

DRAFT

Chapter Six: Land Use

LA CAÑADA FLINTRIDGE

Draft Revisions to Downtown Village Specific Plan to Implement Rezonings in Accordance with Adopted 6th Cycle Housing Element

July 13, 2023

(Note: Text that is underlined is proposed new text; text shown in ~~strike-through~~ is proposed to be deleted)

This chapter establishes the land use districts for the Downtown Village Specific Plan. This chapter is organized as follows:

- 6.1 Downtown Village Specific Plan Land Use Districts
- 6.2 Permitted Uses in the Downtown Village Specific Plan
- 6.3 Existing Single-Family Use Exemption
- 6.4 Existing Use Exemption in the Park District
- 6.5 Nonconforming Uses - Conditional Use Permits
- 6.6 Development on Lots Divided by District Boundaries
- 6.7 Criteria for Senior Citizen Multiple-family Dwellings
- 6.8 Flexible Park District Boundary

6.1 Downtown Village Specific Plan Land Use Districts

A City goal is to strengthen the Downtown Village Specific Plan area as the “heart” of the community and as the logical place for people to live, gather, shop and do business. The land use districts in the Downtown Village Specific Plan are intended to support this goal through elements of design and appropriate mixed use development. These land use districts, combined with the development standards and design guidelines in Chapter 7, provide for the orderly improvement of the Downtown Village Specific Plan area based on the following features:

- A mixture of land uses to encourage walking as an alternative to driving, and to provide more retail and housing options.
- Provision of both formal and informal community gathering places through the use of parks, plazas, walkways and a village square.
- Distinct storefront character, which identifies La Cañada Flintridge’s Downtown.
- Design standards and guidelines to maintain and enhance the city’s low-density, residential character.
- A range of housing types, including single-family, multiple-family and senior housing.
- By-right approval for multi-family projects with 20% affordable units.

Figure 6.1 is the zoning map for the Downtown Village Specific Plan. The land use districts identified in Figure 6.1 are described below. **(NOTE – Existing DVSP Figure 6.1 will be replaced. The proposed draft DVSP Figure 6.1 can be viewed by selecting the link on the City’s Housing Element website.)**

6.1.1 Mixed Use 1

The Mixed Use 1 district is established to provide opportunities for mixtures of retail, office, and residential uses in the same building. Mixed Use 1 is designed primarily to create and enhance retail, residential, and

pedestrian-focused environments, such as the Village Center. Therefore, this zone requires retail and other appropriate commercial uses, as permitted in Table 6.1, at the ground-floor level to maintain and encourage activity in the Village Center.

Office or residential development is allowed on the second level with retail development on the ground floor. Retail development is also allowed on both levels without a requirement for accompanying residential or office uses.

6.1.2 Mixed Use 2

The Mixed Use 2 district is established to provide opportunities for mixtures of retail, office and residential uses in the same building, on the same parcel of land, or side by side within the same area. Multi-family residential development is allowed at densities up to 15 unit per acre without a requirement for retail or other commercial uses. Retail or other commercial development is allowed pursuant to the development standards and design guidelines in Chapter 7 of this Specific Plan without a requirement for accompanying residential uses.

6.1.3 Mixed Use 12

The Mixed Use 12 district is established for sites on the Sites Inventory for the 6th Cycle Housing Element. The Mixed Use 12 district is established to provide opportunities for mixtures of retail, office, and residential uses in the same building, as well as stand-alone multi-family residential development. Mixed

Use 12 is designed primarily to create and enhance retail, residential, and pedestrian-focused environments, such as the Village Center. Office uses are only allowed on the second level and not on the ground floor. Retail and/or residential development is allowed on both levels. Density allowed for residential development is 12 – 15 dwelling units per acre. FAR of 0.5 is established for 100% commercial projects, and FAR of 1.5 is established for mixed use projects. The MU 12 designation is applied in areas where a transition in density along Foothill Boulevard is desired.

6.1.4 Mixed Use 25

The Mixed Use 25 district is established for sites on the Sites Inventory for the 6th Cycle Housing Element. The Mixed Use 25 district is established to provide opportunities for mixtures of retail, office and residential uses in the same building, on the same parcel of land, side by side within the same area, or stand-alone multi-family residential. Multi-family residential development is allowed at densities of 25-30 units per acre without a requirement for retail or other commercial uses. FAR of 0.5 is established for 100% commercial projects, and FAR of 1.5 is established for mixed use projects. Retail or other commercial development is allowed

pursuant to the development standards and design guidelines in Chapter 7 of this Specific Plan without a requirement for accompanying residential uses.

6.1.35 Institutional

The Institutional district is established to provide areas in the Downtown Village Specific Plan for a variety of public, quasi- public and institutional facilities. The existing public and quasi- public uses in the Specific Plan area, including schools, churches, the community center, library, post office, and water district are designated Institutional. Multifamily residential development is permitted on sites with the Institutional land use designation only on properties owned and operated by religious institutions that also have the DVSP-HEIOZ, and must include at least 50% of the units for very low, low, and/or moderate income households. Development standards for housing on religious institution sites are set out in Chapter 7 of this Specific Plan.

6.1.46 Residential

The Residential district is established to provide an area in the Downtown Village Specific Plan for condominiums, apartments or townhouses that are located in the heart of downtown and are located within walking distance of the City's main retail, restaurant and civic area. Multi-family residential development is allowed at densities up to 15 units per acre. This district also allows single family residential development with a minimum lot size of 5,000 square feet.



NOTE: Existing DVSP Figure 6.1 will be replaced with a new figure that also shows the new MU 12 and MU 25 districts and the new DVSP-HEIOZ. It also has been revised to be consistent with the configuration of Town Center as it has been developed. The draft figure, as proposed, can be viewed by selecting the link on the City's Housing Element website.

Institutional

Park

Residential

- Single Family
- Multi-Family - Up to 15 units/acre

Mixed Use 1

- Retail
- Office - Upper Level Only - with CUP
- Residential - Upper Level Only - with CUP

Mixed Use 2

- Retail
- Office - Ground or Upper Level - with CUP
- Multi-Family Residential - Ground or Upper Level - with CUP

Existing Streets

New Streets

Village Center

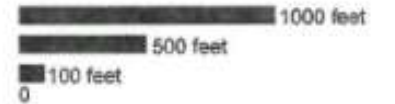


Figure 6.1: Land Use Districts



6.1.57 Parks

The Park district is established to provide areas for public parks and open spaces in the Downtown Village Specific Plan. The Park district also accommodates athletic fields where size permits, as well as outdoor amphitheaters and their associated structures and uses.

6.2 Permitted Uses in the Downtown Village Specific Plan

The following uses shall be permitted in the Downtown Village Specific Plan where the symbol “P” appears and shall be permitted subject to a Conditional Use Permit where the “CUP” symbol appears. Where the symbol “NP” appears, the uses are not permitted in that land use district. Uses subject to review and approval by the Director of Community Development are listed as “Director’s Review.” All other uses not specifically listed are prohibited, provided, however, that the Planning Commission may determine that any use not listed is comparable to a listed use and shall be treated in a similar manner. Such determination is appealable to the City Council. A list of all comparable use determinations shall be kept on file in the Planning Department.

Projects subject to Design Review prior to development or a change in use include:

- Non-residential projects requiring building permits for exterior work.
- Multiple-family residential projects requiring building permits for exterior work.
- Permanent signage and/or awnings.
- Landscaping in connection with a required design review.

~~All permitted uses in all land use districts with a gross floor area greater than 10,000 square feet require a Conditional Use Permit.~~

NOTE – DVSP Tables 6.1, 6.2, 6.3, and 6.4 will be removed from this document (shown below via strike-through). A new DRAFT DVSP Table 6.1, which combines Tables 6.1, 6.2, 6.3, and 6.4 and adds permitted uses for the proposed new MU 12 and MU 25 districts, can be viewed by selecting the link on the City’s Housing Element website.

**Table 6.1
Permitted Uses In the Mixed Use 1 and Mixed Use 2 Districts**

	MIXED-USE 1	MIXED-USE 2
Accessory uses and structures, incidental and subordinate to the principal use or structure on the same lot	Director’s-Review	Director’s-Review
Alcoholic beverage sales, whether consumption on or offsite and whether alone or in conjunction with other uses	CUP	CUP
Art galleries	P	P
Automobile sales, excluding outdoor sales lots	NP	NP
Automobile supply stores	NP	P
Automotive services – minor – Service or repair to motorized vehicles which do not affect the body or frame. Minor automotive services include: gasoline service stations; smog control certification; tire sales or installation; glass installation; radiator repair; detail shops; or other similar service or repair. All repair activities shall be conducted within an enclosed building	NP	CUP
Banks, savings and loans	P	P
Car Wash (enclosed and automated), as accessory use to gas station	NP	CUP
Commercial schools, including the arts, grooming, manual training, shop work, tutoring	CUP	CUP
Commercial uses located below residential uses (any commercial use with a residential use on the level above)	CUP	CUP
Day care centers for children	CUP	CUP
Dry cleaners	CUP	CUP
Food markets, including grocery stores, supermarkets and specialty food stores	P+	P+
Government and administrative offices and facilities	CUP	CUP
Health clubs, gymnasiums, aerobics studios	CUP	CUP
Home occupations, pursuant to the standards established in the Zoning Code	P—Upper level only	P
Hotels, motels, bed and breakfast inns	NP	CUP

	MIXED-USE 1	MIXED-USE 2
Service businesses, including but not limited to adjustment and collection agencies, advertising agency, business management services, credit agency, duplicating, addressing, blue printing, photocopying, mailing and stenographic services, employment agency, office equipment rental agency, repair shops, telephone answering service, and other business services such as bondsman, drafting, detective agency, notary public and like services	CUP - upper-level only	P
Schools through grade 12, accredited, including appurtenant facilities, which offer instruction required by the State Education Code	CUP	CUP

Telecommunications equipment and antennae, pursuant to the standards established in the Zoning Code	CUP	CUP
Temporary storage of materials and construction equipment used in construction or maintenance for a period not to exceed one year	CUP	CUP
Temporary uses and events	Director's Review	Director's Review
Theaters and other auditoriums	CUP	CUP
Travel agencies	CUP	CUP

¹~~Food markets greater than 12,500 square feet shall be prohibited in Subareas 1 and 2 of the Downtown Village Specific Plan. Subareas 1 and 2 are defined in Section 7.2.6.~~

²~~The top of any parking structure may be developed and used for recreational purposes with a Conditional Use Permit.~~

³~~Outdoor speakers require Planning Commission review.~~

**Table 6.2
Permitted Uses In the Institutional District**

	INSTITUTIONAL
Churches, temples, and other places used exclusively for religious worship, including customary incidental educational and social activities	CUP
Day care centers for children	CUP
Energy and communication control stations, general utility only	P
Fire stations	CUP
Gas metering & control (public utility)	P
Government and administrative offices and facilities	CUP
Hospitals	CUP
Libraries	P
Museums	P
Post Office	CUP
Other publicly owned uses	CUP
Lodge halls, clubhouses, meeting rooms	CUP
Residential care home and facilities	CUP
Schools through grade 12, accredited, including appurtenant facilities, which offer instruction required by the State Education Code	CUP
Telecommunications equipment and antennae, pursuant to the standards established in the Zoning Code	CUP

**Table 6.3
Permitted Uses in the Residential District**

	RESIDENTIAL
Home occupations, pursuant to the standards established in the Zoning Code	P
Residential: Single-family dwelling	P
Residential: Senior citizen multiple-family dwelling (maximum 15 units per acre) pursuant to the criteria established in Section 6.7 of this Plan	CUP

**Table 6.4
Permitted Uses in the Park District**

	PARK
Public parks and their accessory structures	P
Athletic fields, recreational uses and their accessory uses and structures	CUP
Amphitheaters and their accessory uses and structures	CUP

6.3 Existing Single-Family Use Exemption

Notwithstanding any provision of this Chapter to the contrary, any single-family residential building and/or residential accessory structure which is in existence under a valid building permit, or for which building permits have been issued as of the date of the adoption of this Ordinance, and which would otherwise be rendered nonconforming solely by reason of application of this Chapter, shall not be deemed to have acquired a nonconforming status as defined by the Zoning Code, but shall be deemed to be a legal use. As a legal use, additions, modifications, repairs to, or reconstruction of the single-family residential buildings or structures shall be permitted, including any such work necessary as a result of the single-family residential building and/or accessory structure being damaged or destroyed by any cause. All such additions, modifications, repairs or reconstruction shall comply with and be subject to all the regulations pertaining to single-family residential zones in the City.

6.4 Existing Use Exemption in the Park District

Notwithstanding any provision of this Chapter to the contrary, any commercial building and/or associated accessory structure located within the Park district, which is in existence under a valid building permit, or for which building permits have been issued as of the date of the adoption of this Ordinance, and which would otherwise be rendered nonconforming solely by reason of application of this Chapter, shall not be deemed to have acquired a nonconforming status as defined by the Zoning Code, but shall be deemed to be a legal use. As a legal use, repairs to, or reconstruction of the buildings or structures shall be permitted, including any such work necessary as a result of the building and/or accessory structure being damaged or destroyed by any cause. Additions and modifications to such commercial buildings and/or associated accessory structures shall be prohibited.

6.5 Nonconforming Uses - Conditional Use Permits

Any use which is nonconforming for failure to have a valid and approved conditional use permit shall be required to process and receive approval of a conditional use permit or terminate such use upon the occurrence of any one of the following:

- i. Destruction by natural disaster or accident (i.e., fire, earthquake) of fifty percent or more of a structure's square footage at the time of destruction;
- ii. Enlargement or expansion of use, structure or property or other improvements to the property, other than those mandated by federal, state or county agencies in compliance with regulatory provisions;
- iii. Change of tenant;
- iv. Change of use.

6.6 Development on Lots Divided by District Boundaries

Because the Specific Plan is a long term planning document intended to create a downtown environment, land use districts are applied to the Specific Plan area based on the desired design for the City's Downtown. Therefore, land use district designations do not always follow lot line boundaries. It is likely that implementation of the Specific Plan will necessitate future lot consolidation and/or reconfiguration of lot boundaries in certain areas.

On a lot that is divided by a land use district boundary, the owner shall apply to the entire lot the regulations of the district that exceeds fifty (50) percent of the lot area. If requested by the property owner, the Planning Director may make a finding that the land use district on the smaller portion of the lot shall apply to the entire lot if such zoning is more compatible with surrounding uses and supports the intent of the Specific Plan.

6.7 Criteria for Senior Citizen Multiple-family Dwellings

Senior citizen multiple-family dwellings are permitted as listed in Tables 6.1 through 6.4, provided that all of the following criteria are met:

6.7.1 The building(s) or structure(s) are designed specifically for housing for senior citizens.

6.7.2 The property owner has entered into a covenant, running with the land, requiring that the senior citizen housing development shall be maintained pursuant to the following conditions:

- i. That at least one person in residence in each dwelling unit be required to be a senior citizen and that each other resident in the same dwelling unit shall be a qualified permanent resident.
- ii. That a person hired for compensation to provide live-in, long-term or terminal *health* care to a senior citizen may occupy the dwelling unit for such period of time the person is providing the service.
- iii. That upon death, dissolution of marriage, or upon hospitalization or other prolonged absence of the senior citizen, any qualified permanent resident shall be entitled to continue occupancy of the dwelling unit with the full rights of the senior citizen.
- iv. That temporary residency shall be permitted by a person of less than 45 years of age for periods of time, not less than 60 days in any year, as specified in the covenant.
- v. That for purposes of this Chapter and the covenant, "senior citizen" shall mean a person 62 years of age or older; and "qualified permanent resident" shall mean a person who is both residing with the senior citizen prior to death, hospitalization or other prolonged absence of, or dissolution of marriage with

the senior citizen, and is 45 years of age or older, or was a spouse, cohabitant or person providing primary physical or *economic* support to the senior citizen.

6.7.3. The covenant has been submitted to the City for review and approval by the City Attorney and recorded in the Office of the County Recorder prior to issuance of building permits for the senior citizen housing development.

6.8 Flexible Park District Boundary

The final boundary of Park district designation as set forth in Figure 6.1 may be modified as to exact location and size as approved by the Planning Commission without the requirement to amend this Specific Plan.

The final location and size of the Village Square Park shall be a minimum of 0.75 acres, be generally rectangular in form, with a minimum length and width of 130 feet and shall front on the north side of Foothill Boulevard. The final location and size of Oak Park shall be a minimum of one acre, adjacent to the City library with a corridor finger minimum width of 30 feet to Commonwealth Avenue, a corridor finger minimum width of 50 feet to Foothill Boulevard, and a pedestrian connection to the North Road.