

LA CAÑADA FLINTRIDGE

Draft Revisions to Zoning Code to Implement Rezoning in Accordance with Adopted 6th Cycle Housing Element

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

Chapter 11.02 BASIC PROVISIONS

11.01.030 Definitions.

“Multifamily Residential” means two (2) or more dwelling units sharing one parcel, not including a single-family lot with a primary dwelling unit and an accessory dwelling unit or an SB-9 urban dwelling unit. Also includes factory-built housing units, constructed in compliance with the Uniform Building Code (UBC), and manufactured housing on permanent foundations.

“Religious Facility” means a facility operated or used by a religious organization for worship, or the promotion of religious activities, including churches, mosques, synagogues, temples, etc.; and accessory uses on the same site, including living quarters for ministers and staff, child day care facilities, and religious schools where authorized by the same type of land use permit required for the religious facility itself. Other establishments maintained by religious organizations, including full-time educational institutions, hospitals, and other potentially related operations (for example, a recreational camp), are classified according to their respective activities.

Chapter 11.12 RPD RESIDENTIAL PLANNED DEVELOPMENT ZONE

11.12.030 Conditional uses.

The following are permitted uses in the RPD zone if authorized by a conditional use permit.

- A. Social day care facilities for seniors and the developmentally disabled, serving seven or more persons;
- B. Parks;
- C. Religious facilities ~~Churches, temples or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith;~~

D. Publicly owned uses necessary to maintenance of the public health, convenience or general welfare;

E. Lighted tennis courts, subject to development standards contained in Chapter [11.34](#);

F. Schools, through grade 12, including appurtenant facilities.

Any conditionally permitted uses are subject to the findings required by the La Cañada Flintridge zoning ordinance, pertaining to conditional use permits. Such uses also requiring construction are subject to approval of a planned development permit prior to any construction, in accordance with this chapter.

Chapter 11.02 CPD COMMUNITY PLANNED DEVELOPMENT ZONE

11.14.020 Uses permitted, conditionally permitted and prohibited.

The following uses shall be permitted in the CPD zone where the symbol “P” appears, and shall be permitted subject to a conditional use permit where the “CUP” symbol appears. All other uses are prohibited; provided, however, that the director of community development may determine that any use not listed is comparable to a listed use and to be treated in a similar manner. Such determination shall be final and conclusive. A list of all comparable use determinations shall be kept on file in the planning department.

Table 1. Permitted Uses

Use	Permit Required
A. Retail Sales	
1. Alcoholic beverage sales, whether for consumption on- or off-site and whether alone or in conjunction with other uses	CUP
2. Antique shops (genuine antiques only)	P
3. Appliance store, household	P
4. Art galleries	P
5. Art supply stores	P
6. Automobile sales, new vehicles only, including incidental repair/washing	CUP
7. Automobile supply stores	P
8. Bakery shops, including baking only when incidental to retail sales from premises	P
9. Bicycle shops, including rental	P
10. Book stores	P
11. Ceramic shops; manufacturing incidental to retail sales from premises, up to 8 cubic feet kiln volume	P

Use	Permit Required
12. Clothing stores	P
13. Confectionery or candy stores; candy making only when incidental to retail sales from premises	P
14. Delicatessens	P
15. Department stores	P
16. Dress shops	P
17. Drug stores	P
18. Florist shops	P
19. Furniture stores	P
20. Furrier shops	P
21. Gift shops	P
22. Glass/mirror sales, including automobile glass installation only when conducted within an enclosed building	P
23. Grocery stores	P
24. Hardware stores	P
25. Health food stores	P
26. Hobby supply stores	P
27. Ice cream shops	P
28. Jewelry stores	P
29. Leather goods stores	P
30. Liquor stores	CUP
31. Meat markets, excluding slaughtering	P
32. Millinery shops	P
33. Music stores	P
34. Notions or novelty stores	P
35. Nurseries, including growing of plant stock	P
36. Office machines and equipment sales	P
37. Paint and wallpaper stores	P
38. Pet supply stores, excluding sale of pets other than tropical fish or goldfish	P
39. Pet sales, other	CUP
40. Photographic equipment and supply stores	P
41. Radio and television stores	P
42. Shoe stores	P
43. Shopping centers consisting of a minimum of 10,000 square feet of gross leasable floor area for 2 or more occupants	CUP
44. Silver shops	P
45. Sporting goods stores	P
46. Stationery stores	P

Use	Permit Required
47. Tobacco shops	P
48. Toy stores	P
49. Yarn and yardage stores	P
B. Services	
1. Automobile service	CUP:
a. Repair activities shall be within enclosed building only, and shall not include body work, paint or upholstery	
b. Smog control certification; service stations	
2. Bakery goods distributors	P
3. Banks, savings and loans, credit unions, and finance companies	P
4. Barber shops	P
5. Bars and cocktail lounges	CUP
6. Beauty shops	P
7. Blueprint shops	P
8. Book binderies	P
9. Religious Facilities-Churches, temples, and other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith	CUP
10. Communications equipment buildings and antennas	CUP
11. Community centers	CUP
12. Day care for children (special home or day nursery)	CUP
13. Dental clinics, including laboratories in conjunction therewith	P
14. Dry cleaners	CUP
15. Electrical shops	P
16. Film laboratories	P
17. Fortunetelling, psychic readings, palmistry, astrology, numerology, tarot card reading and similar uses	CUP
18. Frozen food lockers	P
19. Health clubs or centers, gymnasiums, aerobics studios	CUP
20. Hospital equipment and supply rentals	P
21. Hotel, motel	CUP
22. Interior decorating studios	P
23. Laboratories, research and testing	P
24. Locksmith shops	P
25. Lodge halls	CUP
26. Massage establishments ²	CUP
27. Medical clinics, including laboratories in conjunction therewith	P
28. Mortuaries (excluding crematoriums)	CUP

Use	Permit Required
29. Offices, business or professional	CUP
30. Parking lots and parking structures	CUP
31. Pet grooming, excluding boarding	CUP
32. Photocopying/duplicating services	P
33. Photoengravers and lithographers	P
34. Photography studios	P
35. Plumbing shops	P
36. Pool service and supply	P
37. Printers or publishers	P
38. Public utility service centers	P
39. Recreational vehicle repairs	CUP
40. Rental business (e.g., party equipment, costumes), excluding tool or vehicle rental	P
41. Rental of tools, including power equipment but excluding heavy machinery or trucks exceeding 2 tons capacity, within enclosed structure	CUP
42. Repair shops for household goods	P
43. Restaurants and other eating establishments, including food take-out, but excluding sale of alcoholic beverages	P
44. Restaurants with outside eating facilities	CUP
45. Reupholsterers, furniture	P
46. Schools through grade 12, accredited, including appurtenant facilities, which offer instruction required by the State Education Code	CUP
47. Schools, business/professional, including the arts, grooming, manual training, shop work	CUP
48. Shoe repair shops	P
49. Tailor shops	P
50. Veterinary clinics, small animal including incidental boarding	CUP
51. Watch repair shops	P
C. Recreation and Amusement	
1. Parks and playgrounds with all appurtenant facilities customarily found in conjunction therewith	P
2. Recreation clubs, including tennis, polo, swimming and similar recreational activities, together with appurtenant clubhouse	CUP
3. Swimming pools	CUP
4. Tennis, volleyball, badminton, lawn bowling and similar courts	CUP
5. Theaters and other auditoriums	CUP
D. Accessory Uses	
1. Accessory buildings and structures	P

Use	Permit Required
2. Storage, temporary of materials and construction equipment used in construction or maintenance for a period not to exceed one year	CUP
E. Residential Uses	
1. Rooming and boarding houses	CUP
2. Single room occupancy facilities as defined in Section 11.18.050	CUP
F. Public/Semi-Public Uses	
1. Air pollution sampling stations	P
2. Electric transmission substations and generating plants, including microwave facilities used in conjunction therewith	CUP
3. Emergency shelters necessary to meet the needs of the city's homeless population, as required by state law	P ¹
4. Additional emergency shelters beyond those necessary to meet the needs of the city's homeless population, as required by state law	CUP
5. Fire stations	CUP
6. Gas metering and control (public utility)	CUP
7. Hospitals	CUP
8. Institutions for aged persons, private	CUP
9. Institutions for children, private	CUP
10. Library	CUP
11. Microwave station	CUP
12. Post office	CUP
13. Publicly owned uses necessary to the maintenance of the general public health, convenience, or general welfare	CUP

¹ Emergency shelters are subject to Chapters [11.18](#) and [11.20](#).

² Massage establishments and massage as an accessory use are subject to LCFMC Chapter [6.40](#).

Chapter 11.17 MIXED USE ZONE

11.17.020 Allowed uses and permit requirements.

The following uses shall be permitted in the mixed use (MU) zone where the symbol “P” appears, and shall be permitted subject to a conditional use permit where the “CUP” symbol appears. The director of community development may determine that any use not listed is comparable to a listed use and is to be treated in a similar manner:

Table 1. Permitted Uses

Use	Permit Required
Retail	
Alcoholic beverage sales, whether for consumption on- or off-site and whether alone or in conjunction with other uses	CUP
Antique shops	P
Appliance store, household	P
Art galleries	P
Art supply stores	P
Automobile supply stores	P
Bakery shops, including baking only when incidental to retail sales from premises	P
Bicycle shops, including rental	P
Book stores	P
Ceramic shops; manufacturing incidental to retail sales from premises, up to 8 cubic feet kiln volume	P
Clothing stores	P
Confectionery or candy stores; candy making only when incidental to retail sales from premises	P
Delicatessens	P
Department stores	P
Drug stores	P
Electronics stores	P
Florist shops	P
Furniture stores	P
Furrier shops	P
Gift shops	P
Glass/mirror sales	P
Grocery stores	P
Hardware stores	P
Health food stores	P
Hobby supply stores	P
Ice cream shops	P
Jewelry stores	P
Leather goods stores	P
Liquor stores	CUP
Meat markets, excluding slaughtering	P
Millinery shops	P
Music stores	P
Notions or novelty stores	P
Nurseries, including growing of plant stock	P

Use	Permit Required
Office machines and equipment sales	P
Paint and wallpaper stores	P
Pet supply stores, excluding sale of pets other than fish	P
Pet sales, other	CUP
Photographic equipment and supply stores	P
Shoe stores	P
Silver shops	P
Sporting goods stores	P
Stationery stores	P
Tobacco shops	P
Toy stores	P
Yarn and yardage stores	P
Services	
Bakery goods distributors	P
Banks, savings and loans, credit unions, and finance companies	P
Barber shops	P
Bars and cocktail lounges	CUP
Beauty shops	P
Blueprint shops	P
Book binderies	P
Religious facilities-Churches, temples, and other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith	CUP
Communications equipment buildings and antennas	CUP
Community centers	CUP
Day care for children (special home or day nursery)	CUP
Dental clinics, including laboratories in conjunction therewith	P
Dry cleaners	CUP
Electrical shops	P
Film laboratories	P
Frozen food lockers	P
Health clubs or centers, gymnasiums, aerobics studios	CUP
Hospital equipment and supply rentals	P
Hotel, motel	CUP
Interior decorating studios	P
Laboratories, research and testing	P
Locksmith shops	P
Lodge halls	CUP
Medical clinics, including laboratories in conjunction therewith	P

Use	Permit Required
Mortuaries (excluding crematoriums)	CUP
Offices, business, professional, or government	CUP
Pet grooming, excluding boarding	CUP
Photocopying/duplicating services	P
Photoengravers and lithographers	P
Photography studios	P
Plumbing shops	P
Pool service and supply	P
Printers or publishers	P
Public utility service centers	P
Rental business (e.g., party equipment, costumes), excluding tool or vehicle rental	P
Rental of tools, including power equipment but excluding heavy machinery or trucks exceeding 2 tons capacity, within enclosed structure	CUP
Repair shops for household goods	P
Restaurants and other eating establishments, including food take-out, but excluding sale of alcoholic beverages	P
Schools through grade 12, accredited, including appurtenant facilities, which offer instruction required by the State Education Code	CUP
Schools, business/professional, including the arts, grooming, manual training, shop work	CUP
Shoe repair shops	P
Tailor shops	P
Upholsterers, furniture	P
Veterinary clinics, small animal including incidental boarding	CUP
Watch repair shops	P
Recreation	
Parks and playgrounds with all appurtenant facilities customarily found in conjunction therewith	P
Recreation clubs, including tennis, polo, swimming and similar recreational activities, together with appurtenant clubhouse	CUP
Swimming pools	CUP
Tennis, volleyball, badminton, lawn bowling and similar courts	CUP
Theaters and other auditoriums	CUP
Accessory Uses	
Accessory buildings and structures	P
Storage, temporary of materials and construction equipment used in construction or maintenance for a period not to exceed one year	CUP
Residential Uses	
Apartments and condominiums (20—30 dwelling units/acre)	CUP
Rooming and boarding houses	CUP
Public/Semi-Public Uses	

Use	Permit Required
Air pollution sampling stations	P
Fire or police stations	CUP
Gas metering and control (public utility)	CUP
Institutions for aged persons, private	CUP
Institutions for children, private	CUP
Library	CUP
Museums	CUP
Post office	CUP
Publicly owned uses necessary to the maintenance of the general public health, convenience, or general welfare	CUP

Chapter 11.21 Housing Element Implementation Overlay Zone

11.21.010 Purpose

The purpose of the Housing Element Implementation Overlay Zone (HEIOZ) is to achieve the following:

- A. To facilitate housing production on certain sites that the City identified for housing pursuant to the Sites Inventory (Appendix C) in the 2021-2029 Housing Element, as may be amended from time to time.
- B. To provide regulations for development of housing on sites within the HEIOZ as specified in this chapter.
- C. To provide a process whereby projects in the HEIOZ that contribute toward meeting the City's needs for lower income housing as specified in this chapter receive ministerial review.

11.21.020 Applicability

The HEIOZ shall apply to certain properties as specified on the City's Zoning Map in accordance with Section 11.21.010, which the City identified for housing pursuant to the Sites Inventory (Appendix C) in the 2021-2029 Housing Element (as may be amended from time to time). These include:

- A. R-3 Multifamily Zone (R-3)
- B. Mixed Use Zone (MU)
- C. Public/Semi-Public Zone (P/SP)
- D. See the Downtown Village Specific Plan regarding sites identified in Appendix C that are within the Downtown Village Specific Plan.

E. Any development not meeting the purpose and standards set forth in this chapter shall be subject to the requirements otherwise applicable in the underlying zone.

11.21.030 Definitions

The following definitions shall apply to this chapter only:

“A ministerial action” is an action in which the following apply:

A. The City shall not require a Conditional Use Permit, Planned Unit Development permit, or other discretionary permit of any kind. The project will not require a discretionary permit and thus will not be subject to review under the California Environmental Quality Act.

B. The City shall not exercise any subjective judgment in deciding whether and how to carry out or approve the project. The decision-making authority shall apply property development standards and objective design review standards applicable to this HEIOZ and all other applicable non-discretionary standards and regulations, which shall be identified along with the decision letter issued for the project.

C. The project shall not be subject to a public hearing and the City shall not impose any notice requirements on the project. There shall be no right of appeal.

“Senior Citizen” shall mean a person sixty-two (62) years of age or older, or fifty-five (55) years of age or older residing in a senior citizen housing development as defined in California Civil Code Section 51.3.

“Senior Citizen Multifamily Residential” shall mean an age-restricted multifamily residential development, or the residential portion of a mixed-use development, which is developed, designed, or substantially rehabilitated or renovated for and intended to be principally occupied by senior citizens (i.e., a person sixty-two (62) years of age or older, or fifty-five (55) years of age or older living independently in a senior citizen housing development), where care is not provided, and each dwelling unit has individual living, sleeping, bathing, and kitchen facilities. The development may include common facilities (for example, recreation areas) and a congregate meals program in a common dining area. The age restriction shall be by covenant, deed restriction, or similar instrument.

“Sites Inventory” shall mean Appendix C, Table C-1: 2021-2029 Sites Inventory, in the 2021-2029 Housing Element. If the 2021-2029 Sites Inventory is amended from time to time, this chapter shall apply to the amended Sites Inventory as applicable.

11.21.040 Permitted Uses

The following uses are permitted on sites in the HEIOZ:

A. In the R-3 (Multifamily) zone:

1. All uses as provided for in the underlying zone, except that new single-family residences shall be prohibited; and

2. Multifamily development in accordance with this chapter is permitted.

B. In the MU (Mixed Use) zone:

1. All uses as provided for in the underlying zone;
3. Stand-alone multifamily development in accordance with this chapter.

C. In the P/SP (Public/Semi-Public) zone:

1. All uses as provided for in the underlying zone; and
4. Multifamily residential development on religious facility sites, provided that:
 - a. At least fifty (50) percent of units are affordable to extremely low (0-30 percent of Area Median Income), lower (below 80 percent of Area Median Income) and/or moderate income (81-120 percent of Area Median Income) households;
 - b. The underlying property must be owned and operated by the religious facility; and
 - c. A minimum of ten (10) percent of the area of the site must be operated by the religious facility.

11.21.050 HEIOZ Development Standards

The following standards in Table 11.21.1 shall apply to all lots within the city that are identified with the HEIOZ. Primary and accessory structures shall meet the same development standards unless otherwise specified by this Zoning Code, except as provided herein.

Table 11.21.1 HEIOZ Development Standards By Zone

<u>Development Feature</u>	<u>R-3</u>	<u>MU</u>	<u>P/SP</u>
<u>Density (Minimum to Maximum)¹</u>	<u>25-30</u>	<u>25-30</u>	<u>25-30²</u>
<u>Maximum Height^{3,4} – Main Structure(s)</u>	<u>3 stories and 35' maximum roof height</u>		
<u>Maximum Height – Accessory Structure(s)</u>	<u>15'</u>	<u>15'</u>	<u>15'</u>
<u>Minimum Setbacks^{5,6}</u>			
<u>• Front:</u>			
<u>o West Gateway, The Link, & Michigan Hill Districts:</u>	<u>5' minimum with a 15' average from a primary, major, special major, or collector, or residential collector street; 20' from a local street</u>	<u>5' minimum with a 15' foot average from a primary, major, special major, or collector, or residential collector street; 20' from a local street</u>	<u>5' minimum with a 15' foot average from a primary, major, special major, or collector, or residential collector street; 20' from a local street</u>
<u>o Old Town District: No minimum required</u>	<u>No minimum required</u>	<u>No minimum required</u>	<u>No minimum required</u>
<u>• Rear^{7,8}</u>			
<u>o West Gateway, The Link, & Michigan Hill Districts:</u>	<u>5', or 15' when adjoining a single</u>	<u>5', or 15' when adjoining a single</u>	<u>5', or 15' when adjoining a single</u>

	<u>family residential zone</u>	<u>family residential zone</u>	<u>family residential zone</u>
○ <u>Old Town District:</u>	<u>No minimum required, or 15' when adjoining a single family residential zone</u>	<u>No minimum required, or 15' when adjoining a single family residential zone</u>	<u>No minimum required, or 15' when adjoining a single family residential zone</u>
● <u>Interior Side:</u>			
○ <u>West Gateway, The Link, and Michigan Hill Districts:</u>	<u>10' minimum; if adjoining a single-family residential zone, then 20' minimum for the second and third floors⁹</u>	<u>10' minimum; if adjoining a single-family residential zone, then 20' minimum for the second and third floors⁹</u>	<u>10' minimum; if adjoining a single-family residential zone, then 20' minimum for the second and third floors⁹</u>
○ <u>Old Town District:</u>	<u>No minimum required</u>	<u>No minimum required; if adjacent to single-family residence, then 20' minimum for the second and third floors⁹</u>	<u>No minimum required; if adjacent to single-family residence, then 20' minimum for the second and third floors⁹</u>
● <u>Exterior Side (Corner):</u>			
○ <u>West Gateway, The Link, and Michigan Hill Districts:</u>	<u>10' from a primary, major, special major, collector, or residential collector street; 10' from local street</u>	<u>10' from a primary, major, special major, collector, or residential collector street; 10' from local street</u>	<u>10' from a primary, major, special major, collector, or residential collector street; 10' from local street</u>
○ <u>Old Town District:</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>
● <u>Reverse Corner Side:</u>			
○ <u>West Gateway, The Link, and Michigan Hill Districts:</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
○ <u>Old Town District:</u>	<u>5'</u>	<u>5'</u>	<u>5'</u>
<u>Maximum Lot Coverage</u>	<u>80%</u>	<u>80%</u>	<u>80%</u>
<u>Minimum Open Space</u>			
● <u>Private Open Space¹⁰</u>	<u>50 sq ft/du</u>	<u>50 sq. ft.</u>	<u>50 sq. ft.</u>
● <u>Common Open Space</u>	<u>150 sq ft/du¹¹</u>	<u>150 sq ft/du¹¹</u>	<u>150 sq ft/du^{11,12}</u>
<u>Minimum Parking^{13,14,15}</u>			
● <u>Resident Parking:</u>			
○ <u>0-1 bedrooms/du</u>	<u>1 space/du</u>	<u>1 space/du</u>	<u>1 space/du</u>
○ <u>2 or more bedrooms/du</u>	<u>2 spaces/du</u>	<u>1.5 spaces/du</u>	<u>1 space/du</u>
● <u>Senior Citizen Multifamily Residential Parking:</u>			
○ <u>0 bedrooms/du</u>	<u>1.0 space/du</u>	<u>0.5 space/du</u>	<u>0.5 space/du</u>
○ <u>1 or more bedrooms/du</u>	<u>1 space/du</u>	<u>1 space/du</u>	<u>1 space/du</u>
● <u>Guest Residential Parking</u>	<u>0.25 space/du</u>	<u>0.25¹⁵</u>	<u>No minimum required</u>
● <u>Off-Street Loading¹⁷</u>	<u>1 space</u>	<u>1 space</u>	<u>1 space</u>
● <u>Bicycle Parking</u>	<u>1 space/du</u>	<u>1 space/du</u>	<u>1 space/du</u>
<u>Accessory Dwelling Units</u>	<u>See Chapter 11.33 (Accessory Dwelling Units) for Standards</u>		

¹ Density bonus projects shall be allowed in accordance with Chapter 11.19 (Affordable Housing Density Bonus) and as otherwise provided for in California Density Bonus Law (Government Code Sections 65915, et seq.)

² Residential density on a religious institution site shall be calculated based on the size of the area developed for multifamily residential use, including parking, landscaping, open space, etc., as identified on the site or plot plan required in subsection 11.21.070(B).

³ Building height is measured from lowest finished grade adjacent to or directly below the building face as measured at any location, except that a ramp to a parking garage that is partially or fully below grade shall not be included in measuring maximum building height.

⁴ Appurtenances may exceed the height limit up to 15' for up to 25% of total roof area. For the purposes of this chapter, appurtenances are defined as: a tower, spire, cupola, dome, chimney, mechanical equipment, elevator tower, stairwell, pool equipment, fire equipment, ventilating fans, water tanks, cooling towers, solar panels or the structure to support solar equipment in compliance with state law, guard rails required by the building code for rooftop decks or terraces, permanent trellises and shade structures on rooftop decks or terraces, or other features determined by the Director of Community Development to be similar.

⁵ For the purposes of this chapter, roadway classifications for streets are defined in the Circulation Element of the General Plan; Districts are shown on Figure LUE-3 of the Land Use Element of the General Plan.

⁶ All properties abutting properties which are zoned R-1 are subject at those zone boundaries to the Municipal Code regarding maximum building bulk (angle plane).

⁷ Any project abutting a single-family residential zone shall comply with R-1 building bulk limits along the common boundary.

⁸ In any case, a ground-level porch, uncovered or covered and open on three sides, may encroach into the front, side, corner side and reverse corner side setbacks by up to 50 percent of the required setback.

⁹ For accessory buildings adjacent to commercial properties, this setback may be reduced to a minimum 5' landscaped strip.

¹⁰ Any private open space provided to meet the required private open space standard shall comply with the following requirements:

- a. Shall have a minimum level surface dimension of five (5) feet.
- b. Shall abut the unit that it serves and shall be directly accessible from that unit without having to enter a common area.
- c. Shall be designed in a manner to prohibit use as common open space (e.g., provided with a railing, minimum forty-two (42) inch wall, etc.).
- d. Shall not include parking or vehicle circulation areas.

¹¹ Any common open space provided to meet the required common open space standard shall comply with the following requirements:

- a. Must be designed and used for active or passive recreational purposes.
- b. Must be easily accessible to all residents within the project.
- c. Shall not include parking or vehicle circulation areas.
- d. Shall have a minimum level surface dimension of 10 feet.
- e. A community garden may provide up to 20 percent of the total required common open space.
- f. Rooftop decks and terraces may be used to satisfy this requirement.

¹² Open space on the religious facility portion of the site that is made available to the residential portion of the development (via a development agreement or other similar instrument) may be counted toward up to 50% of the required open space for the residential portion.

¹³ The minimum number of parking spaces provided may be reduced for affordable housing units in accordance with Chapter 11.19 (Affordable Housing Density Bonus) and as otherwise provided for in California Density Bonus Law (Government Code Sections 65915, et seq.) or as otherwise provided for by Government Code, or under other appropriate circumstances when written evidence justifying the reduction is provided and approved by the decisionmaker.

¹⁴ Parking spaces shall not be permitted in front or side setbacks.

¹⁵ When multifamily residential development is constructed on a religious facility site, parking may be shared between the religious and residential uses as permitted in Government Code Section 65913.6.

¹⁶ Required parking spaces for nonresidential uses can contribute up to 50% of the required number of guest parking spaces for the residential use.

¹⁶ A minimum of 1 off-street loading space shall be provided to ensure adequate area to accommodate loading and unloading for moving trucks, delivery vehicles, ride-sharing vehicle pick-up and drop-off, and other similar activities, consistent with the size of the development, to the satisfaction of the Director of Community Development. Such space(s), whether provided inside or outside a building, shall be in addition to the number of parking spaces

otherwise required in this chapter. The off-street loading space(s) shall be designed so as not to impede normal vehicular and pedestrian circulation.

11.21.060 General Standards

A. Landscaping. The standards for landscaping are as follows:

1. Use. All areas not occupied by structures, vehicular access ways and parking areas, pedestrian walkways, and paved, covered, or otherwise developed recreational facilities shall have landscaping as provided by this subsection; except that fifty (50) percent of an off-street loading space required in subsection 11.13.050(E) in the Old Town District that utilizes grasscrete for the entire loading area may count fifty (50) percent of that loading area toward the landscaping requirement of this subsection.
2. Maintenance. All landscaped areas shall be permanently maintained with proper care, weeding, pruning, and irrigation. Plants shall be replaced as necessary to maintain conformance with approved landscaping plans.
3. Street Trees. Street trees shall be provided and continuously maintained by the property owner. Street trees shall be selected and located in accordance with the city's standards for street trees, as maintained by the Director of Public Works.
4. On-Site Trees: Any removal or pruning of existing trees shall conform to the requirements of the City's tree preservation ordinance (adopted by Ordinance No. 178 and any successor thereto).
5. Landscape Buffer.
 - a. In the West Gateway, The Link, and Michigan Hill Districts, a minimum five (5) foot landscaped buffer shall be provided between any uncovered parking space and the property line.
 - b. In the Old Town District, a landscaped buffer shall be provided between any uncovered parking space and the property line to the extent possible, as determined by the Director, but shall not be required to be less than two (2) feet or more than five (5) feet.
6. All landscaped areas adjacent to parking, circulation and vehicle storage areas shall be enclosed by a raised six-inch concrete curb or low wall. The concrete curb may include cut-outs as part of the design required for bioswales and bioretention basins. The Director of Community Development may waive this requirement when the landscaped areas are designed in accordance with an integrated, comprehensive low impact development parking lot design.

B. Storage of Building Materials and Equipment. In any building project, during construction and for thirty (30) days thereafter, property in the project may be used for the storage of building materials and equipment used in the construction of the building project and for the contractor's temporary office, subject to approval of the Director of Community Development.

- C. Storage of Recreational Vehicles. The storage of recreation vehicles within any multifamily project shall be prohibited.
- D. Signage. Any signage for the project shall conform to the requirements of the City's sign ordinance, Municipal Code Chapter 11.37.
- E. Equipment and Utilities. Equipment and utilities for all developments other than single-family residences shall meet the following standards:
1. Ground-oriented building service equipment, including, but not limited to, air conditioning and heating units, utility connections, and service areas, shall not be visible from public right-of-way. However, such equipment shall be located for easily accessible service and located or screened to minimize noise offensive to the occupants and to neighboring properties.
 2. Roof-mounted mechanical equipment shall be prohibited, unless completely screened through use of a parapet or structural component integral to the architectural design of the development.
 3. Exterior wall-mounted equipment and utility meters shall not be visible from the public right-of-way.
 4. All utility service controls and equipment, including but not limited to electrical, communication and cable television lines installed for the purpose of supplying service to any new construction within the city shall be installed underground on the property to be served and from the property to be served to the point of connection with the utility's distribution facilities in accordance with the rules approved by the public utilities commission of the state.
- F. Refuse Area. All multifamily developments, including those in a MU or P/SP zone, shall provide one or more screened refuse area(s) with trash enclosure(s) in accessible locations and of sufficient size to accommodate the intensity of use, and to accommodate recycling containers in addition to general refuse or trash collection. Trash enclosures and refuse areas shall meet minimum standards, as follows:
1. All refuse/recycling storage areas must be accessible for trash pick-up method used, and shall be enclosed by screening materials compatible with the project.
 2. The area upon which trash bins or receptacles are stored and the access or pathway over which the bins or receptacles are moved for collection purposes shall be composed of a smooth, flat material such as concrete.
 3. Each refuse/recycling area shall be provided with a water line and drain for cleaning purposes, and self-closing solid gate.

4. Refuse/recycling storage areas shall be screened by a trash enclosure wall constructed to a width, depth and height adequate to accommodate the number of trash bins or receptacles needed. Such enclosure walls shall be constructed of decorative blocks or other nonflammable material consistent in design, quality and color with the building(s) serviced by the area.

G. Exterior lighting devices for multifamily project parking lots and pedestrian walkways and entries, including multifamily developments in a MU or P/SP zone, shall:

1. Provide adequate lighting for safe nighttime residential access;

2. Eliminate excessive lighting and glare, and prevent spillover onto adjacent properties; and

3. Utilize automatic timers for energy conservation.

H. The City reserves the right to be a party to any covenants, conditions, restrictions, or other similar legal contract.

11.21.070 Application requirements.

A. Submittal Requirements. In addition to all materials required by the City's subdivision, building, and grading regulations and environmental review procedures applicable to projects falling within the scope of this chapter, submittal of the following application materials shall be required for all projects provided for herein. The items listed in subsections (A)(1) through (3) of this section may be combined on one or more drawings as prescribed by the Director.

1. A site or plot plan, drawn to a scale prescribed by the City, but not less than a scale of one inch equals one hundred feet, reflecting the proposed project, including representations of property lines and all recorded and proposed easements and public rights-of-way;

2. A topographical map of the project site and all adjacent development located within seventy-five (75) feet of the project's proposed boundaries. This map shall be drawn to the same scale as the site plan required in subsection (A)(1) above, with a maximum contour interval of ten feet, or less as prescribed by the Director. The average slope of the property shall be identified on this map, calculated by the following formula:

$$S = \frac{0.002296 \times I \times L}{A}$$

Where S = Average percent slope

I = Contour interval in feet

L = Summation of length of all contours in feet

A = Area in acres of project being considered

3. A complete grading plan for the project, drawn to the same scale as prescribed above, unless no grading requiring a permit is proposed. A tabulation of the areas within each gradient category may be required as prescribed by the Director;
4. A landscaping plan which shall accurately show:
 - a. Existing trees on the project site with a trunk diameter of two inches or greater at a height of four feet above grade, and/or having a vertical height from the ground level to treetop level of five (5) feet or greater,
 - b. Species of all such trees and their appropriate trunk diameter, height and condition,
 - c. Final disposition of all existing trees,
 - d. The type and extent of proposed vegetation, including provisions for ongoing maintenance and irrigation thereof,
 - e. Mix and percentage of lot area used for landscaping and open space. Parking and vehicle circulation areas shall not be included in such calculations, and
 - f. Evidence of slope stability through vegetation of created slopes.
 - g. This landscaping plan shall be drawn to or keyed to a master map at the same scale as is prescribed for the application materials required by subsection (A)(1) above, and shall be completed by a professional landscape architect registered with the state of California;
5. A lighting plan showing the location, height, approximate brightness and style of all exterior lighting for the project;
6. Elevation drawings at a scale of at least one-eighth inch equals one foot zero inches, with materials, colors, finishes and critical vertical dimensions clearly indicated. As deemed appropriate by the director or designee, proposed and existing-to-remain landscaping at maturity shall be shown in a manner that allows full visibility of building elevations beyond. Indication of nearby structures or features off-site shall also be shown where deemed appropriate by the Director or designee.
7. Photographs of the site and its surroundings as prescribed by the Director. Normally, such photos would include views of the site and properties adjacent for a distance of three hundred (300) feet from each end of the principal street frontage, as well as properties opposite the subject and adjacent properties. Photos should be mounted color prints, spliced from continuous views along the principal street(s), with a key map provided indicating relationship of views to parcels, streets and features;
8. Color chips including reflectance values (LRVs) and keyed to elevation drawings;
9. A completed residential development application;

10. On sites with an average slope of fifteen (15) percent or greater, the applicant shall submit a hydrology report which shall include, but not be limited to:
 - a. The hydrologic conditions on the site,
 - b. Possible flood inundation,
 - c. Downstream flood hazards,
 - d. Natural drainage courses,
 - e. Analysis of the project, including its septic system, in relation to Regional Water Quality Control Board standards,
 - f. Design criteria to mitigate any identified hydrologic hazards consistent with applicable regulations,
 - g. Account of all runoff and debris from tributary areas,
 - h. Consideration for each lot or dwelling unit site in a proposed development project,
 - i. Runoff and debris amounts computed using the Los Angeles County flood control district criteria, and
 - j. A concluding statement evaluating the impact of the project on slope stability, water quality, and downstream drainage.
 - k. This investigation and report shall be completed by a professional civil engineer experienced in the science of hydrology and hydrologic investigation and who is registered with the state of California;
11. Where alteration to existing topography is proposed:
 - a. A soils engineering report which shall contain, but not be limited to:
 - i. Data regarding the nature, distribution and strengths of existing soils,
 - ii. Relationship of soil characteristics to drainage related to lot coverage and landscaping/irrigation design,
 - iii. Conclusions and recommendations for grading procedures,
 - iv. Design criteria for any identified corrective measures, and
 - v. A concluding statement evaluating the impact of the project on slope stability.
 - vi. This investigation and report shall be performed by a professional soils engineer who is experienced in the practice of soil mechanics and who is registered with the state of California,

- b. A geology report which shall include, but not be limited to:
 - i. The surface and sub-surface geology of the site,
 - ii. Strike angle of bedrock strata,
 - iii. Degree of seismic hazard,
 - iv. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and
 - v. A concluding statement evaluating the impact of the project on slope stability;
- 12. Cross sections of the site and nearby affected areas as prescribed by the director, showing all buildings, fences, walls and landscaping at mature height anticipated under the planting conditions onsite;
- 13. Recommended for complete understanding of the proposal where appropriate, a three-dimensional scale model of the project site, onsite erection of a full-size mockup (either balloons denoting building corners or a story pole frame), perspective views, building plans or such other graphic information which in the Director's judgment would aid in the City's review of the project. All graphic information shall be drawn to such scale as prescribed by the Director;
- 14. Where the impact of noncompliance with specified guidelines and/or standards of this chapter cannot be determined by the City following public review, the applicant will be required to provide alternative project plans which are in conformance with said guidelines and standards for the purpose of comparative evaluation.
- I. Waiver of Requirement for Application Materials. The requirement to submit any or all of the materials enumerated above may be waived by the Director, under any of the following conditions:
 - 1. The materials are not applicable to the scope of the project and not pertinent to any of the findings contained in this section;
 - 2. The existence of reports covering the same subject matter on the same site;
 - 3. Inclusion of any or all of the above reports as part of an environmental impact report or negative declaration, if either is required or has been satisfactorily completed for the proposal on the site;
 - 4. The existence of a report as described in subsection (A)(10) of this section, previously prepared for a site or area adjacent to the project site, if the project site and such adjacent site or area may reasonably be expected to possess similar characteristics relative to the development issues addressed by this chapter.

11.21.080 Project Evaluation

Project evaluation for multifamily developments proposed in accordance with the provisions of this chapter receive ministerial review.

11.21.080 Fees.

Reasonable fees may be imposed by resolution of the City Council for review of project applications as provided for in this Code.

Chapter 11.36 GENERAL REGULATIONS AND AREA REQUIREMENTS

11.36.140 Residential Air Quality.

New multifamily residential development or redevelopment that is located within 1,500 feet of the Interstate 210 or State Route 2 freeways, or Foothill Boulevard, shall include the following mitigation measures to address potential air quality health risks exist for future residents of those developments:

- A. Vegetation barriers at least 10 feet wide shall be planted between residential development and freeways or Foothill Boulevard. The design and species of plants used in the vegetation barriers shall follow guidance described in the Environmental Protection Agency's July 2016 document "Recommendations for Constructing Roadside Vegetation Barriers to Improve Near-Road Air Quality".
- B. Fixed windows shall be installed in on the side of residential buildings facing freeways or Foothill Boulevard, as allowed by the building and fire code.
- C. Central heating, ventilation, and air conditioning (HVAC) systems shall include high efficiency particulate air (HEPA) filters (MERV-13 or higher). Property owners shall develop a maintenance plan to ensure the filtering system is properly maintained.
- D. Outdoor air intake systems for HVAC systems shall be located as far away as possible from freeways and Foothill Boulevard.
- E. Balconies shall be avoided or limited on the side of residential buildings facing the freeways and Foothill Boulevard.
- F. Multifamily residential developments or mixed use developments that include multifamily units located immediately adjacent to freeways shall include sound walls along the property line adjacent to the freeway.

11.36.150 Permitted Lower Income Housing.

- A. The director shall prepare and maintain an official list of lots that meet the requirements of California Government Code Section 65583.2(c) and 65583.2(h), a copy of which shall be available in the office of the director and the city's website.

- B. Residential development that includes at least 20 percent of the units as housing affordable to lower income households shall be permitted on lots that meet the requirements of California Government Code Section 65583.2(c) or 65583.2(h).

Chapter 11.63 MERGER OF PARCELS

11.63.010 Merger of contiguous parcels.

- A. Unless otherwise exempt by California State law, whenever two or more contiguous lots, parcels or units of land are held by the same owner, such lots, parcels or units may be merged pursuant to the provisions of this chapter when any one of those lots, parcels or units does not conform to the city's standards for minimum parcel size as provided in its zoning ordinance and where all of the following requirements are satisfied:
- A1. At least one of the affected lots, parcels or units is not developed with a structure for which a building permit was issued or which was built prior to the time such permits were required, or is developed only with an accessory structure or accessory structures, or is developed with a single structure, other than an accessory structure, that is also partially sited on a contiguous lot, parcel or unit; and
- B2. With respect to any affected parcel, one or more of the following conditions exists:
- 1a. Comprises less than five thousand (5,000) square feet in area at the time of the determination of merger,
 - 2b. Was not created in compliance with applicable laws and ordinances in effect at the time of its creation,
 - 3c. Does not meet the current standards for sewage disposal and domestic water supply,
 - 4d. Does not meet slope stability standards,
 - 5e. Has no legal access which is adequate for vehicular and safety equipment access and maneuverability,
 - 6f. Its development would create health or safety hazards,
 - 7g. Is inconsistent with the general plan of the city or any applicable specific plan, other than minimum lot size or density standards.
3. The parcels when merged will not:
- a. Create a conflict with the location of any existing structure,
 - b. Deprive or restrict another parcel of access,
 - c. Create new lot lines.
- B. The conditions set forth in subdivisions 2(3c) through (7g) of ~~this~~-subsection A(2) above shall be determined by the standards set forth in the ordinances, resolutions, rules and regulations of the

city in effect on the date that notice of intention to determine status is recorded, including, but not limited to, the city's subdivision ordinance, zoning ordinance, building code and hillside development ordinance.

C. Property Owner Requested Merger—Procedures and Requirements.

1. Requirements. A voluntary merger of parcels may be requested by an applicant for a multifamily residential development that includes at least 20 percent housing for very-low, low-, or moderate-income households as defined in California Government Code Section 65589.5. A parcel may be merged with one (1) or more contiguous parcels held by the same owner(s) if any one (1) of the contiguous lots held by the same owner(s) does not conform to standards for minimum lot size or dimension specified by the applicable zone or if at least one (1) such lot meets one (1) or more of the requirements specified in Section 11.63.010(A)2.
2. Application. When the owner(s) of record of any contiguous parcel requests the merger of four (4) or fewer parcels, application shall be made on the forms and in the manner specified by the Director.
3. Director's Determination. Within thirty (30) days of the application to merge parcels, the Director shall determine whether the affected parcels are to be merged.
4. Determination to Merge Parcels. If the Director determines that the subject parcels shall be merged, they shall cause the Notice of Merger to be recorded as provided for in Section 66451.12 of the Government Code.
5. Determination Not to Merge Parcels. If the Director determines that the parcels shall not be merged, the Director shall mail a copy of the Determination Not to Merge Parcels to the property owner.