

CITY OF LA CAÑADA FLINTRIDGE

ORDINANCE NO. 515

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA CAÑADA FLINTRIDGE, CALIFORNIA, AMENDING VARIOUS SECTIONS OF TITLE 11 (ZONING) OF THE LA CAÑADA FLINTRIDGE MUNICIPAL CODE TO IMPLEMENT THE ADOPTED 2021-2029 HOUSING ELEMENT

WHEREAS, on October 4, 2022, the City Council of the City of La Cañada Flintridge adopted Resolution No. 22-35 adopting the 2021-2029 Housing Element, and on February 21, 2023, the City Council of the City of La Cañada Flintridge adopted Resolution No. 23-08 adopting a revised 2021-2029 Housing Element; and

WHEREAS, Government Code §65860 requires a local jurisdiction's Zoning Ordinance to be consistent with the adopted General Plan, and in the event that a zoning ordinance becomes inconsistent with a General Plan by reason of amendment to the plan, or to any element of the plan, the Zoning Ordinance shall be amended within a reasonable time so that it is consistent with the General Plan as amended; and

WHEREAS, the proposed amendments to Title 11 (Zoning) of the La Cañada Flintridge Municipal code includes amendments to the City Zoning Map, the creation of a new Housing Element Implementation Overlay Zone that applies to properties identified in Appendix C of the Housing Element Sites Inventory (outside the DVSP), the Mixed Use zone will allow stand-alone residential and relaxed development standards, the R-3 (Multifamily) zone will allow relaxed development standards, allow low-income housing in the same zone (Public/Semi-Public) that allows churches, and for religious institutions only, and use R-3 development standards, create new development standards for new multi-family residential and mixed-use development close to freeway to implement policy to mitigate air quality impacts and apply to all applicable zones, update the Zoning Code to allow low-income housing as required by State law, add by-right approval for 20% lower-income housing projects, and standards for lot consolidation and lot merger, and changes to the official Zoning Map, as identified within the attached Exhibit "A"; and

WHEREAS, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines. Based on the Initial Study, it was determined that the project would not have a significant effect on the environment and a Negative Declaration has been prepared for the project. The Negative Declaration /Initial Study was circulated for public review from July 14, 2023 through August 14, 2023; and

WHEREAS, on August 30, 2023, at a duly noticed public hearing on the Zoning Code Amendments, the Planning Commission of the City of La Cañada Flintridge adopted Resolution No. 23-61 recommending that the City Council approve Zoning Code Amendments (PLAN-2023-0002) to implement the adopted 2021-2029 Housing Element; and

WHEREAS, on August 31, 2023, a notice was published in a newspaper of general circulation, providing notice of a public hearing before the City Council to be held on September 12, 2023, pursuant to the requirements of the La Cañada Flintridge Zoning Code and state law; and

WHEREAS, on September 12, 2023, the City Council reviewed the facts contained in the agenda report regarding the Zoning Code Amendments, and heard and considered the testimony of the public; including any written correspondence received, with all testimony received being made a part of the public record, and conducted the first reading and introduction of the ordinance; and

WHEREAS, all legal prerequisites for the adoption of this Ordinance have occurred.

NOW, THEREFORE, the City Council of the City of La Cañada Flintridge, California does ordain as follows:

SECTION 1. The City Council of the City of La Cañada Flintridge finds and determines that the above recitals are true and correct and are incorporated herein by reference.

SECTION 2. *Findings for Zone Change.* The City Council hereby finds as follows:

A. Modified conditions warrant a revision in the zoning plan as it pertains to the area under consideration. The adopted 2021-2029 Housing Element includes programs to implement the requirements of state housing law and increase the number and types of housing within the community. General Plan Amendment (PLAN-2023-001) amends the General Plan Land Use Element for consistency with the adopted Housing Elements, allows for increased minimum density within the Mixed Use and R-3 (Multifamily) zones and allows for the creation of a new Housing Element Implementation zone. The Zone Change is necessary for consistency and implementation of the 2021-2029 Housing Element.

B. A need for the proposed zone classification exists within such area in order for consistency and implementation of the 2021-2029 Housing Element, as well as consistency with General Plan Amendment (PLAN-2023-0001), amending the Land Use Element for consistency with the Housing Element. The Zoning Code Amendments are necessary to increase the minimum density within Mixed Use and R-3 (Multifamily) zones and to create the new Housing Element Implementation zone, allowing for development of parcels included on the Sites Inventory, that demonstrate the City meets the assigned Regional Housing Needs Allocation. The amendment or creation of new objective development standards that realistically allow for development within the identified density range is also identified as a program within the adopted Housing Element.

C. The particular properties under consideration are a proper location for said zone classification within such area because, they are identified within the Sites Inventory of the adopted 2021-2029 Housing Element and were included based on their ability to be realistically developed within the eight-year 6th Cycle Housing Element period, have suitable topography for the density range proposed, and are located along or in close proximity to Foothill Boulevard, with access to public transit, a public sanitary sewer and access to commercial goods and services.

D. Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practice because the parcels identified on the Sites Inventory are located along a major commercial corridor and separated from single-family residential uses, are located adjacent to or in close proximity to Foothill Boulevard along which existing mass transit operates, the sites are generally served by all necessary utilities including public sewer, and the sites do not contain any physical constraints such as excessive slope that

would present difficulties for construction of higher density residential development. Additionally, a Negative Declaration/ Initial Study determined that the Project will not have a significant effect on the environment. The proposed project advances the goals, objectives and policies of the General Plan. The project utilizes Smart Growth practices which protects open space, natural resources and wildlife habitats by channeling development away from undeveloped area toward urban infill instead. By allowing higher density on urban infill locations near transit, the pressure to locate housing elsewhere in the City is alleviated. Further, the project will generate economic benefits for the local business community, City General Fund, and La Cañada Unified School District which benefits the general community.

SECTION 3. Chapter 11.02 (Basic Provisions) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to include the following definitions, which read as follows (deleted text is identified with ~~strikethrough~~ and new text is identified in underline & italics):

"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."

SECTION 4. Section 11.12.030 (Conditional Uses) of Chapter 11.12 (RPD Residential Planned Development) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, amending subsection (C) to read as follows:

" C. Religious facilities ~~Churches, temples or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith;~~"

SECTION 5. Section 11.13.010 (Purpose) of Chapter 11.13 (R-3 Multifamily Zone) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to read as follows:

"11.13.010 Purpose.

This zone is established for residential development consistent with the multifamily residential designation of the general plan. Minimum densities ~~should~~ shall be twenty five (20-25) dwelling units per acre and maximum densities shall be thirty (30) dwelling units per acre. Except for density bonus projects, residential densities which exceed the general plan land use designation are not permitted.

The R-3 multifamily residential zone (R-3 zone) is established to achieve the following:

- ~~A. To encourage compatibility of multifamily projects with adjacent uses;~~
- ~~B. To promote high standards of site planning, architecture and landscape design;~~
- ~~C. To provide opportunities for design flexibility while maintaining high quality in multifamily residential developments;~~
- ~~D. To avoid overloading of utilities;~~
- ~~E. To provide for orderly transition between the types of residential land uses, and between residential and commercial land uses, as outlined in the land use element of the general plan;~~
- ~~F. To promote internal compatibility of each project's architecture, landscaping, and use of open space to achieve a high quality residential environment;~~
- ~~G. To assure that sufficient open space is provided for both private and common areas.~~

~~This chapter contains not only development standards (mandatory or "shall" statements), but also guidelines ("should" statements). Any departure of design guidelines should be utilized to effectively achieve quality and compatibility with the surrounding neighborhoods."~~

SECTION 6. Section 11.13.020 (Permitted uses) of Chapter 11.13 (R-3 Multifamily Zone) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to read as follows:

"11.13.020 Permitted uses.

The following are permitted uses in the R-3 zone:

- ~~A. One detached single-family dwelling unit per lot;~~
- ~~B A. A duplex, triplex or multiple-family dwellings, apartments and dwelling groups containing two or more units;~~
- ~~C B. Residential condominium projects;~~
- ~~D C. Family day care home, small or large, as permitted by state law;~~
- ~~E D. Foster family homes for senior citizens or developmentally disabled, serving six or fewer persons, as permitted by state law;~~
- ~~F E. Foster home facilities for children, serving six or fewer children, as permitted by state law;~~
- ~~G F. Riding and hiking trails, excluding trails for motor vehicles;~~
- ~~H G. Uses accessory to permitted residential uses, including but not limited to places of assembly such as common recreation rooms and community centers appurtenant to a project or similar facilities, and recreational facilities such as tennis courts and pools appurtenant to a project or similar facilities;~~
- ~~I H. Real estate tract offices, temporary. Such offices may remain on the site no more than six months after at least fifty (50) percent of the project is sold.~~
- ~~I. Accessory dwelling units in accordance with Chapter 11.33 (Accessory Dwelling Units).~~
- ~~J. Affordable housing in accordance with Section 11.36.150 (Permitted Lower Income Housing)~~

All permitted uses within the R-3 zone other than ~~single-family residences,~~ duplexes, triplexes and multiple-family dwellings, apartments, dwelling groups containing two or more units, and

residential condominium projects, are subject to approval of a ~~planned development~~ conditional use permit prior to any construction, in accordance with this chapter."

SECTION 7. Section 11.13.040 (Single-Family development standards and guidelines) of Chapter 11.13 (R-3 Multifamily Zone) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to read as follows:

"11.13.040 Single-family development standards and guidelines.

Existing ~~Single-family~~ residential developments within the R-3 multifamily zone shall comply with the requirements of Chapter 11.51. ~~zoning and development standards required of the R-1-5,000 zone, including, but not limited to, minimum lot area, setbacks, building height and bulk, and lot area ratio and floor coverage ratio."~~

SECTION 8. Section 11.13.050 (Multifamily development standards and guidelines) of Chapter 11.13 (R-3 Multifamily Zone) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to read as follows:

"11.13.050 Multifamily development standards and guidelines.

The following standards shall apply to all multifamily development in the R-3 zone:

A. Area Standards.

1. Density of units:

a. ~~Any site of less than seven thousand five hundred (7,500) square feet can only be developed or redeveloped with a single family residence. Such development is subject to the development standards of the R-1-5,000 zone.~~

~~b. a. Any sites of seven thousand five hundred (7,500) square feet or more should~~ shall be developed with a minimum of twenty five (20 25) dwelling units per acre and shall be developed with a maximum of thirty (30) dwelling units per acre.

b. 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. A maximum lot coverage of ~~fifty~~ eighty (50 80) percent of net lot area. Net lot area is defined in Section 11.01.030.

B. Siting Standards.

1. The minimum setbacks are as follows:

Front: ~~twenty-five (25) feet from arterial or collector street; twenty (20) feet from local street (streets are defined in the general plan)~~ an average of five (5) feet from the front property line for the ground floor and second floor, and an average of ten (10) feet for the third floor.

Rear: ~~twenty five (25) feet for principal buildings; twenty (20) feet for accessory buildings; provided, that for accessory buildings adjacent to commercial properties, this setback may be reduced to ten feet~~ five (5) feet, or fifteen (15) feet when adjoining a R-1 zone.

Corner side: ~~fifteen (15) feet from arterial or collector street; ten feet from local street~~ an average of five (5) feet for the ground floor and second floor, and an average of ten (10) feet for the third floor.

Reverse corner side: ~~twenty (20) feet.~~

Interior side: ~~ten feet minimum; if adjacent to single-family residence, then twenty (20) feet minimum for the second and third floors; provided, that for accessory buildings adjacent to commercial properties, this setback may be reduced to a minimum five-foot landscaped strip~~ zero (0) feet, or when adjoining a R-1 zone fifteen (15) for the ground floor and second floor and twenty (20) feet for the third floor.

Where windows of primary living areas (living or dining rooms) face side property lines, a separation of at least twenty (20) feet shall be provided.

In any case, a ground-level porch, uncovered or covered and open on three sides, may encroach into the front, side, and corner side and reverse corner side setbacks by up to ten three feet.

~~2. Building Separation: Where windows of primary living areas face walls of other units, a minimum separation of twenty (20) feet shall be provided.~~

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

~~23.~~ The standards for landscaping and open space are as follows:

~~Area. A total of a minimum thirty-five (35) percent of the site area shall be provided as landscaping and usable open space. Of this required landscaping and usable open space, at least fifty (50) percent of said area must have an average slope of ten percent or less.~~

Open Space. Common open space shall be provided at a rate of 150 square feet per dwelling unit.

Use. All common open space must be outdoor area on the ground which is open to the elements sky and which is designed and used for outdoor living and/or recreation, whether such area is paved or not, except that up to 50 percent of required common open space may be provided as common indoor recreational amenities such as exercise rooms, indoor theaters, or activity rooms. Common open space and shall not include parking or vehicle circulation areas.

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.

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.

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).

~~Landscape guidelines are contained in a separate section of this chapter.~~

34. View Preservation. Building(s) should be placed in a manner which minimizes blockage of neighboring views, especially those portions of any view which are central to the total view, and/or are viewed from primary outdoor and indoor living areas (living rooms, dining rooms or foyers). Landscaping height at maturity should be consistent with preservation of neighboring views.

45. The standards for parking are as follows:

Minimum parking required:

a. Resident parking:

0 to 1-bedroom units: one space per unit;

2 or more bedroom units: two spaces per unit;

~~3-bedroom units: two and one-fourth spaces per unit;~~

~~4 or more bedroom units: two and one-half spaces per unit.~~

b. Senior citizen multifamily housing:

0 bedroom units: 0.5 spaces per unit;

1 or more bedroom units: 1 space per unit

~~h c.~~ Guest parking: one-fourth spaces per unit, in addition to resident parking required in subsection (~~5 4~~)(a) and (b).

~~e d.~~ At least one parking space per unit shall be covered. Guest parking may be uncovered.

~~d e.~~ 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, senior housing units, or under other appropriate circumstances when written evidence justifying the reduction is provided and approved by the decisionmaker.

f. Off-street loading. A minimum of one (1) off-street loading space shall be provided to ensure adequate space to accommodate loading and unloading for moving trucks, delivery vehicles, ride-sharing vehicle pick-up and drop-off, and other similar uses, 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 required in subsections (4)(a) and (b) of this section and shall be designed so as not to impede normal vehicular and pedestrian circulation.

g. Bicycle parking. A minimum of one (1) bicycle parking space shall be provided per dwelling unit.

Separation. Parking areas, including internal circulation areas, parking spaces and turnaround areas, shall be separated from any public rights-of-way by a minimum eight-foot wide (inside dimension) planter area or landscape strip, except at driveway and walkway openings. Parking spaces shall not be permitted in front or side setbacks.

Landscape Buffer. A minimum five-foot landscaped buffer shall remain between any uncovered parking space and the property line.

Safety. All landscaped areas adjacent to parking, circulation and vehicle storage areas shall be enclosed by a raised six-inch concrete curb or low wall.

Compatibility. The design of the parking areas should shall be integrated into and compatible with the design of the overall project, and must be considered in making the findings regarding internal compatibility of the project, as stated elsewhere in this chapter.

56. Watercourse Protection.

a. Blockage. Blockage of watercourses, canyons or streambeds is prohibited, and any alteration of such features is discouraged.

b. Approval of Other Agencies. Development in the vicinity of blue line streams is subject to Army Corps of Engineers and California Department of Fish and Game approval prior to any issuance of grading or building permits.

C. Building Height Standards.

1. Maximum height of principal buildings and structures: ~~thirty (30) feet maximum outward facing wall height; thirty-five (35) feet maximum roof height.~~ For any building or building segment located within 50 feet of a street right-of-way, building height shall not exceed three (3) stories and thirty-five (35) feet maximum roof height, measured from the curb elevation adjacent the building or building segment to the highest point of the building or building segment. Where a lot has frontage on two or more streets, height shall be measured in relation to the lowest curb elevation adjacent to the building or building segment. For any building or building segment located in excess of 50 feet from a street right-of-way, no portion of a building or building segment shall exceed the three (3) story and thirty-five (35) feet maximum roof height by more than twenty (20) percent. For purposes of this requirement, height shall be measured from the existing grade or adjacent finished grade, whichever is lower, to the highest point of the building or building segment. To determine compliance with this section, the Community Development Director may require applicants to submit a topographic survey of the project site, and, if necessary, portions of adjacent sites, prepared by a licensed surveyor or licensed civil engineer, depicting existing contours and the contours of

finished grade, if different from existing grade, at elevation change intervals no greater than five feet (5'). Survey measurements also shall indicate the elevations of adjoining curbs or street pavements if no curb exists. Appurtenances may exceed the height limit by up to fifteen (15) feet for up to twenty (20) percent 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.

2. Maximum height of accessory structures: fifteen (15) feet.

3. Maximum Building Bulk. All properties abutting properties which are zoned R-1 or foothill community district (FCD) are subject at those zone boundaries to the Municipal Code regarding building bulk (angle plane).

D. Architectural Design Standards Guidelines. The following design guidelines shall apply to all projects under this section other than single-family residential projects:

~~1. Architectural features should be internally consistent, complement the character of the surrounding uses, and be compatible with the design, quality, and scale of buildings in the area.~~

~~1~~ 2. Architectural Extensions. Architectural extensions to a maximum height of forty (40) feet, measured as defined in Section 11.13.050 C.1. above grade and up to twenty (20) feet in width or depth may be allowed. ~~Such extensions are best used in meaningful locations, such as street corners, major building corners, entries and vertical circulation elements.~~ Architectural extensions shall not be used for inhabited floor area above the highest floor level of the attached unit.

~~2~~ 3. Roof Materials. Glossy roofing materials are prohibited from public view.

~~4. Parapets. Where a parapet has its thickness exposed to view, as when it is stepped or gabled, each visible side should be made to appear substantial.~~

~~5. Façade Elements. Carefully detailed elements, such as deep openings, reveals, shadow lines, articulation of edges and surface breaks, and pilasters, are encouraged, with emphasis given to the tops of buildings through cornice or eave treatments. Alcoves, benches, gates, sconces, wall fountains, and such features are encouraged as façade elements.~~

~~6. Modulation. An additional setback of at least eight feet extending at least twenty (20) feet should be provided for each eighty (80) feet of building frontage.~~

~~7. Entry Articulation. Entries should be the focus of the architecture of their respective elevations. Landscaping, hardscaping and architecture should be integrated to feature entries as dominant elements of the design. For this reason, porches may encroach in the front and side setbacks as stipulated elsewhere in this chapter.~~

~~8. Balconies. Balconies are encouraged as amenities to the units and enhancing elements within the building façades; provided, that:~~

~~a. The balconies are provided with a level of detailing, such as molding and reveals appropriate to their visibility;~~

~~b. Where balconies are used, they are integrated into the overall design of the building without becoming the dominant element of the architecture. This integration should include expression of vertical alignment through articulated vertical connecting elements such as reveals, columns or pilasters;~~

~~c. Any scuppers and dividing panels are integrated with the balcony design; and~~

~~d. Adequate privacy is provided.~~

~~39. Exterior Stairs. An enclosure or a landscaping barrier should be provided wherever there is less than seven feet vertical clearance below the stairs.~~

~~410. Color. Light reflectance value should not exceed eighty (80) percent for walls or fifty (50) percent for visible roofs.~~

~~511. Screening.~~

~~a. Where balconies at or above the second floor overlook yards of abutting residential properties or parking areas, effective landscaping screening should shall be provided.~~

~~b. Trellises or canopy structures are recommended for privacy where higher units overlook private open space.~~

~~E. Landscaping Guidelines Standards. The following standards shall apply to all projects under this section other than R-1 projects are guidelines for landscaping of multifamily developments.~~

~~1. The selection and arrangement of plant materials should landscape the open space to support recreation activities appropriate to the density and type of the residential development.~~

~~2. The augmentation of open space by retaining unfenced or unimpeded areas to the adjoining property is encouraged where adjacent developments are of similar density or character. Otherwise, a 4 landscaping buffer or decorative wall barrier shall be provided within five feet of any property line on all sides abutting adjacent developments. The buffer shall be six feet high in all areas except the front setback, where its maximum height shall be three feet six inches.~~

~~3. A minimum of sixty (60) percent of the front setback area shall be landscaped.~~

~~4. Plants shall be established and maintained in accordance with the approved plan.~~

5. An automatic timed irrigation system appropriate to the plant materials used shall be provided for all landscaped areas.

6. The plant palette ~~should~~ shall be consistent with the objectives of:

- a. Compatibility with surrounding plantings ~~where desirable~~;
- b. Drought tolerance; and
- c. Concentration of plants with similar watering requirements.

7. Trees.

~~a. Sizes and quantities of new trees and existing trees to remain should maximize retention and planting of mature trees, with a guideline of Twenty-five (25) percent of the new and existing trees to be either mature or of minimum thirty-six (36) inch box size at planting.~~

b. Number. At least one tree shall be provided or retained per each eight hundred (800) square feet of landscape area.

c. Height and Canopy. At least one tree ~~should~~ shall be capable of attaining at maturity the combined height-and-canopy measures of one hundred twenty (120) feet.

d. Rooting. A minimum of fifty (50) percent of the required trees should be planted in the ground.

~~e. View Preservation. Landscaping height at maturity should be consistent with preservation of neighbors' views.~~

e. Tree Preservation. If removal of protected tree(s), as identified within Chapter 11.40, is required to accommodate development of an affordable housing project that must be approved ministerially, the tree(s) shall be replaced onsite, unless a Certified Arborist determines planting of replacement tree(s) is unfeasible. The size of replacement tree(s) shall be based on the size of the protected tree removed, as follows:

<u><i>Size of Protected Tree Removed</i></u>	<u><i>Replacement Tree Size at Planting</i></u>
<u><i>Less than 23" DBH</i></u>	<u><i>24" box</i></u>
<u><i>24"-25" DBH</i></u>	<u><i>36" box</i></u>
<u><i>Over 35" DBH</i></u>	<u><i>48" box</i></u>

~~F. — Slope Factor Guideline. As average lot slope increases, lowered allowable density, lot coverage, and floor area ratio should be considered per the following Table 1. This applicable slope factor determines the effective guideline for each criterion as follows:~~

~~Minimum lot size and dwelling units per acre guideline:~~

~~Underlying number of units per acre, divided by slope factor;~~

Allowable lot coverage or floor ratio:

Underlying standard by site size, multiplied by site size, multiplied by slope factor.

Table 1. Slope factor as related to average slope.

Slope (%)	Slope Factor
20 or less	1.00
21	0.99
22	0.98
23	0.97
24	0.96
25	0.95
26	0.94
27	0.93
28	0.92
29	0.91
30	0.90
31	0.88
32	0.86
33	0.84
34	0.82
35	0.80
36	0.78
37	0.76
38	0.73
39	0.70
40	0.67
41	0.64
42	0.60
43	0.57
44	0.54
45	0.50
46	0.45
47	0.40
48	0.35
49	0.30
50 or more	0.20

FG. General Standards.

1. 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.

2. The storage of recreation vehicles within any multifamily project shall be permitted subject to the following provisions:

a. Highway operative recreational vehicles, i.e., camper-trucks, motor homes, etc., shall be stored within the enclosed or covered parking spaces for each unit or placed within a separate storage area.

b. Other recreational vehicles, consisting of, but not limited to, trailers, boats, etc., shall be stored within a separate storage facility within the project or at another appropriate off-site location.

c. Storage areas for recreational vehicles shall be enclosed with a six-foot or higher decorative block wall or acceptable substitute which is screened by exterior landscaping, and shall be paved with concrete, asphalt or similar surface. The location and size shall be subject to the approval of the planning commission.

d. No recreational vehicles shall be stored in designated guest parking areas.

3. Any signage for the project shall conform to the requirements of the city's sign ordinance, Municipal Code Chapter 11.37.

4. Equipment and utilities for all developments other than single-family residences shall meet the following standards:

a. 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.

~~b. Roof-mounted mechanical equipment shall be prohibited.~~

be. Exterior wall-mounted equipment and utility meters shall not be visible from the public right-of-way.

cd. 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.

5. All multifamily developments 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:

- a. 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 and, to the extent feasible, should be situated out of public view.
- b. 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.
- c. Each refuse/recycling area shall be provided with a water line and drain for cleaning purposes, and self-closing solid gate.
- d. 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.

6. Exterior lighting devices for multifamily project automobile parking lots and pedestrian walkways and entries shall:

- a. Provide adequate lighting for safe nighttime residential access;
- b. ~~Eliminate excessive lighting and glare, and~~ Prevent spillover onto adjacent properties; and
- c. Utilize automatic timers for energy conservation.

7. The city reserves the right to be a party to the covenants, conditions and restrictions.”

SECTION 9. Section 11.14.020 (Uses permitted, conditionally permitted and prohibited) of Chapter 11.14 (CPD Community Planned Development Zone) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, amending Table 1. Permitted Use, Part (B) Services, Item (9) to read as follows:

B. Services	
9. Religious Facilities Churches, temples, and other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith	CUP

SECTION 10. Section 11.17.020 (Allowed uses and permit requirements) of Chapter 11.17 (Mixed Use Zone) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to read as follows:

“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
Mortuaries (excluding crematoriums)	CUP
Offices, business, professional, or government	CUP
Pet grooming, excluding boarding	CUP
Photocopying/duplicating services	P

Use	Permit Required
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	
<i>Affordable housing</i>	<i>See Sec. 11.36.150</i>
Apartments and condominiums (20 25 —30 dwelling units/acre)	CUP
Rooming and boarding houses	CUP
Public/Semi-Public Uses	
Air pollution sampling stations	P
Fire or police stations	CUP
Gas metering and control (public utility)	CUP
Institutions for aged persons, private	CUP

Use	Permit Required
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

SECTION 11. Section 11.17.030 (Development Standards) of Chapter 11.17 (Mixed Use Zone) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to read as follows:

“11.17.030 Development standards.

The following standards shall apply to all development in the MU zone:

A. Density.

1. For multifamily residential uses, the minimum density should be twenty *five* (~~20~~ *25*) dwelling units per acre and the maximum density shall be thirty (30) dwelling units per acre.

2. ~~Nonresidential uses shall be developed at a maximum floor area ratio of 1.5. *The maximum floor area ratio shall be 0.5:1 for development that includes only commercial uses, and 1.5:1 for mixed use development or development that includes only residential uses. Underground parking shall be excluded from the calculation of FAR.*~~

B. Minimum Lot Area. Minimum area for newly created lots shall be five thousand (5,000) square feet. Individual condominium parcels shall not be deemed lots for the purposes of this requirement.

C. Lot Coverage. The maximum lot coverage for projects in the MU zone shall be eighty (80) percent. For the purposes of this section, building area includes all enclosed roofed areas, and all parking areas with a roof four feet or more above natural grade.

~~D. Nonresidential Use. A minimum of thirty (30) percent of a project's floor area shall be developed and maintained with nonresidential uses.~~

~~D~~ E. Ground Floor Uses.

1. ~~Only nonresidential uses are permitted on the ground floor of buildings fronting a primary street such as Foothill Boulevard. Residential uses are permitted on the ground floor of buildings fronting other streets, including internal streets and driveways.~~

2. Main entrances to ground floor, nonresidential uses shall be located on primary streets.

~~E~~ F. Setbacks.

1. The setbacks in the MU zone shall be as follows:

a. Front: ~~up to~~ an average of five feet from the front property line for the ground floor and second floor, and ~~an~~ minimum of five feet and average of ten feet from the ground floor front wall for the second and third floor for the third floor.

b. Rear: five feet, or fifteen (15) feet when adjacent adjoining to a residential use or R-1 zone.

c. Corner side: ~~zero feet, or fifteen (15) feet when adjacent to a residential use or zone~~ an average of five feet for the ground and second floor and an average of 10 feet for the third floor.

d. Interior side: zero feet, or fifteen (15) feet for the ground floor and second floor and twenty (20) feet for the second and third floors when adjacent adjoining to a residential use or R-1 zone.

2. If front setbacks are provided, they shall only be used for landscaping, outdoor merchandise display, outdoor dining, or active pedestrian uses such as plazas, entries or seating.

3. No wall or architectural feature shall project beyond ground floor setbacks except balconies and bay windows.

4. Open air setbacks may be permitted for ground floor, nonresidential uses to allow for outdoor use such as outdoor dining, merchandise display, or entry forecourts. Projects incorporating open air setbacks shall include elements defining the wall plane at the edge of the front property line.

5. A ground floor porch, uncovered or covered and open on three sides, may encroach into the front or, side, and corner side setbacks by up to ~~ten~~ three (3) feet.

6. Any project abutting a R-1 zone shall comply with R-1 building bulk limits along the common boundary.

F G. Building Size. The maximum building size for developments that include only commercial uses in the MU zone shall be thirty-five thousand (35,000) square feet.

G H. Height.

1. With the exception of architectural extensions allowed per subsection (G H)(2), no building shall exceed three stories or thirty-five (35) feet, measured as defined in subsection (G)(4) ~~to the highest point on the building or thirty (30) feet to the top of the building wall.~~

2. Architectural extensions of up to fifty (50) feet in height are allowed for an area of up to ten percent of a building's floor area, provided that the horizontal dimension of each individual extension does not exceed twenty (20) percent of the corresponding building dimension.

3. No accessory structure shall exceed fifteen (15) feet to the highest point on the structure.

4. ~~Height shall be measured from the nearest adjacent finished grade, except that fill exceeding three feet shall be counted as part of the building height.~~ Measurement: For any building or building segment located within 50 feet of a street right-of-way, building height shall not exceed three (3) stories and thirty-five (35) feet maximum roof height, measured from the curb elevation adjacent the building or building segment to the highest point of the building or building segment. Where a lot has frontage on two or more streets, height shall be measured in relation to the lowest curb elevation adjacent to the building or building segment. For any building or building segment located in excess of 50 feet from a street right-of-way, no portion of a building or building segment shall exceed three (3) stories and thirty-five (35) feet maximum roof height by more than twenty (20) percent. For purposes of this requirement, height shall be measured from the existing grade or adjacent finished grade, whichever is lower, to the highest point of the building or building segment. To determine compliance with this section, the Community Development Director may require applicants to submit a topographic survey of the project site, and, if necessary, portions of adjacent sites, prepared by a licensed surveyor or licensed civil engineer, depicting existing contours and the contours of finished grade, if different from existing grade, at elevation change intervals no greater than five feet (5'). Survey measurements also shall indicate the elevations of adjoining curbs or street pavements if no curb exists. Appurtenances may exceed the height limit up to fifteen (15) feet for up to twenty (20) percent 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.

HI. Parking.

1. Residential Uses. The standards for parking for residential uses are as follows:

- a. Minimum parking required for residents:
0 to 1-bedroom units: one space per unit;
2 or more bedroom units: two spaces per unit.

b. Senior citizen multifamily housing:
0 bedroom units: 0.5 spaces per unit;
1 or more bedroom units: 1 space per unit.

b.c. Minimum parking required for guests: one-fourth spaces per unit, in addition to resident parking required in subsection (I)(1)(a) and (b).

e.d. At least one parking space per unit shall be covered. Guest parking may be uncovered.

2. Restaurants. The minimum parking required for restaurants shall be one space for the first two hundred fifty (250) square feet of gross floor area, and fifteen (15) spaces for each additional one thousand (1,000) square feet of gross floor area.

3. Offices. The minimum parking required for offices shall be three spaces for each one thousand (1,000) square feet of gross floor area.

4. All Other Uses. Unless otherwise specified in Chapter 11.38, the minimum parking required for all other uses shall be one space for the first one thousand (1,000) square feet of gross floor area and three spaces for each additional one thousand (1,000) square feet of gross floor area.

5. Shared Parking. Shared parking shall be allowed if sufficient parking is provided during the peak parking demand period as demonstrated by meeting all the following requirements:

a. On-Site. Shared on-site parking between land uses with different periods of peak parking demand is allowed for all uses when written evidence documenting that: (i) the existing or anticipated land use(s) will have different periods of peak parking demand; and (ii) the shared parking arrangement can accommodate the parking demand for all uses, is provided and approved by the decisionmaker.

b. Off-Site. Shared off-site parking between land uses with different periods of peak parking demand will be allowed for all uses when written evidence documenting that: (i) the existing or anticipated land use(s) will have different periods of peak parking demand; and (ii) the shared parking arrangement can accommodate the parking demand for all uses, is provided and approved by the decisionmaker and the following conditions are met:

i. Off-site parking is located within one thousand two hundred (1,200) feet of the associated use. Further distance may be allowed if approved by the decisionmaker.

ii. Appropriate signage to direct vehicles to the shared parking facility, and pedestrians from the parking facility to each use, is installed.

iii. Pedestrian access from the parking facility to each use is free of physical barriers such as walls and significant vegetation.

iv. A parking management plan is provided specifying parking spaces assignments, as applicable, and detailing any permit, time limit or other restrictions to ensure that spaces are available for the intended users.

v. Shared driveway access for all users of the parking facility is guaranteed.

vi. A signed agreement between the applicant, the property owners and the city to share their parking is approved by the city and recorded against the participating properties. The agreement shall obligate the subject parking spaces to their respective uses and users. This agreement will impact other future uses on the respective properties and may limit uses that might otherwise wish to locate on the participating properties. The agreement shall be approved by the city.

6. Reductions in Minimum Parking. 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, senior housing units, or under other appropriate circumstances in accordance with state law, or when written evidence justifying the reduction is provided and approved by the decisionmaker.

7. Location. Vehicle parking shall be located behind buildings.

8. Off-street loading. A minimum of one (1) off-street loading space shall be provided to ensure adequate space to accommodate loading and unloading for moving trucks, delivery vehicles, ride-sharing vehicle pick-up and drop-off, and other similar uses, 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 minimum number of parking spaces required in this section, and shall be designed so as not to impede normal vehicular and pedestrian circulation.

9. Bicycle parking. A minimum of one (1) bicycle parking space shall be provided per dwelling unit.

13. Landscaping. The standards for landscaping in the MU zone are as follows:

1. Minimum Landscaping. A minimum of ten percent of the total lot shall be landscaped unless otherwise specified during review of the proposed project by the planning commission or design review commission.

2. Water Efficiency. All landscaped areas shall be designed and maintained in accordance with the requirements of Chapter 4.23 Water Efficient Landscaping.

3. Trees. Street trees shall be selected and located in accordance with the city's standards for street trees, and continuously maintained by the property owner. 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).

4. Maintenance. 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.

5. Parking Area Landscaping.

a. Buffers. Parking areas, including internal circulation areas, parking spaces and turnaround areas, shall be separated from any public rights-of-way by a minimum eight-foot wide (inside dimension) planter area or landscape strip, except at driveway and walkway openings. A minimum five-foot landscaped buffer shall remain between any uncovered parking space and the property line. This requirement may be waived by the community planning director if the project is designed to minimize the visual impact of parking and circulation areas through building orientation or other means.

b. All landscaped areas adjacent to parking, circulation and vehicle storage areas shall be enclosed by a raised six-inch concrete curb or low wall.

c. All areas not used for vehicle storage or circulation shall be landscaped.

d. Parking lots shall include one planter at each end of parking aisles and one additional planter for each ten parking spaces as follows:

i. At least one tree shall be provided per each prescribed planter. Trees shall be a minimum of fifteen (15) gallon size at planting and at least twenty-five (25) percent of the trees shall be of twenty-four (24) inch box size or greater at planting. At least seventy-five (75) percent of the required trees shall be of species having a mature canopy index of at least five hundred (500). The canopy index is the product of the canopy width multiplied by the tree height (in feet).

ii. Except as required for vehicular movement, planter lengths shall equal the adjacent parking space lengths.

iii. Planters shall average at least five feet in width.

iv. Where deemed appropriate in design review, clustered landscaping areas within the parking lot may be substituted for the prescribed planters.

6. Tree Preservation. If removal of protected tree(s), as identified within Chapter 11.40, is required to accommodate development of an affordable housing project that must be approved ministerially, the tree(s) shall be replaced onsite, unless a Certified Arborist determines planting of replacement tree(s) is unfeasible. The size of replacement tree(s) shall be based on the size of the protected tree removed, as follows:

<u>Size of Protected Tree Removed</u>	<u>Replacement Tree Size at Planting</u>
<u>Less than 23" DBH</u>	<u>24" box</u>
<u>24"-25" DBH</u>	<u>36" box</u>
<u>Over 35" DBH</u>	<u>48" box</u>

JK. Lighting.

1. Exterior lighting devices for parking areas and pedestrian walkways shall be provided at adequate levels for safety and security.
2. Lighting shall be designed to conform to city standards and prevent spillover onto adjacent properties.
3. Accent lighting of buildings and landscaping is encouraged.
4. High-intensity lighting, such as neon perimeter strips, is not allowed.

KL. Equipment and Utilities. Equipment and utilities for such buildings shall meet the following standards:

1. Building service equipment shall not be visible from the public right-of-way and shall be screened to minimize noise and visual impacts to neighboring properties.

2. Utility service lines shall comply with the underground utilities ordinance.

L M. Storage Areas. Storage areas visible from adjacent windows or from the public right-of-way shall be screened.

M N. Walls.

1. No wall within a required street-facing setback shall exceed three and one-half feet in height. Walls of less than two feet in height, allowing for seating, are encouraged.

2. Where a project abuts a residential zone, a six-foot high screening wall, of solid concrete, brick or stone, is required. The wall shall be of finished appearance on both sides. Any length exceeding twenty-five (25) feet shall be broken up through landscaping, substantial reveals or pilasters, and/or other means. The wall shall be stepped down to a height not to exceed forty-two (42) inches when it is located within the extension of the residential front or side street yard setback area(s).

3. The planning commission may modify or waive wall requirements after notification and an opportunity to be heard has been given to property owners affected by the proposed modification or waiver.

N O. Refuse Areas. Each development shall provide at least one screened refuse area, at least ten square feet in area per one thousand (1,000) square feet of building area, as follows:

1. All refuse storage areas must be accessible for pickup, and shall be situated at the rear or side of the building, out of public view.

2. Each storage area and the access to it shall be smooth, level concrete, and provided with a water line, drain, and self-closing gate.

3. Each refuse storage area shall be screened by plantings and a minimum six-foot high wall constructed of decorative block or other nonflammable material complementary to the project.

4. The requirement for the refuse area or its placement may be modified or waived by the design review board or planning commission if it is determined that site conditions present an undue hardship.

O P. Outside Merchandise Displays. Outdoor merchandise displays are subject to approval by the community development director, based on submittal of a written description of the proposed display, a site plan, and a schedule for display. Outdoor merchandise displays may be permitted in accordance with the following standards:

1. Displays shall be less than twenty (20) square feet in area per business, except that larger displays may be permitted for nursery goods, including Christmas tree sales;

2. Any adjacent sidewalk shall retain at least six feet in width;
3. Displays should be removed when businesses are closed;
4. No packaged goods should be displayed.

PQ. Residential Standards.

1. Common open space shall be provided at a rate of 150 square feet per dwelling unit.

2. ~~A minimum of three hundred (300) square feet of open space shall be provided for each dwelling unit, except that lots under five thousand (5,000) square feet in area are not required to meet the open space area standard.~~ All common open space must be outdoor area on the ground which is open to the elements and which is designed and used for outdoor living and/or recreation, whether such area is paved or not, except that up to 50 percent of required common open space may be provided as common indoor recreational amenities such as exercise rooms, indoor theaters, or activity rooms. Common open space shall not include parking or vehicle circulation areas.

3. A minimum of one hundred (100) square ~~cubic~~ feet of secure storage per dwelling unit shall be provided in addition to all storage areas located within dwelling units.

4. Mixed use projects shall be designed to minimize noise and vibration from commercial uses located below residential uses.”

SECTION 12. Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended to add Chapter 11.21 (Housing Element Implementation Zone), which read as follows:

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;
2. 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
2. Multifamily residential development on religious facility sites, provided that:
 - a. At least fifteen (15) 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} – Primary Structure(s)</u>	<u>35'</u>	<u>35'</u>	<u>35'</u>
<u>Maximum Height – Accessory Structure(s)</u>	<u>15'</u>	<u>15'</u>	<u>15'</u>
<u>Minimum Setbacks⁵</u>			
• <u>Front:</u>			
	<u>5' average from the front property line for the ground floor and second floor, and an average of 10' for the third floor.</u>	<u>5' average from the front property line for the ground floor and second floor, and an average of 10' for the third floor.</u>	<u>5' average from the front property line for the ground floor and second floor, and an average of 10' for the third floor.</u>
• <u>Rear^{6,7}</u>			
	<u>5', or 15' when adjoining a R-1 zone</u>	<u>5', or 15' when adjoining a R-1 zone</u>	<u>5', or 15' when adjoining a R-1 zone</u>
• <u>Interior Side:</u>			
	<u>zero feet, or fifteen (15) feet for the ground floor and second floor, and twenty (20) feet for the third floor when adjoining a R-1 zone⁸</u>	<u>zero feet, or fifteen (15) feet for the ground floor and second floor, and twenty (20) feet for the third floor when adjoining a R-1 zone⁸</u>	<u>zero feet, or fifteen (15) feet for the ground floor and second floor, and twenty (20) feet for the third floor when adjoining a R-1 zone⁸</u>
• <u>Exterior Side (Corner):</u>			
	<u>5' average for the ground floor and second floor, and an average of 10' for the third floor.</u>	<u>5' average for the ground floor and second floor, and an average of 10' for the third floor.</u>	<u>5' average for the ground floor and second floor, and an average of 10' for the third floor.</u>
<u>Maximum Lot Coverage</u>	<u>80%</u>	<u>80%</u>	<u>80%</u>
<u>Minimum Open Space</u>			
• <u>Common Open Space</u>	<u>150 sq ft/du⁹</u>	<u>150 sq ft/du⁹</u>	<u>150 sq ft/du^{9,10}</u>
<u>Minimum Parking^{11,12,13}</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>2 spaces/du</u>	<u>2 space/du</u>
• <u>Senior Citizen Multifamily Residential Parking:</u>			
○ <u>0 bedrooms/du</u>	<u>0.5 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 Parking¹⁴</u>	<u>0.25 space/du</u>	<u>0.25 space/du</u>	<u>0.25 space/du</u>
• <u>Off-Street Loading¹⁵</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 For any building or building segment located within 50 feet of a street right-of-way, building height shall not exceed 35 feet, measured from the curb elevation adjacent the building or building segment to the highest point of the building or building segment. Where a lot has frontage on two or more streets, height shall be measured in relation to the lowest curb elevation adjacent to the building or building segment. For any building or building segment located in excess of 50 feet from a street right-of-way, no portion of a building or building segment shall exceed 35 feet by more than twenty (20) percent. For purposes of this requirement, height shall be measured from the existing grade or adjacent finished grade, whichever is lower, to the highest point of the building or building segment. To determine compliance with this section, the Community Development Director may require applicants to submit a topographic survey of the project site, and, if necessary, portions of adjacent sites, prepared by a licensed surveyor or licensed civil engineer, depicting existing contours and the contours of finished grade, if different from existing grade, at elevation change intervals no greater than five feet (5'). Survey measurements also shall indicate the elevations of adjoining curbs or street pavements if no curb exists.

⁴ Appurtenances may exceed the height limit up to 15' for up to 20% 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 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).

⁶ Any project abutting a R-1 zone shall comply with R-1 building bulk limits along the common boundary.

⁷ 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.

⁸ For accessory buildings adjoining commercial properties, this setback may be reduced to a minimum 5' landscaped strip.

⁹ 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.

¹⁰ 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.

¹¹ 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.

¹² Parking spaces shall not be permitted in front or side setbacks.

¹³ 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.

¹⁴ Required parking spaces for nonresidential uses can contribute up to 50% of the required number of guest parking spaces for the residential use.

¹⁵ 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:

$$S = 0.002296 \times I \times L$$

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."

SECTION 13. Chapter 11.36 (General Regulations and Area Requirements) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, adding Sections 11.36.140 (Residential Air Quality) and 11.36.150 (Permitted Lower Income Housing), which read as follows:

"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. 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 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)."

SECTION 14. Section 11.63.010 (Merger of contiguous parcels) of Chapter 11.63 (Merger of Parcels) of Title 11 (Zoning) of the La Cañada Flintridge Municipal Code is hereby amended, to read as follows:

"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:

A 1. 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

B 2. With respect to any affected parcel, one or more of the following conditions exists:

1 a. Comprises less than five thousand (5,000) square feet in area at the time of the determination of merger,

2 b. Was not created in compliance with applicable laws and ordinances in effect at the time of its creation,

3 c. Does not meet the current standards for sewage disposal and domestic water supply,

4 d. Does not meet slope stability standards,

5 e. Has no legal access which is adequate for vehicular and safety equipment access and maneuverability,

6 f. Its development would create health or safety hazards,

7 g. 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."

SECTION 15. The City's official Zoning Map is repealed and replaced with the map attached as Exhibit "A" to this Ordinance.

SECTION 16. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any Person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other Person or circumstance. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 17. The City Clerk shall certify to the passage and adoption of this Ordinance and shall make a minute of the passage and adoption thereof in the records of and the proceeding of the City Council at which the same is passed and adopted. This Ordinance shall take effect thirty (30) days after its adoption in accordance with California Government Code Section 36937. The City Clerk shall cause a summary of this ordinance to be published in accordance with Government Code Section 36933 in a newspaper of general circulation, which is hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED this 19th day of September, 2023.

DocuSigned by:

0E04404A7DA844E...

Richard B. Gunter III, Mayor

ATTEST:

DocuSigned by:

94AE4A4BA9FF48B...

Tania Garcia, City Clerk

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

DocuSigned by:

793906C33D394DC...

Adrian Guerra, City Attorney

State of California)
County of Los Angeles) ss.
City of La Cañada Flintridge)

I, Tania Garcia, City Clerk of the City of La Cañada Flintridge, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 515 was introduced for first reading on September 12, 2023. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of the City Council on September 19, 2023, by the following vote:

AYES: COUNCILMEMBERS: BOWMAN, DAVITT, GUNTER, AND EICH
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

Dated: September 19, 2023

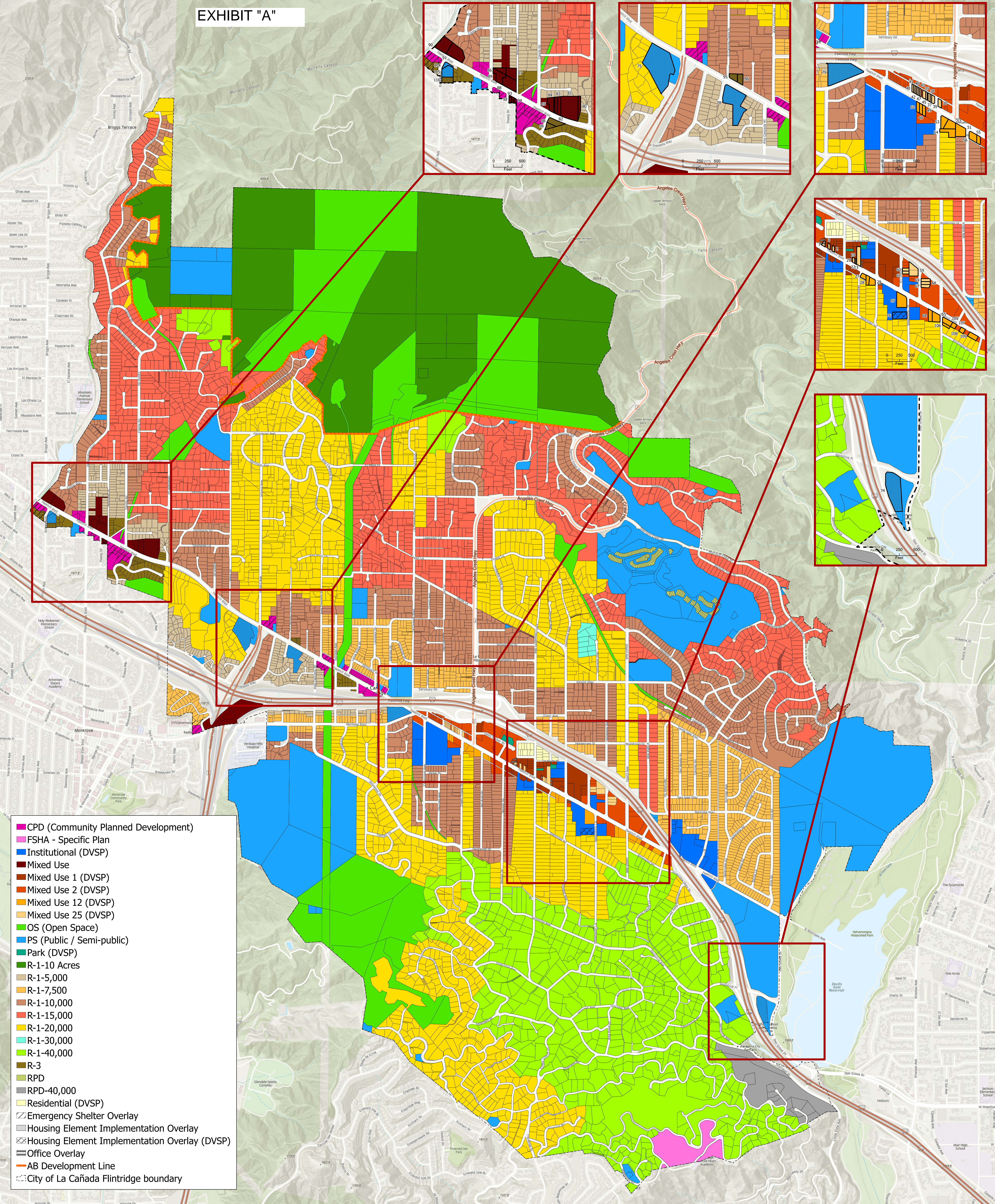
DocuSigned by:

94AE4A4BA9FF48B
Tania Garcia, City Clerk

Exhibit "A" Map

An official copy of the Zoning Map is available in the Office of the City Clerk, City of La Cañada Flintridge, One Civic Center Drive, La Cañada Flintridge, CA 91011

EXHIBIT "A"



Updated July 10, 2023

Zoning Map

City of La Cañada Flintridge

