has long required local agencies to approve or deny an ADU application within 60 days of receiving a complete application. However, state law was silent with respect to incompleteness determinations, subsequent resubmittals, and appealing local decisions on ADU applications.

SB 543 requires local agencies to now:

1. determine whether an ADU application is complete within 15 business days of submittal;
2. if the application is incomplete, within the same 15 days provide the applicant with a list of incomplete items and how to address them;
3. review a resubmitted application for completeness within 15 business days;
4. provide the applicant with a written appeal process for any incompleteness determination or denial (to the Planning Commission or City Council, or both); and
5. provide a final written determination on the appeal within 60 business days of receiving the appeal). (See amended Gov. Code, §§ 66317 [ADUs], 66335 [JADUs].)

[\[1\]](#) Not to be confused with the SB 9 of 2021 (Stats. 2021, Ch. 162) regarding urban lot splits and second primary dwelling units.

**CONCLUSION:** The amendments contained in the draft ordinance are intended to implement changes necessary to bring SEMMC Chapter 17.12 back into compliance with the State of California’s laws regarding the regulation of ADUs.

### **ATTACHMENT(S):**

- A. Resolution No. 26-05
- B. ADU Code Template

**PLANNING COMMISSION**

**RESOLUTION NO. 26-05**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT (NO. 26-01) TO AMEND SOUTH EL MONTE MUNICIPAL CODE CHAPTER 17.12 “ACCESSORY DWELLING UNITS” TO CONFORM WITH STATE LAW.

**WHEREAS**, state law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

**WHEREAS**, in recent years, the California Legislature has approved, and the Governor has signed into law, a number of bills that, among other things, amend various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs; and

**WHEREAS**, in 2025, the California Legislature approved, and the Governor signed into law, further amendments to state ADU law;

**WHEREAS**, new updates to state ADU law took effect on January 1, 2026, and for the City’s ADU ordinance to be valid, it must be amended to reflect the most recent changes to state law; and

**WHEREAS**, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to reflect the most recent changes to state law; and

**WHEREAS**, on March 25, 2026, the Planning Commission held a duly-noticed public hearing to consider the attached Resolution; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:**

**SECTION 1.** The recitals above are true and correct and are each incorporated by reference and adopted as findings by the Planning Commission.

**SECTION 2.** The Planning Commission recommends that the City Council find that, under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Chapter 13 of Division 1 of Title 7 of the California Government Code, which is California’s ADU law. Therefore, adoption of the proposed Ordinance is statutorily exempt from CEQA in that it implements state ADU law.

**SECTION 3.** The Planning Commission hereby finds that the adoption of the Ordinance is consistent with the General Plan as a matter of law under Government Code section 66314(c).

**SECTION 4.** Given the foregoing, and based on the entire record before the Planning Commission, the Planning Commission hereby recommends that the City Council approve ZTA-26-01, attached hereto as Exhibit “A.”

**SECTION 5.** This Resolution takes effect immediately upon adoption.

**SECTION 6.** The clerk of the City of South El Monte will attest as to the adoption of this Resolution and cause the same to be maintained in the permanent records of the City.

The Planning Commission hereby recommends that the City Council approve Zone Text Amendment (No. 26-01), to update Section 17.12 as detailed in the proposed Resolution.

APPROVED AND ADOPTED this 25<sup>th</sup> day of March 2026.

\_\_\_\_\_

Chairman

ATTEST:

\_\_\_\_\_

Secretary, Renee Reyes

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

I, Rene Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 26-05 as duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 25<sup>th</sup> day of March 2026.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_

Secretary, Renee Reyes

EXHIBIT A

## Section 17.12 Accessory Dwelling Units

- (a) **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with Chapter 13 of Division 1 of Title 7 of the California Government Code.
- (b) **Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:
  - (1) Deemed to be inconsistent with the city’s general plan and zoning designation for the lot on which the ADU or JADU is located.
  - (2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
  - (3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
  - (4) Required to correct a nonconforming zoning condition, as defined in subsection (c)(8) below. This does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.
- (c) **Definitions.** As used in this section, terms are defined as follows:
  - (1) “Accessory dwelling unit” or “ADU” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
    - (A) An efficiency unit, as defined by section 17958.1 of the California Health and Safety Code; and
    - (B) A manufactured home, as defined by section 18007 of the California Health and Safety Code.
  - (2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.
  - (3) “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
  - (4) “Efficiency kitchen” means a kitchen that includes all of the following:
    - (A) A cooking facility with appliances.

- (B) A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- (5) “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:
- (A) It is no more than 500 square feet of interior livable space in size.
  - (B) It is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
  - (C) It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
  - (D) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
  - (E) It includes an efficiency kitchen, as defined in subsection (c)(4) above.
- (6) “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- (7) “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (8) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.
- (9) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- (10) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- (11) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- (12) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- (d) **Approvals.** The following approvals apply to ADUs and JADUs created under this section:

- (1) **Ministerial ADU and Building Permits Required.** Every ADU and JADU requires an ADU permit and a building permit. The city will review and approve permit applications in accordance with subsection (d)(3) below.
- (2) **Processing Fee.** The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city’s ADU ordinance. The ADU-permit processing fee is determined by the Director of Community Development (“Director”) and approved by the city council by resolution.
- (3) **Process and Timing.**
  - (A) **Completeness.**
    - (i) **Determination in 15 days.** The city will determine whether an application to create or serve an ADU or JADU is complete and will provide written notice of the determination to the applicant within 15 business days after the city receives the application submittal.
    - (ii) **Incomplete items.** If the city’s determination under subsection (d)(3)(A)(i) above is that the application is incomplete, the city’s notice must list the incomplete items and describe how the application can be made complete.
    - (iii) **Cure.** After receiving a notice that the application is incomplete, the applicant may cure and address the items that were deemed by the city to be incomplete.
    - (iv) **Subsequent submittals.** If the applicant submits additional information to address incomplete items, within 15 business days of the subsequent submittal the city will determine in writing whether the additional information remedies all the incomplete items that the city identified in its original notice. The city may not require the application to include an item that was not included in the original notice.
    - (v) **Deemed complete.** If the city does not make a timely determination as required by this subsection (A), the application or resubmitted application is deemed complete for the purposes of subsection (d)(3)(C) below.
    - (vi) **Appeal of incompleteness.** An applicant may appeal the city’s determination that the application is incomplete by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the completeness determination and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

- (B) **No discretion or hearing.** Ministerial permits for an ADU or JADU are considered and approved without discretionary review or a hearing.
- (C) **Deadline to approve or deny ministerial approvals.** The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a complete application. If the city has not approved or denied the complete application within 60 days, the application is deemed approved unless either:
  - (i) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
  - (ii) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
- (D) **Denial.** If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection (d)(3)(C) above.
- (E) **Appeal of denial.** An applicant may appeal the city’s denial of the application by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the denial and provide a final written determination to the applicant within 60 business days after receipt of the appeal.
- (F) **Concurrent review of demolition.** A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

(e) **Classes.**

- (1) **Class 1: Statutorily Regulated.** Class 1 ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in subsection (f) below, it is allowed in each of the scenarios provided in this subsection (e)(1). An ADU and JADU approved under subsection (e)(1)(A) may be combined with an ADU approved under subsection (e)(1)(B), and ADUs approved under subsection (e)(1)(C) may be combined with ADUs approved under subsection (e)(1)(D).

- (A) **Converted on Lot with Single-Family:** One ADU as described in this subsection (e)(1)(A) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
  - (i) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
  - (ii) Has exterior access that is independent of that for the single-family dwelling; and
  - (iii) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
  - (iv) The JADU complies with the requirements of Government Code sections 66333 through 66339.
  
- (B) **Limited Detached on Lot with Single-Family:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:
  - (i) The side- and rear-yard setbacks are at least four feet.
  - (ii) The total floor area is 800 square feet of livable space or smaller.
  - (iii) The peak height above grade does not exceed the applicable height limit in subsection (f)(2) below.
  
- (C) **Converted on Lot with Multifamily:** One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (e)(1)(C), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
  
- (D) **Limited Detached on Lot with Multifamily:** No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:
  - (i) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

- (ii) The peak height above grade does not exceed the applicable height limit provided in subsection (f)(2) below.
    - (iii) If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.
  - (2) **Class 2: Locally Regulated.** Class 2 ADUs are approved under Government Code sections 66314–66322. Except for Class 1 ADUs approved under subsection (e)(1) above, all ADUs are subject to the standards set forth in subsections (f) and (g) below.
- (f) **General Requirements.** The following requirements apply to all Class 1 and Class 2 ADUs and JADUs:
- (1) **Zoning.**
    - (A) A Class 1 ADU approved under subsection (e)(1) may be created on a lot in a residential or mixed-use zone.
    - (B) A Class 2 ADU approved under subsection (e)(2) above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
    - (C) In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.
  - (2) **Height.**
    - (A) Except as otherwise provided by subsections (f)(2)(B) and (f)(2)(C) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
    - (B) A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
    - (C) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
    - (D) An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies

to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (f)(2)(D) may not exceed two stories.

- (E) For purposes of this subsection (f)(2), height is measured from existing legal grade or the level of the lowest floor, whichever is lower, to the peak of the structure.

(3) **Fire Sprinklers.**

- (A) Fire sprinklers are required in an ADU or JADU if sprinklers are required in the primary residence.
- (B) The construction of an ADU or JADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

- (4) **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

- (5) **No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code section 66341, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

- (6) **Septic System.** If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

(7) **Owner Occupancy.**

- (A) **ADUs.** ADUs are not subject to an owner-occupancy requirement.

- (B) **JADUs.**

- (i) **Generally.** As required by state law, JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence.

- (ii) **Exceptions.** The owner-occupancy requirement in this subsection (f)(7)(B) does not apply in either of the following situations:

- (I) The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).

- (II) The property is entirely owned by another governmental agency, land trust, or housing organization.
- (8) **Deed Restriction.** Prior to issuance of a certificate of occupancy for a JADU, a deed restriction must be recorded against the title of the property in the County Recorder’s office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:
- (A) The JADU may not be sold separately from the primary dwelling.
  - (B) The JADU is restricted to the approved size and to other attributes allowed by this section.
  - (C) The deed restriction runs with the land and may be enforced against future property owners.
  - (D) The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the JADU has been eliminated. Appeal may be taken from the Director’s determination consistent with other provisions of this Code. If the JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of a JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
  - (E) The deed restriction is enforceable by the Director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit.
- (9) **Building & Safety.**
- (A) **Must comply with building code.** Subject to subsection (f)(9)(B) below, all ADUs and JADUs must comply with all local building code requirements.
  - (B) **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this

subsection (f)(9)(B) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

(10) **Certificate of Occupancy Timing.**

(A) **Generally.** No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit.

(B) **Limited Exception for State-declared Emergencies.** Notwithstanding subsection (f)(10)(A) above, a certificate of occupancy for an ADU may be issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:

(i) The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.

(ii) The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.

(iii) The ADU has been issued construction permits and has passed all required inspections.

(iv) The ADU is not attached to the primary dwelling.

(g) **Specific ADU Requirements.** The following requirements apply only to Class 2 ADUs approved under subsection (e)(2) above. This subsection (g) does not apply to Class 1 ADUs or JADUs approved under subsection (e)(1) above.

(1) **Maximum Size.**

(A) The maximum size of a detached or attached ADU subject to this subsection (g) is 850 square feet of interior livable space for a studio or one-bedroom unit and 1,000 square feet of interior livable space for a unit with two or more bedrooms.

(B) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

(C) Application of other development standards in this subsection (g), such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection (g)(1)(B) above or of an FAR, front setback, lot coverage limit, or open-space requirement may require the ADU have less than 800 square feet of interior livable space.

- (2) **Floor Area Ratio (FAR).** No ADU subject to this subsection (g) may cause the total FAR of the lot to exceed maximum allowed by city subject to subsection (g)(1)(C) above.
- (3) **Setbacks.**
  - (A) ADUs that are subject to this subsection (g) must conform to 4-foot side and rear setbacks. ADUs that are subject to this subsection (g) must conform to city code for front setbacks, subject to subsection (g)(1)(C) above.
  - (B) No setback is required for an ADU that is subject to this subsection (g) if the ADU is constructed in the same location and to the same dimensions as an existing structure.
- (4) **Lot Coverage.** No ADU subject to this subsection (g) may cause the total lot coverage of the lot to exceed maximum percent as allowed by city subject to subsection (g)(1)(C) above.
- (5) **Minimum Open Space.** No ADU subject to this subsection (g) may cause the total percentage of open space of the lot to fall below 50 percent, subject to subsection (g)(1)(C) above.
- (6) **Passageway.** No passageway, as defined by subsection (c)(9) above, is required for an ADU.
- (7) **Parking.**
  - (A) Generally. One off-street parking space is required for each ADU or bedroom, whichever is less. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (c)(12) above.
  - (B) Exceptions. No parking under subsection (g)(7)(A) is required in the following situations:
    - (i) The ADU is located within one-half mile walking distance of public transit, as defined in subsection (c)(11) above.
    - (ii) The ADU is located within an architecturally and historically significant historic district.
    - (iii) The ADU is part of the proposed or existing primary residence or an accessory structure.
    - (iv) When on-street parking permits are required but not offered to the occupant of the ADU.
    - (v) When there is an established car share vehicle stop located within one block of the ADU.

(vi) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections (g)(7)(B)(i) through (v) above.

(C) No Replacement. When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

(8) **Architectural Requirements.**

(A) The materials and colors of the exterior walls, roof, and windows and doors must be the same as those of the primary dwelling.

(B) The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

(C) The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

(D) The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

(E) The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.

(F) No window or door of the ADU may have a direct line of sight to an adjoining residential property. Each window and door must either be located where there is no direct line of sight or screened using fencing, landscaping, or privacy glass to prevent a direct line of sight.

(G) All windows and doors in an ADU less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

(9) **Landscape Requirements.** Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

(A) At least one 15-gallon size plant must be provided for every five linear feet of exterior ADU wall. Alternatively, at least one 24" box size plant must be provided for every ten linear feet of exterior ADU wall.

(B) Plant specimens must be at least six feet tall when installed. As an alternative, a solid fence of at least six feet in height may be installed.

- (C) All landscaping must be drought-tolerant.
- (D) All landscaping must be from the city’s approved plant list.
- (10) **Historical Protections.** An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.
- (11) **Allowed Stories.** No ADU subject to this subsection (g) may have more than one story, except that an ADU that is attached to the primary dwelling may have the stories allowed under subparagraph (f)(2)(D) of this section.
- (h) **Fees.** The following requirements apply to all Class 1 ADUs and JADUs and Class 2 ADUs that are approved under subsections (e)(1) or (e)(2) above.
  - (1) **Impact Fees.**
    - (A) No impact fee is required for a JADU or for an ADU that has less than 750 square feet of interior livable space. For purposes of this subsection (h)(1), “impact fee” means a “fee” under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
    - (B) A JADU or ADU with less than 500 square feet of interior livable space does not increase assessable space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and is therefore not subject to school fees under Education Code section 17620.
    - (C) Any impact fee that is required for an ADU that has 750 square feet or more of interior livable space must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)
  - (2) **Utility Fees.**
    - (A) If an ADU or JADU is constructed with a new single-family home, a separate utility connection directly between the ADU or JADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
    - (B) Except as described in subsection (h)(2)(A), JADUs and converted ADUs on a single-family lot that are created under subsection (e)(1)(A) above are not required to have a new or separate utility connection directly between the JADU or ADU and the utility. Nor is a connection fee or capacity charge required. Notwithstanding the rest of this paragraph, a direct utility

connection is required for separate conveyance of an ADU when separate conveyance is allowed under this code.

(C) Except as described in subsection (h)(2)(A), all ADUs that are not covered by subsection (h)(2)(B) require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

(i) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

(ii) The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

(i) **Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.**

(1) **Generally.** The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

(2) **Unpermitted ADUs and JADUs constructed before 2020.**

(A) **Permit to Legalize.** As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:

(i) The ADU or JADU violates applicable building standards, or

(ii) The ADU or JADU does not comply with state ADU or JADU law or this ADU ordinance (section NN.NNN).

(B) **Exceptions:**

(i) Notwithstanding subsection (i)(2)(A) above, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in California Health and Safety Code section 17920.3.

(ii) Subsection (i)(2)(A) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

- (j) **Nonconforming ADUs and Discretionary Approval.** Any proposed ADU or JADU that would otherwise be allowed under this section but that does not conform to the objective design or development standards set forth in subsections (a) through (i) of this section may be allowed by the city with a conditional use permit, in accordance with the other provisions of this title.



## Planning Commission Agenda Report Agenda Item No. 7.b.

**DATE:** March 25, 2026

**TO:** Honorable Chairman and Members of the Planning Commission

**APPROVED BY:** Gerardo Marquez, Director of Community Development and Public Works

**SUBMITTED BY:** Charlize Hernandez, Assistant Planner

**SUBJECT:** AN RESOLUTION OF THE CITY OF SOUTH EL MONTE CITY COUNCIL ADOPTING ZONE TEXT AMENDMENT (NO. 26-02) TO AMEND SOUTH EL MONTE MUNICIPAL CODE SECTION 17.03.230 TO IMPOSE A BUFFER DISTANCE FROM JURISDICTIONAL BOUNDARIES TO 350 FEET AND A 1,000 FOOT BUFFER FROM ALL SENSITIVE USES

**PUBLIC NOTICE:** Notice of Public Hearing was posted on March 5, 2026

**ENVIRONMENTAL DETERMINATION:** Review for Exemption, Section 15061 (b) – Common Sense Rule

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**BACKGROUND:** In 2009, California State Senate Bill 731 (Massage) created the California Massage Therapy Council (CAMTC) which limited cities ability to regulate massage establishments. In 2015, California State Assembly Bill 1147 restored the City's ability to regulate massage establishments through land use and local licensing and health and safety requirements.

In 2015, the City adopted Ordinance No. 1195, which amended the South El Monte Municipal Code ("SEMMC") to include Chapter 5.22 (Massage Establishments) to impose licensing requirements for massage establishments. In 2024, the City amended SEMMC to impose location and zoning regulations, including a 500-foot distance requirement between massage establishments, and a Conditional Use Permit (CUP) requirement for all new massage establishments.

The City has had issues with massage establishments operating without the necessary permits or licensing and engaging in illicit activities such as prostitution and human trafficking. Most recently, the City went through the process of revoking a massage establishment's CUP, preventing further operation.

The process to revoke these illicit massage establishments has disproportionately absorbed public resources and has led to other potential impacts on neighborhood

character, quality of life, reduced property values and damage to public trust. These public health, welfare, and safety issues can be addressed by imposing additional distance requirements from sensitive uses, such as parks, schools, day care centers, and residential areas; and distance requirements from the city’s jurisdictional boundary.

Section 17.03.260 specifies zoning and locational restrictions for massage establishments and requires that new establishments not be within 500 feet of an existing establishment. To further protect public health and welfare, staff is proposing a buffer requirement for massage establishments of at least 1,000 feet from the following sensitive uses:

- Day Care Centers
- Religious Institutions
- Schools
- Youth Centers
- Residential Zoned Properties
- Parks

The zoning text amendment will also require massage establishments be located at least 350 feet from the City’s jurisdictional boundary. The resulting area that massage establishments may be located (provided they obtain a CUP) is demonstrated in the map marked Attachment C.

**RECOMMENDATION:** Staff recommends the Planning Commission:

- Initiate by motion a Zone Text Amendment (ZTA) to the South El Monte Municipal Code.
- Approve Resolution No. 26-06 to recommend that the City Council approve Zone Text Amendment No. 26-02 (ZTA 26-02) to:
  - Amend the South El Monte Municipal Code Section 17.03.230 to add a sensitive use buffer and a jurisdictional boundary buffer for massage establishments.

**ANALYSIS:** In February 2025, after recent massage establishment CUP revocations, City Council directed staff to create additional buffers to sensitive uses such as schools, public facilities and residential uses, and additional buffers to the city jurisdictional boundary. The Planning Commission has the authority to recommend that the City Council approve the proposed Zone Text Amendment with additional buffer distance requirements from sensitive uses and the jurisdictional boundary.

Currently, massage establishments may apply for a CUP in the Manufacturing, Commercial-Manufacturing, Commercial and Commercial-Residential zones. However, as depicted in Attachment B, the new buffer restrictions for massage establishments will now limit new massage establishments to only Manufacturing and Commercial-Manufacturing zones in the northwest part of the City. This will provide the necessary buffer from sensitive uses such as residential homes, schools and parks that are generally located in the southeast part of South El Monte.

**CITY POLICY, PLAN, AND GENERAL PLAN CONSISTENCY**

## General Plan Land Use Element

*Policy 5.7: Review and revise, as necessary, the City's development standards to improve the quality of new development in the City and to protect public health and safety*  
The proposed amendment will require an additional buffer requirement from sensitive uses and the jurisdictional boundary in order to protect the public health, safety and welfare of all residents in the city. Massage Establishments may still be issued a business license pursuant to SEMMC Chapter 5.22. A CUP is still required pursuant to SEMMC Section 17.03.230, which will now require a 1000-foot separation from sensitive uses and a 350-foot separation from the city jurisdictional boundary.

### **HAZARDOUS WASTE MANAGEMENT CONSISTENCY**

The Zone Text Amendment does not relate to hazardous waste facilities, and therefore shall be consistent with the portions of the county of Los Angeles Hazardous Waste Management Plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities, in accordance with SEMMC Section 17.03.150(C)

### **FINDINGS**

Per SEMMC Section 17.03.150 (E)(3), the Planning Commission shall base a recommendation for approval of a Zone Text Amendment based on the following findings:

- A. *Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the city;* Unregulated massage establishments have the potential to adversely affect the public health and safety of South El Monte residents. The amendment of land use regulations, in alignment with State requirements, specific only to future massage establishments vetted by the City's licensing application process (SEMMC Chapter 5.22) and ultimately entitled through a conditional use permit (SEMMC Section 17.03.230) will assist in these efforts by requiring a 1000-foot separation from sensitive uses and a 350-foot separation from the jurisdictional boundary.
- B. *The proposed change is in conformance with the purpose of this chapter and with all applicable, officially adopted policies and plans;* The proposed amendment does not change the operational and security requirements and safeguards established in Chapter 5.22 to ensure future massage establishments and employees comply with state law for licensing. The proposed amendment provides a buffer distance from sensitive uses and the jurisdictional boundary in order to protect nearby sensitive uses. Thus the amendment is consistent with all applicable, officially adopted policies, regulations, and plans.
- C. *Streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified;* No new massage establishments are proposed as part of the Zone Text Amendment. The existing buildings and operational footprints of general retail buildings within the City are sufficient for potential new massage establishment uses, provided they meet the separation requirements and obtain the necessary permits. As such, the existing retail buildings do not require additional streets and public facilities nor impose undue strain on existing infrastructure and services. Proposed modifications to any new

subject sites must meet all applicable Planning and Building & Safety regulations. Therefore, no change in service use will occur to the subject properties.

- D. *All uses permitted when the property is reclassified will be compatible with present and potential future uses, and further, existing regulations applying to the property in question;* The proposed amendment will ensure that future uses meet all applicable standards and requirements per SEMMC Chapter 5.22 and Section 17.03.230 and thus will be compatible with present and future uses.

## **ENVIRONMENTAL ANALYSIS/DETERMINATION**

Staff reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) guidelines and has been determined that the project is exempt pursuant to CEQA Regulation 15061(b)(3). The amendment does not approve any development or construction, and any future projects will be subject to review pursuant to CEQA. The amendment does not allow for massage establishments to establish locations in the City without undergoing the licensing application process to receive a permit, nor increase the number of massage establishments, and does not change any building regulations or requirements that could have an environmental impact. In addition, Section 15061(b)(3) includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Therefore, no further action is required under CEQA.

**CONCLUSION:** The proposed amendment will not create a negative impact on surrounding uses, as all future massage establishments must abide by SEMMC Chapter 5.22, SEMMC Section 17.03.230 and all applicable state requirements.

### **ATTACHMENT(S):**

- A. Resolution No. 26-06
- B. Massage Ordinance No. XXXX
- C. 1000 ft & 350 ft City Boundary Buffer Map

## PLANNING COMMISSION

### RESOLUTION NO. 26-06

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT (NO. 26-02), TO AMEND SOUTH EL MONTE MUNICIPAL CODE SECTION 17.03.230 TO IMPOSE A BUFFER DISTANCE FROM JURISDICTIONAL BOUNDARIES TO 350 FEET AND A 1,000 FOOT BUFFER FROM ALL SENSITIVE USES

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, pursuant to California Constitution Article XI, Section 7, the City of South El Monte (“City”) has the authority, under its police power, to enact regulations for the public health, safety, and welfare of the City; and

WHEREAS, in 2009, Senate Bill 731 created the California Massage Therapy Council (“CAMTC”), which limited cities’ ability to regulate massage establishments; and

WHEREAS, in 2015, AB 1147 restored the City’s ability to regulate massage establishments through land use, local licensing, and health and safety requirements, subject to certain regulations; and

WHEREAS, the City amended the South El Monte Municipal Code (“SEMMC”) in 2015 to include Chapter 5.22 (Massage Establishments) to impose licensing requirements for massage establishments in the City; and

WHEREAS, in 2024, the City amended the SEMMC again to include Section 17.03.230 (Massage establishments) to impose location and zoning regulations, including a 500-foot distance requirement between massage establishments; and

WHEREAS, although massage establishments have legal status like other professions, the Los Angeles County Sheriff’s Department and the City’s Code Enforcement Department have previously found massage establishments in the City operating without the necessary permits and engaging in unlawful massage services and illicit behavior; and

WHEREAS, unpermitted massage establishments also increase the risk of injury to massage clients due to improperly trained massage practitioners; and

WHEREAS, when massage establishments participate in illicit activities, it can change neighborhood character, impact quality of life, impact the local economy, reduce property values, disproportionately absorb public resources, and damage public trust; and

WHEREAS, the City has a compelling interest in protecting the public health, safety, and welfare of its residents, visitors, and businesses by regulating unpermitted massage establishments and practitioners; and

WHEREAS, the City believes these public health, welfare, and safety issues can be addressed by imposing additional distance requirements from sensitive uses, such as parks, schools, day care centers, and residential areas; and

WHEREAS, the Planning Commission finds that a 1,000-foot distance requirement from sensitive uses and a 350-foot distance requirement from the City's jurisdictional boundary will aid in protecting the public health, safety, and welfare, and that these new requirements are consistent with the General Plan, will not preclude the establishment of new massage businesses, and is not directed toward a particular business or owner; and

WHEREAS, on March 25, 2026, the South El Monte Planning Commission held a noticed public hearing and adopted Resolution No. 26-06 recommending City Council adoption of this Ordinance and ZTA No. 26-02; and

WHEREAS, a notice of public hearing was posted in the San Gabriel Valley Tribune on March 5, 2026.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

**SECTION 1.** The Planning Commission of the City of South El Monte hereby finds that the above recitals are true and correct and are incorporated herein by this reference.

**SECTION 2.** This Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, California Code of Regulations Section 15061(b)(3) (common sense exemption), and a Notice of Exemption has been prepared. The exemption applies only to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**SECTION 3.** Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated March 25, 2026, which is hereby incorporated into this Resolution No. 26-06 by reference, the Planning Commission hereby finds, pursuant to SEMMC Section 17.03.150 (E)(3), that:

- A. Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the City;
- B. The proposed change is in conformance with the purpose of Chapter 17.03 (Permit Approval Procedures) and with all applicable, officially adopted policies and plans;
- C. Streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified; and

D. All uses permitted when the property is reclassified will be compatible with present and potential future uses, and further, existing regulations applying to the property in question.

**SECTION 4.** In accordance with SEMMC Section 17.03.150(A), the proposed ZTA is consistent with the City’s General Plan and other officially adopted policies and plans, and the goals and objectives stated therein. No goal or policy will be impaired.

General Plan Land Use Element

Policy 5.7: Review and revise, as necessary, the City’s development standards to improve the quality of new development in the City and to protect public health and safety.

**SECTION 5.** In accordance with SEMMC Section 17.03.150(C), the proposed ZTA does not relate to hazardous waste facilities and therefore shall be consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan, as approved November 30, 1989, relating to siting of, and siting criteria for, hazardous waste facilities.

**SECTION 6.** Based on the findings in Sections 3 through 5 of this Resolution, the Planning Commission adopts this Resolution No.26-06 recommending City Council adoption of ZTA 26-02, amending SEMMC Section 17.03.230 (Massage establishments) to read as shown in Exhibit “A,” attached to Ordinance No. XXXX.

**SECTION 7.** Any interested party may appeal this decision to the City Council pursuant to Section 17.03.130 (Public hearings—Procedure and conduct.)

ADOPTED this 25<sup>th</sup> day of March, 2026.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Secretary

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

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 26-06, was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 25<sup>th</sup> day of March, 2026, and that said Resolution was adopted by the following vote:

AYES:           Commissioner(s):  
NOES:           Commissioner(s):  
ABSENT:         Commissioner(s):

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Secretary

**ORDINANCE NO. XXXX**

AN ORDINANCE OF THE CITY OF SOUTH EL MONTE CITY COUNCIL ADOPTING ZONE TEXT AMENDMENT (NO. 26-02) TO AMEND SOUTH EL MONTE MUNICIPAL CODE SECTION 17.03.230 TO IMPOSE A BUFFER DISTANCE FROM JURISDICTIONAL BOUNDARIES TO 350 FEET AND A 1,000 FOOT BUFFER FROM ALL SENSITIVE USES

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, pursuant to California Constitution Article XI, section 7, the City of South El Monte (“City”) has the authority, under its police power, to enact regulations for the public health, safety, and welfare of the City; and

WHEREAS, in 2009, Senate Bill 731 created the California Massage Therapy Council (“CAMTC”) which limited cities’ ability to regulate massage establishments; and

WHEREAS, in 2015, AB 1147 restored the City’s ability to regulate massage establishments through land use and local licensing and health and safety requirements, subject to certain regulations; and

WHEREAS, the City amended the South El Monte Municipal Code (“SEMMC”) in 2014 to include Chapter 5.22 (Massage Establishments) to impose licensing requirements for massage establishments in the City; and

WHEREAS, in 2024, the City amended the SEMMC again to include Section 17.03.230 (Massage establishments) to impose location and zoning regulations including a 500-foot distance requirement between massage establishments; and

WHEREAS, although massage establishments have legal status like other professions, the City continues to find massage establishments in the City frequently are not conducted like professional businesses, despite certification by the CAMTAC; and

WHEREAS, the Los Angeles County Sheriff’s Department and the City’s Code Enforcement Department have found massage establishments in the City have consistently operated without the necessary permits and engaging in illicit activities such as prostitution and human trafficking; and

WHEREAS, when massage establishments participate in such activities, it can change neighborhood character, impact quality of life, impact the local economy, reduce property values, disproportionately absorb public resources, and the damage public trust; and

WHEREAS, the City believes these public health, welfare, and safety issues can be

addressed by imposing additional distance requirements from sensitive uses, such as parks, schools, day care centers, and residential areas; and

WHEREAS, on March 25, 2026, the South El Monte Planning Commission held a noticed public hearing and adopted Resolution No. 26-06 recommending City Council adoption of this Ordinance and ZTA No. 26-02; and

WHEREAS, the City Council held a noticed public hearing on this Ordinance on April XX, 2026 at which time it considered all testimony, both written and oral; and

WHEREAS, the City Council finds that a 1,000-foot distance requirement from sensitive uses and a 350-foot distance requirement from the City's jurisdictional boundary will aid in protecting the public health, safety, and welfare, and that these new requirements will not preclude the establishment of new massage businesses and is not directed toward a particular business or owner; and

WHEREAS, a notice of public hearing was posted in the San Gabriel Valley Tribune on MONTH X, 2026 for the first reading of Ordinance No. XXXX to be considered by City Council on MONTH X, 2026; and

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

**SECTION 1:** The Recitals set forth above are true and correct, are hereby adopted as findings, and are incorporated into the Ordinance.

**SECTION 2:** The City Council hereby approves the first reading of Ordinance No. XXXX which approves a ZTA to the SEMMC as set forth below.

**SECTION 3:** Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated MONTH X, 2026, which is hereby incorporated into this Ordinance No. XXXX by reference, the City Council approves Planning Commission's recommendation to adopt ZTA 26-02 and approves the following Planning Commission findings made pursuant to SEMMC Section 17.03.150 (E)(3):

- A. Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the city; and
- B. The proposed change is in conformance with the purpose of Chapter 17.03 (Permit Approval Procedures) and with all applicable, officially adopted policies and plans.

**SECTION 4:** In accordance with SEMMC Section 17.03.150(A), the proposed ZTA is consistent with the City's General Plan and other officially adopted policies and plans, and the goals and objectives stated therein. No goal or policy will be impaired.

**SECTION 5:** In accordance with SEMMC Section 17.03.150(C), the proposed ZTA does not relate to hazardous waste facilities and therefore shall be consistent with the portions of the county

of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities.

**SECTION 6:** Based on the findings, City Council approves ZTA 26-02, attached hereto as Exhibit “A” amending the SEMMC as follows:

- A. Amend SEMMC Section 17.03.230 (Massage establishments) to impose 1,000-foot buffers from all sensitive uses and a 350-foot buffer from the jurisdictional boundary.

For the purposes of Exhibit A, ~~strikethroughs~~ represent deletions and double underline represents additions.

**SECTION 7:** Planning Commission determined, and the City Council agrees, that this project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Section 15061(b)(3) (common sense exemption), and a Notice of Exemption has been prepared. The exemption applies only to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**SECTION 8:** If any section, subsection, sentence, clause, phrase or portion of this ordinance and/or the code adopted thereby is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The South El Monte City Council hereby declares that it would have adopted this ordinance and the code adopted thereby and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

**SECTION 9:** The City Clerk shall certify to the adoption of this Ordinance.

**SECTION 10:** Publication. The City Clerk is directed to cause this Ordinance to be published within fifteen (15) days of its passage in a newspaper of general circulation published and circulated within the City of South El Monte.

**SECTION 11:** Effective Date. This Ordinance shall be in full force and effect thirty (30) days after its final passage and adoption.

[SIGNATURES ON FOLLOWING PAGE]

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of MONTH, 2026.

\_\_\_\_\_  
Gloria Olmos, Mayor

ATTEST:

\_\_\_\_\_  
Adrian Garcia, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Susie A. Altamirano, City Attorney

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

I, Adrian Garcia, City Clerk of the City of South El Monte, do hereby certify that the foregoing Ordinance, being Ordinance No. XXXX was duly introduced at a regular meeting of the City Council of the City of South El Monte held on the \_\_\_\_\_ day of MONTH, 2026.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Adrian Garcia City Clerk

**EXHIBIT A TO ORDINANCE NO. XXXX**

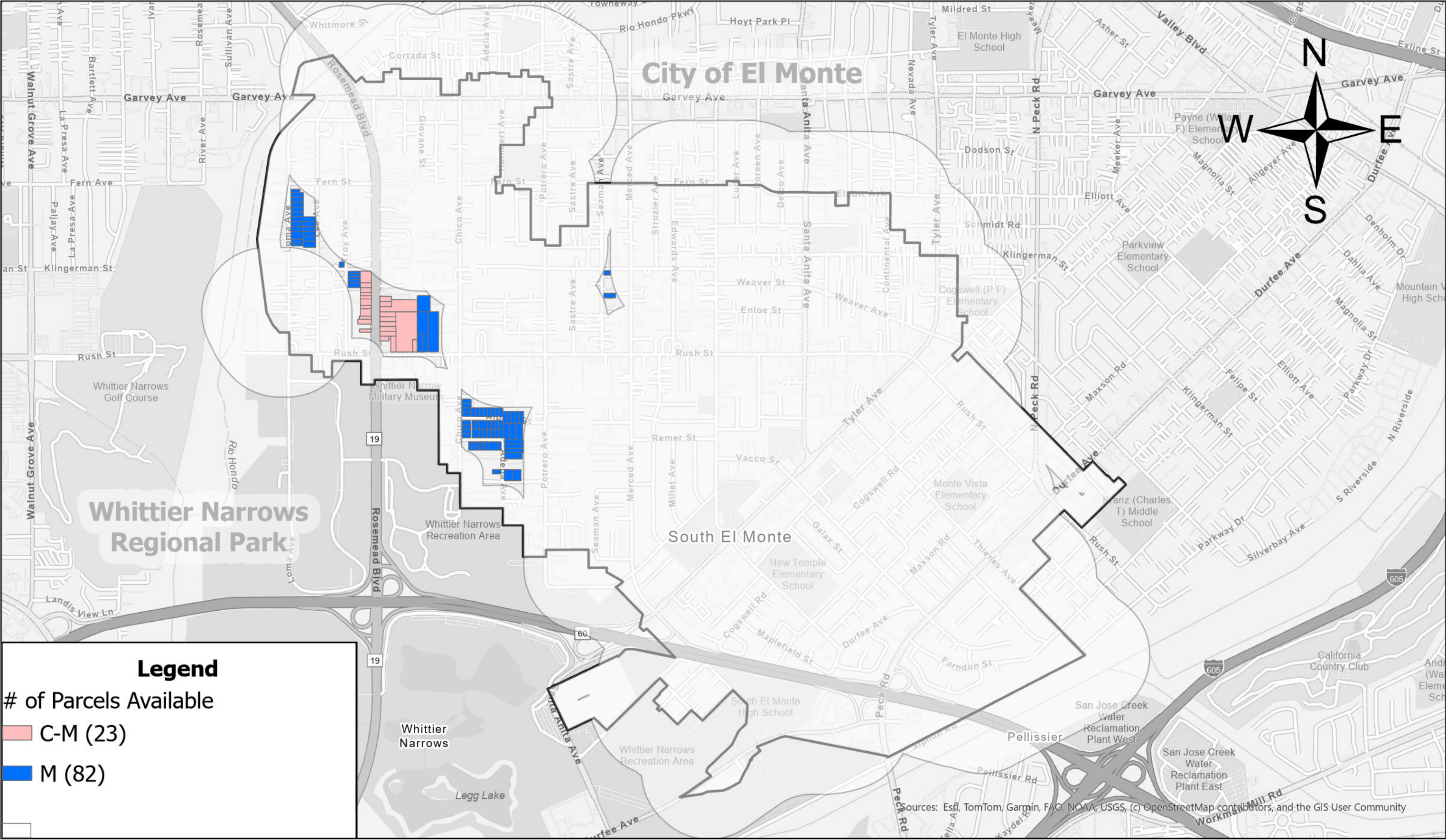
**17.03.230 Massage establishments.**

A. Location Criteria. A massage establishment may be located in any zone district which permits that particular use subject to the following exceptions and qualifications:

3. A massage establishment shall not be established or located within one thousand (1,000) feet of any sensitive use, defined as K-12 schools, day care centers, religious institutions, parks, and residential-zoned property, and shall not be within three hundred and fifty (350) feet from the city’s jurisdictional boundary. The distance between any massage establishment sensitive use or jurisdictional boundary shall be the closest point between the two, measured in a straight line, without regard to the boundaries of the city and to intervening structures.

DRAFT

# Buffer of 350 Feet from SEM Boundary and 1000 Feet From Sensitive Uses





## Planning Commission Agenda Report Agenda Item No. 8.a.

**DATE:** March 25, 2026

**TO:** Honorable Chairman and Members of the Planning Commission

**APPROVED BY:** Gerardo Marquez, Director of Community Development and Public Works

**SUBMITTED BY:** Renee Reyes, Community Development Executive Assistant

**SUBJECT:** RE-ORGANIZATION - VOTE FOR VICE CHAIR

**PUBLIC NOTICE:**

**ENVIRONMENTAL  
DETERMINATION:**

---

**BACKGROUND:**

**RECOMMENDATION:** Staff recommends the Planning Commission elect a Vice Chair.

**ANALYSIS:**

**CONCLUSION:**

**ATTACHMENT(S):**

None



## Planning Commission Agenda Report Agenda Item No. 8.b.

**DATE:** March 25, 2026

**TO:** Honorable Chairman and Members of the Planning Commission

**APPROVED BY:** Gerardo Marquez, Director of Community Development and Public Works

**SUBMITTED BY:** Renee Reyes, Community Development Executive Assistant

**SUBJECT:** RE-ORGANIZATION - VOTE FOR CHAIR

**PUBLIC NOTICE:**

**ENVIRONMENTAL  
DETERMINATION:**

---

**BACKGROUND:**

**RECOMMENDATION:** Staff recommends the Planning Commission elect a Chair.

**ANALYSIS:**

**CONCLUSION:**

**ATTACHMENT(S):**

None



## Planning Commission Agenda Report Agenda Item No. 8.c.

**DATE:** March 25, 2026

**TO:** Honorable Chairman and Members of the Planning Commission

**APPROVED BY:** Gerardo Marquez, Director of Community Development and Public Works

**SUBMITTED BY:** Charlize Hernandez, Assistant Planner

**SUBJECT:** 2025 HOUSING ELEMENT ANNUAL PROGRESS REPORT

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**BACKGROUND:** The 2026 Housing Element Annual Progress Report summarizes the City's progress with regard to the implementation of the goals, policies, and programs of the City's General Plan. It also summarizes the activities of the Community Development Department from January 1, 2025 through December 31, 2025. This report will be submitted on April 1, 2026 per state mandate, to be approved by the State Department of Housing and Community Development (HCD). Staff recommends that the Planning Commission receive and file the 2025 Annual Progress Report, which will then be presented to City Council.

**RECOMMENDATION:** Staff recommends that the Planning Commission receive and forward the Housing Element Annual Progress Report for Calendar Year 2025 to the City Council. The attached report shall be forwarded to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

**ANALYSIS:** The report has been prepared in compliance with California Government Code Section 65400 et. seq., which mandates the Planning Commission annually submit to the City Council, State Office of Planning and Research, and the Department of Housing and Community Development the status of the General Plan and the progress the City has made on implementing the goals and policies of the General Plan. During 2025, the Building Department issued permits for 145 total new units, 28 of which were Accessory Dwelling Units (ADU's). The units were then categorized into different affordability tiers that ranged from very low to above moderate-income levels. These units were categorized by taking the average rental rates per square feet from adjacent jurisdictions and applying them to each individual unit which permits were provided for.

Income Level	2021-2029 RHNA Allocation	Projection Period 6/30/21-10/14/21	2021	2022	2023	2024	2025	Total Units to Date	Total Remaining RHNA by Income Level
<b>Very Low (0-30% of AMI)</b>	131	0	0	0	5	3	8	21	115
<b>Low (30-50% of AMI)</b>	64	3	1	0	7	9	6	26	38
<b>Moderate (50 to 80% of AMI)</b>	70	0	0	0	10	70	7	87	-
<b>Above Moderate (&gt;80% of AMI)</b>	312	0	1	22	1	8	124	156	156
<b>Total</b>	<b>577</b>	<b>3</b>	<b>2</b>	<b>22</b>	<b>23</b>	<b>90</b>	<b>145</b>	<b>285</b>	<b>309</b>

The Housing Element Annual Progress Report is attached hereto for the Planning Commission’s consideration. The report provides specific building records for the accounted units, goals and policies of the City of South El Monte Housing Element, LEAP Grant status information. Programs and policies that were reported to the state range from Code Enforcement Program which looks to coordinate the distribution of Homeowner Rehabilitation Assistance/ OOR Rehabilitation Program funding with code enforcement case data to assist eligible households to more long-range planning such as the General Plan and Zoning Ordinance review and update.

**CEQA**

The Housing Element Annual Progress Reports does not qualify as a project as defined in the California Code of Regulations Section 15378(a). The report is an administrative activity conducted by the City that will not result in direct or indirect physical changes in the environment. Further, the Annual Progress Reports are exempt from review under the California Environmental Quality Act (CEQA), pursuant to California Code of Regulations Section 15601(b)(3). The activity is covered by the commonsense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**ATTACHMENT(S):**

- A. 2025 Housing Element Annual Progress Report

Jurisdiction	South El Monte	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.  
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
		1	Projection Period	2									3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 06/30/2021-10/14/2021	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Acutely Low	Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	-
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	-
Extremely Low	Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	-
	Non-Deed Restricted		-	-	-	5	-	-	-	-	-	-	5	-
Very Low	Deed Restricted	131	-	-	-	-	3	3	-	-	-	-	16	115
	Non-Deed Restricted		-	-	-	-	-	5	-	-	-	-	-	-
Low	Deed Restricted	64	3	1	-	-	5	2	-	-	-	-	26	38
	Non-Deed Restricted		-	-	-	7	4	4	-	-	-	-	-	-
Moderate	Deed Restricted	70	-	-	-	-	-	2	-	-	-	-	87	-
	Non-Deed Restricted		-	-	-	10	70	5	-	-	-	-	-	-
Above Moderate		312	-	1	22	1	8	124	-	-	-	-	156	156
Total RHNA		577												
Total Units			3	2	22	23	90	145	-	-	-	-	285	309

\*For years prior to 2025, Acutely Low-Income units are reported within the Extremely Low-Income category

\*For jurisdictions that received RHNA determinations for the current cycle prior to the passage of AB 3093 (September 19, 2024):  
 - You were not allocated Acutely Low-Income and Extremely Low-Income RHNA targets, therefore the allocations in Field 1 are listed as "0"  
 - If you wish to set your own targets in these income categories for informational purposes, contact HCD staff at [apr@hcd.ca.gov](mailto:apr@hcd.ca.gov).  
 - All Acutely Low-Income and Extremely Low-Income units reported during the cycle are counted towards Very-Low Income RHNA progress

\*For years prior to 2025, data on deed-restricted vs. non-deed restricted Extremely Low-Income units is approximated from whether the projects reported any deed-restricted Very Low-Income Units. If you wish to edit this historical data for accuracy or have any questions about the data, you may login to HCD's online APR system, or contact HCD staff at [apr@hcd.ca.gov](mailto:apr@hcd.ca.gov).

Please Note: Table B does not currently contain data from Table F or Table F2 for prior years. You may login to the APR system to see Table B that contains this data.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at [apr@hcd.ca.gov](mailto:apr@hcd.ca.gov).

Jurisdiction	South El Monte
Reporting Year	2025 (Jan. 1 - Dec. 31)
Planning Period	6th Cycle 10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**

Note: "+" indicates an optional field  
Cells in grey contain auto-calculation formulas

**Table A**  
**Housing Development Applications Submitted**

Project Identifier				Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes										Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Historic Sites	Density Bonus Application				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21					
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID	Unit Category (SFA, SFD, 2 to 4.5+ ADU, MH)	Tenure R= Renter O= Owner	Date Application Submitted (see instructions)	Acutely Low-Income Deed Restricted	Acutely Low-Income Non-Deed Restricted	Extremely Low-Income Deed Restricted	Extremely Low-Income Non-Deed Restricted	Very Low-Income Deed Restricted	Very Low-Income Non-Deed Restricted	Low-Income Deed Restricted	Low-Income Non-Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non-Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by Project	Total DISAPPROVED Units by Project	Please select state streamlining provision's the application was submitted pursuant to.	Is this project located on a site with an associated historical designation as outlined in Government Code Section 65400(a)(2)(N) and reported on Table L7?	Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?	
Summary Row: Start Data Entry Below							0	0	0	0	5	0	0	0	6	0	10	14	35	0	0				
8113-005-012	1649 Bunker Ave		CONSULT-25-01	ADU	O	1/3/2025													1			NONE	No	No	
8113-007-031	1715 Burkett Rd		CONSULT-25-05	ADU	O	1/28/2025														1			NONE	No	No
8116-008-028	1434 Strozier Ave		CONSULT-25-09	ADU	O	2/15/2025														1			NONE	No	No
8114-015-009	1819 Cogswell Rd		CONSULT-25-10	ADU	O	2/19/2025														1			NONE	No	No
8103-011-034	10413 Klingerman St		CONSULT-25-11	ADU	O	3/24/2025														1			NONE	No	No
8103-008-013	2515 Doreen Ave		CONSULT-25-13	ADU	O	3/1/2025														1			NONE	No	No
8102-025-015	2456 Adelia Ave		CONSULT-25-14	ADU	O	3/3/2025														1			NONE	No	No
8118-015-049	1315 Durfee Ave		CONSULT-25-19	ADU	O	4/1/2025							1							1			NONE	No	No
8104-025-023	2316 Santa Anita Ave		CONSULT-25-20	ADU	O	4/3/2025														1			NONE	No	No
8103-024-041					5+	R														1			NONE	No	No
8103-024-040	2532/2542 Edwards Ave		CONSULT-25-21			4/3/2025																			
8113-007-022	11456 Broadmead St		SUBPRE-25-01		2 to 4	O	4/9/2025													1			NONE	No	No
8113-015-014	11144 Majfield St		CONSULT-25-29	ADU	O	5/6/2025														1			NONE	No	No
8104-025-011	2315 Granada Ave		CONSULT-25-34	ADU	O	5/22/2025														1			NONE	No	No
8114-027-004	1644 Cogswell Rd		CONSULT-25-36	ADU	O	5/27/2025														1			NONE	No	No
8102-025-010	2512 Adelia Ave		CONSULT-25-38	ADU	O	5/30/2025														1			NONE	No	No
8104-014-011	10820 Klingerman St		CONSULT-25-39		5+	R	6/1/2025													1			NONE	No	No
8116-015-001	1832 Strozier Ave		CONSULT-25-41	ADU	O	6/23/2025														1			NONE	No	No
8114-034-011	11245 Broadmead St		CONSULT-25-54	ADU	O	7/10/2025						1								1			NONE	No	No
8118-010-017	11209 Fardon St		CONSULT-25-57	ADU	O	5/31/2025									1					1			NONE	No	No
8113-012-014	11353 Thienes Ave		CONSULT-25-58	ADU	O	8/4/2025								1						1			NONE	No	No
8114-030-014	1613 Leafdale Ave		CONSULT-25-61	ADU	O	8/11/2025														1			NONE	No	No
8104-018-019	10816 Elliot Ave		CONSULT-25-62	ADU	O	8/13/2025														1			NONE	No	No
8116-009-012	1631 Millet Ave		CONSULT-25-63	ADU	O	8/20/2025														1			NONE	No	No
8116-013-031	10163 Remer St		CONSULT-25-64	ADU	O	8/22/2025									1					1			NONE	No	No
8118-011-036	11258 Michael Hunt Dr		CONSULT-25-67	ADU	O	9/26/2025							1							1			NONE	No	No
8114-015-002	11208 Broadmead St		CONSULT-25-68	ADU	O	9/30/2025							1							1			NONE	No	No
8103-014-042	2523 Edwards Ave		CONSULT-25-69		5+	R	10/7/2025													1			NONE	No	No
8102-025-019	9702 Fern St		CONSULT-25-71	ADU	O	10/9/2025									1					1			NONE	No	No
8113-012-014	11353.5 Thienes Ave		CONSULT-25-74	ADU	O	10/28/2025														1			NONE	No	No
8102-017-021	2540 Rosemead Blvd		CONSULT-25-17		5+	O	3/16/2025													1			NONE	No	Yes
8102-017-021	2540 Rosemead Blvd		CONSULT-25-18		5+	O	3/16/2025													1			NONE	No	Yes
8103-008-013	2515 Doreen Ave		CONSULT-25-13		SFD	O	3/1/2025													1			NONE	No	No
8113-005-012	1649 Bunker Ave		CONSULT-25-01	ADU	O	1/3/2025						1								1			NONE	No	No

