

URGENCY ORDINANCE NO. 1005

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FOR THE APPROVAL OF MCA 21-04, AMENDING TITLE 17 (ZONING) OF THE RMC BY UPDATING AND ADDING DEFINITIONS TO SECTION 17.04.050, UPDATING TABLE 17.12.020.1 TO PERMIT AN URBAN DWELLING AND AN URBAN LOT SPLIT AS A PERMITTED USE IN THE R-1 ZONE, AND ADDING SECTION 17.30.210 FOR URBAN DWELLINGS AND SECTION 17.30.220 FOR URBAN LOT SPLITS, AND AMENDING TITLE 16 (SUBDIVISIONS) OF THE RMC BY ADDING SECTION 16.08.240 FOR URBAN LOT SPLITS

WHEREAS, the City of Rosemead (“City”) has adopted a General Plan to ensure a well-planned and safe community; and

WHEREAS, protection of public health, safety, and welfare is fully articulated in the General Plan; and

WHEREAS, State law requires that the Rosemead City Zoning Code, Title 17, of the Rosemead Municipal Code (“RMC”), conform with the General Plan's goals and policies; and

WHEREAS, State law requires that the Rosemead City Subdivision Ordinance, Title 16, of the Rosemead Municipal Code (“RMC”), comply with the Subdivision Map Act; and

WHEREAS, it is necessary from time to time to update the zoning ordinance and subdivision ordinance to bring them into conformity with State law and to address public health, safety, and welfare concerns; and

WHEREAS, Sections 65852.21 and 66411.7 were amended or added to the Government Code by Senate Bill 9 (SB 9) and became effective January 1, 2022; and

WHEREAS, the amended or added code sections require cities to ministerially approve urban lot splits and the construction of up to two residential units (“Urban Dwellings”) within the “Urbanized Area” of the City, as designated by the US Census Bureau, subject to certain limitations; and

WHEREAS, Government Code section 66411.7(a) limits eligibility of urban lot splits by size and proportionality; and

WHEREAS, Government Code sections 65852.21(a)(2) and 66411.7(a)(3)(C) limits such urban lot splits and construction to sites that are not located on or within certain farmland, wetlands, very high fire hazard severity zones, hazardous waste sites, earthquake fault zones, special flood hazard areas, regulatory floodways, lands identified for conservation, habitats for protected species, and historic properties; and

WHEREAS, Government Code sections 65852.21(a)(3) through (a)(5), limits eligibility of such construction of secondary units that proposes to demolish or alter housing subject to affordability restrictions, housing subject to rent or price controls, housing that has been occupied

by a tenant in the last three years, housing that has been withdrawn from rent or lease within the past 15 years, and housing that requires demolition of existing structural walls unless authorized by local ordinance or has not been tenant-occupied within the past 3 years; and

WHEREAS, Government Code section 66411.7(a)(3)(D) also limits eligibility of an urban lot split that proposes to demolish or alter housing subject to affordability restrictions, housing subject to rent or price controls, housing that has been occupied by a tenant in the last three years, housing that has been withdrawn from rent or lease within the past 15 years, and housing that requires demolition of existing structural walls unless authorized by local ordinance or has not been tenant-occupied within the past 3 years; and

WHEREAS, Government Code sections 65852.21(a)(6) and 66411.7(a)(3)(E) allows a city to deny an urban lot split for properties within an historic district or listed on the State's Historic Resource Inventory or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance; and

WHEREAS, Government Code sections 65852.21(b) and 66411.7(c) allows a city to establish objective zoning standards, objective subdivision standards, and objective design review standards, if it does not conflict with state law; and

WHEREAS, such objective zoning standards, objective subdivision standards, and objective design review standards may not have the effect of "precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet"; and

WHEREAS, Government Code sections 65852.21 and 66411.7 allow a city to deny a proposed housing development or urban lot split if the project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact; and

WHEREAS, SB 9 became effective on January 1, 2022, and the Municipal Code currently does not have any provisions that adequately address such urban dwelling units and urban lot splits, as required by SB 9, and without such an ordinance, there are no policies, procedures, or objective standards available to guide and promote the orderly development of such urban dwelling units and urban lot splits, and thus will prevent actions that will alleviate the housing crisis and serve to protect orderly planning and aesthetics related to such development; and

WHEREAS, California Government Code sections 36934 and 36937 authorize the City Council to take action by ordinance to take effect immediately for the preservation of the public peace, health or safety when adopted by a four-fifths vote of the City Council; and

WHEREAS, pursuant to the California Government Code Section 65858, and in order to protect the public health, safety and welfare, the City Council may adopt as an urgency measure, an interim ordinance regulation any uses that may be in conflict with a contemplated general plan or zoning proposal that the City intends to study within a reasonable time; and

WHEREAS, this urgency ordinance is necessary to address the danger to public health, safety, and general welfare articulated by the state related to the housing crisis and immediately

provide the provisions to implement SB 9 related development in a manner that protects the City’s interest in orderly planning and aesthetics; and

WHEREAS, accordingly, the City Council desires to adopt this ordinance as an urgency ordinance, effective immediately, pursuant to Government Code sections 36934, 36937, and 65858, and have such provisions that implement SB 9, as set forth in the ordinance; and

WHEREAS, the City desires to adopt an ordinance that addresses the procedures for such urban dwellings and urban lot splits, and provides objective standards, in accordance with State law.

THE CITY COUNCIL OF THE CITY OF ROSEMEAD HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Compliance with California Environmental Quality Act. The City Council finds that this Ordinance is not subject to environmental review under the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines. Senate Bill 9 (Atkins) – Government Code sections 65858.21(j) and 66411.7(n) – states an ordinance adopted to implement the rules of Senate Bill 9 is not considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

SECTION 2. Findings. The City Council HEREBY FINDS AND DETERMINES that facts do exist to justify approving Municipal Code Amendment 21-04, in accordance with Section 17.152.060 of the Rosemead Municipal Code as follows:

A. The proposed amendment is consistent with the General Plan and applicable specific plans;

FINDING: The proposed amendment is consistent with the General Plan and applicable specific plans, as Government Code sections 65852.21 and 66411.7 require ministerial approval of “urban dwellings” and “urban lot splits” if the proposed housing development meets certain criteria. This allowance conflicts with General Plan Land Use Element of the City, which sets density standards for the low-density residential zone. This Ordinance seeks to reconcile state law and the Rosemead General Plan and to minimize its impact on the community and thereby comply with the following land use goals and policies:

Goal 1, Policy 1.5: Require that new single-family residential construction, additions, and renovations be designed to protect the privacy of adjacent residential properties and the quality of established neighborhoods.

Goal 1, Policy 1.7: Foster housing stock and neighborhood revitalization, renovation, and good site/architectural design.

B. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

FINDING: The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, as the proposed ordinance includes multiple provisions to reduce the impact of subsequent development on the general welfare through objective zoning standards. Pursuant to Government Code Sections 65852.21(d) and 66411.7 (d), the building

official may deny a housing project upon written findings, based upon a preponderance of the evidence, that the proposed housing development project will have a specific adverse impact on the physical environment and for which there is no feasible mitigation measure.

C. The proposed amendment is internally consistent with other applicable provisions of [the] Zoning Code.

FINDING: The proposed amendment modifies multiple sections of the Rosemead Municipal Code to ensure that the entire Code is internally consistent and consistent with State law.

SECTION 3. Code Amendment. The code amendment will add the definitions of an “Urban Dwelling”, “Urban Lot Split”, and Figure 17.04.050.3a; update the definitions of “Lot Depth”, “Lot, Flag”, and “Lot, Width”; and remove the definition for "Lot Width, Average" in Rosemead Municipal Code Section 17.04.050 (Definitions). Section 17.04.050 (Definitions) of Title 17 is HEREBY AMENDED as follows:

17.04.050 Definitions – General.

For use in this Title certain terms are hereby defined. Words used in the present tense shall include the past and future tense and vice versa. Words in the singular form shall include the plural form and vice versa. The words “shall” and “will” are mandatory and the words “should” and “may” are permissive.

Words and phrases used in the Zoning Code and not specifically defined shall be construed according to the context and common usage of the language and as ultimately determined by the Community Development Director.

For the purpose of carrying out the intent of this title, certain terms, words, and phrases are defined and shall be deemed to have the meaning ascribed to them as follows:

"Dwelling" means a structure or portion thereof designed exclusively for permanent residential purposes, but not including hotels, motels, emergency shelters, or extended stay locations.

"Urban Dwelling" means an attached or detached residential dwelling unit that complies with Section 65852.21 of the Government Code as amended in Section 17.30.210 of the Rosemead Municipal Code.

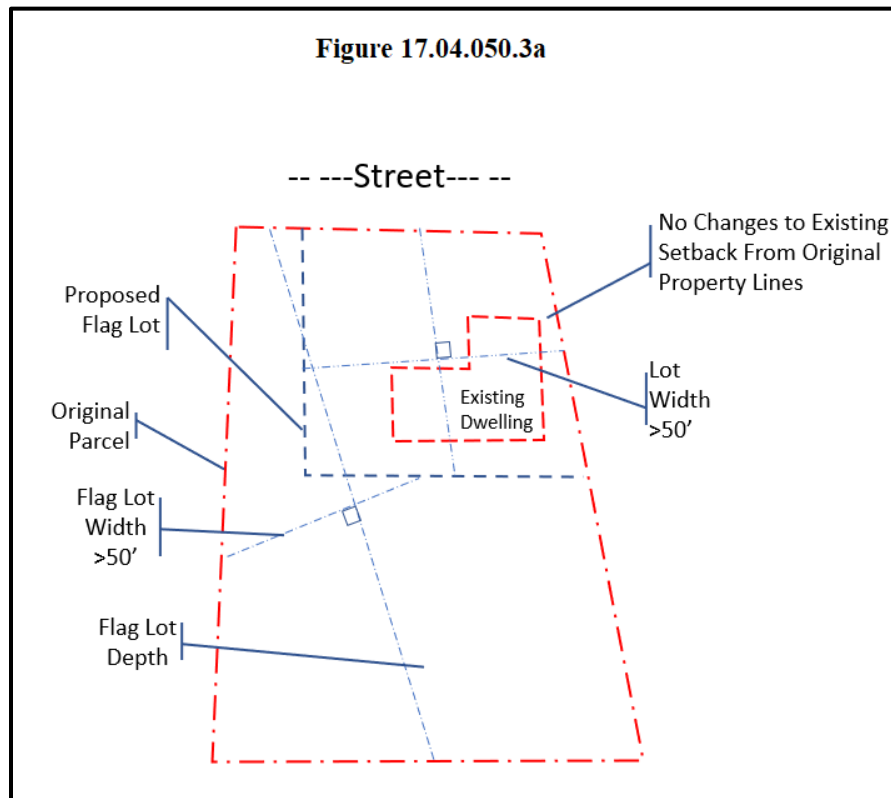
"Lot" means a parcel of real property shown as a delineated parcel with a number or other separate designation on a plat recorded in the office of the County Recorder, or a parcel the dimensions or boundaries of which are defined by a record of survey recorded pursuant to the provisions of the Subdivision Map Act of the state, in the office of such recorder, or a parcel the dimensions and boundary of which are shown on a plot plan or map filed, finally approved and in effect pursuant to Title 16 of this Code, or a parcel containing not less than the minimum square footage required in the zone in or a parcel held under separate ownership and lawfully separated in ownership prior to the effective date of this chapter and all applicable predecessor ordinances, and abutting upon a street or private easement.

"Lot Depth" means the length of a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line.

"Lot, Flag" means a lot whose shape or property line configuration is created in a manner which utilizes an extension of property for the exclusive purpose of obtaining vehicular and pedestrian access to a public street. New flag lot subdivision is prohibited in the City of Rosemead with the exception of flag lot subdivisions created by Senate Bill 9 (Government Code sec. 66411.7). Refer to 17.30.220 Urban Lot Splits for flag lot subdivision standards.

"Lot, Urban Lot Split" means lots created pursuant to Section 66411.7 of the Government Code as amended in Section 17.30.220 of the Rosemead Municipal Code.

"Lot Width" means the minimum horizontal distance between the side lot lines measured at right angles from the midpoint of lot depth (See Figure 17.04.050.3a).



SECTION 4. Code Amendment. Section 17.30.210 (Urban Dwellings) of Title 17 is HEREBY ADDED as follows:

17.30.210 Urban Dwellings.

Sections:

A. Purpose.

B. Applicability.

C. Urban Dwelling.

D. Review and Approval.

A. Purpose.

The purpose of this section is to implement Government Code Section 65852.21, which allows the City to adopt an urban dwelling ordinance. Notwithstanding any other provision of this Zoning Code to the contrary, the provisions in this section shall govern the development of urban dwellings in the City of Rosemead.

B. Applicability.

1. A proposed urban dwelling must be located within the R-1 (Single Family Residential), on the Official Zoning Map as defined in Article 2, Section 17.08.020 (Official Zoning Map).
2. A proposed urban dwelling must not be located within a historic district or property included on the State Historic Resources Inventory (see Section 5020.1 of the Public Resources Code), or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
3. A proposed urban dwelling must not be on a parcel located in the areas specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.
4. A proposed urban dwelling must not be on a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent applies.

C. Urban Dwelling.

The following provisions shall apply to an urban dwelling:

1. The rental of an urban dwelling must be for a term longer than 30 days. Short term rentals are prohibited.
2. Demolition and Alteration: A proposed urban dwelling must not require demolition or alteration of any of the following types of housing:
 - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
 - c. Housing that has been occupied by a tenant in the last three years.
3. Limit on Demolition: A proposed urban dwelling must not demolish more than 25 percent of the existing exterior structural walls. This does not apply if the housing development has not been occupied by a tenant in the last three years.

4. The urban dwelling shall comply with all requirements of the most recently adopted Building Code and Fire Code.
5. An urban dwelling unit may be attached to an existing dwelling unit (duplex) or built as a separate detached unit, provided that the structures meet the building code and are sufficient to allow separate conveyance.
6. None of the standards contained herein shall preclude construction of an 800 square foot urban dwelling unit.
7. Objective Zoning Standards:
 - a. Number of Units: A proposed urban dwelling must contain no more than two units.
 - b. If the existing residential dwelling is proposed to remain on a lot, it shall be renovated to match or complement the new construction in colors, materials and architectural style.
8. An urban dwelling shall conform to the standards in Table 17.30.210.1 (Urban Dwelling Development Standards).

Table 17.30.210.1: Urban Dwelling and Urban Lot Split Development Standards

Development Standard	Existing Dwelling	New Urban Dwelling	Notes and Exceptions
Minimum Size	May remain as is	500 sq. ft.	
Maximum Size	May remain as is	If the proposed urban dwelling meets all R-1 development standards then the maximum size is determined by F.A.R. *	
Front Setback	May remain as is	20 ft.*	
Rear Setback	May remain as is	Lesser of 25 ft. or 20% of lot depth*	More than 4 bedrooms and 2,000 sq. ft.: 35 ft.*
Side Setback	May remain as is	1 st Floor: Greater of 5 ft. or 10% of lot width* 2 nd Floor: 5 ft. min. 15 ft. combined*	For corner lots, refer to Rosemead Municipal Code Table 17.12.030*
Building Separation		20 ft.*	
Parking	May remain as is	One Space per unit	None required if located within ½ mile of transit corridor or if car share located within one block
Height	May remain as is	Two-story – 30 ft.	

*If the proposed urban dwelling is unable to comply with the following R-1 development standards, an urban dwelling that is at least 800 sq. ft. in floor area, with side and rear yard setbacks of 4 ft. shall be permitted.

D. Review and Approval.

1. Application: A completed application for Administrative Site Plan and Design Review shall be submitted to the Community Development Department along with the accompanying fee.
2. Staff Review: The director, or their designee, shall circulate the application for an urban dwelling to affected city departments for review and comment. All comments will be provided back to the applicant for review and any necessary revisions to the plans.
3. Building Official Review: A proposed urban dwelling may be denied if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The decision of the building official may be appealed to the Planning Commission in compliance with section 17.160.030.
4. Ministerial Review: Proposals for an urban dwelling will be reviewed ministerially, without discretionary review or a hearing.
5. Approval: If the application for an urban dwelling meets the requirements of Section 17.30.210, the Director of Community Development, or their designee, shall approve the application. The action of the director is final, unless appealed pursuant to Section 17.160.030.

SECTION 5. Code Amendment. Section 17.12.020.1 (Uses in Residential Districts) of Title 17 is HEREBY AMENDED as follows:

Table 17.12.020.1: USES IN RESIDENTIAL DISTRICTS

Land Use	Requirements by District			Specific Use Regulations
	R-1	R-2	R-3	
Residential Uses				
Single-family Dwellings	P	P	P	See section 17.12.030 for district specific requirements. See Chapter 17.42 for Manufactured Homes.
Urban Dwelling	P	—	—	See section 17.30.210 for specific requirements.
Urban Lot Split	P	—	—	See section 17.30.220 for specific requirements.

Land Use	Requirements by District			Specific Use Regulations
	R-1	R-2	R-3	
Two-family Dwellings (Duplex)	—	P	P	See section 17.12.030 for district specific requirements.
Multiple-family Dwellings	—	—	DR	See section 17.12.030 for district specific requirements.
Accessory Dwelling Unit	P	P	P	See Article 3, Chapter 17.30, Section 17.30.190 (Accessory Dwelling Units)
Mobile Home Parks	CUP	CUP	CUP	See Article 3, Chapter 17.46 (Mobile Home Parks and Park Conversions)
Boarding House or Rooming House	—	—	—	Not permitted
Short-Term Rental	—	—	—	Not permitted
Care Uses				
Child Care Home, Small Family (eight or fewer)	P	P	P	See Article 3, Chapter 17.30, Section 17.30.160 (Large and Small Family Child Day Care Home Facilities)
Child Care Home, Large Family (nine to 14)	—	AUP	AUP	See Article 3, Chapter 17.30, Section 17.30.160 (Large and Small Family Child Day Care Home Facilities)
Residential Care Facilities (six or fewer)	P	P	P	
Residential Care Facilities (seven or more)	—	CUP	CUP	
Supportive Housing	P	P	P	
Transitional Housing	P	P	P	
Agriculture and Animal-Related Uses				
Animal Keeping	A	A	A	See Title 6 (Animals) of the Municipal Code
Horticulture - Private	A	A	A	
Other Uses				
Accessory Structures	A	A	A	See Section 17.12.030 and Article 3 Chapter 17.32 (Accessory Structures)
Educational Institution - Private	CUP	CUP	CUP	
Educational Institution - Public	P	P	P	
Home Occupations, including Cottage Food Operations.	A	A	A	See Title 5, Chapter 5.41 (Home Occupations)
Lighted outdoor sporting field or court (tennis, basketball, etc.).	CUP	CUP	CUP	See Article 4, Section 17.68.060
Places of Religious Assembly	CUP	CUP	CUP	
Public Buildings and Facilities	AUP	AUP	AUP	

Land Use	Requirements by District			Specific Use Regulations
	R-1	R-2	R-3	
Public Utility Facilities	P	P	P	
Telecommunication Facilities, not including Wireless Telecommunication Facilities	CUP	CUP	CUP	
Temporary Uses and Special Events	See Article 5, Chapter 17.124 (Temporary Use Permits and Special Events)			

P Permitted Use
A Permitted Accessory Use
AUP Administrative Use Permit Required
CUP Conditional Use Permit Required
— Use Not Allowed
DR Discretionary Design

SECTION 6. Code Amendment. Section 17.30.220 (Urban Lot Splits) of Title 17 is HEREBY ADDED as follows:

17.30.220 Urban Lot Splits.

Sections:

- A. Purpose.**
- B. Applicability.**
- C. Urban Lot Splits.**
- D. Review and Approval.**

A. Purpose.

The purpose of this section is to implement Government Code Section 66411.7, which allows the City to adopt an urban lot split ordinance. Notwithstanding any other provision of the Municipal Code to the contrary, the provisions in this section shall govern the development of an urban lot split in the City of Rosemead.

B. Applicability.

1. A proposed urban lot split must be located within the R-1 (Single Family Residential), on the Official Zoning Map as defined in Article 2, Section 17.08.020 (Official zoning map).
2. A proposed urban lot split must not be located within a historic district or property included on the State Historic Resources Inventory (see Section 5020.1 of the Public Resources Code), or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

3. Other Instances:

- a. An urban lot split is prohibited if the parcel is located areas specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.
- b. An urban lot split is prohibited if the owner of residential real property has exercised the owner’s rights under Chapter 12.75 (commencing with Section 7060) of Division

7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent applies.

C. Urban Lot Splits.

The following provisions shall apply to an urban lot split:

1. Any unit built as a result of an urban lot split must be for a term longer than 30 days. Short term rentals are prohibited:
2. Comply with Subdivision Map Act: Urban lot splits must conform to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as expressly provided in this section.
3. Dedication and Off-Site Improvements: A dedication of rights-of-way or the construction of offsite improvements for the parcels being created cannot be required as a condition of issuing a parcel map.
4. Size and Number: The parcel map subdividing an existing parcel must create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.
5. Minimum Size: Both newly created parcels created by an urban lot split must be no smaller than 1,200 square feet.
6. Prior Urban Lot Split: The parcel has not been established through prior exercise of an urban lot split as provided for in this section.
7. Previously Subdivided Adjacent Site: Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this section.
8. Existing Structures: No setback is required for an existing permitted structure, or a structure constructed in the same location and to the same dimensions as an existing permitted structure.
9. Demolition and Alteration: A proposed urban lot split must not require demolition or alteration of any of the following types of housing:
 - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
 - c. Housing that has been occupied by a tenant in the last three years.
10. Limit on Demolition: A proposed urban lot split must not demolish more than 25 percent of the existing exterior structural walls. This does not apply if the housing development has not been occupied by a tenant in the last three years.

11. Fire Department & Utility Easements: An easement must be provided over the front parcel to the rear parcel for access to the public right of way, providing public services and facilities, maintenance of utilities, and (if required) fire department access.
12. Owner Occupied: The applicant for an urban lot split must sign an affidavit stating that the applicant will occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split. This requirement does not apply to an applicant that is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.
13. Non-Conforming Zoning Conditions: Nonconforming zoning conditions are not required to be made conforming before approving an application.
14. Objective Zoning Standards:
 - a. Flag Lots
 - 1) Lot Width: All newly created parcels as a result of an urban lot split shall have a minimum lot width of 50 feet.
 - 2) Lot Frontage: The lot frontage for the flag lot development shall be a minimum of 15 feet and shall be parallel to the street.
 - b. Number of Units: A proposed urban lot split shall contain not more than two dwelling units per lot. All (existing or new) Accessory Dwelling Units (ADUs) and Junior ADUs will be counted toward the maximum number of units. An urban lot split shall contain not more than four residential units, two per parcel.
 - c. If the existing residential dwelling is proposed to remain on a lot, it shall be renovated to match or complement the new construction in colors, materials, and architectural style.
15. An urban dwelling that is proposed as part of an urban lot split shall conform to the standards in Table 17.30.210.1 (Urban Dwelling and Urban Lot Split Development Standards).

D. Review and Approval.

1. Application: A completed Tentative Parcel Map application shall be submitted to the Community Development Department with the accompanying fee. The filing fee shall equal 50% of the Tentative Parcel Map fee as established by City Council resolution.
2. Staff Review: The director, or their designee, will circulate the application for an urban lot split, along with the Parcel Map, to affected city departments and outside agencies for review and comment. City comments will be provided back to the applicant for review and necessary revisions.
3. Building Official Review: A proposed urban dwelling may be denied if the building official makes a makes a written finding, based upon a preponderance of the evidence, that the

proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The decision of the building official may be appealed to the Planning Commission in compliance with section 17.160.030.

4. Ministerial Review: Proposals for urban lot split will be reviewed ministerially, without discretionary review or a hearing.
5. Approval: If the application for urban lot split meets the requirements of Section 17.30.220, the Director of Community Development, or their designee, shall approve the application. The action of the director is final, unless appealed pursuant to Section 17.160.030.

SECTION 7. Code Amendment. Section 16.08 – MINOR SUBDIVISIONS of Title 16 is HEREBY ADDED as follows:

16.08.240 – Urban Lot Splits.

1. Urban Lot Splits pursuant to Section 66411.7 of the Government Code and in conformance with Section 17.30.220 of the Municipal Code are permitted and shall be processed in the same manner as a Tentative Parcel Map as contained in this Chapter, except that no hearing shall be required by either the Planning Commission or City Council.
2. No dedications shall be required.
3. The filing fee shall equal 50% of the Parcel Map Fee as established by City Council resolution.

SECTION 8. Severability. The City Council hereby declares that, should any provision, section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance or any part thereof, be rendered or declared invalid or unconstitutional by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, such decision or action shall not affect the validity of the remaining section or portions of the Ordinance or part thereof. The City Council hereby declares that it would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words of this Ordinance irrespective of the fact that any one or more provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words may be declared invalid or unconstitutional.

SECTION 9. Urgency. The City Council finds and declares that the adoption and implementation of this ordinance is necessary to address the danger to public health, safety, and general welfare as articulated above, and to immediately provide provisions to implement SB 9, which became effective on January 1, 2022. The City Council therefore finds and determines that this ordinance be enacted as an urgency ordinance pursuant to Government Code sections 36934, 36937 and 65858 and takes effect immediately upon adoption by four-fifths of the City Council.

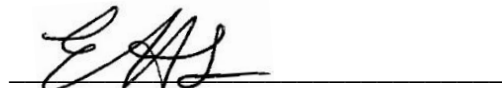
SECTION 10. Publication. The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED this 25th day of January, 2022.




Polly Low, Mayor

ATTEST:



Ericka Hernandez, City Clerk

APPROVED AS TO FORM:



Rachel H. Richman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF ROSEMEAD)

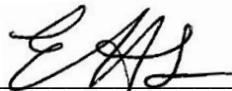
I, Ericka Hernandez, City Clerk of the City of Rosemead, County of Los Angeles, State of California, hereby attest to the above signature and certify that Urgency Ordinance No. 1005 was introduced and adopted, as an urgency measure pursuant to California Government Code Section 36937 (b), at a regular meeting held on the 25th day of January 2022, by the following vote:

AYES: ARMENTA, CLARK, DANG, LOW, TANG

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



Ericka Hernandez, City Clerk