



CITY OF MONTEBELLO
Urgency Ordinance No. 2495

NOTICE IS HEREBY GIVEN that on the 24th day of June 2026, the City Council of the City of Montebello, California adopted Ordinance No. 2495. Below is a full text of the Ordinance:

AN URGENCY INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858, ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND APPROVAL OF CERTAIN TRANSIT-ORIENTED DEVELOPMENT APPLICATIONS WITHIN THE WASHINGTON BOULEVARD TRANSIT-ORIENTED DEVELOPMENT SPECIFIC PLAN AREA PENDING COMPLETION OF THE CITY'S COMPREHENSIVE PLANNING EFFORTS

WHEREAS, the City of Montebello ("City") is a municipal corporation organized and existing under the laws of the State of California; and

WHEREAS, Washington Boulevard is located within a low resource area and serves as a potential commercial, mixed-use, transportation, and economic development corridor and is anticipated to accommodate substantial future residential, commercial, and mixed-use investment; and

WHEREAS, the City Council has initiated preparation of the Washington Boulevard Transit-Oriented Development Specific Plan ("TOD Specific Plan"), a comprehensive land use planning document intended to guide future growth and development within the Washington corridor in a manner that promotes economic vitality, housing production, mobility, sustainability, infrastructure efficiency, and neighborhood compatibility; and

WHEREAS, the TOD Specific Plan study area includes properties located along and adjacent to Washington Boulevard and encompasses areas that may be affected by existing and future transit infrastructure and transit-oriented development policies; and

WHEREAS, the City has committed substantial public resources toward the preparation of the TOD Specific Plan, including retention of professional planning consultants, engineering consultants, environmental consultants, economic development specialists, and public engagement professionals; and

WHEREAS, the TOD Specific Plan process includes preparation of technical studies evaluating transportation and circulation systems, pedestrian and bicycle connectivity, infrastructure and utility capacity, parking demand, housing needs, urban design standards, public realm improvements, economic development opportunities, environmental impacts, public safety service demands, and implementation mechanisms; and

WHEREAS, the City has conducted and continues to conduct public outreach and stakeholder engagement efforts to ensure that future development within the Washington Boulevard Corridor reflects community priorities and the City's long-term vision; and

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WHEREAS, the California Legislature has enacted Senate Bill 79 and related legislation intended to encourage transit-oriented housing development near major transit facilities and corridors, which goes into effect on July 1, 2026; and

WHEREAS, the City Council recognizes the State's interest in increasing housing production and facilitating transit-oriented development; however, the City Council also finds that implementation of such legislation within the Washington Boulevard Corridor prior to completion of the TOD Specific Plan may result in development patterns that are inconsistent with the regulations, standards, and infrastructure improvements currently under consideration by the City undermining years of local planning for the TOD Specific Plan ; and

WHEREAS, Government Code Section 65858 authorizes a city council to adopt an interim urgency ordinance prohibiting uses that may conflict with a contemplated zoning proposal that the legislative body is studying or intends to study within a reasonable time; and

WHEREAS, the City Council finds that a current and immediate threat to the public health, safety, and welfare exists because the acceptance, processing, or approval of qualifying development applications within the TOD Specific Plan area prior to completion of the City's planning efforts may:

- (a) Establish development patterns inconsistent with the pending TOD Specific Plan;
- (b) Create vested rights that could impair the City's ability to adopt and implement corridor-wide planning policies;
- (c) Result in piecemeal development that frustrates comprehensive transit-oriented planning objectives;
- (d) Consume available transportation, utility, public safety, and infrastructure capacity before completion of corridor-wide analyses;
- (e) Undermine the City's ability to adopt objective design standards, development standards, and implementation measures currently under preparation;
- (f) Interfere with the City's ability to coordinate future public infrastructure investments;
- (g) Result in environmental impacts that are presently being evaluated through ongoing planning and environmental review efforts;
- (h) Impair future affordable housing, mobility, economic development, and public benefit programs contemplated by the TOD Specific Plan; and
- (i) Cause substantial prejudice to the City's ongoing legislative planning process; and
- (j) Result in economic waste and inefficiencies by undermining ongoing TOD Specific Plan planning and environmental review.

WHEREAS, the City Council finds that immediate action is necessary to preserve the status quo while the City completes its comprehensive planning efforts and evaluates appropriate

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development regulations for the Washington Boulevard Corridor that incorporate and are consistent with SB 79; and

WHEREAS, the City Council further finds that absent immediate action, development applications may be submitted and approved before the City has completed the studies necessary to ensure that future development occurs in a coordinated and orderly manner that includes community engagement and that protects the public health, safety, and welfare.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY ORDAINS AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct and made part of this Urgency Ordinance as part of its findings.

SECTION 2. FINDING OF CURRENT AND IMMEDIATE THREAT. Pursuant to Government Code Section 65858, the City Council finds based on the facts contained in the above recitals, staff report, and public comments, that there exists a current and immediate threat to the public health, safety, and welfare and that the approval of additional development projects within the Washington Boulevard TOD Specific Plan Area because it would result in development inconsistent with regulations that the City is currently studying and intends to adopt through the TOD Specific Plan process and because of the following:

- (a) Establish development patterns inconsistent with the pending TOD Specific Plan;
- (b) Create vested rights that could impair the City's ability to adopt and implement corridor-wide planning policies;
- (c) Result in piecemeal development that frustrates comprehensive transit-oriented planning objectives;
- (d) Consume available transportation, utility, public safety, and infrastructure capacity before completion of corridor-wide analyses;
- (e) Undermine the City's ability to adopt objective design standards, development standards, and implementation measures currently under preparation;
- (f) Interfere with the City's ability to coordinate future public infrastructure investments;
- (g) Result in environmental impacts that are presently being evaluated through ongoing planning and environmental review efforts;
- (h) Impair future affordable housing, mobility, economic development, and public benefit programs contemplated by the TOD Specific Plan; and
- (i) Cause substantial prejudice to the City's ongoing legislative planning process; and
- (j) Result in economic waste and inefficiencies by undermining ongoing TOD Specific Plan planning and environmental review.

SECTION 3. INTERIM MORATORIUM. During the term of this Ordinance, the City shall not accept as complete, process, approve, grant, issue, or otherwise act upon any application for a

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development project located within the boundaries of the Washington Boulevard TOD Specific Plan Area that seeks to utilize any development standards, incentives, density allowances, height allowances, parking reductions, ministerial approval pathways, waivers, concessions, bonuses, or other benefits authorized pursuant to Senate Bill 79 or substantially similar state transit-oriented development legislation.

No permit, entitlement, discretionary approval, ministerial approval, variance, conditional use permit, site plan review, design review approval, subdivision approval, building permit, grading permit, demolition permit, certificate of occupancy, or other land use entitlement shall be issued for any project subject to this Ordinance unless expressly exempted herein.

SECTION 4. EXEMPTIONS. This Ordinance shall not apply to:

- A. Development applications determined complete prior to the effective date of this Ordinance;
- B. Tenant improvements, interior remodeling projects, façade improvements, code compliance improvements, maintenance activities that are consistent with the regulations maintained in the Montebello Municipal Code, or necessary to address a health and safety issue;
- C. Projects subject to a previously approved Development Agreement;
- D. Any project that a court of competent jurisdiction or federal law that expressly requires the City to process notwithstanding this Ordinance.

SECTION 5. DIRECTION TO STAFF. The City Council hereby directs City staff to continue preparation of the Washington Boulevard Transit-Oriented Development Specific Plan and associated environmental review documents and to return to the City Council with periodic updates regarding progress toward adoption.

SECTION 6. REPORT TO CITY COUNCIL. At least ten (10) days prior to expiration of this Ordinance, City staff shall prepare and present a written report to the City Council describing the measures undertaken to alleviate the conditions that led to the adoption of this Ordinance as required by Government Code Section 65858.

SECTION 7. DURATION; EXTENSIONS. Upon its adoption by a fourth-fifths vote, this Ordinance shall be in full force and effect for 45 days from its date of adoption. This Ordinance may be extended in accordance with Government Code Section 65858 upon the making of the findings required by law.

SECTION 8. CEQA. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) pursuant to CEQA Guidelines Sections 15061(b)(3), 15308, and any other applicable exemption because the Ordinance preserves the status quo and does not authorize any development or physical change to the environment.

SECTION 9. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each portion thereof irrespective of the fact that any one or more portions may be declared invalid.

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SECTION 10. EFFECTIVE DATE. This Ordinance is adopted as an urgency measure pursuant to Government Code Section 65858 for the immediate preservation of the public health, safety, and welfare and shall take effect immediately upon adoption by a four-fifths vote of the City Council.

The City Council passed the Ordinance for public posting with the following vote:

AYES: Melendez, Romero, Peralta, Tamayo

NOES: None

ABSENT: Alonzo

ABSTAIN: None



Kimberly Guillen, Director of City Clerk Services
City of Montebello

Dated: June 25, 2026

Published: July 2, 2026