



**PLANNING COMMISSION
MEETING AGENDA**

TUESDAY, SEPTEMBER 17, 2024 AT 6:30 PM

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

PLANNING COMMISSION MEMBERS

**ALICIA MORALES, CHAIR
ARMANDO MEDINA, VICE-CHAIR
VICTOR CUEVAS, PLANNING COMMISSIONER
NATALIA LOMELI, PLANNING COMMISSIONER
JOELLAANN VALDEZ, PLANNING COMMISSIONER**

CITY STAFF

**JOSEPH PALOMBI, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT
VIVIANA ESPARZA, PLANNING MANAGER
MARIA CELESTE ALCANTAR, MANAGEMENT ANALYST**

NOTICES

This Planning Commission Meeting will be held in person and will meet at **City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California**. The meeting will be live streamed and can be watched on the City's website and YouTube Channel via the following link: <https://www.montebelloca.gov>, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act (ADA) any person with a disability who requires special accommodations in order to participate in a meeting should contact **Maria Celeste Alcantar, Management Analyst** at **(323) 887-1486** Monday-Thursday from 7:30 a.m.-5:30 p.m. Please call 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II 1203). If you require translation services, please contact us 24 hours before this meeting.

PUBLIC COMMENTS:

In-Person: For those interested in participating during the Public Comment period(s) or public testimony period for Public Hearings of the Planning Commission meetings, you may address the Planning Commission in person the day of the meeting. Speakers will be required to complete a speaker card provided at the door and submit it to the **Maria Celeste Alcantar, Management Analyst** prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received.

Via Email: The public may also submit emailed comments via the following email address: pcpubliccomments@montebelloca.gov up until the day of the meeting, **Tuesday, September 17, 2024, by 6:30 p.m.** These comments will be submitted to all members of the Planning Commission and will not be read aloud, but will be entered into the record of the proceedings to the extent they relate to matters listed on the posted agenda or otherwise address matters/issues within the subject matter jurisdiction of the Planning Commission. Any requests to provide public comment which is submitted after the deadlines indicated above will not be submitted to the Planning Commission, with the exception of non-agenda written item comments which will be held over for the next regularly scheduled meeting.

RULES OF DECORUM:

Pursuant to Section 54957.95 of the Government Code, the presiding member of the legislative body conducting a meeting, or their designee, is authorized to remove, or cause the removal of, an individual for disrupting the meeting. Any such removal will be preceded by a warning to the disruptive individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to promptly cease their disruptive behavior may result in their removal.

AGENDA MATERIALS: The agenda and agenda packet related to items on this agenda are available for public inspection at City's website at: [Agendas, Minutes, and Videos](#).

IN CONSIDERATION OF OTHERS, PLEASE TURN OFF, OR MUTE, ALL CELL PHONES AND PAGERS
THANK YOU FOR YOUR COOPERATION

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA

PUBLIC COMMENTS (30 MINUTES)

At this time, the general public may address the Commission/Committee on any items listed on the Agenda, including items not listed on the Agenda (Non-Agenda Items) that are within subject matter jurisdiction. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per person. State Law prohibits the Commission/ Committee from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Chairperson.

STAFF COMMUNICATIONS

MINUTES

1. **Approval of the Minutes from the Planning Commission meeting held on September 3, 2024.**

PUBLIC HEARING

2. **TEXT CODE AMENDMENT ("TCA") (CASE NO. PC-2024-0013-TCA) AMENDING CHAPTER 8.40 OF THE CITY OF MONTEBELLO MUNICIPAL CODE REGARDING REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL PROPERTIES**

RECOMMENDATION: It is recommended that the Planning Commission conduct a public hearing and take the following action:

1. Adopt Resolution No. 11-24 recommending adoption of an ordinance of the City Council approving Text Code Amendment amending Chapter 8.40 of the Montebello Municipal Code regarding registration and maintenance of vacant and abandoned commercial, industrial, and residential properties; and
2. DETERMINE AND FIND that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to the "Common Sense" exemption set forth under Section 15061(b)(3), which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA Guidelines Section 15378 in that the adoption of this Ordinance is not considered a "project" as there is no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

PRESENTATION

3. **Brown Act Refresher Presented by City Attorney, Arnold M. Alvarez-Glasman**

PLANNING COMMISSION ORALS

Planning Commission member announcements; requests for future agenda items; conference/meetings reports.

ADJOURNMENT

The City of Montebello Planning Commission will adjourn to the next Regular Meeting on **October 1, 2024 at 6:30 p.m.** at City Hall Council Chambers located at 1600 W. Beverly Boulevard, Montebello, CA 90640.

I, **Maria Celeste Alcantar, Management Analyst** for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Thursday, September 12, 2024 at 6:30 p.m.**

A handwritten signature in black ink that reads "Maria Celeste Alcantar". The signature is written in a cursive, flowing style.

Maria Celeste Alcantar, Management Analyst



CITY OF MONTEBELLO

PLANNING COMMISSION MEETING AGENDA

MINUTES

TUESDAY, SEPTEMBER 3, 2024 AT 6:30 PM

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

CALL TO ORDER – Chair Morales called the meeting to order at 6:31 p.m.

ROLL CALL – Chair Morales, Vice-Chair Medina, Commissioner Cuevas, Commissioner Lomeli and Commissioner Valdez.

PLEDGE OF ALLEGIANCE – Chair Morales.

CORRECTIONS TO THE AGENDA – None.

PUBLIC COMMENTS (30 MINUTES)

At this time, the general public may address the Commission/Committee on any items listed on the Agenda, including items not listed on the Agenda (Non-Agenda Items) that are within subject matter jurisdiction. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per person. State Law prohibits the Commission/ Committee from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Chairperson.

STAFF COMMUNICATIONS – Director Palombi announced that a Brown Act Refresher would be held at the next Planning Commission Meeting on September 17, 2024, and introduced the new Planning Manager, Viviana Esparza.

MINUTES

1. Approval of the Minutes from the Planning Commission meeting held on August 6, 2024.

Commissioner Lomeli motioned to approve the meeting minutes and was Seconded by Commissioner Valdez. Director Joseph Palombi took roll, and the item was approved 5-0.

PUBLIC HEARING

2. Conditional Use Permit (“CUP”) (Case No. PC-2024-0010-CUP) to allow the demolition of an existing restaurant for the construction and continued use of a new 1,440 square-foot Starbucks with a drive-through and a 150 square-foot outdoor patio area for customers with related amenities and associated site

improvements pursuant to Montebello Municipal Code Chapter 17.70 et seq. (Conditional Use Permits), on an existing lot for the property located at 201 W Whittier Blvd.

Director Palombi introduced the item. Assistant Planner, Daniel Ruiz provided a presentation regarding the Conditional Use Permit ("CUP") (Case No. PC-2024-0010-CUP) to the Planning Commission. The Public Hearing was opened at 6:47 p.m. Upon the completion of Mr. Ruiz's presentation, the applicant, Indira Ibrahimbegovic spoke regarding the project. Staff received one (1) public comment in opposition to the proposed project. The Public Hearing was closed at 6:53 p.m. Commissioner Lomeli made a motion to approve the Resolution recommending the approval of the Conditional Use Permit (CUP) for Case No. PC-2024-0010-CUP, with an additional condition to include signage to prevent blockage of the property's exit, aimed at improving traffic flow. Commissioner Lomeli's motion was Seconded by Commissioner Cuevas. Director Palombi took roll and the item was approved 5-0.

MOTIONED: Commissioner Lomeli

SECONDED: Commissioner Cuevas

APPROVED: 5-0-0-0

AYES: Chair Morales, Vice-Chair Medina, Commissioner Cuevas, Commissioner Lomeli and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: None.

PLANNING COMMISSION ORALS – None.

ADJOURNMENT

The meeting was adjourned at 6:55 p.m. to the next regularly scheduled meeting that will be held on September 17, 2024.

Joseph Palombi, Planning Commission Secretary



ITEM # 2

**CITY OF MONTEBELLO
PLANNING COMMISSION AGENDA STAFF REPORT**

TO: Members of the Planning Commission

FROM: Joseph Palombi, Planning & Community Development Director

BY: Viviana Esparza, Planning Manager

SUBJECT: **TEXT CODE AMENDMENT (“TCA”) (CASE NO. PC-2024-0013-TCA) AMENDING CHAPTER 8.40 OF THE CITY OF MONTEBELLO MUNICIPAL CODE REGARDING REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL PROPERTIES**

DATE: September 17, 2024

RECOMMENDATION(S):

It is recommended that the Planning Commission conduct a public hearing and take the following action:

1. Adopt Resolution No. 11-24 recommending adoption of an ordinance of the City Council approving Text Code Amendment amending Chapter 8.40 of the Montebello Municipal Code regarding registration and maintenance of vacant and abandoned commercial, industrial, and residential properties; and
2. DETERMINE AND FIND that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to the “Common Sense” exemption set forth under Section 15061(b)(3), which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA Guidelines Section 15378 in that the adoption of this Ordinance is not considered a “project” as there is no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

BACKGROUND:

On March 25, 2009, the City Council approved Ordinance No. 2329 to address the maintenance and security concerns associated with abandoned and vacant properties and preserve the aesthetic appearance of Montebello. At the time, the City of Montebello faced a significant increase in foreclosures, resulting in numerous residential and commercial properties becoming neglected. The ordinance aimed to mitigate the impacts of blighted properties on neighborhood aesthetics, property values, and public safety. In summary, the ordinance requires property owners to register their properties, with an annual registration fee of \$120.00, which is valid for one calendar year. The registration fee is due on or before January 1st each year and must be received no later than January 31st.

Since its adoption, the City has observed a continued rise in complaints related to abandoned and vacant properties. This trend has led to increased concerns about the negative effects on property values, health, safety, and the general welfare of the community. Additionally, many vacant properties throughout the City have remained poorly maintained, exacerbating blight issues and contributing to a decline in neighborhood aesthetics.

Per direction from the City Council, staff conducted a review of the current ordinance and identified areas where the existing regulations could be enhanced. Key issues include inadequate property security, frequent unauthorized access, accumulation of debris, and overgrown vegetation, all of which have been recurring problems. These conditions have also strained City resources, particularly within the Planning and Community Development Department - Code Enforcement Division and Public Works Department.

As part of this review, the proposed amendment seeks to implement more stringent maintenance and security requirements for abandoned properties, incentivize activation of vacant storefronts, ensuring these properties do not become public nuisances.

ENVIRONMENTAL:

Pursuant to the provisions of the California Environmental Quality Act ("CEQA") Section 15061(b)(3), the project is considered covered by the commonsense exemption. The common sense CEQA exemption section states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment" and also states that "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." The proposed ordinance amending MMC Chapter 8.40 (Abandoned Property and Vacant Lots) does not have the potential to degrade the quality of the environment or have a significant effect on the environment. Actions proposed in the Text Amendment are not considered a "project" under CEQA Guidelines Section 15378 in that there is no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

ANALYSIS:

The presence of abandoned and vacant properties within the City of Montebello has

contributed to neighborhood blight, decreased property values, and increased public safety concerns. The lack of adequate security and maintenance on these properties attracts unlawful activities such as trespassing, vandalism, and illegal dumping, which burdens City resources. These properties, often left unattended during lengthy foreclosure or default proceedings, become eyesores, and negatively affect the quality of life for surrounding residents.

The **Abandoned Property and Vacant Lots Ordinance (Ordinance No. 2329)**, enacted on March 25, 2009, established a framework for registering and maintaining vacant and abandoned properties. This ordinance aims to reduce the negative impacts of such properties by holding owners accountable for their upkeep. Despite these measures, the City has observed ongoing issues, including insufficient compliance, recurring nuisances, and the use of abandoned properties for illegal activities.

The proposed amendment seeks to, among other things, build upon the 2009 ordinance by further strengthening maintenance, security, and enforcement requirements for vacant lots and properties acquired through foreclosure. It will include:

1. **Mandatory Registration:** All vacant and abandoned properties must be registered with the City, ensuring up-to-date contact information for responsible parties, which facilitates enforcement of maintenance and security requirements.
2. **Enhanced Maintenance Requirements:** Owners will be required to maintain vacant properties to neighborhood standards, including landscaping, debris removal, and addressing graffiti. For unimproved vacant lots, landscaping plans will be required, providing aesthetic improvement to mitigate blight and enhance neighborhood appearance.
3. **Improved Security Measures:** Properties must be secured against unauthorized access through fencing, boarding of windows, or other security mechanisms. Additionally, weekly inspections will be mandatory to ensure compliance, reducing opportunities for criminal activity.
4. **Enforcement of Compliance:** The ordinance allows for stricter penalties for non-compliance, including the placement of liens on properties to recover City-incurred abatement costs. This ensures that the City has the resources to address these issues without burdening taxpayers.
5. **Collaboration with the City:** Incentivize the activation of vacant commercial spaces by hosting pop-up events or attracting qualified temporary tents by waiving monitoring fees.
6. **Establish a Monitoring Program:** The fees associated with the monitoring program will include fees for commercial vacant properties ranging from \$500 to \$1000 per month, and fees for residential properties set at \$100 per month. These fees would be charged to property owners for property that has been vacant for more than 30 days and which does not qualify for those exemptions listed in the proposed ordinance (Please see Attachment A). It is important to note that these fees were established based on a methodology that looked at dedicated staff time at fully burdened rates.

On September 3, 2024, as part of the City's outreach efforts for this ordinance, the Economic Development Division presented the proposed ordinance modifications to the Montebello Chamber of Commerce's Economic Development Committee. The Committee expressed their support of the proposed revisions, recognizing its importance in addressing the challenges posed by vacant and abandoned properties in the City.

In recent years, the City has received increased complaints related to abandoned properties, including reports of illegal dumping, graffiti, and unkempt lots, which diminish the aesthetics of neighborhoods and attract unwanted activities in addition to creating blight. As of September 10, 2024, the Code Enforcement division has documented a total of 32 vacant properties located within City boundaries. The proposed ordinance amendments will provide Code Enforcement and other departments with more effective tools to monitor, manage, and enforce the proper upkeep of these properties.

Research on Surrounding Cities' Municipal Code

To understand how neighboring cities address the issue of abandoned and vacant properties, City staff researched neighboring cities' municipal codes. Based on City staff findings, the following key points were identified:

1. City of Pico Rivera

The City of Pico Rivera, implemented an amendment aimed at updating and addressing property maintenance issues related to structures, landscaping, and parking area maintenance. The purpose of the amendment and the subsequent changes was to improve the overall quality of life for residents, business owners, and property owners in the City of Pico Rivera. This ordinance clarifies public nuisance definitions and adds property maintenance provisions to ensure properties are maintained to high standards, enhancing community beautification and promoting economic stability.

2. City of Rosemead

The City of Rosemead has an ordinance addressing vacant lots. This ordinance requires property owners to maintain vacant lots, whether improved or unimproved, in a clean and secure condition. Key provisions include landscaping, irrigation, fencing, and weekly inspections to ensure compliance. This ordinance aims to prevent neighborhood blight and protect public health, safety, and welfare by holding property owners accountable for the upkeep of vacant lots.

3. El Monte

The City of El Monte established a Vacant Building Security and Maintenance Program. This ordinance requires owners to secure, maintain, and actively monitor vacant buildings or structures that have been unoccupied for more than 30 days. The ordinance includes specific maintenance provisions, such as landscaping, graffiti removal, and the boarding of windows and doors, aimed at preventing blight and ensuring that vacant properties do not become a nuisance to the surrounding community.

<u>CURRENT ORDINANCE</u>	<u>PROPOSED ORDINANCE</u>
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Vacant properties must be registered but there are no specific timelines for registration and maintenance.	Requires registration within 90 days of a property becoming vacant or abandoned, with mandatory maintenance standards.
Limited maintenance requirements that do not specify detailed security measures.	Introduces comprehensive maintenance and security requirements, including mandatory fencing, weekly inspections, and security patrols for properties vacant over 180 days.
No specific penalties or monitoring programs for non-compliance.	Implements a monitoring program with fees, along with penalties for non-compliance, and mandates regular reporting and updates from property owners.
Exemptions are vague and do not clearly address temporary vacancies or properties under development.	Clarifies exemptions for properties with active permits, under development, or temporary vacancies, or based on established criteria ensuring they do not contribute to blight.
N/A	Incentivize the activation of vacant commercial spaces by hosting pop-up events or attracting qualified temporary tents by waiving monitoring fees and promoting economic development.

CLEAN Task Force

To enhance the City's efforts in tackling abandoned properties and vacant lots, a new task force will be established. The CLEAN (City Leading Efforts Against Non-Compliance) Task Force will be a city-wide initiative focused on improving quality of life issues such as vacant property maintenance, illegal dumping, graffiti and homelessness. It brings together multiple departments—including Code Enforcement, Public Works, Fire Department (MCAP), and the Police Department—to collaborate and manage urban challenges effectively address these urban challenges.

This initiative serves as a platform focusing on proactive management, ensuring compliance with city ordinances, maintaining public spaces, and enhancing security related to vacant properties. By implementing sustainable solutions and fostering interdepartmental cooperation, the CLEAN Task Force aims to create a cleaner and safer environment across Montebello, ensuring that each department plays a role in maintaining and improving the condition of vacant and abandoned properties. Through this coordinated approach, the CLEAN Task Force initiative highlights the City's dedication to managing vacant and abandoned properties with a comprehensive, long-term strategy.

SUMMARY:

The proposed Text Code Amendment conforms with the Montebello General Plan as it will further address the maintenance of vacant and abandoned properties within the City. The proposed amendments are aimed to prevent properties from becoming sources of blight or safety hazards and to hold property owners accountable for the upkeep of vacant properties. Therefore, it is recommended that the Planning Commission adopt Resolution No. 11-24 recommending adoption of an ordinance of the City Council approving Text Code Amendment amending Chapter 8.40 of the Montebello Municipal Code regarding registration and maintenance of vacant and abandoned commercial, industrial, and residential properties as provided in Attachment A, attached hereto and incorporated by reference, by adding text shown in underline (example) and deleting the text shown in strikeout (~~example~~).

PUBLIC NOTIFICATION

Pursuant to MMC Section 17.78 (Public Hearings, Notices, and Appeals) the following noticing was performed:

- On September 6, 2024, the Public Hearing Notice was published in the Daily Journal (Whittier Daily News) for the Planning Commission.

ATTACHMENT(S)

1. Attachment A – Ordinance No. 2479
2. Attachment B - Resolution No. 11-24

Chapter 8.40 REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL PROPERTIES AND VACANT LOTS

Sections:

8.40.010 Purpose/Scope.

It is the purpose and intent of the Montebello City Council, through the adoption of this chapter, and subsequent amendments, to establish a vacant property registration and mandatory maintenance program as a mechanism to protect neighborhoods from becoming blighted through the lack of adequate maintenance and security of abandoned and/or vacant properties. This chapter is intended to apply to abandoned and/or vacant property located within the City of Montebello.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.020 Definitions.

For the purposes of this chapter, certain words and phrases used in this chapter are defined as follows:

"Abandoned" means real property that is vacant for more than ninety 90-days including properties~~and is~~ under a current notice of default and/or notice of trustee's sale, pending tax assessors lien sale and/or a property that has been the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale and/or is unoccupied and has existing code violations.

"Accessible property" means a property that is accessible through a compromised or breached gate, fence, wall etc.

"Accessible structure" means a structure/building that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

"Accessory dwelling unit" means an independent dwelling unit located in any of the residential zones, and in the case of single-family zoning districts (R-1 and R-A zones), on a lot that has only one previously-existing single-family dwelling unit prior to the addition of the accessory dwelling unit which is smaller than and visually subordinate to the previously existing single-family dwelling unit, and which may be an internal remodeling of, or attached to or detached from the previously existing single-family dwelling unit. Accessory dwelling units may also be referred to as "second dwelling units" within this title, and both terms may be used interchangeably herein.

"Agreement" means any agreement or written instrument, which provides that title to residential property, shall be transferred or conveyed from one owner to another owner after the sale, trade, transfer or exchange.

"Assignment of rents" means an instrument that transfers the beneficial interest under a deed of trust from one lender/entity to another.

"Beneficiary" means a lender under a note secured by a deed of trust.

"Blight" means a physical space or structure that is no longer in acceptable or beneficial condition to its community, and which may cause undue hardships, a nuisance, or an erosion of the quality of life to the surrounding area.

"Buyer" means any person, co-partnership, association, corporation, or fiduciary who agrees to transfer anything of value in consideration for property described in an agreement of sale, as defined in this subsection.

"Days" means consecutive calendar days.

"Deed of ~~trust~~Trust" means an instrument by which title to real estate is transferred to a ~~third party~~third-party trustee as security for a real estate loan. In California, a deed of trust is used instead of a mortgage. This definition applies to any and all subsequent deeds of trust (i.e.: 2nd trust deed, 3rd trust deed, etc.).

"Deed in lieu of foreclosure/sale" means a recorded document that transfers ownership of a property from the trustor to the holder of a deed of trust upon consent of the beneficiary of the deed of trust.

"Default" means the failure to fulfill a contractual obligation, monetary or conditional.

"Department" means the Planning and Community Development Department.

"Director" means the Director of Planning and Community Development.

"Distressed" means a property that is under a current notice of default and/or notice of trustee's sale and/or pending tax assessor's lien sale or has been foreclosed upon by the trustee or has been conveyed to the beneficiary/trustee via a deed in lieu of foreclosure/sale.

"Evidence of vacancy" means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, past due utility notices and/or disconnected utilities, accumulation of trash, junk and/or debris, the absence of window coverings such as curtains, blinds and/or shutters, the absence of furnishings and/or personal items consistent with residential habitation, statements by neighbors, passersby, delivery agents, government employees that the property is vacant.

"Foreclosure" means the process by which a property, placed as security for a real estate loan, is sold at auction to satisfy the debt if the trustor (borrower) defaults.

"Local" means within forty road/driving miles distance of the subject property.

"Multiple-family dwelling" means two or more dwelling units, each of which is attached side to side, each one sharing common wall(s) with the other(s), and each containing only one kitchen.

"Neighborhood standard" means those conditions that are present on a simple majority of properties within a ~~three-hundred-foot~~three-hundred-foot radius of an individual property. A property that is the subject of a neighborhood standard comparison, or any other abandoned property within the ~~three-hundred-foot~~three-hundred-foot radius, shall not be counted toward the simple majority.

"Notice of default" means a recorded notice that a default has occurred under a deed of trust and that the beneficiary intends to proceed with a trustee's sale.

"Out of area" means in excess of forty road/driving miles distance of the subject property.

"Owner" means any person, co-partnership, association, corporation, or fiduciary having a legal or equitable title or any interest in any real property.

"Owner of record" means the person having recorded title to the property at any given point in time the record is provided by the Los Angeles County Records Office.

"Property" means any unimproved or improved real property, or portion thereof, situated in the ~~city~~City and includes the buildings or structures located on the property regardless of condition.

"Residential property" means any improved real property, or portion thereof, situated in the ~~city~~City, designed or permitted to be used for dwelling purposes, and shall include the buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange as "residential" whether or not it is legally permitted and/or zoned for such use.

"Securing" means such measures as may be directed by the ~~city~~City managerManager, or his or her designee that assist in rendering the property inaccessible to unauthorized persons, including but not limited to the repairing of fences and walls, chaining/pad locking of gates, the repair or boarding of doors, windows and/or other openings. Boarding shall be completed to a minimum of the current HUD securing standards at the time the boarding is completed or required.

"Trustee" means the person, firm or corporation holding a deed of trust on a property.

"Trustor" means a borrower under a deed of trust, who deeds property to a trustee as security for the payment of a debt.

"Vacant" means a building, structure, or real property that is not legally occupied.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.030 Maintenance of unimproved vacant lots.

Lots that are unimproved due to never having been developed or having become vacant subsequent to the removal of any pre-existing buildings, structures or impervious surfaces shall be subject to the approval of a landscape and irrigation plan by the planning division and shall be improved and maintained at all times in accordance with the following provisions:

- A. Lots less than one acre. For unimproved vacant lots that are less than one acre in size, the entire lot shall be improved and maintained in the following manner:
 - 1. For residentially zoned lots, the entire lot shall be maintained using sod, hydro-seed, drought tolerant ground cover or other acceptable ground cover approved

by the planning division. The ground cover shall be maintained in good condition at all times.

2. For commercial or industrial zoned lots, a minimum ~~ten-foot-wide~~ten-foot-wide perimeter landscape planter along all street frontages shall be provided and regularly maintained. All other internal areas may be landscaped or include a decorative hardscape subject to the approval of the planning division.
 3. The lot shall be improved with an irrigation system and maintained in good condition at all times.
 4. The lot shall be maintained free of litter and debris, including the stockpiling of any material, at all times. Any on-site litter, debris or stockpiling of material shall be immediately removed. The property owner shall be responsible for inspecting the property ~~weekly, or~~weekly or taking all necessary steps to reasonably ensure that no litter, debris or material stockpiling collects or is maintained on the lot.
 5. Any dead or dying vegetation as well as any broken, malfunctioning or non-functioning irrigation components on the lot shall be replaced within seventy-two hours of their discovery. The property owner shall be responsible for inspecting the property weekly, or taking all necessary steps to reasonably ensure that there is no dead or dying vegetation or any broken, malfunctioning or non-functioning irrigation components on the lot.
 6. Signage with contact information for the property owner and/or property management company shall be posted at the subject site pursuant to review and approval of the planning division.
- B. Lots one acre or greater. For unimproved vacant lots that are one acre or greater in size, the entire lot shall be improved and maintained in the following manner:
1. A minimum ~~ten-foot-wide~~ten-foot-wide perimeter landscape planter along all street frontages shall be provided.
 2. All landscape planters shall be improved with an irrigation system and consist of decorative landscaping containing a combination of trees, shrubs, and groundcover, or other acceptable landscaping approved by the planning division. A landscape and irrigation plan shall be submitted to and approved by the planning division prior to implementation.
 3. All on-site landscaping and irrigation shall be maintained in good condition at all times. Any dead or dying landscaping shall be replaced within seventy-two hours of their discovery, including any broken, malfunctioning or non-functioning irrigation components. The property owner shall be responsible for inspecting the property weekly, or taking all necessary steps to reasonably ensure that all of the landscaping and irrigation on the lot is maintained in good condition and there are no broken, malfunctioning or non-functioning irrigation components on the lot.
 4. A six-foot high decorative, view-obscuring fence shall be installed behind all required perimeter landscaping to secure the lot. If the property owner decides not to install the six-foot high view-obscuring fence, the entire lot shall be landscaped. In circumstances where the ~~director~~Director of ~~planning~~Planning and ~~community development~~Community Development finds that a higher fence is warranted for adequate security of the site and/or because of usual topographical circumstances

associated with the vacant lot, a fence may be constructed up to a maximum of eight feet high. All fences shall include a security gate to provide accessibility to the lot for the police department or other emergency personnel. A security code for the gate shall be provided to the police department upon installation and shall be kept ~~up-to-date~~up to date at all times.

5. Decorative view obscuring fencing may include redwood or cedar fencing, woodcrete, green vinyl chain-link fencing with a green windscreen securely attached, or any other durable, aesthetically attractive, material deemed acceptable by the planning division. Green vinyl chain-link fencing with a green windscreen will not be permitted in residential or commercial zones or zones which abut residential or commercial zones, except as a temporary construction fence with the approval of planning division.
6. All fencing shall be maintained in good condition at all times. Any on-site graffiti shall be removed within twenty-four hours of its appearance. The property owner shall be responsible for inspecting the property weekly, or taking all necessary steps to reasonably ensure that the entire lot is free from graffiti.
7. Signage with contact information for the property owner and/or property management company shall be posted at the subject site pursuant to review and approval of the planning division.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.040 Maintenance of vacant property acquired by foreclosure.

Subject to certain amendments and additions as hereinafter set forth in this chapter, the ~~city~~City Council-Council references California Civil Code Section 2929.3 which requires a legal owner to maintain vacant residential property purchased by that owner at a foreclosure sale or acquired by that owner through foreclosure under a mortgage or deed of trust.

The definition of "failure to maintain" as found in Civil Code Section 2929.3(a)(3)(b) is supplemented and clarified by referencing the conditions designated as public nuisances in Chapter [Section] 8.16.010 and the maintenance and security requirements of [Sections] 8.40.070 and 8.40.080 of the Montebello Municipal Code (Civil Code Section 2929.3(a)(3)(f)).

(Ord. No. 2329, § 1, 4-8-2009)

8.40.050 Recordation of transfer of loan/deed of trust/assignment of rents.

Within ten days of the purchase and/or transfer of a loan/deed of trust secured by property, the new beneficiary/trustee shall record₇ with the Los Angeles County Records Office, an assignment of beneficial interest, or similar document, that lists the name of the corporation, and/or individual, the mailing address and contact phone number of the new beneficiary/trustee responsible for receiving payments associated with the loan/deed of trust.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.060 Registration of vacant properties ~~under notice of default~~.

A. Property owner's obligation to register vacant or abandoned commercial properties or storefronts. The owner of a vacant or abandoned commercial storefront shall, within ninety (90) days after it has become vacant or abandoned, register the property with the City on a prescribed form maintained by the Department. The completed form shall be filed with the Department's Code Enforcement Division with the following information:

1. Describe the methods by which the owner has secured the vacant commercial property or storefront against unauthorized entry;
 2. Provide contact information for the subject commercial property including, but not limited to, telephone number for the property owner and those responsible for maintaining the commercial property and/or storefront;
 3. A description of the most recent authorized use of the commercial property and/or storefront;
 4. Declare any future plans for the subject property, commercial use, or storefront; and
 5. Provide such other information as the city may require.
- B. ~~Properties under notice of default.~~

Any beneficiary/trustee, who holds a deed of trust on a property located within the City of Montebello, shall perform an inspection of the property that is the security for the deed of trust, upon default by the trustor, prior to recording a notice of default with the Los Angeles County Records Office. If the property is found to be vacant or shows evidence of vacancy, it is, by this chapter, deemed abandoned and the beneficiary/trustee shall, within ten days of the inspection, register the property with the code enforcement division or his or her designee on forms provided by the ~~city~~City.

If the property is occupied but remains in default it shall be inspected by the beneficiary/trustee, or his designee, monthly until (1) the trustee or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the trustee shall, within ten days of that inspection, register the property with the code enforcement division on forms provided by the ~~city~~City.

The registration shall contain the name of the beneficiary/trustee (corporation or individual), the direct street/office mailing address of the beneficiary/trustee (no P.O. boxes), a direct contact name and phone number for the beneficiary/trustee and, in the case of a corporation or out of area beneficiary/trustee, the local property management company responsible for the security, maintenance and marketing of the property. Registration fees will not be prorated.

An annual registration fee shall accompany the registration form. The fee and registration shall be valid for the calendar year, or remaining portion of the calendar year, in which the registration was initially required. Subsequent registrations and fees are due January 1st of each year and must be received no later than January 31st of the year due.

This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

Properties subject to this chapter shall remain under the annual registration requirement, security and maintenance standards of this section as long as they remain vacant.

Any person, firm, corporation or any other legal entity that has registered a property under this chapter must report any change of information contained in the registration within ten days of the change.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.070 Maintenance requirements.

Properties subject to this section shall be:

- A. Free from all conditions expressly designated as public nuisances in Chapter [Section] 8.16.010.
- B. In a condition comparable to the neighborhood standards.
- C. Shall comply with all of the landscape and irrigation requirements in Title 17 (Zoning Code) of the Montebello Municipal Code.
- D. Pools and spas shall be kept in working order so the water remains clear and free of pollutants and debris or drained and kept dry. Properties with pools and/or spas must comply with the minimum security fencing requirements of the State of California.

Adherence to this section does not relieve the beneficiary/trustee or property owner of any obligations set forth in any covenants conditions and restrictions and/or home owners association rules and regulations which may apply to the property.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.080 Security requirements.

Properties subject to this section shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

Secure manner includes, but is not limited to, the closure and locking of windows, doors (walk-through, sliding and garage) gates and any other opening of such size that it may allow any person including but not limited to a child to access the interior of the property and or structure(s). In the case of broken windows, securing means the re-glazing or boarding of the window immediately and within ten days the window shall be replaced.

If the property is owned by a corporation and/or out of area beneficiary/trustee/owner, a local property management company shall be contracted to perform weekly inspections to verify that the requirements of this section, and any other applicable laws, are being met.

The property shall be posted with the name and twenty-four-hour contact phone number of the local property management company. The posting shall be no less than eighteen inches × twenty-four inches and shall be of a font that is legible from a distance of forty-five feet and shall contain along with the name and twenty-four-hour contact number, the words "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL". The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street, secured to the exterior of the building/structure facing the street to the front of the property so it is visible from the street or if no such area exists, or on a stake of sufficient size to

support the posting in a location that is visual from the street to the front of the property but not readily accessible to vandals. Exterior posting must be constructed of, and printed with, weather resistant materials.

Security Patrol Services Required. In addition to all other requirements of this chapter, responsible parties of any real property, building, or structure (or portion thereof), that has been vacant for at least 180 consecutive calendar days shall provide security personnel (fully licensed, registered, and bonded as required by State and local law) as follows:

1. Security patrol services that drive by and inspect the real property for unlawful activity (including unauthorized entry) at least once every 12 hours if there have been less than three instances of graffiti, unauthorized entry, or other violations of this chapter in the preceding 90-day period;-
2. On-site security services during the hours of 7:00 p.m. and 7:00 a.m. if there have been more than four instances of graffiti, unauthorized entry, or other violations of this chapter in the preceding 90-day period; or-
3. On-site security services 24 hours per day, seven days per week if there have been more than five instances of graffiti, unauthorized entry, or other violations of this chapter in the preceding 90-day period.

The local property management company shall inspect the property on a weekly basis to determine if the property is in compliance with the requirements of this chapter.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.090 Additional authority.

In addition to the enforcement remedies established in Chapters 1.12 and 1.14, the ~~city~~ City manager—Manager or his or her designee shall have the authority to require the beneficiary/trustee/owner and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any/all door, window or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site security guard or other measures as may be reasonably required to arrest the decline of the property.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.100 Fees and Registration.

The fee for registering vacant and/or~~an~~ abandoned property shall be set by resolution of the City of Montebello City Council.

A. Registration

1. The registration and related fee shall be valid for the calendar year, or the remaining portion of the calendar year, in which registration was required. The registration fee shall not be prorated. Any subsequent registration fees shall be due on or before January 1 of each year and must be received by the City no later than January 31 of the year it is due.
2. The registration form shall be prepared and updated as needed by the Department and shall include:
 - a. The name, street address (P.O. Box is unacceptable), and mailing address for all beneficiaries and/or trustees.
 - b. Direct contact name, telephone number, and email address for the owner and responsible party managing the property or handling any legal proceedings.
 - c. The name, street address, telephone number and email address of the property management service responsible for security and maintenance of the real property including contact information for agents or representatives responsible for marketing the property.
 - d. A statement of intent to address the following requests:
 - i. The expected period of vacancy;
 - ii. A detailed plan for the regular maintenance of the real property during the period of vacancy;
 - ~~i-iii.~~ A timetable for the lawful re-occupancy of the real property during the period of vacancy;

B. Monitoring Fees

1. The fees established for the monitoring program pursuant to the provisions of this chapter shall be separate and apart from, and in addition to, any registration fees or administrative penalties required or otherwise assessed pursuant to the provisions of this chapter.
2. Because of the potential economic and public health, welfare, and safety problems caused by vacant buildings/property, the City needs to monitor vacant buildings/properties, so that they do not become attractive nuisances, are not used by trespassers, are properly maintained both inside and outside, and do not become a blighting influence in the neighborhood or surrounding area. The primary responsibility for monitoring will be delegated to the Planning and Community Development Department, and will include participation from the fire department, police department, and public works department. There is a substantial cost to the eCity for monitoring vacant buildings/properties (whether or not those buildings are boarded up), which should be borne by the owners of said property. The fees for a monitoring program pursuant to the provisions of this chapter shall be separate from and in addition to any registration fees or administrative penalties required or otherwise assessed pursuant to this chapter.

3. Monitoring program fees established. The following fee schedule has been established to effectively manage and maintain an adequate and efficient monitoring program and task force to preserve public health and the economic vitality of the City:

<u>Description</u>	<u>Amount</u>
<u>Commercial Vacant Property Monitoring Fee</u>	<u>\$500 per month for the first six months with the addition of \$20.00 per month for each additional month capping out at \$1,000.00 per month.</u>
<u>Residential Vacant Property Monitoring Fee</u>	<u>\$100.00 per month</u>

4. Fee waiver. The Department may issue a fee waiver for any fees associated with the monitoring program, if any of the following activities are being conducted by existing ownership:

- a. -The vacant commercial space is activated with pop-up events, or qualified temporary tenants, subject to review and approval of the Planning Division, who operate from the vacant space for more than 25 percent of any calendar month.
- b. There are permitted on-going construction activities or improvements to the vacant property.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.110 Monitoring program and purpose.

A. Vacant buildings and/or properties are a major cause and source of blight, especially when the owner of the subject property fails to maintain and manage existing structures and the property as a whole to ensure that it does not become a liability to the surrounding area. Vacant buildings/properties often attract undesirable activity including unlawful activity which creates unsafe conditions and hazards for the surrounding properties. Vacant properties are often used as dumping grounds for junk and debris and are often overgrown with weeds and grass. Vacant buildings which are boarded up to prevent entry and other long-term vacancies discourage economic development and create challenges for appreciation of property values.

B. Monitoring program established. A program to monitor commercial properties is hereby established. The Director, or his or her designee, shall be responsible for establishing and implementing a coordinated monitoring program to ensure the provisions of the Montebello Municipal Code are enforced.

C. The monitoring program shall include a task force intended to establish an open line of communication between City departments and ownership to address all vacant

building/commercial properties and/or storefronts that are in violation of this chapter, or which are deemed to be a blight to the community.

D. Monitoring program and task force duties. The Director, or his or her designee, has the duty and responsibility to do the following:

1. Inspect properties in the City to identify vacant commercial properties and/or storefronts.
2. Order vacant commercial buildings/properties to comply with this chapter and any other applicable code provisions.
3. Oversee the task force to ensure all respective eCity departments are engaged in efforts associated with the monitoring program and provide updates to the City Manager as needed.
4. Order vacant commercial properties and/or storefronts that are open and accessible to be secured against unlawful entry in accordance with this chapter.
5. Order the property on which the vacant commercial property and/or storefront is located to be properly maintained or clear of trash and debris.
6. Initiate enforcement proceedings against the owner of any vacant commercial building/property found to be in violation of this chapter or any other applicable code.
7. Maintain surveillance over vacant commercial buildings/properties and/or storefronts so that timely code enforcement proceedings are commenced in the event the property becomes substandard or a nuisance.
8. Establish and enforce rules and regulations for the implementation and compliance with this chapter.
9. Identify blighted properties and initiate proceedings in coordination with the City Attorney's office against the property owner.

8.40.120 Exemptions

A. The Director of Planning and Community Development or his or her designee, at his or her discretion may grant an exemption of the requirements of the Monitoring Program to multi-tenant commercial and industrial properties with four (4) or more licensed units.

B. The requirements of this chapter shall not apply to multi-family residential dwellings and accessory dwelling units (ADU).

C. Notwithstanding the foregoing, a commercial property/building and/or storefront shall not be considered vacant or abandoned if:

1. There is a valid building permit for improvements, including but not limited to, repair, rehabilitation, or construction of the commercial building/property and/or storefront and the owner of the subject property completes the work associated with said building permit within one year from the date the permit was issued, unless the Director, determines that

the owner requires additional time to complete the work authorized pursuant to the building permit; or

2. The owner or leaseholder has filed an application for, and is actively seeking to obtain authorization, permits, or licenses required by State, County, or local law permitting the lawful use and occupancy of the commercial building and/or storefront; or
3. The commercial building/property and/or storefront complies with all provisions of this chapter as well as State, County, and local laws, and does not contribute to blight as defined in Section 8.40.020 of this chapter, and is ready for immediate occupancy, and the owner provides satisfactory evidence to the Department that the commercial building/property and/or storefront is actively being offered for sale, lease, or rent, and it has not been vacant and/or abandoned for more than six months. Satisfactory evidence shall include, but is not limited to, evidence that the owner has hired a real estate agent or other rental agent who advertises the commercial property and/or storefront for sale, lease, or rent to achieve occupancy.

8.40.1310 Enforcement.

Violations of this chapter may be enforced in any combination as allowed in Chapters 1.12 and 1.14. The rights and remedies provided in this section are cumulative and in addition to any other rights and remedies provided by law.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.1420 Appeals.

Any person aggrieved by any of the requirements of this section ~~may~~ appeal insofar as such appeal is allowed under Chapter 1.14.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.1530 Violation/penalty.

Violations of this chapter shall be treated as a strict liability offense regardless of intent. Any person, firm and/or corporation that violates any portion of this section shall be subject to prosecution and/or administrative enforcement under Chapters 1.12 and 1.14. Fines and penalties collected pursuant to this section shall be directed to ~~city~~ City nuisance abatement programs.

(Ord. No. 2329, § 1, 4-8-2009)

8.40.1640 Severability.

Should any provision, section, paragraph, sentence or word of this chapter be determined or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this chapter shall remain in full force and effect.

(Ord. No. 2329, § 1, 4-8-2009)

**MONTEBELLO PLANNING COMMISSION
RESOLUTION NO. 11-24**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MONTEBELLO RECOMMENDING THAT THE CITY COUNCIL OF THE
CITY OF MONTEBELLO ADOPT AN ORDINANCE APPROVING A
ZONING CODE TEXT AMENDMENT AMENDING CHAPTER 8.40 OF
THE MONTEBELLO MUNICIPAL CODE TO INCLUDE ADDITIONAL
REGULATIONS RELATED TO REGISTRATION AND MAINTENANCE
OF VACANT AND ABANDONED COMMERCIAL, INDUSTRIAL, AND
RESIDENTIAL PROPERTIES**

WHEREAS, on March 25, 2009, the City Council approved Ordinance No. 2329 to address the maintenance and security concerns associated with abandoned and vacant properties and preserve the aesthetic appearance of Montebello; and

WHEREAS, per direction from the City Council, staff conducted a review of the current ordinance and identified areas where the existing regulations could be enhanced. Key issues include inadequate property security, frequent unauthorized access, accumulation of debris, and overgrown vegetation, all of which have been recurring problems; and

WHEREAS, the proposed amendment ("Text Code Amendment") seeks to, among other things, build upon the 2009 ordinance by further strengthening maintenance, security, and enforcement requirements for vacant properties. The Text Code Amendment will provide Code Enforcement and other departments with more effective tools to monitor, manage, and enforce the proper upkeep of vacant/abandoned properties; and

WHEREAS, a duly noticed public hearing has been held, at which the Planning Commission received and considered staff presentations, recommendations, public testimony, and all other substantial evidence presented at the public hearing and included in the record for this matter, and

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

NOW, THEREFORE, the Planning Commission ("the Planning Commission") of the City of Montebello hereby finds, declares and resolves as follows:

Section 1. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

Section 2. The proposed Text Code Amendment has been reviewed with respect to applicability and the Planning Commission hereby recommends that the City Council of the City of Montebello find and determine that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to the “Common Sense” exemption set forth under Section 15061(b)(3), which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment and also states that 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. The actions proposed in the Text Code Amendment are also not considered a “project” under CEQA Guidelines Section 15378 in that there is no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment

Section 3. The Planning Commission hereby finds that the proposed Text Code Amendment to Chapter 8.40 is required for public necessity, convenience and general welfare and are found to be consistent with the City’s General Plan and Municipal Code. The proposed Text Code Amendment conforms with the Montebello General Plan as it will further address the maintenance of vacant and abandoned properties within the City. The proposed amendments are aimed to prevent properties from becoming sources of blight or safety hazards and to hold property owners accountable for the upkeep of vacant properties.

Section 4. The Planning Commission hereby recommends that the City Council of the City of Montebello adopt an ordinance approving Text Code Amendment amending Chapter 8.40 of the Montebello Municipal Code regarding registration and maintenance of vacant and abandoned commercial, industrial, and residential properties as provided in Exhibit A, attached hereto and incorporated by reference, by adding text shown in underline (example) and deleting the text shown in ~~strikeout (example)~~.

Section 5. The Planning Commission Secretary shall certify the adoption of this Resolution and it shall go into effect immediately upon its adoption.

APPROVED AND ADOPTED BY THE MONTEBELLO PLANNING COMMISSION on this 17th day of September 2024.

**ALICIA MORALES, CHAIR
MONTEBELLO PLANNING COMMISSION**

ATTEST:

I, _____, Secretary of the City of Montebello Planning Commission, **DO HEREBY CERTIFY** that the foregoing Resolution, being Resolution No. 11-24 has been duly signed by the Chair, and attested by the Secretary, all at a meeting of the Montebello Planning Commission, held September 17, 2024, and that same was approved and adopted by the following vote to wit:

AYES:

NOES:

ABSENT:

**JOSEPH A. PALOMBI, SECRETARY
MONTEBELLO PLANNING COMMISSION**

EXHIBIT A

ORDINANCE TEXT CODE AMENDMENT