

La Cañada Flintridge Zoning Code Update:

OVERVIEW OF KEY CHANGES

Introduction

The City of La Cañada Flintridge (City) initiated a comprehensive update to the Zoning Code (Title 11) of the La Cañada Flintridge Municipal Code (LCFMC) in the autumn of 2014, after the update of the General Plan was adopted (January 2013). The City adopted Los Angeles County's zoning ordinance in 1974 after the City's incorporation, and it never has been comprehensively updated.

The draft updated Zoning Code, as proposed:

- ✓ Implements pertinent General Plan goals, objectives, and policies;
- ✓ Comprehensively reorganizes and reformats the document to make it easier for all users to understand and use, and easier for the City to update in the future;
- ✓ Codifies applicable policies in the Community Development Department's Policy Document and other City Council policies;
- ✓ Incorporates contemporary planning practices and responds to changes in land uses and trends in development and building design;
- ✓ Evaluates and addresses certain land uses and development trends and that are not currently regulated by the Zoning Code;
- ✓ Addresses certain development topics that are currently regulated but where additional consideration is warranted;
- ✓ Responds to issues and concerns that have been identified by the City Council, Planning Commission, Staff, and the public;
- ✓ Consolidates, clarifies, and streamlines permit and approval processes, and establishes consistency in procedures and findings;
- ✓ Expands the number of definitions to provide clarity and improve consistency of interpretation and administration;
- ✓ Addresses state and federal planning-related laws; and
- ✓ Provides internal consistency.

When the update process was initiated, several workshops were held to solicit early direction, including two public workshops with a Code User's Group and one with a Mayor's Committee. Additionally, the Planning Commission has held four public workshops between November 8, 2016 and April 11, 2017 to discuss and provide direction regarding several key policy issues and review draft language proposed by Staff. The Planning Commission's direction regarding the topics discussed have been incorporated into the draft updated Zoning Code. Additional opportunities for

public input regarding the Public Review Draft will be provided as the review process moves forward.

The existing Zoning Code will be replaced in its entirety with the updated Zoning Code. This document provides an overview of the key changes.

Formatting and Organization

Organization:

- ✓ In the existing Zoning Code, each topic is a stand-alone chapter, with no discernable order or organization.
- ✓ The updated Zoning Code has been completely reorganized to make it user-friendly for all users. The existing and new chapters have been organized by overall topic and put into one of eight new Parts, to make it easier to find a specific topic or chapter. Common topics, regulations, processes, etc., have been organized into parts, which are listed below. (Note: The number “11” in the Part number refers to Title 11 of the LCFMC).
 - Part 11.1: General Provisions
 - Part 11.2: Administration
 - Part 11.3: Zones, Allowable Land Uses, and Zone-Specific Standards
 - Part 11.4: Special Regulations
 - Part 11.5: General Regulations
 - Part 11.6: Land Use and Development Permits and Procedures
 - Part 11.7: Subdivisions (Pending)
 - Part 11.8: Definitions

Formatting:

- ✓ The updated Zoning Code has been reformatted to make it significantly easier to read. Each heading level is indented and is further differentiated by changes in font size, color, bold, and/or italics. This new format will be retained by the City’s code publisher when it is made available on-line after City Council adoption.
- ✓ Tables are used where appropriate to reduce the amount of text and make it easier to discern key information.
- ✓ New figures have been created to present certain types of information graphically. (Note that figures have the same regulatory authority as text.)
- ✓ Hypertext will be used to allow the user to move from one section, table, and figure to another simply by clicking on the link. “Hover text” will be used for words that are included in Part 11.8 –

Definitions; users can hover their cursor over the word and the definition will appear. These formatting protocols will be used by the City's code publishing company.

Administration

- ✓ Duties and functions of the decision-making authorities of the City's planning agency have been clarified and consolidated in a new chapter (Chapter 11.2.01).
- ✓ A Zoning Hearing Officer (ZHO) has been added, which is a new decision-making level of authority between the Director and the Planning Commission. The ZHO replaces "administrative review" in the existing Zoning Code.
- ✓ Requirements for public noticing have been consolidated into one chapter (Chapter 11.2.01), and types of notices, timing, contents, and method of notice have been standardized to the extent feasible (§11.2.02.003).
- ✓ Procedures for public meetings and hearings have been consolidated and standardized (§11.2.02.004).
- ✓ Procedures for call-ups and appeals of the decisions and actions of decision-making authorities have been consolidated in one chapter (Chapter 11.2.03), clarified, revised, and standardized as appropriate.
- ✓ The decision-making authority and process for enforcing the requirements of the Zoning Code and any violation of conditions of approval have been consolidated into one chapter (Chapter 11.2.04) and standardized as appropriate.
- ✓ A new "Stop Work Order" action has been added (§11.2.04.004), and procedures for permit revocation or modification have been clarified.

Zoning

Zones and Categories:

- ✓ **Organization:**
 - Zones have been organized into five overarching use categories: Residential Zones, Commercial Zones; Mixed Use Zone, Special Purpose Zones, Overlay Zones, and Specific Plans. These categories and zones are consistent with the Land Use Element of the General Plan.
 - Special and general regulations have been moved to separate chapters in Parts 4 and 5, respectively.
 - Processes and general permits have been moved to Part 6. Special permits, which apply to certain uses, are located in applicable chapters in Part 4 (Special Regulations).

✓ **Residential Zones:**

- The residential category retains the residential zones provided in the existing Zoning Code.
- Single-Family Residential (R-1) Zone:
 - Applicable policies in the Community Development Department (CDD) Policy Manual (discussed below) were codified.
 - CDD Policy #25 regarding the height of decks and landscaping requirements has been added—see §11.3.03.005(A)(2)(b). This topic was workshopped with the Planning Commission on 4/11/17.
 - A new review threshold was added to review certain single-story structures (new or additions)—see §11.3.03.005(A)(5)(A). This topic was workshopped with the Planning Commission on 2/14/17.
 - CDD Policy #7 regarding conversion of existing attic space to habitable floor area was added—see §11.3.03.005(A)(5)(c). This topic was workshopped with the Planning Commission on 4/11/17.
 - The allowable total floor/solid roofed area section was revised to clarify that the amount allowed includes the primary dwelling unit, attached or detached accessory dwelling unit, and all other roofed accessory structures—see §11.3.03.005(D)(1)(a).
 - An exemption for allowable total floor/solid roofed for certain conditions pertaining to second stories and balconies was added—see §11.3.03.005(D)(3)(e). This topic was workshopped with the Planning Commission on 2/14/17.
 - An exemption for allowable total floor/solid roofed for certain conditions pertaining to decks was added—see §11.3.03.005(D)(3)(f).
 - An exemption for allowable total floor/solid roofed for certain conditions pertaining to bay windows was added—see §11.3.03.005(D)(3)(g).
 - An exemption for allowable total floor/solid roofed for certain conditions pertaining to stairways was added—see §11.3.03.005(D)(3)(h).
 - 440 square feet of garage floor area was exempted for lots less than 10,000 square feet—see §11.3.03.005(D)(3)(i).
 - The subsection regarding setbacks was reorganized, and general and clarifying information was put at the beginning of the subsection—see §§11.3.03.005(E)(1).
 - A new standard was added that requires additions to existing structures to comply with setback requirements unless a Director’s Development Review Permit is approved—see §11.3.03.005(E)(1)(d).

- Measurement criteria for front and exterior setbacks were added to determine when the setback should be measured from the property line and when it should be measured from the ultimate right-of-way—see §11.3.03.005(E)(2)(a) and §11.3.03.005(E)(3)(b)(i)((a)) and ((b)).
- Basic averaging requirements for front yard setbacks were modified for clarification—see §11.3.03.005(E)(2)(c). A new figure was added to illustrate front yard setback averaging—see Figure 11.3.03-1.
- For through-lots, a standard was added for maximum height of free-standing fences and walls—see §11.3.03.005(E)(4)(b).
- An exemption for certain fire pits was added to the setback standards for fireplaces and chimneys—see §11.3.03.005(E)(5)(c).
- Minimum setbacks for pool/spa and mechanical equipment were modified—see §11.3.03.005(E)(6). This topic was workshopped with the Planning Commission on 11/22/16.
- The exemption for the height of detached accessory structures was clarified—see §11.3.03.005(E)(7)(a).
- A list of specific types of mechanical equipment that are exempt from setback requirements has been added—see §11.3.03.005(E)(7)(d).
- The exemption for stairways or steps has been clarified—see §11.3.03.005(E)(7)(f).
- An exemption for lightwells in setbacks that meet certain standards was added—see §11.3.03.005(E)(7)(h). This topic was workshopped with the Planning Commission on 11/22/19.
- An exemption for decks in setbacks that meet certain standards was added—see §11.3.03.005(E)(7)(i).
- An exemption for temporary portable storage units that meet certain standards was added—see §11.3.03.005(E)(7)(j).
- An exemption for bay windows that meet certain standards was added—see §11.3.03.005(E)(7)(k).
- A new subsection regarding lightwells was added, including allowable location, width, depth, and length—see §11.3.03.005(F). Three figures were added—see Figures 11.3.03-2, -3, and -4. This topic was workshopped with the Planning Commission on 11/22/16.
- Clarifying language regarding how to measure fence height was added—see §11.3.03.005(G). A new figure was added—see Figure 11.3.03-5.

- Neighbor notification regarding proposed fences was modified to require notification only if the fence/wall is within 5 feet of the property line—see §11.3.03.005(G)(3)(a).
 - The maximum allowable width of pedestrian entry gates was reduced from 8 feet to 6 feet—see §11.3.03.005(G)(5)(d)(iii). A figure illustrating gates and fences was added—see Figure 11.3.03-6.
 - Standards regarding driveway gate location were updated, and differentiation was made between “standard” and “non-standard” driveway gate locations—see §11.3.03.005(G)(8)(a). Figures illustrating the difference were added—see Figures 11.3.03-7 and -8.
 - Standards regarding “inward-facing” and “outward-facing” retaining walls were revised, and new subsections were added for clarity and to address concerns—see §11.3.03.005(G)(10)(c)(i) and (ii). A figure was added to illustrate a fence on top of an inward-facing retaining wall—see Figure 11.3.03-9.
 - A limitation on the allowable total floor/roofed area for accessory structures, based on the size of the lot, was added—see §11.3.03.005(H)(2). This topic was workshopped with the Planning Commission on 2/14/17.
- Multifamily Residential (R-3) Zone:
 - Setbacks were added for R-3 developments that have front or exterior side yards on Foothill Boulevard.
 - Measurement criteria for front and exterior setbacks were added to determine when the setback should be measured from the property line and when it should be measured from the ultimate right-of-way.
 - A new subsection was added to provide development standards for private and common open space—see §11.3.04.004(D).
 - Landscaping guidelines with “shall” statements were moved to standards.
 - A subsection that includes required residential amenities, including laundry facilities and storage space, was added—see §11.3.04.004(K).

✓ **Commercial Zones:**

- The existing CPD Zone has been replaced by 3 new commercial zones:
 - Commercial General (CG)
 - Commercial Office (CO)
 - Commercial Neighborhood (CN)
- The 3 new commercial zones correlate with the policies of 3 of the 4 districts of the Foothill Boulevard Master Plan (FBMP), which was incorporated into the Land Use Element, as follows:

- Commercial General (CG): Implements *Gateway District*
 - Commercial Office (CO): Implements *The Link District*
 - Commercial Neighborhood (CN): Implements *Old Town District*
- Zone-specific development standards were developed for the new commercial zones, based on policies in the Land Use Element; see §11.3.06.004.
- Design guidelines, which are applicable to all 3 zones, were developed to implement policies in the General Plan; see §11.3.06.005. They include pedestrian, bicycle, and transit-oriented design guidelines; design guidelines that promote security; and those that improve compatibility with adjacent R-1 zoned uses.
- ✓ **Mixed Use (MU) Zone:**
 - The MU Zone has been modified to correlate setbacks with the 3 commercial zones, which implement the FBMP.
 - Design guidelines have been added that encourage pedestrian, bicycle, and transit-oriented design, promote security, and improve compatibility with adjacent R-1 zoned uses, consistent with General Plan policies.
- ✓ **Special Purpose Zones:**
 - The existing Special Purpose Zones (O-S Open Space Zone and the existing Public and Semi-Public Zone in the existing Zoning Code) have been consolidated into one chapter entitled Special Purpose Zones.
 - The new chapter (Special Purpose Zones) includes the existing Open Space Zone and the Public and Semi-Public Zones, plus adds a new Parks and Recreation Zone to implement the new Parks and Recreation land use in the General Plan.
 - New development standards were created to implement General Plan policies.
- ✓ **Overlay Zones:**
 - Adds a zoning category for overlay zones.
 - Retains the Emergency Shelter Overlay Zone as provided in the existing Zoning Code.
- ✓ **Specific Plans:**
 - References the existing specific plans:
 - Downtown Village Specific Plan (DVSP): Implements the *Downtown District* of the FBMP
 - Flintridge Sacred Heart Academy (FSHA) Specific Plan

Zoning Map:

- ✓ The Zoning Map is being updated to reflect the changes to the Zoning Code.

Land Uses

Land Use Table:

✓ Formatting and Organization:

- In the existing Zoning Code, allowable uses were scattered in individual zones and individual chapters. In some chapters (e.g., R-1), uses that were permitted, accessory, subject to the Director’s review and approval, and subject to conditional use permits were located in separate sections, while in other chapters (e.g., CPD), they were provided in a table and listed as either permitted (P) or requiring a conditional use permit (CUP); uses that were not permitted were not listed.
- The updated code organizes all land uses into one land use table (see Table 11.3.02-1: Land Use Permit Table for All Zones).
 - The land uses are organized according to use types, including: Residential; Civic & Community Uses; Retail Uses; Office Uses; Research & Development Uses; Service Uses; Medical and Care Uses; Entertainments, Recreation, and Open Space Uses; and Accessory Uses. (Note: Temporary uses are located in Chapter 11.6.11.) Use types are shown in the table in white font with the row shaded in light blue.
 - In addition, the land use table lists both individual uses and “use groups.” A “use group” is characterized by a term or phrase that provides a general description of the individual uses related to it; they are shown in black font with the row shaded in pale gray, and the individual uses are formatted below using bullets. For example, the *Medical and Care Uses* use type includes a use group called *Adult Day Care*, which has three types of adult day care uses listed below; each type of adult day care use has one of the symbols that shows if/how it is allowed (e.g., P, DUP, CUP, ---, etc.).
 - The table also has a column that refers the user to any standards and special requirements that may apply.
 - Footnotes provide clarification as needed.
 - The user can now see all allowable uses within any particular zone or can see in which zone a particular use is allowed by referencing one table. The exception to this is the temporary uses category, which is located with Chapter 11.6.11 due to the nature of the review process for temporary uses.
- The updated code has more levels of use approval in accordance with both existing and new types of use permits. See the section titled “Permits and Procedures” (below) that describes the various use approval levels, which are listed below:

- Permitted (P) – Existing
- Accessory (A) – Existing
- Director’s Use Permit (DUP) – New
- Minor Use Permit (MUP) – New
- Conditional Use Permit (CUP) – Existing
- Home Occupation Permit (HOP) – Existing
- Special Permit (SPLP) – New
- Not Permitted (---) – New symbol

Land Uses:

- ✓ Existing land uses have been revised significantly.
- ✓ To both simplify the use table and yet be more thorough, many existing, very specific uses were consolidated into new over-arching land uses, which were defined in Chapter 11.8.01.
 - For example, existing stand-alone uses such as *Blueprint Shops*, *Book Binders*, and *Film Laboratories* have been consolidated into a new land use called *Business Support Services*. The definition of the new *Business Support Services* use includes a list of similar types of businesses, including updated and missing uses such as *Computer-Relates Uses* and *Mail/Advertising Services*.
 - This approach has been taken with other uses, such as a new *General Retail Business* land use, which consolidates many existing specific land uses (such as *Dress Shops* and *Confectionary/Candy Stores*) into the definition and adds missing ones (such as *Specialty Food and Beverage*).
- ✓ In other cases, certain land uses were redefined and expanded.
 - For example, in the existing Zoning Code, there are two alcohol-related uses: *Alcoholic Beverage Sales, Whether for Consumption On- or Off-Site with Other Uses* and *Liquor Stores*, both listed under the *Retail Uses* use type, and both requiring a CUP. In the updated Zoning Code, both existing alcohol-related uses have been categorized under the new use group called *Alcoholic Beverage Sales*. The existing *Alcoholic Beverage Sales, Whether for Consumption On- or Off-Site with Other Uses* has been expanded to include three individual alcoholic beverage sales uses, including *Alcoholic Beverage Sales, Off-Sale, Accessory Only*; *Alcoholic Beverage Sales, On-Sale*; and *Alcoholic Beverage Sales, On-Sale, Accessory Only*, each with its own definition that characterizes the use. This provides the opportunity to allow certain alcoholic beverage sales uses with a DUP while others still require a CUP, or to allow one alcohol-related use (e.g., *Alcoholic Beverage Sales, On-Sale, Accessory Only*) in the Parks and Recreation Zone while prohibiting others.
 - In another example, a use group called *Eating/Drinking Establishments* has been created, and all types of establishments—some new (such as *Brewpub* and

Restaurants—Take-Out Service), some existing—have been consolidated under that use group. As in the previous example, this allows certain types of eating/drinking establishments to require different levels of review (DUP or CUP). Again, each land use is defined in Chapter 11.8.01.

- ✓ Many new land uses have been added to provide clarity, to address those that have caused problems because they have been missing, and/or to reflect contemporary land uses. In some cases, land uses have been added specifically because they require a different parking requirement than historically has been applied to the more general use. For example, the updated Zoning Code now includes two types of *Health/Fitness Facilities—Small and Large*. Not only do the two types have different types of approvals (a DUP for small and a CUP for large), but they generate different parking demands, hence different parking requirements.
- ✓ Outdated uses, such as *millinery shops*, *furrier shops*, and *frozen food lockers*, have been deleted.

Regulations

Special Regulations:

- ✓ There are existing and new uses that have special regulations, whether they are permitted or require some level of discretionary review. They are located in Part 11.4—Special Regulations.
- ✓ Many new uses have been added that have special regulations, and the special regulations for several existing uses have been updated. They are summarized below (see Part 11.4—Special Regulations for details).
 - Accessory Dwelling Units (existing)—Chapter 11.4.01:
 - No changes since its most recent update.
 - Adult Oriented Businesses and Entertainers (existing, in Title 6)—Chapter 11.4.02:
 - RESERVED. This chapter is being updated on a different track and is not currently included in the updated Zoning Code.
 - Alcoholic Beverage Sales (new)—Chapter 11.4.03:
 - Establishes regulations that are intended to mitigate potential adverse land use impacts on peace, health, and safety that may arise from the undue proliferation and/or inappropriate location of establishments selling alcoholic beverages.
 - Includes findings that must be made in addition to those required for use permits.
 - Codifies a process for City decision-making authorities to determine “Public Convenience or Necessity” findings in accordance with the California Department of Beverage Control (ABC).

- Animal Keeping and Animal Clubs in Residential Zones (existing)—Chapter 11.4.04:
 - Updates the chapter to provide for animals in multifamily and residential portions of mixed use developments.
 - Addresses keeping of wild animals.
 - Reorganizes several sections and uses tables in lieu of text for clarity.
 - Adds minimum space requirements for various types of farm fowl.
 - Reorganizes and reformats the existing registration and special permits, and modifies certain procedures for consistency with the new permits and procedures established in the updated Code
 - Establishes the Zoning Hearing Officer as the decision-making authority for Excess Animal Permits (previously the Director) and Animal Club Permits (previously the City Council).
- Animal Sales and Services (new)—Chapter 11.4.05:
 - Establishes standards for various new animal sales and service uses to mitigate potentially adverse effects.
 - Addresses *animal boarding, animal grooming, animal sales, and veterinary clinics* uses.
- Bed and Breakfast Inns (new)—Chapter 11.4.06:
 - Provides operational and development standards for bed and breakfast inns (B&Bs), a new use.
 - Requires B&Bs to pay transient occupancy tax (TOT), if a TOT ordinance is adopted by the City Council.
- Community Gardens (new)—Chapter 11.4.07:
 - Provides standards for the operation and maintenance of community gardens, a new use.
- Conversion to Condominiums (existing)—Chapter 11.4.08:
 - Makes minor modifications for clarity and consistency. No substantive changes made.
- Cottage Food Operations (existing)—Chapter 11.4.09:
 - Revises the permit requirement to be consistent with the new permits in the updated Zoning Code (now requires a Director’s Use Permit) while retaining compliance with State law regarding the use. No substantive changes made.
- Day Care Facilities (Child and Adult) (new)—Chapter 11.4.10:
 - Delineates uses and standards as allowed pursuant to State law for various day care facilities, including facilities for children and adults.

- Donation Collection Bins (new)—Chapter 11.4.11:
 - Provides standards and regulations for unattended donation collection bins, consistent with settled court cases, to mitigate potential adverse effects on the health, safety, and welfare of persons and property, both on the subject property and within neighboring areas, which may arise from the undue proliferation and/or inappropriate placement and operation of donation collection bins.
 - Establishes a special permit (Donation Collection Bin Permit).
- Drive-In and Drive-Through Facilities Prohibited (new)—Chapter 11.4.12:
 - New drive-in and drive-through commercial businesses are specifically prohibited.
 - Establishes existing drive-in and drive-through businesses as legal nonconforming uses.
 - The prohibition of drive-in and drive-through establishments implements General Plan Land Use Element Policy LUE3.1.13, and was workshopped by the Planning Commission.
- Emergency Shelter Facilities (existing)—Chapter 11.4.13:
 - Makes minor changes to the permit process to be consistent with the new permits in the updated Zoning Code while retaining compliance with state law regarding the use. No substantive changes made.
- Flags and Flagpoles (new)—Chapter 11.4.14:
 - Regulates the height and placement of flagpoles and the flags flown on them. Without regulations, flagpole installations may impact neighboring properties negatively in the areas of noise and visual clutter. These regulations are in no way intended to prevent one from flying an American or State of California flag. They are intended only to ensure the impacts to neighboring properties are mitigated.
 - General standards are established, while additional standards differentiate between residential and all other zones.
- Hillside Development (existing)—Chapter 11.4.15:
 - Formatting was reorganized to make review thresholds easier to understand.
 - Review threshold for “administrative review” was changed to Zoning Hearing Officer with a standardized process.
 - Exception for “new development” added for new spas that are developed outside of the footprint of an existing pool—requires Director review instead of Planning Commission review.
 - Existing §11.35.041(A)(1) regarding the density standard for newly created lots has been updated to reflect the A/B Line, which was added to the Land Use Map

(Figure LUE-1) in the Land Use Element during the update of the General Plan, and is being added to the Zoning Map as part of the Zoning Code update. A definition of the A/B Line has been added to Chapter 11.8.01.

- The Slope Factor table has been added to Chapter 11.8.01, which enables the table to be removed from the applicable chapters (including 11.4.15) and eliminates redundancy.
- A new figure (Figure 11.4.15.1) was added to illustrate “excluded area.”
- The only substantive changes to the Hillside ordinance have been made to implement LUE Objective 4.1 of the Land Use Element and associated policies, which are intended to ensure that new development and/or remodeling of existing structures and property is designed, constructed, and maintained to preserve important views, topographic and other natural features, and the semi-rural character of the City’s hillsides. In particular:
 - The thresholds and standards for the new Grading chapter (Chapter 11.5.02) apply to all development in the Hillside.
 - New regulations regarding slope contours have been added to ensure that hard edges left by cut and fill operations are given the appearance that closely resembles adjacent natural contours. Two new figures (Figures 11.4.15-2 and 11.4.15-3) are provided that demonstrate the desired techniques. The figures use the “This, Not This” approach for clarity.
 - New regulations regarding drainage have been added to reduce erosion and require naturalization when changes to drainage patterns are made.
- Existing references to out-of-date General Plan figures have been updated.
- Vehicle access standards have been moved to Chapter 11.5.05 (Off-Street Parking).
- A new figure (Figure 11.4.15-4) has been added to illustrate how to measure maximum building height.
- A new standard for maximum building height on an up-slope lot has been added to mitigate the appearance of mass from the street. (An up-slope lot has been defined in Chapter 11.8.01.)
- Maximum building height of an accessory structure has been added to be consistent with the R-1 development standards.
- Architectural design:
 - Existing §11.35.046 (Architectural Guidelines) mixes both “shall” statements, which are standards and are required, and “should,” “...is encouraged,” and “...is discouraged” statements, which are guidelines

and are not required. The updated Zoning Code (see §11.4.15.011(A) and (B)) distinguishes between standards and guidelines.

- New figures (Figures 11.4.15-5 and 11.4.15-6) were added to illustrate dominant roof pitch and retaining wall screening, respectively.
- The existing requirement for wall modulation (§11.35.046(D)) has been changed from a standard (currently a “shall” statement) to a guideline.
- The requirement for story poles and site marking was codified and the reference to the new chapter (Chapter 11.5.10—Story Pole and Site Marking Requirements) was added.
- The existing Zoning Code includes 10 findings that must be made for approval of developments subject to the Hillside ordinance, regardless of the review threshold. In the updated Zoning Code, findings have been streamlined and there are now two findings for Director-level review and six findings for Zoning Hearing Officer and Planning Commission levels of review.
- Home Occupations (updated)—Chapter 11.4.16:
 - Moves home occupations out of the R-1 Zone and into its own chapter, since home occupations also apply to residential zones and uses other than the R-1 Zone.
 - Uses that are specifically prohibited as home occupations are provided.
- Kiosk Uses (new)—Chapter 11.4.17:
 - Establishes standards for kiosks on private property.
- Late Night Hours (new)—Chapter 11.4.18:
 - Establishes criteria and regulations to minimize the potential impacts of non-residential uses operating during *Late Night Hours* that adjoin or are adjacent to residentially zoned property.
 - *Late Night Hours* are defined (in Chapter 11.8.01) as the time between 11:00 p.m. and 7:00 a.m.
 - Requires any existing *Late Night Hours* establishment that adjoins or is adjacent to residentially zoned or utilized property that was legally in existence as of the date of adoption of the update Zoning Code to apply for a CUP before it can increase floor area or extend the hours that it conducts during *Late Night Hours*.
 - This is one of the many changes to the Zoning Code that specifically implements LUE Objective 1.5 of the Land Use Element, to “ensure that new and rehabilitated development is compatible with the residential character of the City, the project’s surrounding land uses, the circulation network, availability of public facilities, and existing development constraints.”
- Commercial Marijuana Activities Prohibited (existing)—Chapter 11.4.19:
 - No changes since it was adopted.

- Outdoor Dining (new)—Chapter 11.4.20:
 - Establishes standards for outdoor dining on private property or within the public right-of-way to ensure compatibility of such uses with surrounding uses and properties and to avoid any safety impacts associated with such uses.
- Outdoor Vending/Service Facility (new)—Chapter 11.4.21:
 - Establishes standards and regulations for the placement and use of outdoor vending/service facilities to mitigate potential adverse impacts that may arise from the undue proliferation and/or inappropriate location and operation of such facility, and to ensure that outdoor vending/service facilities do not pose a hazard to circulation and that their placement and operation do not degrade the appearance and aesthetic qualities of the community.
 - Establishes a special Outdoor Vending/Service Facility Permit.
- Outdoor Display and Activities in Nonresidential Zones (new)—Chapter 11.4.22:
 - Establishes standards for outdoor display of materials, merchandise, and equipment and for outdoor activities that are accessory to an allowed use.
- Personal Indoor Cultivation of Marijuana (existing)—Chapter 11.4.23:
 - No substantive changes since most recent adoption.
- Personal Wireless Service(s) Facilities (existing)—Chapter 11.4.24:
 - No substantive changes since most recent adoption.
- Recycling Facilities (new)—Chapter 11.4.25:
 - Establishes standards for the siting and operation of various types and sizes of commercial recycling facilities to implement the California Beverage Container Recycling and Litter Reduction Act, as amended, and to protect the surrounding properties from impacts related to the operation of such recycling facilities.
- Residential Care Facilities (new)—Chapter 11.4.26:
 - Establishes regulations for the establishment and operation of *Large Residential Care Facilities* and *Residential Care Facilities for the Elderly*. (Note that a Small Residential Care Facility for six or fewer person is a use regulated by the state and must be considered a permitted use in all zones permitting residential uses and is not subject to the provisions of this chapter.)
 - See also the discussion regarding Senior Citizen Multifamily Residential Facilities, below.
- Senior Citizen Multifamily Residential Facilities (new)—Chapter 11.4.27:
 - The Downtown Village Specific Plan (DVSP) currently provides for Senior Citizen Multifamily Dwellings in the Mixed Use 1 and Mixed Use 2 zones. However, the existing Zoning Code does not have a separate use or special standards that facilitate or encourage LUE Goal 6 in the Land Use Element or its associated

- objective and policies, which generally are intended to support the long-term needs of seniors and allow and encourage the development of housing types and other land uses that meet the needs of seniors.
- This new land use, with its associated standards, is intended to implement LUE Goal 6, as described above. Note that the standards are different from the standards in the DVSP.
- Service Stations (new)—Chapter 11.4.28:
 - Establishes standards for the establishment and operation of new service station operations and for the modification or expansion of existing service stations.
 - Establishes allowed accessory uses and specifically prohibited uses and activities.
 - Short-Term Vacation Rentals Prohibited (new)—Chapter 11.4.29:
 - The existing Zoning Code does not currently allow for short-term vacation rentals (STVR). The purpose of this Chapter is to specifically prohibit the establishment and operation of STVRs, as defined in Chapter 11.8.01 (Definitions), in any zone located within the city of La Cañada Flintridge.
 - Further, the establishment and/or operation of an STVR is considered a violation of the Zoning Code. Any existing STVR that may be operating in the city is considered to be operating illegally.
 - This topic was considered by the Planning Commission at a Planning Commission workshop on November 6, 2016, where the Planning Commission recommended that the use be prohibited and that an ordinance (implemented by Chapter 11.4.29) to specifically prohibit it be prepared.
 - Single-Room Occupancy Facilities (existing)—Chapter 11.4.30:
 - No change since adoption.
 - Sports Courts and Batting Cages (Private) in Residential Zones (existing)—Chapter 11.4.31:
 - Minor modifications were made to organization and process.
 - The existing provision that allows the Director to grant “...minor deviations to the construction and operation standards of unlighted temporary batting cages, or private sport courts...” has been deleted.
 - Supportive Housing (existing)—Chapter 11.4.32:
 - No change since adoption.
 - Tattooing, Body Piercing, and Body Art Establishments (existing)—Chapter 11.4.33:
 - No change since most recent adoption.

- Tobacco and/or Electronic Cigarette Shops and Lounges (existing)—Chapter 11.4.34:
 - No change since most recent adoption.
- Transitional Housing (existing)—Chapter 11.4.35:
 - No change since adoption.
- Massage Establishments (existing, in Title 6)—Chapter 11.4.36
 - RESERVED. This chapter is being updated on a different track and is not currently included in the updated Zoning Code.

General Regulations:

- ✓ Added new or updated existing general regulations, as summarized below:
 - Affordable Housing Density Bonus (existing)—Chapter 11.5.01:
 - RESERVED. This chapter is being updated on a different track and is not currently included in the updated Zoning Code.
 - Grading (new)—Chapter 11.5.02:
 - Establishes a review process and criteria for development that proposes grading in excess of fifty (50) cubic yards, to evaluate and mitigate potential impacts and to preserve natural landforms.
 - Grading which exceeds 50 cubic yards, up to and including 100 cubic yards, requires Director-level approval; grading that exceeds 100 cubic yards requires Planning Commission approval.
 - Establishes development review criteria that apply to all grading that is subject to the chapter. Additionally, projects that would excavate to a depth of 10 feet or more, or that propose a total cut amount of 1,000 cubic feet or more, also must comply with the chapter.
 - Specifically implements CNE Policy 2.1.4 of the Conservation Element, to minimize the visual impact of grading.
 - Mechanical Equipment (new)—Chapter 11.5.03:
 - Establishes standards for installation and screening of various types of mechanical equipment.
 - Standards differentiate between single-family residential and all other development.
 - Replacement of “like-for-like” equipment that is smaller, more efficient, and/or quieter than the equipment being replaced is exempt.
 - Legal Nonconforming Uses, Structures, and Parcels (existing)—Chapter 11.5.04:
 - RESERVED. This chapter is being updated on a different track and is not currently included in the updated Zoning Code.

- Off-Street Parking (existing)—Chapter 11.5.05:
 - Consolidates all parking requirements and standards into one chapter.
 - Organizes all vehicle parking standards into one table (Table 11.5.05-1); includes clarifying notes as appropriate.
 - Correlates parking requirements with allowable uses in Table 11.3.02-1 (Land Use Permit for All Zones).
 - Changes parking requirements for some uses to reflect actual demand, provide greater consistency with other jurisdictions, and to make it easier for projects with existing parking lots to accommodate a variety of uses.
 - Adds provisions for tandem parking (§11.5.05.003(E)), mechanical parking lifts (§11.5.05.003(F)), and electric vehicle charging stations (§11.5.05.003(G)).
 - Adds provisions for compact parking spaces 11.5.05.004(C)).
 - Adds two processes to allow an applicant to request a reduction of required off-street parking—§11.5.05.004(F)(1) requires Director approval and §11.5.05.004(F)(2) requires Planning Commission approval.
 - Adds a process to allow an applicant to request off-street shared parking (§11.5.05.004(G))—requires Planning Commission approval.
 - Adds a process to allow an applicant to request valet parking (§11.5.05.004(H))— requires Planning Commission approval.
 - Allows for participation in a public parking assessment district if the City Council establishes one (§11.5.05.004(H)).
 - Adds criteria for a parking study (§11.5.05.004(K)) when required by a decision-maker.
 - Standards for Single-Family Residential Zones:
 - Clarifies minimum dimensions for single-family residential garages (§11.5.05.005(A)) . The existing Zoning Code has conflicting standards; this topic was workshopped with the Planning Commission on November 22, 2016.
 - Adds/clarifies requirements for residential driveway curb-cuts, including semi-circular driveways (§11.5.05.005(D)).
 - Provides figures that regulate elevated and depressed driveways— Figures 11.5.05-1 and -2, respectively.
 - Provides a figure that regulates garage turning radius for access to a detached garage—Figure 11.5.05-3.
 - Adds review procedures for certain types of parking facilities—a Zoning Clearance for uncovered surface parking areas (§11.5.05.007(A)(1)) and

a Development Review Permit for structured parking (§11.5.05.007(A)(2)).

- Standards for Multifamily, MU, and Non-Residential Zones:
 - Adds standards for driveways, parking area lay-out and design, pedestrian access, and standards and design guidelines for parking structures (§11.5.05.007(B) through (G)). Provides a figure that illustrates parking space dimensions for spaces with obstructions (Figure 11.5.05-4).
 - Incorporates standards for parking area landscaping (§11.5.05.007(J)).
- Adds requirements for bicycle parking and bicycle facility design (§11.5.05.009 and Table 11.5.05-2).
- Outdoor Lighting Standards (new)—Chapter 11.5.06:
 - Adds a new chapter to provide standards for outdoor lighting, including general lighting standards, standards for single-family residential uses, and non-residential, multifamily, and mixed use zones
 - The draft Outdoor Lighting Standards chapter was workshopped with the Planning Commission on April 11, 2017.
- Preservation and Protection of Designated Trees on Private Property (existing)—Chapter 11.5.07:
 - The existing review processes were clarified and modified to be consistent with the new permit processes.
- Refuse and Recycling Storage Areas (new)—Chapter 11.5.08:
 - Standards were developed for new development projects, including minimum storage requirements, location and access requirements, general design and screening, landscaping, security/gates, and sanitation and maintenance.
 - Standards and exceptions were developed for existing developments that do not have refuse and recycling storage areas.
- Sign Regulations (existing)—Chapter 11.5.09:
 - RESERVED. This chapter is being updated on a different track and is not currently included in the updated Zoning Code.
- Story Pole and Site Marking Requirements (new)—Chapter 11.5.10:
 - The City currently requires story poles for certain development, but it is not codified. A new chapter was created to establish standards and criteria for story poles and site marking requirements, including applicability, procedures, construction, certification, and removal.

- Trails (new)—Chapter 11.5.11:
 - Codifies the requirements of the City’s Trails Master Plan for all projects that are determined to be “trails-affected.”
 - Implements General Plan LUE Policy 1.3.3, which requires land use proposals involving trails to comply with the Trails Master Plan.
- Trip Reduction and Travel Demand Management (existing)—Chapter 11.5.12 :
 - No substantive changes.

Permits and Procedures

General Changes:

- ✓ General permits are now located within Part 6.
- ✓ Chapter 11.6.01 provides the general processes and procedures that apply to most permits, unless they are otherwise specified, such as special permits.
- ✓ The existing Zoning Code has a multitude of individual permits for special development situations (e.g., chicken coop waiver, flat roof, pedestrian entry, porch height, roof equipment, etc.), not including conditional use permits, variances, zone changes, and other similar standard actions. While many of the individual permits require the Director’s review and approval, they often have different time frames, notification processes, appeal provisions, and other procedures even though they are similar in nature. Also, “use” permits currently are being used to review requests for allowable modifications to development standards, which are not uses; this results in decision-making authorities having to make findings that are not consistent with the type of discretionary action being requested. Additionally, both the Planning Commission and Staff have indicated that for certain requests, it would be beneficial to have the Zoning Hearing Officer be responsible for more permits, to address situations when a discretionary permit should have a public hearing but not necessarily be required to go to the Planning Commission.
- ✓ The updated Zoning Code creates five general types of permitting processes (Process A, B, C, D, and E) to provide greater consistency and clarity, and to allow many of the existing individual permits to be consolidated and streamlined. Each process lists the decision-making authority responsible for the action; the type of action (administrative or discretionary); whether notification is required; whether a public hearing is required; and what the appeal process is, if there is one. Notification processes also have been streamlined for consistency. (See Section 11.6.02.004 of the updated Zoning Code for details.) Permits that do not fall into one of the five general review processes are categorized as “Special Permits,” which have their own review processes.
- ✓ A table has been provided (Table 11.6.02-1) that lists all the types of permits, organized by which process applies or if it is a special permit. References to the applicable section or chapter are listed. The role of the various decision-making authorities also is provided.
- ✓ Application requirements have been removed from the Zoning Code.

Specific Changes:

- ✓ Zoning Clearance (new)—Chapter 11.6.03:
 - Provides an administrative process to ensure that all new and modified uses, structures, and certain development of land comply with applicable provisions of this Zoning Code, and, if applicable, the terms and conditions of any previously approved permit or variance.
- ✓ Certificate of Compliance (new)—Chapter 11.6.04:
 - Certain lots in the City were created without processing subject to the Subdivision Map Act.
 - Establishes a process in accordance with State law that requires that a Certificates of Compliance be recorded for these lots before building permits can be issued for any project on the property.
- ✓ Lot Line Adjustment (new)—Chapter 11.6.05:
 - Establishes a process for the adjustment of lot lines in accordance with the Subdivision Map Act.
- ✓ Merger of Contiguous Parcels (existing)—Chapter 11.6.06:
 - Revisions were made to bring into the chapter into conformance with the Subdivision Map Act.
 - Provides for City-initiated and property owner-initiated merger
- ✓ Zoning Exceptions (partially existing, partially new)—Chapter 11.6.07:
 - Consolidates many existing individual permits for certain specific minor modifications (exceptions) of the standards and regulations into one process.
 - Provides standardized findings plus provides for specific findings depending on the particular exception requested.
- ✓ Variances (existing)—Chapter 11.6.08:
 - Pursuant to State law, a variance permits modification of development standards of the Zoning Code *only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zones.* The variance chapter of the existing Zoning Code is much more lenient, which has the unintended consequence of allowing property owners to apply for and receive variances simply because they want a design that is not permitted. This is not only counter to state law, but it weakens the policy direction and regulatory authority provided in the Zoning Code. Approval of a variances should be a very rare occurrence. If variances are routinely being approved, it typically means the Zoning Code is not reflective of existing City policy.
 - The updated Zoning Code tightens the applicability of variances.

- ✓ Use Permits (partially existing, partially new)—Chapter 11.6.09:
 - The existing Zoning Code only provides for a Conditional Use Permit (CUP), which is a discretionary permit requiring Planning Commission approval. Currently, uses are either permitted outright or require Planning Commission approval.
 - The updated Zoning Code retains the CUP (§11.6.09.004), but adds three new levels of use permits, including:
 - Director’s Use Permit (DUP) (§11.6.09.002): Requires Director-level review and approval of specified uses, including public notice, but a public hearing before the Planning Commission is not required (unless appealed).
 - Minor Use Permit (MUP) (§11.6.09.003): A use requiring an MUP still requires public notice, but instead of a public hearing before the Planning Commission, it is placed on the consent calendar. Although technically a new permit, the MUP codifies existing practice.
 - Master Conditional Use Permit (CUP-MAS) (§11.6.09.005): The CUP-MAS is a new permit that is designed to address two common situations, including:
 - Master-planned, campus-style and/or phased projects that currently typically require a Specific Plan, which can be onerous and time-consuming for the size and type of project common in La Cañada Flintridge.
 - Projects that propose multiple uses that otherwise would require approval of individual use permits or will be renting space to multiple tenants, such as shopping centers, that otherwise could require multiple CUPs.
 - CUP-MAS requires a five-year review by the Planning Commission to ensure that it is functioning as intended.
 - CUP-MAS is a voluntary permit and is intended to benefit both the applicant and the City.

- ✓ Development Review Permits (new)—Chapter 11.6.10:
 - As noted previously, the existing Zoning Code uses CUPs not only for uses that require discretionary review, but for review of many types of *development*-related (not use-related) projects that the City does not want to approve without discretionary review.
 - The updated Zoning Code addresses this problem by adding a new Development Review Permit (Chapter 11.6.10), with three levels of discretionary review, including:
 - Director’s Development Review Permit (DDRP) (§11.6.10.02): Requires Director-level review and approval for certain types of development projects, including public notice, but does not require a public hearing (unless appealed). Most of the existing individual Director-level permits relating to development (not use) have been consolidated under this new permit. In addition to the standard findings, findings that are unique to each situation are also included.

- Minor Development Review Permit (DRP-MIN) (§11.6.10.03): Requires Zoning Hearing Officer-level review and approval for certain types of development projects; requires public notice and a public hearing before the Public Hearing Officer.
 - Development Review Permit (DRP) (§11.6.10.04): Requires Planning commission-level review and approval for certain types of development projects, including public notice and a public hearing before the Planning Commission. Most of the existing individual Planning Commission-level permits relating to development (not use) have been consolidated under this new permit. In addition to the standard findings, findings that are unique to each situation are also included.
- ✓ Temporary Use Permits (existing)—Chapter 11.6.11:
 - Reorganizes the existing Temporary Use Permit (TUP) chapter to make it easier to use.
 - Increases the number of TUPs to address deficiencies (e.g., temporary storage units in residential zones, mobile food vendors, temporary car washes for fundraising, etc.) and provides new standards and regulations for new and existing uses where appropriate.
- ✓ Amendments of General Plan, Zoning Code, and Zoning Map (partially existing, partially new)—Chapter 11.6.12:
 - Adds a process for amending the General Plan.
 - Consolidates zone changes and amendments and amendments to the General Plan in one chapter.
 - Modifies findings to be consistent with those required for legislative actions.
- ✓ Specific Plans (new)—Chapter 11.6.13:
 - Adds a chapter that provides the process to establish specific plans, consistent with the provisions of State law.
- ✓ Design Review (existing)—Chapter 11.6.14:
 - Makes minor modifications for clarity and consistency.
 - Adds review of multifamily residential development and mixed use development.
 - Allows the Director to waive requirements for design review if he/she determines the change is minor in nature and/or is for the purpose of de minimis repair.
 - Streamlines required findings.
 - Modifies the existing review process to be consistent with the proposed new processes in the updated Zoning Code. Makes Design Concept Review subject to a public meeting, while Final Design Review and Consolidated Review are subject now subject to a public hearing.

- Moves items associated with establishment, authority, and duties of the Design Commission to Title 2 (Administration and Personnel), consistent with the Planning Commission.
- ✓ Development Agreements (existing)—Chapter 11.6.15:
 - Minor modifications for clarification and consistency.
- ✓ Reasonable Accommodations for Individuals with Disabilities (existing)—Chapter 11.6.16:
 - Makes changes to streamline the process for persons with disabilities to apply for a request for reasonable accommodation, in accordance the with federal Fair Housing Act.
 - Adds a process for a person who cannot pay the application fee due to significant financial hardship to request a waiver of the fee.
 - Establishes the Director as the only reviewing authority for requests for reasonable accommodation.
 - Eliminates the requirement for a public hearing and public notification; instead, a notice of determination is mailed to owners of abutting property.
 - Appeal of the Director’s determination is heard by the Zoning Hearing Officer.
 - Clarifies that a reasonable accommodation does not run with the land, and allows the Director to require the affected premises to be returned to its prior physical condition, if reasonable to do so.
 - Adds a section protecting the confidentiality of information regarding the applicant’s disability.

Definitions:

- ✓ All land uses in the *Land Use Permit Table for All Zones* (Table 11.3.02-1) have definitions—land use definitions are distinguished from other definitions by the phrase (*land use*) behind the term. While land use definitions do not include standards, they are specific enough to provide direction regarding appropriate operations.
- ✓ Many terms that were referenced in the existing Zoning Code but were not defined have now been defined. This provides both clarification and consistency in interpretation.
- ✓ Figures have been added to many existing and new definitions.
- ✓ Definitions that are not referenced in the Zoning Code have been deleted.
- ✓ The definition for *Structure, New* has been significantly revised and expanded to address a proposed policy change, which was workshopped with the Planning Commission on 11/22/16.
 - Instead of a structure being considered “new” when 30% or more of it is demolished (the “30% rule”), it has been changed to 50%. However, it is now not limited to demolition; it includes:
 - Demolition of more than 50% of floor area;

- Demolition of more than 50% of existing walls, including doors and windows;
- Expansion of an existing structure, where the square footage of the addition is 50%;
- Alteration or removal of more than 50% of solid roofed area, including changing the roof type, pitch, and construction involving framing one roof on top of another (but not including replacing roofing materials); and
- Cumulative expansion, alteration, and removal of more than 50% within any 5 year period.

