



City of La Cañada Flintridge

Planning Commission Special Meeting

February 1, 2020

COMPREHENSIVE ZONING ORDINANCE UPDATE



Today's Topics

1. Introduction
2. Part 11.1 General Provisions
3. Part 11.2 Administration
4. Permits:
 - a. Overview
 - b. Zoning Clearance (Chapter 11.6.03)
 - c. Zoning Exceptions (Chapter 11.6.07)
 - d. Variances (Chapter 11.6.08)
 - e. Use Permits (Chapter 11.6.09)
 - f. Development Review Permits (Chapter 11.6.10)
5. Questions, Comments, & Discussion



Introduction

WHAT IS A ZONING ORDINANCE?

- A set of regulations that:
 - Governs the use of land & type and intensity of development within the community
 - Defines and describes review processes and procedures, review criteria, and approval authority associated with the regulatory control
- Derived from a jurisdiction's general police power to protect the public health, safety, and welfare of the community
- Most widely used tool to implement the land use and development policies in the jurisdiction's General Plan
- Often referred to as the *Zoning Code* or *Code*



Introduction

WHY UPDATE THE CITY'S ZONING CODE?

- La Cañada Flintridge adopted Los Angeles County's zoning code in 1976, after incorporation
- City's zoning code has never been comprehensively updated
- City adopted a comprehensive update of the General Plan in the autumn of 2014
- General Plan & zoning are required to be consistent:
 - The update implements pertinent General Plan goals, objectives, and policies
 - Makes the Land Use Policy Map and Zoning Map consistent



Introduction

OBJECTIVES:

- Codify City policies
- Respond to issues and concerns
- Address land uses and development trends not currently regulated by the Zoning Code
- Incorporate contemporary planning practices
- Comply with state and federal planning-related laws
- Provide internal consistency and eliminate conflicts
- Consolidate, clarify, and streamline permit and approval processes
- Make it easier to understand and use
- Make it graphically and visually appealing



Introduction

ORGANIZATION

- Common topics, regulations, processes, etc., have been organized into one of eight new **Parts**:
 - Part 11.1: General Provisions
 - Part 11.2: Administration
 - Part 11.3: Zones, Allowable Land Uses, & 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



Introduction

FORMATTING

- Completely reformatted to make it easier to use and read—new numbering, heading levels are indented and further differentiated by changes in font size, color, bold, and italics
- Tables added to reduce text and make it easier to identify key information
- New figures added to present certain information graphically (*Note: figures have the same regulatory authority as text*)
- Online version will use hypertext and hover text
- City's Code Publisher will retain new formatting



Part 11.1

PART 11.1: GENERAL PROVISIONS

- Chapter 11.1.01: Zoning Code Adoption and Applicability
- Chapter 11.1.2: Interpretation and Rules
- Key changes:
 - ✓ Establishes general legal provisions consistent with state law
 - ✓ Reorganizes and updates sections from several chapters of existing Code into one Part
 - ✓ Modifies, clarifies, updates; removes outdated references to LA County Code
 - ✓ Moves definitions into Part 8



Part 11.2

PART 11.2: ADMINISTRATION

- Chapter 11.2.01: Administrative Authority and Responsibility
- Chapter 11.2.02: Public Notice and Meeting/Hearing Requirements
- Chapter 11.2.03: Call-Up and Appeals
- Chapter 11.2.04: Enforcement



Part 11.2

PART 11.2: ADMINISTRATION

- Key changes to decision-making authorities:
 - ✓ Duties and functions of decision-making authorities of City's planning agency have been clarified and consolidated in a new chapter (Chapter 11.2.01)
 - ✓ Zoning Hearing Officer (ZHO) has been added:
 - A new decision-making level of authority between the Director and the Planning Commission
 - ZHO replaces "administrative review" in the existing Zoning Code



Part 11.2

PART 11.2: ADMINISTRATION

- Key changes to administrative procedures:
 - ✓ Procedures for public meetings and hearings have been consolidated and standardized
 - ✓ Procedures for call-ups and appeals have been consolidated, clarified, revised, and standardized as appropriate
 - ✓ Authority and process for enforcing requirements of the Zoning Code and any violation of conditions of approval have been consolidated into one chapter and standardized as appropriate
 - ✓ A new "Stop Work Order" action has been added
 - ✓ Procedures for permit revocation or modification have been clarified



Part 11.6

PART 11.6 : LAND USE & DEVELOPMENT PERMITS AND PROCEDURES

➤ Overview of issues:

- Existing Code has a multitude of individual permits for special situations, often each with its own time frames, notification processes, appeal provisions, and other procedures, even though they are similar in nature
- “Use” permits are being used for review of development projects
- Findings needed to be revamped
- Planning Commission and Staff have indicated it would be beneficial to have a level of review between Director and Planning Commission



Part 11.6

PART 11.6 : LAND USE & DEVELOPMENT PERMITS AND PROCEDURES

- Overview of key changes to permits:
 - General permits are now located in Part 11.6
 - New chapter provides general processes and procedures that apply to most permits unless otherwise specified
 - Existing review processes have been updated, clarified, streamlined, consolidated where appropriate, and standardized to the extent practical
 - New permits have been added to address certain issues



Summary of Significant Changes

PART 11.6 : LAND USE & DEVELOPMENT PERMITS AND PROCEDURES

- Overview of key changes to permits:
 - Five general types of permitted processes have been created to provide consistency: Processes A, B, C, D, and E
 - Each process indicates:
 - Decision-making authority responsible for the action
 - Type of action (ministerial or discretionary)
 - Whether notification is required
 - Whether a public hearing is required; and
 - The appeal process, if applicable



Summary of Significant Changes

PART 11.6 : LAND USE & DEVELOPMENT PERMITS AND PROCEDURES

➤ Summary of Processes:

- **Process A:** Ministerial decisions made by the Director
- **Process B:** Discretionary decisions made by the Director
- **Process C:** Discretionary decisions made by the Zoning Hearing Officer
- **Process D:** Discretionary decisions made by the Planning and Design Commissions
- **Process E:** Legislative decisions made by the City Council (recommendation by the Planning Commission and others as applicable)

Review Process for Decisions Regarding Land Use and Development Permits

Permit Process	Decision-Making Authority	Action	Public Notice Required	Public Meeting or Public Hearing	Call-Up/Appeal
Process A	Director	Ministerial	No	No	No
Process B	Director	Discretionary	Yes §11.2.02.003(A)(1)	No	Yes Chapter 11.2.03
Process C	Zoning Hearing Officer	Discretionary	Yes §11.2.02.003(A)(3)	Yes §11.2.02.004	Yes Chapter 11.2.03
Process D					
• Process D-1	Planning Commission	Discretionary	Yes §11.2.02.003(A)(2)	Yes §11.2.02.004	Yes Chapter 11.2.03
• Process D-2	Design Commission Planning Commission	Discretionary	Yes §11.2.02.003(A)(3)	Yes §11.2.02.004	Yes Chapter 11.2.03
Process E	Recommendation: Planning Commission Approval: City Council	Discretionary or Legislative	Yes §11.2.02.003(A)(3)	Yes §11.2.02.004	Yes Chapter 11.2.03



Zoning Clearance

ZONING CLEARANCE (ZC)

- **New permit**
- **Purpose:** Administrative process to ensure new/modified uses, structures, & certain development of land comply with the Zoning Code and terms/conditions of previously approved permit/variance
- **Process A** – Ministerial decisions made by the Director
- **Applies to:**
 - Any structure that requires a building permit
 - Prior to striping, restriping, or resurfacing of an existing/new parking facility
 - Prior to issuance of any business license, HOP, encroachment permit, grading & improvement plans, and/or other applicable City permit/license
 - As requested by an interested party



Zoning Exception

ZONING EXCEPTION (ZE)

- **New category of permit for existing types of permits**
- **Purpose:** Allows certain specific minor modifications of standards and regulations
- **Process B** – Discretionary decision made by the Director
- **Applies to:**
 - Mechanical equipment encroachment
 - Dormer encroachment
 - Yard equipment encroachment
 - Fence, solid wall, & gate encroachment
 - Design & materials of fences & walls
 - Replacement of legal nonconforming fences & walls
 - Chicken coop waiver
 - Batting cage encroachment



Variance

VARIANCE (V)

- **Existing permit, modified**
- **Purpose:** Allows modification of development standards only when, because of special circumstances applicable to the property—including size, shape, topography, location, or surroundings—the strict application of the Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zones
- **Applies to:**
 - Dimensional standards
 - Number & dimensions of parking spaces, drive aisles, loading spaces, landscaping, or lighting requirements
- **Process D-2** – Discretionary decision made by the Planning Commission



Use Permits

USE PERMITS

- **Purpose:** For review, evaluation, & determination of requests for uses with features/operating characteristics that require special consideration to ensure compatibility
- **Types of Use Permits:**
 - Director's Use Permit (DUP)
 - Conditional Use Permit—Minor (MUP)
 - Conditional Use Permit (CUP)
 - Conditional Use permit—Master (CUP-MAS)
- **Process:** Varies



Director's Use Permit

DIRECTOR'S USE PERMIT (DUP)

- **New permit**
- **Purpose:** Allows Director-level review of certain uses
- **Applies to:**
 - Uses on Land Use Table designated DUP
- **Process B:**
 - Discretionary decision made by the Director
 - Public hearing not required



Conditional Use Permit— Minor

CONDITIONAL USE PERMIT—MINOR (MUP)

- **New permit; also codifies existing practice**
- **Purpose:** Allows Planning Commission review of certain uses without requiring a public hearing
- **Process D-1:**
 - Discretionary decision made by the Planning Commission
 - On consent calendar (no public hearing)
- **Applies to:**
 - Uses on Land Use Table designated MUP
 - Uses on Land Use Table & in DVSP designated CUP, but where only the use is changing, and no construction is required or will occur and is not otherwise subject to Process D-2



Conditional Use Permit

CONDITIONAL USE PERMIT (CUP)

- **Existing permit; findings updated**
- **Purpose:** Allows Planning Commission review of certain uses
- **Process D-2:**
 - Discretionary decision made by the Planning Commission
 - Public hearing
- **Applies to:**
 - Uses on Land Use Table designated CUP



Conditional Use Permit— Master

CONDITIONAL USE PERMIT—MASTER (CUP-MAS)

- **New Permit (voluntary)**
- **Purpose:** Allows Planning Commission review of uses with special circumstances
- **Applies to:**
 - Master-planned, campus-style, and/or phased projects
 - Projects that propose multiple uses that otherwise would require approval of individual use permits, such as shopping centers
- **Process D-2:**
 - Discretionary decision made by the Planning Commission
 - Requires 5-year review



Development Review Permits

DEVELOPMENT REVIEW PERMITS

- **New permit category**
- **Purpose:** For review, evaluation, & determination of certain types of development projects and site plan review (*for development, not uses*)
- **3 Types of Development Review Permits:**
 - Director's Development Review Permit (DDRP)
 - Development Review Permit—Minor (DRP-MIN)
 - Development Review Permit (DRP)
- **Process:** Varies



Director's Development Review Permit

DIRECTOR'S DEVELOPMENT REVIEW PERMIT (DDRP)

- **New type of permit; consolidates many existing individual permits under one type of permit**
- **Purpose:** Allows Director-level review of certain types of development
- **Process B:**
 - Discretionary decision made by the Director
- **Applies to:**
 - Height modification
 - Single-story review
 - Second-story review
 - Conversion of attic space to floor area



Director's Development Review Permit

DIRECTOR'S DEVELOPMENT REVIEW PERMIT (DDRP), CONTINUED

■ **Applies to:**

- Flat roof modification
- Roof equipment review
- Setback modification
- Relocation of pool/spa equipment previously approved with a DRP (or equivalent permit)
- Light wells in front & exterior side yards
- Street-facing fences & walls
- Pedestrian entries
- Terracing
- Minimum front yard landscaping
- Grading



Director's Development Review Permit

DIRECTOR'S DEVELOPMENT REVIEW PERMIT (DDRP), CONTINUED

■ **Applies to:**

- Reduction of off-street parking meeting certain thresholds
- Garage modification
- Semi-circular driveways
- Vehicle parking facilities in MFR, MU, & non-residential zones
- Recreational vehicle parking or storage review
- New non-residential accessory structure
- Changes required to implement ADA that conflict with the Zoning Code
- Addition to a non-residential structure less than 25% of existing floor area or 1,000 sq. ft., whichever is less



Development Review Permit— Minor

DEVELOPMENT REVIEW PERMIT—MINOR (DRP-MIN)

- **New permit**
- **Purpose:** Allows Zoning Hearing Officer review, evaluation, & determination of certain types of development projects and site plan review
- **Process C:**
 - Discretionary decision made by the Zoning Hearing Officer
- **Applies to:**
 - Garage elevation review
 - Large garage review



Development Review Permit

DEVELOPMENT REVIEW PERMIT (DRP)

- **New permit**
- **Purpose:** Allows Planning Commission review, evaluation, & determination of certain types of development projects and site plan review
- **Process D-2:**
 - Discretionary decision made by the Planning Commission
- **Applies to:**
 - Second story review
 - Conversion of attic space
 - Floor/solid roofed area review for narrow lots
 - Allowable total floor/roofed area of accessory structures
 - Grading



Development Review Permit

DEVELOPMENT REVIEW PERMIT (DRP), CONTINUED

- **Applies to:**
 - Reduction of required off-street parking meeting certain thresholds
 - Off-street shared parking
 - Valet parking
 - Any new non-residential primary structure
 - Any addition to an existing non-residential primary structure exceeding 25% of existing floor area or 1,000 sq. ft., whichever is less
 - Any development for which a DRP is required



Questions, Comments, and Discussion