

ORDINANCE NO. 2007-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE CHANGING THE ZONING DESIGNATION OF ALL PROPERTIES IN THE HCD/O (HISTORIC COMMERCIAL DOWNTOWN/OFFICE) ZONE TO HCD (HISTORIC COMMERCIAL DOWNTOWN) AND AMENDING THE REGULATIONS PERTAINING TO THE HCD ZONE

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

SECTION 1. On November 14, 2007, the Planning Commission of the City of Monrovia held a duly noticed public hearing to consider Ordinance 2007-16. Following the close of the public hearing, the Planning Commission adopted Resolution No. 2007-15 recommending approval of Ordinance 2007-16.

SECTION 2. On December 4, 2007, the City Council held a duly noticed public hearing on Ordinance 2007-16.

SECTION 3. California Environmental Quality Act (CEQA). Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, City Staff determined that Ordinance 2007-16 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Staff finds that there is no possible significant effect directly related to Ordinance 2007-16 ("project"), therefore no further action is required under CEQA. The Planning Commission and City Council have reviewed the project and concurs that City staff has correctly concluded that the proposed amendment to the Municipal Code will not have a potential significant effect on the environment, because the provisions of this ordinance provides similar regulations as currently exist and will not in and of themselves cause any change in the environment.

SECTION 4. Title 17, Chapter 17.04, Section 17.04.030 of the Monrovia Municipal Code is hereby amended by deleting the line "HCD/O – Historic Commercial Downtown/Office". All references to "HCD/O" or "CD/O" in this Title shall be removed.

SECTION 5. Title 17, Chapter 17.040, Section 17.04.040, the Official Zoning Map of the Monrovia Municipal Code is hereby amended to revise the boundary map and re-zone all properties in the HCD/O (Historic Commercial Downtown/Office) Zoning District to HCD (Historic Commercial Downtown) as described in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 6. Title 17, Chapter 17.08, Section 17.08.020 of the Monrovia Municipal Code is hereby amended by inserting new subsection 17.08.020(C), below; and reordering the remaining subsections accordingly.

(C) For buildings in the HCD zone where a portion of the ground floor is divided with separate businesses that do not have access to Myrtle Avenue, all Administrative/professional uses and all Service Commercial uses shall be permitted in those portions of the building.

SECTION 7. Title 17, Chapter 17.08, of the Monrovia Municipal Code is hereby amended by deleting Section 17.08.030 (HCD/O Historic Commercial Downtown/Office) Overlay Zone in its entirety and renumber the following section accordingly.

SECTION 8. Title 17, Chapter 17.16, Section 17.16.010 of the Monrovia Municipal Code is hereby amended by deleting all references to "CD/O".

SECTION 9. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 10. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage.

INTRODUCED this 4th day of December 2007. **PASSED, APPROVED, AND ADOPTED** this 15th day of January 2008 by the following vote: **AYES:** Councilmembers Adams, Garcia, Mayor Pro Tem Kirby. **ABSTAIN:** Councilmember Lutz, Mayor Hammond.

/s/ Linda B. Proctor, MMC, City Clerk
Publish January 28, 2008