Watch and listen to the meeting via Zoom Webinar as follows:

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Webinar ID: 827 3540 5361

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Meeting Rules and Regulation

Section 2.24.060 of the Alhambra Municipal Code provides for the Planning Commission to establish and enforce its own rules and regulations for its meetings. The Planning Commission uses those rules and regulations established by the Municipal Code and implemented for use by the City Council.

Addressing the Commission:

In person: Any person wishing to address the Commission during the meeting is asked to complete a Speaker Request Card and submit it to the Secretary. When called upon by the President, please step to the podium and give your name, address and organization or other party you represent, if any, in an audible tone of voice for the record.

Via Zoom or Telephone: “Raise your hand” - Members of the public may speak by using the “Raise Hand” function during the public comments portion, if on Zoom or telephone. Staff will unmute speakers participating via Zoom or telephone and announce your name when it is your time to speak.

Comments are limited to 5 minutes; however, the presiding officer may either extend or reduce the maximum time to such period of time as the Commission may determine.

All comments shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the President. No question shall be asked a Commissioner except through the President.
Any member of the public who needs accommodations or who needs their comments translated should email or call the Community Development Department at mmccurley@cityofalhambra.org or (626) 570-5034. All requests for accommodations or translation services shall be made by 4 p.m. the Thursday prior to the Planning Commission meeting. If accommodation or translation is not requested by 4 p.m. the Thursday prior to the Planning Commission meeting, staff will try to accommodate the request to the best of their efforts to provide as much accessibility as possible while also maintaining public safety. All participants are encouraged to email their comments prior to the beginning of the meeting, but are not required to do so. All written comments received prior to the meeting will be entered into the record and distributed to the Planning Commission for their review.

Standards of Decorum: Any person addressing the Commission who refuses to stop speaking after his/her time has expired or any person who behaves in such a manner as to interfere with or impede the progress of the Planning Commission meeting who, after a request by the President, refuses to cease such behavior may be muted or barred from the meeting upon direction of the President.

Enforcement of Decorum: The Chief of Police, or his/her designee, may be Sergeant-at-Arms of the Commission meetings. If present, the Sergeant-at-Arms shall carry out all orders and instructions given by the President for the purpose of maintaining order and decorum at the Commission meeting.

Persons Authorized to be Within Rail: No person, except City officials, their representatives, and newspaper reporters, shall be permitted within the rail in front of the Council Chamber without the express consent of the Commission.
AGENDA
REGULAR MEETING
ALHAMBRA
CITY PLANNING COMMISSION
111 South First Street
June 5, 2023
7:00 p.m.

CALL MEETING TO ORDER:

ROLL CALL:
NOYA WANG, President  ERIC GARCIA, Vice President
ANTONIO GARDEA  JACOB MOJARRO
KARLA GRIJALVA  CHRIS OLSON
WING HO  CALIMAY PHAM
CHRISTOPHER JUAREZ  KENT TSUJII

FLAG SALUTE: Led by President Wang

CONSENT AGENDA:

Pursuant to Alhambra Municipal Code Section 23.78.020, all items listed on the Consent Agenda will be enacted by one motion based on the recommended actions listed below unless a citizen or a Commissioner requests that an item be removed and be heard separately. Items placed on the Consent Agenda include smaller scale projects, projects which do not require Variances, projects which are being continued to future meetings and ministerial matters (minutes, resolutions, etc.).

1. MINUTES – MAY 15, 2023

   Recommended Action: Commission review and approve as submitted the Minutes of the May 15, 2023 Regular Meeting of the Alhambra Planning Commission.

DISCUSSION ITEMS:

2. PRESENTATION SERIES ON THE COMPREHENSIVE ZONING CODE UPDATE
   This is the tenth continuation of the eighth presentation in a series of presentations on the
Comprehensive Zoning Code Update project presented by Planning Division Staff.

**Recommended Action:** It is recommended that the Planning Commission receive and file this informational report and provide input to Staff as deemed appropriate.

**PUBLIC HEARINGS:**

3. **PLANNED DEVELOPMENT PERMIT PD-22-37 AND VARIANCE VAR-22-09**
   69 East Main Street
   Applicant: Steven Schechter on behalf of Dollar Tree
   This is an application for a Planned Development Permit PD-22-37 and a Variance VAR-22-09 to establish a discount variety store, Dollar Tree, in an existing commercial lease space with less than the required number of parking spaces located at 69 East Main Street in the Central Business District (CBD) and Downtown Revitalization District (DRD) zone.

   **Recommended Action:** Adopt Resolution 23-10 approving Planned Development Permit PD-22-37 and Variance VAR-22-09 subject to the Conditions of Approval, and finding Planned Development Permit PD-22-37 and Variance VAR-22-09 to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities.

4. **PLANNED DEVELOPMENT PERMIT PD-23-41 AND VARIANCE VAR-23-12**
   1117 East Main Street
   Applicant: Yuri Amsellem
   This is an application for a Planned Development Permit PD-23-41 and a Variance VAR-23-12 to establish a remote commercial kitchen facility with less than the required number of parking spaces within an existing 4,450 square foot commercial building, located at 1117 East Main Street in the EMC (East Main Commercial) zone.

   **Recommended Action:** Adopt Resolution 23-11 approving Planned Development Permit PD-23-41 and Variance VAR-23-12 subject to the Conditions of Approval, and finding Planned Development Permit PD-23-41 and Variance VAR-23-12 to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities.

5. **PLANNED DEVELOPMENT PERMIT PD-23-49**
   1127 South Fremont Avenue
   Applicant: Christian A. Flores
This is an application for a Planned Development Permit PD-23-49 to establish a medical office in an existing commercial lease space of The Shops at The Alhambra shopping center located at 1127 South Fremont Avenue, Unit C, in the Commercial Planned Development (CPD) zone.

**Recommended Action:** Adopt Resolution 23-12 approving Planned Development Permit PD-23-49 subject to the Conditions of Approval, and finding Planned Development Permit PD-23-49 to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities.

**ORAL COMMUNICATIONS (TIME LIMIT – 5 MINUTES):**

Citizens wishing to address the Commission on any matter within the subject matter jurisdiction of the Commission not on the Agenda may do so at this time. Please state your name and address clearly for the record. Please note that while the Planning Commission values your comments, pursuant to the Brown Act, the Planning Commission cannot take action unless the matter appears as an item on a forthcoming agenda.

**COMMENTS FROM THE PLANNING COMMISSION AND CONFERENCE/MEETING REPORTS:**

Each Commissioner at his/her discretion may address the Commission and public on matters of general information and/or concern, including announcements and future agenda items. This is also the time for Commissioners to report on conferences and/or meetings they have attended.

**COMMENTS FROM STAFF:**

Staff may address the Commission and public on matters of general information and/or concern, including updates on projects, programs or events within the City, and announcements as deemed necessary.

**ADJOURNMENT:**

The next regularly scheduled meeting of the Alhambra Planning Commission will be held on Monday, June 19, 2023 at 7:00 p.m.

**NOTICE:**

**AGENDA ITEMS:** Copies of the staff reports or other written documentation relating to each item of business described herein above are on file in the offices of the Community Development Department in City Hall, 111 South First Street, Alhambra, California, and are available on the City’s website. If you would like to sign-up to receive the Planning Commission meeting agenda and staff reports packet,
please visit the City’s website at www.cityofalhambra.org and you will be able to submit your email address on the homepage to the subscription service.

**APPEALS:** Any person wishing to appeal any decision of the Planning Commission to the City Council may do so by filing an appeal in writing along with the appropriate appeal fee to the Community Development Department in City Hall within 10 calendar days of the Planning Commission decision. The appeal period for items on this agenda expires at the close of business on June 15, 2023.
A. CALL MEETING TO ORDER: 7:00 P.M. in the Council Chambers of Alhambra City Hall, and via video conference and teleconference.

B. ROLL CALL:

Present: Gardea, Grijalva, Ho, Juarez, Olson, Garcia, Wang

Absent: Mojarro, Pham, Tsujii

Staff Present: Vanessa Reynoso, Deputy Director; Paul Lam, Principal Planner; Maia McCurley, Senior Planner; Megan Wu, Associate Planner; Jessica Vargas, Planning Technician; Erica Vega, Deputy City Attorney

C. FLAG SALUTE: Led by President Wang

D. CONSENT AGENDA:

AGENDA ITEM 1: MINUTES – MAY 1, 2023 (7:05 P.M.)

- **Request:** This is a request for the Planning Commission to approve the Minutes of the May 1, 2023, Regular Meeting of the Alhambra Planning Commission.

- **Recommended Action:** Commission review and approve as submitted the Minutes of the May 1, 2023, Regular Meeting of the Alhambra Planning Commission.

MOTION:

- Moved to approve Consent Agenda Item 1.
- Moved by Vice President Garcia, Seconded by Commissioner Olson.
- The motion carried by the following roll call vote:

  **Roll Call Vote:** 6-0-1-3
  Ayes: Gardea, Grijalva, Ho, Olson, Garcia, Wang
  Noes: None
  Abstain: Juarez
  Absent: Mojarro, Pham, Tsujii

- For additional information regarding the discussion, the audio and video recordings of the discussion is available here:
E. RE-ORDER THE AGENDA:

MOTION:

- Moved to re-order the agenda to move the public hearing items before the discussion items.
- Moved by Vice President Garcia, Seconded by Commissioner Gardea.
- The motion carried by the following roll call vote:

  **Roll Call Vote: 7-0-0-3**
  Ayes: Gardea, Grijalva, Ho, Juarez, Olson, Garcia, Wang
  Noes: None
  Abstain: None
  Absent: Mojarro, Pham, Tsujii

- For additional information regarding the discussion, the audio and video recordings of the discussion is available here:


F. PUBLIC HEARINGS:

AGENDA ITEM 3: PLANNED DEVELOPMENT PERMIT PD-21-37 (7:08 P.M.)

- **523 South Marguerita Avenue**
- **Request:** This is an application for a Planned Development Permit PD-21-37 to construct a 255 square foot first and second story addition at the rear of an existing 1,559 square foot two-story single-family dwelling located in the R-2 (Limited Multiple Family Residential) zone.
- **Recommended Action:** Adopt Resolution 23-09 approving Planned Development Permit PD-21-37 subject to the Conditions of Approval, and finding Planned Development Permit PD-21-37 to be exempt
from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities.

- **Planning Technician Jessica Vargas** provided the Staff presentation.
- **Salvador Jimenez and Jose Alvarez**, applicant and property owner, respectively, were available to answer questions.
- **The public hearing was opened and then closed.**

**MOTION:**

- Moved to approve with a modification to the findings in Resolution 23-09, specifying the proposed project materials are differentiated but compatible with the original building in compliance with the Secretary of the Interior Standards for the Treatment of Historic Properties.
- Moved by Commissioner Gardea, Seconded by Commissioner Olson.
- The motion carried by the following roll call vote:

**Roll Call Vote:** 7-0-0-3  
Ayes: Gardea, Grijalva, Ho, Juarez, Olson, Garcia, Wang  
Noes: None  
Abstain: None  
Absent: Mojarro, Pham, Tsujii

**AGENDA ITEM 4:** PLANNED DEVELOPMENT PERMIT PD-22-34 AND CONDITIONAL USE PERMIT CUP-22-15 (7:18 P.M.)

- **2121 Orange Street**
- **Request:** This is an application for a Planned Development Permit PD-22-34 and Conditional Use Permit CUP-22-15 to allow for the demolition of a 40,908 square foot one-story office and warehouse building to accommodate the construction of a 99,828 square foot, four-story self-storage facility. The project is located on a site of approximately 1.15 acres within the IPD (Industrial Planned Development) zone.
- **Recommended Action:** Adopt Resolution 23-08 approving Planned Development Permit PD-22-34 and Conditional Use Permit CUP-22-15 subject to the Conditions of Approval, and finding Planned Development Permit PD-22-34 and Conditional Use Permit CUP-22-15 to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15332, Class 32 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects characterized as in-fill development.
- **Associate Planner Megan Wu** provided the Staff presentation.
- **Dana Sayles (three6ixty), Patrick Cruz (Dudek), Lisa Valdez (Dudek), and Beau Gunn (Life Storage)** from the Applicant team were available to answer questions.
• The public hearing was opened and then closed.
• Public Comments:
  1.) Lola Armendariz
  2.) Melissa Michelson
  3.) Veronica Alvarez

MOTION:
• Moved to deny without prejudice.
• Moved by Commissioner Gardea.
• Motion failed for lack of a second.

MOTION:
• Moved to re-open the public hearing.
  • Moved by Commissioner Gardea, Seconded by Commissioner Olson.
  • The motion carried by a Voice Vote with a majority of the Commission voting in favor of the motion.

RECESS:
• Recess at 8:27 P.M.
• Reconvene at 8:35 P.M.

PUBLIC HEARING:
• The public hearing was opened and then closed.
• Dana Sayles (three6ixty), from the Applicant team, responded to the Commission’s comments and questions.

MOTION:
• Moved to continue the item to a date uncertain in order to allow the Applicant to: (1) explore other uses to incorporate at the ground floor of the project and (2) improve walkability at the project through increased landscaping and usable green space, as well as wider sidewalks.
• Moved by Commissioner Ho, Seconded by Commissioner Olson.
• The motion carried by the following roll call vote:

  Roll Call Vote: 6-0-0-1-3
  Ayes: Gardea, Grijalva, Ho, Olson, Garcia, Wang
  Noes: None
  Abstain: None
  Recuse: Juarez
  Absent: Mojarro, Pham, Tsujii

• For additional information regarding the discussion, the audio and video recordings of the discussion is available here:
G. DISCUSSION ITEMS:

AGENDA ITEM 2: PRESENTATION SERIES ON THE COMPREHENSIVE ZONING CODE UPDATE (8:44 P.M.)

- This is the ninth continuation of the eighth presentation in a series of presentations on the Comprehensive Zoning Code Update project presented by Planning Division Staff.
- **Recommended Action:** It is recommended that the Planning Commission receive and file this informational report and provide input to Staff as deemed appropriate.
- The public comment portion of the Discussion Item was opened and closed.
- **Public Comments:**
  1. Lewis McCammon
  2. Melissa Michelson
  3. Lola Armendariz
  4. Jennifer Ng
  5. Bert Ng
  6. Brad
  7. Olga Alarid
  8. Ari Gutierrez Arambula
  9. Veronica Alvarez
- **Principal Planner Paul Lam** provided the Staff presentation.
- **Motion on P (Parking) zone parcels at 25 North Granada Avenue (APN 5336-021-041) & 807 East Main Street (APN 5336-021-038):**
  - Moved to re-zone the parcels at 25 North Granada (APN 5336-021-041) and 807 East Main Street (APN 5336-021-038) from P (Parking) zone to RM (Residential Medium Density).
  - Moved by Vice President Garcia, Seconded by Commissioner Olson.
  - The motion carried by the following roll call vote:

  **Roll Call Vote: 4-3-0-3**
  Ayes: Grijalva, Olson, Garcia, Wang
  Noes: Gardea, Ho, Juarez
  Abstain: None
  Absent: Mojarro, Pham, Tsujii
• **Motion on P (Parking) zone parcel at 1212 East Main Street (APN 5346-009-030):**
  o Moved to re-zone the parcel at 1212 East Main Street (APN 5346-009-030) from P (Parking) zone to RL (Residential Low Density).
  o Moved by Vice President Garcia, Seconded by Commissioner Gardea.
  o The motion carried by the following roll call vote:

  **Roll Call Vote:** 7-0-0-3
  Ayes: Gardea, Grijalva, Ho, Juarez, Olson, Garcia, Wang
  Noes: None
  Abstain: None
  Absent: Mojarro, Pham, Tsujii

• **Motion on P (Parking) zone parcel at 3201 Mission Road (APN 5291-024-017):**
  o Moved to re-zone the parcel at 3201 Mission Road (APN 5291-024-017) from P (Parking) zone to RL (Residential Low Density).
  o Moved by Commissioner Gardea, Seconded by Commissioner Olson.
  o The motion failed by the following roll call vote:

  **Roll Call Vote:** 3-4-0-3
  Ayes: Gardea, Olson, Wang
  Noes: Grijalva, Ho, Juarez, Garcia
  Abstain: None
  Absent: Mojarro, Pham, Tsujii

• **Motion on P (Parking) zone parcel at 3201 Mission Road (APN 5291-024-017):**
  o Moved to approve Staff’s recommendation and re-zone the parcel at 3201 Mission Road (APN 5291-024-017) from P (Parking) zone to I (Industrial).
  o Moved by Commissioner Gardea, Seconded by Vice President Garcia.
  o The motion carried by the following roll call vote:

  **Roll Call Vote:** 5-2-0-3
  Ayes: Grijalva, Ho, Juarez, Olson, Garcia
  Noes: Gardea, Wang
  Abstain: None
  Absent: Mojarro, Pham, Tsujii

• **Motion on P (Parking) zone parcels at APN 5291-026-021 and APN 5342-033-026:**
  o Moved to re-zone the parcels at APN 5291-026-021 and APN
Motion on P (Parking) zone parcels at APN 5291-026-021 and APN 5342-033-026:
- Moved to approve Staff’s recommendation and re-zone the parcels at APN 5291-026-021 and APN 5342-033-026 from P (Parking) zone to I (Industrial).
- Moved by Commissioner Ho, Seconded by Vice President Garcia.
- The motion carried by the following roll call vote:

  Roll Call Vote: 7-0-0-3
  Ayes: Gardea, Grijalva, Ho, Juarez, Olson, Garcia, Wang
  Noes: None
  Abstain: None
  Absent: Mojarro, Pham, Tsujii

Motion on P (Parking) zone parcel at 1408 7th Street (APN 5357-004-019):
- Moved to re-zone the parcel at 1408 7th Street (APN 5291-026-021) from P (Parking) zone to RM (Residential Medium Density).
- Moved by Commissioner Gardea, Seconded by Commissioner Ho.
- The motion carried by the following roll call vote:

  Roll Call Vote: 6-1-0-3
  Ayes: Gardea, Grijalva, Ho, Juarez, Olson, Garcia
  Noes: Wang
  Abstain: None
  Absent: Mojarro, Pham, Tsujii

Motion on P (Parking) zone parcel at 5 South Valencia Street (APN 5346-005-012):
- Moved to re-zone the parcels at 5 South Valencia (APN 5346-006-012) from P (Parking) zone to RL (Residential Low Density).
- Moved by Commissioner Gardea, Seconded by Commissioner Ho.
- The motion carried by the following roll call vote:

  Roll Call Vote: 6-1-0-3
  Ayes: Gardea, Grijalva, Ho, Juarez, Olson, Wang
  Noes: Garcia
  Abstain: None
  Absent: Mojarro, Pham, Tsujii
• **Motion on P (Parking) zone parcels at APN 5346-006-006:**
  o Moved to re-zone the parcel at APN 5436-006-006 from P (Parking) zone to RL (Residential Low Density).
  o Moved by Commissioner Gardea, Seconded by Commissioner Olson.
  o The motion carried by the following roll call vote:

  **Roll Call Vote: 6-1-0-3**
  Ayes: Gardea, Grijalva, Ho, Juarez, Olson, Wang
  Noes: Garcia
  Abstain: None
  Absent: Mojarro, Pham, Tsujii

• **Motion on Zone Changes/General Plan Amendments and Standards for Specific Land Uses:**
  o Moved to continue discussion on Zone Changes/General Plan Amendments and Standards for Specific Land Uses to the next regular Planning Commission meeting.
  o Moved by Commissioner Gardea, Seconded by Commissioner Grijalva.
  o The motion carried by a Voice Vote with a majority of the Commission voting in favor of the motion.

• For additional information regarding the discussion, the audio and video recordings of the discussion is available here:

  **Audio:**

  **Video:**

**F. ORAL COMMUNICATIONS:**

• **Lola Armendariz** recommended the Planning Commission hold a study session on the Zoning Code Update; requested Commissioners speak into their microphones during the meeting; and commented on the Commission’s extended discussion at meetings, which go late into the evening. Ms. Armendariz commented on a Tree Removal Permit decision letter for 103 North Chapel Avenue and asked for clarification on the number of residential units at the project. Ms. Armendariz requested the Planning Commission minutes provide additional detail and expressed concern with accessing the web links included in the minutes. (10:54 P.M.)

• **Lewis McCammon** requested clarification on the next steps following finalization of the Commission’s recommendations on the Zoning Code Update and the process for
adoption of the Zoning Code Update. (11:02 P.M.)

- **Ari Gutierrez Arambula** requested the Planning Commission minutes provide additional detail and document decisions made by the Commission. Ms. Arambula commented on existing and proposed self-storage facilities within the City and suggested there be intentional coordination between planning and redevelopment activities. (11:05 P.M.)

- **Olga Alarid** requested the Planning Commission minutes provide additional detail and expressed concern with accessing the web links included in the minutes. Ms. Alarid inquired about discussion on the vacant lot at 801 East Main Street. (11:08 P.M.)

- For additional information regarding the discussion, the audio and video recordings of the discussion is available here:

  Audio:  

  Video:  

G. COMMENTS FROM THE PLANNING COMMISSION AND CONFERENCE/MEETING REPORTS:

- **President Wang** requested Staff provide clarification on the adoption process for the Zoning Code Update at the start of the next regular Planning Commission meeting. President Wang commented it would be a Brown Act violation to have a study session as was suggested during oral communications. President Wang also commented that members of the public have the option of submitting written comments. President Wang requested Commissioners be mindful during discussions that they are speaking to members of the public. Lastly, President Wang congratulated Commissioner Pham on the arrival of her baby. (11:11 P.M.)

- For additional information regarding the discussion, the audio and video recordings of the discussion is available here:

  Audio:  

  Video:  
H. COMMENTS FROM STAFF:
   - There were no Comments from Staff.

I. ADJOURNMENT:
   - There being no other business, the meeting was adjourned at 11:15 P.M. to Monday, June 5, 2023, at 7:00 P.M.

_______________________________
Noya Wang
President

ATTEST:

______________________________
Maia McCurley
Senior Planner
Planning Commission
June 5, 2023
Comprehensive Zoning Code Update

TO: City of Alhambra Planning Commission
FROM: Andrew Ho, Director of Community Development
       Vanessa Reynoso, Deputy Director of Community Development
       Paul Lam, Principal Planner
SUBJECT: Continuation of Presentation regarding the Comprehensive Zoning Code Update:
        Summary of comments and recommended changes.

SUMMARY:

At the previous Planning Commission meeting of May 15th, Staff provided a presentation as part of the Zoning Code update presentation series that began 10 months ago with the Planning Commission meeting of August 1, 2022. To date, Staff has provided a total of 18 presentations to the Planning Commission and the general public on the various sections of the draft Zoning Code, highlighting significant changes between the current and proposed Zoning Code.

The Planning Commission had identified 42 proposed zoning standards for discussion and possible revisions, and completed discussions and provided recommendations to all of these comments at the last meeting. The Commission has provided 14 recommendations that differed from Staff’s recommendations and agreed with Staff’s recommendation on the other 28 comments. The comments where the Commission differed from Staff’s recommendations were for Comment Nos. 1, 2, 5, 6, 7, 8, 14, 16, 17, 22, 24, 27, 28, and 39. Discussion on these 42 comments was completed at the meeting of May 1st and a table summarizing the actions taken on all of the 42 comments is provided in Attachment 1. Subsequent to the completion of the comments, legal counsel had informed Staff that the recommendation of Comment #5 violates State Housing Law and is inconsistent with the City’s Draft Housing Element, and therefore, the Commission’s recommendation will not be carried forward in the recommendation to the City Council. Details on this matter are discussed in the Analysis section of this report.

Staff had also begun a presentation on April 17th of the intent to eliminate the Parking zone. The presentation of the Parking zone properties extended into the meeting of May 15th, where the Commission entered into discussions of Parking zoned properties located adjacent to single-family residences or single-family zoning districts. That discussion was interrupted due to the lateness of the hour and continued to tonight’s meeting.

The goal for tonight’s meeting is to continue the presentation on the Parking zone properties and then present an additional section of the Code text relating to standards for specific uses.
The meeting format will remain consistent with those of the previous presentations, consisting of Staff’s presenting of a specific proposed Zoning Code standard or regulation; summarizing the comment(s) received; providing Staff recommended changes (if any); and then verifying Commission consensus on the proposed changes. To aid in this process, Staff has attached an updated draft PowerPoint presentation that will be utilized during tonight’s meeting. Additionally, Staff has attached the Staff Report provided from the January 17th meeting, which includes a detailed discussion on each of the comments and recommendations; a summary table of the comments and recommendations; and a complete copy of the draft Zoning Code document.

It should be noted that the attached draft Zoning Code document incorporates all items that were previously noted as “TBD” during the presentation series, including sections on Accessory Dwelling Units (page 148); Affordable Housing on Religious Facility Sites [also known as Congregate Living] (page 151); Cannabis Facilities, Cultivation, and Deliveries (page 157); and Neighborhood Commercial Uses in Residential Zones (page 175). The Accessory Dwelling Units (ADU) section is based on the City’s existing ADU Ordinance but has been updated to be consistent with recent State laws relating to ADUs, while the Cannabis Facilities, Cultivation, and Deliveries section is a continuation of the City’s existing Cannabis Ordinance. The new sections on Affordable Housing on Religious Facility Sites and Neighborhood Commercial Uses in Residential Zones were drafted in response to direction previously provided by the City Council.

After completing of this presentation series, the Planning Commission will have an additional meeting to conduct a Public Hearing and make a formal recommendation to City Council. At that hearing, the Planning Commission will be provided with a final draft of the zoning code as it is currently drafted and a resolution that will contain not only the finalized recommendations but a draft of the resolution that will be presented to the City Council, as well. The Planning Commission and members of the public will have an opportunity to review the draft resolution during that public hearing. Meetings with the City Council will be scheduled following the Planning Commission public hearing. The remaining timeline to complete the Comprehensive Zoning Code Update project is scheduled as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>June 5, 2023</td>
<td>Planning Commission wrap-up meeting</td>
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<tr>
<td>July 3, 2023</td>
<td>Planning Commission public hearing</td>
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<tr>
<td>August 28, 2023</td>
<td>City Council public hearing</td>
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<tr>
<td>September 11, 2023</td>
<td>Continuing City Council public hearing</td>
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ANALYSIS:

**P (Parking) Zone:**
At the April 17, 2023 meeting, Staff began, but did not complete, the presentation pertaining to elimination of the P (Parking) zone and rezone the current P properties to either residential or commercial zone classifications. The majority these properties are located behind some commercial properties that front along Main Street, while others are located adjacent to IPD and VSP zoned properties.

It is proposed that the P zoned properties be rezoned to reflect how the property is currently developed or to be consistent with the adjacent zoning district. The intent of the Parking zone was to provide areas for private property owners to develop parking lots to support adjacent commercial businesses. The vision of this was never fully implemented by a majority of the property owners. The parking zone was first established in 1952. Since then, only 12 of the 58 P zoned properties have been converted into
parking lots. The remaining P zoned properties are improved with either residential uses in varying densities, commercial and industrial buildings, or used as outdoor storage.

At the meeting on April 17th, the Planning Commission requested that Staff return with additional information on the existing P zoned parcels that are located adjacent to a single-family residence or single-family zone, and to provide contextual information on the areas in which they are located. The Commission also requested Staff to research the existing parking lots for any easements, covenants, conditions, restrictions, etc., that would prevent those parking from being replaced with other uses. The information requested by the Planning Commission was presented at the regular meeting on May 1, 2023. Staff had identified 35 Parking zoned parcels that met the criteria set by the Commission. Information on each of those parcels and their surroundings were provided in Attachment 8 of the staff report. The Commission engaged in detailed discussions on five (5) of the parcels, however, due to time constraints, the Commission tabled this matter and the other pending matters to the May 15th meeting. At the May 15th meeting, the Commission considered the proposed rezoning of nine (9) parcels. Of these nine parcels, the Commission concurred with Staff’s recommendations on four (4) parcels and voted on different recommendations on the five (5) other parcels. Staff had recommended that these five parcels be rezoned to CMU or EMC and the Commission had recommended they be rezoned to RL or RM. Commissioners also wanted to discuss other Parking zoned parcels, however, due to the lateness of the hour, that discussion was tabled to tonight’s meeting.

To summarize, of the 58 Parking zoned properties, 35 properties are located adjacent to a single-family zone or use. Of these properties, 19 are proposed to be rezoned RL, 2 are proposed to be rezoned to be RM, 2 to be rezoned to CMU, 5 to be rezoned to EMC, and 7 to be rezoned to I to be consistent with what is currently developed or to be consistent with the same property ownership’s adjacent zoning. Attachment 4 (Page 90) provides information on each of these 35 properties, beginning with an aerial view of the property and surroundings, the existing development of the site, existing development of the adjacent properties, the zoning classifications of the surrounding areas, and the recommended zoning classifications and land use designations.

Staff found that one of the existing parking lots is deed restricted for the perpetual parking of overnight delivery vehicles for an adjacent industrial use. That parking lot has no address and is identified by Assessor Parcel Number 5342-033-026. This is a 13,518 square foot landlocked parcel on the west side of South Meridian Avenue and south of Concord Avenue. Additional information on this parcel is available in Attachment 4, Page 97. This parcel is proposed to be rezoned to I and assigned a land use designation of Industrial.

The parking lot at 5 South Valencia Street (APN: 5346-005-012) is located behind the commercial stores fronting along south side of East Main Street between Granada Avenue and Valencia Street. This parcel is proposed to be rezoned EMC and assigned a land use designation of General Commercial. Although there is no existing deed restriction, this parcel will soon be deed restricted to remain as parking for a new commercial building to be built at 918-924 East Main Street. This parcel is required to remain as a parking lot as it will provide 30 of the 49 required off-street parking spaces for the new development project. A Parking and Access Agreement (Agreement) requiring that this parcel remain as parking for the commercial development is required pursuant to Condition of Approval PL10 of adopted Planning Commission Resolution No. 22-07. The Agreement shall be recorded with the Los Angeles County Recorder’s Office prior to issuance of the final Building Permit. The project was approved in 2022 and is currently in plan check. Additional information on this parcel is available in Attachment 4, Page 114.
Although not deed restricted, there are also two other parcels that will remain as parking uses for other reasons. Assessor Parcel Numbers 5338-034-900 and 5338-034-901 are city owned properties that are presently built together as a public parking lot located between 4th and 5th Streets, behind the commercial properties fronting along the north side of Main Street. The City does not have any intent to replace these spaces with any other uses. These two parcels are proposed to be rezoned to CMU and assigned a land use designation of General Commercial.

Comment #5

On January 17th, the Planning Commission discussed Comment #5, which pertained to the permitting process for multi-family residential uses in the PO (Professional Office) and I (Industrial) zones. The Draft Zoning Ordinance proposed that these uses be allowed by-right in the PO and I zones, however, the Commission recommended that those uses should be conditionally permitted. The Draft Zoning Ordinance was prepared with the intent of allowing multi-family residential uses by-right in all zones wherever such uses are allowed, including the RM, RH, CMU, CBD, and EMC zones. The Planning Commission was concerned with the permitting process only in the PO and I zones, and not in the other zones. The Commission was of the opinion that discretionary approvals were necessary in these two zones due to potential contamination of the underlying soils in those zones, and that a CUP process would provide a level of oversight for the protection of the health, safety, and welfare of the future residents.

It was subsequently determined that the Commission’s recommendation is problematic as it violates State Housing Element Law Section 65583.2(c) and is inconsistent with Policy 3.3 of the City’s Draft Housing Element as well. Government Code Section 65583.2(c) requires that multi-family residential developments with at least 20% of the total units as affordable units shall be permitted by-right when located on sites that were listed in the Sites Inventories of the 5th Cycle Housing Elements and then again in the 6th Cycle Housing Element as available for affordable housing. The Commission’s recommendation to require a CUP in the PO and I zones would violate State Law as a CUP would be required for all multi-family developments, including those affordable housing developments described in Government Code Section 65583.2(c).

Furthermore, Draft Housing Element Policy 3.3 restates Government Code Section 65583.2(c) and commits the City to allowing qualifying affordable housing developments by-right. Policy 3.3 reads as follows:

\[
\text{Policy 3.3: The city shall allow housing developments with at least 20 percent affordable housing by-right on lower-income housing sites that have been counted in previous housing element cycles, consistent with Government Code Section 65583.2(c).}
\]

Given these facts, Comment #5 will not be forwarded to the City Council as a recommendation and multi-family residential uses will remain as permitted by-right in the PO and I zones.

The foregoing is being provided to the Planning Commission for information only and no action is required of the Commission.
Standards for Specific Uses:

Section 23.22 of the draft Code establishes supplemental standards for specific uses and activities that are permitted or conditionally permitted in several or all zoning districts and are intended to minimize impacts of those uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the general public. There are a total of nine (9) specific uses addressed in this Section, however, this staff report will only cover four (4) of the uses. This Section of Standards for Specific Uses has been included in the previous staff reports prepared for the May 1st and 15th meetings, however, this Section has not been discussed due to time limitations.

Accessory Dwelling Units:
Section 23.22.040 updates the City’s existing Accessory Dwelling Unit Ordinance to amend the Ordinance consistent with the most recent changes to State ADU Law. The updated ADU Ordinance will then be submitted for review to the California Department of Housing and Community Development after adoption as required by Government Code Section 65852.2(h).

Affordable Housing on Religious Facility Sites:
Section 23.22.060 establishes standards for the provision of affordable housing on sites owned by a nonprofit religious organization of sites where such organizations operate religious facilities. This is a new land use that is not recognized under the current Zoning Ordinance. Pursuant to Assembly Bill AB 1851, faith-based organizations are allowed to build affordable housing on land they own or lease. AB 1851 allows faith-based organizations to build housing on their parking lots and prohibit cities from requiring replacement of those parking spaces. This type of affordable housing is supported by the City Council and Program 9 of the Draft Housing Element also commits the City to facilitate the development this type of housing.

Since the last report of May 15th, Staff has reevaluated the proposed standards for Affordable Housing on Religious Facility Sites, and is modifying the standards pertaining to affordability. In the previous staff reports it was reported that the Draft Zoning Ordinance required 100% of the units within these types of residential developments to be made available to either Low, Moderate, or Workforce Income households, as listed below:

Previously Proposed:

- **Rental Units:**
  - Minimum 80% shall be rented to Low Income households, remaining shall be rented to workforce housing (earning up to 120% AMI)

- **For Sale Units (2 Options):**
  - Minimum of 80% shall be sold to Moderate Income households, remaining shall be sold to workforce income households (earning up to 120% AMI); or
  - Minimum of 50% shall be sold to Low Income households, remaining units shall be sold to workforce income households (earning up to 120% AMI).

Although AB 1851 requires an affordability aspect to units within these types of residential developments, AB 1851 does not require that 100% of the units are affordable; AB 1851 requires
minimum affordability requirements consistent with the affordability requirements required for density bonuses provide for in Government Code 65915. Affordability requirements pursuant to Government Code Section 65915 are variable for each income group with a minimum of 10% of the total units if for rental or sale to low income households (50%-80% Area Media Income (AMI)), a minimum of 5% for rental or sale to very low income households (30%-50% AMI), and a minimum of 10% for rental or sale to moderate income households (80%-120% AMI).

Staff has reevaluated the proposed affordability requirements and is of the opinion that proposed requirements are aggressive and well in excess of the minimum affordability requirements of AB 1851. Staff is also of the opinion that the proposed affordability requirements could deter non-profit groups from developing such housing and could be viewed by HCD as a governmental constraint on development. For these reasons, Staff will modify the affordability requirements to be consistent with the minimum requirements found in AB 1851 and Government Code 65915.

Some of the key standards and requirements are as follows:

- **Eligible Sites:**
  - Parcel developed with an existing religious facility use.
  - Parcels in nonresidential, RM, or RH zones that are adjacent to or contiguous with a parcel developed with an existing religious facility site.
  - Religious facility shall:
    - Be operated by a nonprofit organization
    - Operated a minimum of 5 years prior to filing application
  - All parcels to be developed with an affordable housing project shall be owned by a nonprofit organization for a minimum of 5 years prior to filing application

- **Density:**
  - 32 DU/acre maximum.
  - Affordable housing projects proposing no more than 75 units are permitted by right.
  - Affordable housing projects exceeding 75 units may be permitted with Minor Use Permit.

- **Development Standards**
  - Development standards of applicable zoning district shall apply.

- **Parking:**
  - 1 space/unit unless located within ½ mile walking distance of public transit.
  - Existing parking may be reduced up to 50% to accommodate residential development.
  - Remaining parking may be shared by the religious facility and residential uses.

- **Affordability Requirement**
  - The housing development project qualifies for a density bonus under Government Code Section 65915.

- **Design Review required.**
There are presently 36 religious facility sites located in the City, however, 30 of these sites would be eligible for affordable housing developments, as six (6) of these religious facilities cannot apply because they are tenants and not property owners.

**Drive Through Facilities:**
Drive through facilities are regulated in the current zoning code, but applicable regulations are limited only to requiring a minimum waiting lane length of 150 feet and that waiting lanes shall not interfere with the use of or access to any parking or loading spaces.

Section 23.22.120 expands upon the regulation of drive through facilities. Most notably, such use will now be conditionally permitted, whereas, they are permitted by right under current code. Additional standards are intended to mitigate any potential impacts associated with a drive through facility. These standards are as follows:

- Pedestrian and vehicular circulation plan is required
- Queue analysis is required
- **Drive Aisle Standards:**
  - Min 12-foot width
  - Min 15-foot interior radius at curves
  - Entrances and exits shall be located a minimum 100 feet from an intersection
  - Entrances and exits shall be located a minimum of 25 feet from a curb cut on an adjacent property

**Neighborhood Commercial Uses:**
This is another new land use type, Neighborhood Commercial, that addresses how certain commercial uses may be allowed to continue to operate on a residentially zoned site. The current Zoning Code includes provisions to address circumstances in which a use, building, and/or lot may become nonconforming as a result of amendments to Code, Official Zoning Map, and/or the General Plan Land Use Map. A legal nonconforming property or building is caused by a change in the property’s zoning or a change to the text of the Municipal Code or General Plan that would no longer allow such use to exist today. Chapter 23.56 (Nonconforming Buildings and Uses) specifies the circumstances under which a nonconforming use, building, or lot may continue to exist as well as the circumstances that will cause those nonconforming uses, buildings, or lots to come into conformance with the current code. In addition to rules governing the continuance or cessation of nonconforming buildings, uses, and lots, the Chapter also establishes limits on expansion as well as reconstruction of damaged nonconforming buildings, among other requirements. Chapter 23.56 also contains consistent limitations for nonconforming buildings and uses that state that if a nonconforming building is not used for a period of more than six months or if a nonconforming use ceases for a period more than six months, the building or use shall lose its nonconforming status and any reuse of the building or property shall be for conforming uses only.

The City acknowledges that nonconforming properties exist in the city that are zoned residential and that function with commercial activities and with commercial improvements. The City also recognizes that many of these establishments provide a benefit to the immediately surrounding neighborhood as a “Neighborhood Commercial” establishment. Since these establishments are considered legal nonconforming, the nonconforming status may only be continued if the operation does not cease for a period greater than six months. If a nonconforming neighborhood commercial establishment were to cease for a period greater than six months, the commercial establishment would be required to close.
permanently, and any future uses would be required to be consistent with the requirements of the underlying residential district.

Since the City recognizes the benefits and conveniences of these neighborhood commercial establishments, and since the City of Alhambra does not currently permit any property to have a Neighborhood Commercial use, the Alhambra City Council in 2019, directed staff to amend the zoning code to allow existing neighborhood commercial type uses operating on property zoned for residential purposes to continue to operate without regard to the six-month cease of use requirement.

Section 23.22.180 of the Draft Code establishes standards for Neighborhood Commercial uses. A Neighborhood Commercial use identified as a commercial use of neighborhood-scale, with low-intensity retail and service commercial uses that provides conveniences to neighborhood residents. Pursuant to Neighborhood Commercial standards, there will be an allowance for limited commercial uses within lawfully existing commercial buildings located within a residential zoning district. The standards will not allow for the creation of any new commercial buildings within a residential district. There are currently 20 residentially zoned properties that are improved with commercial buildings that could potentially be future neighborhood commercial sites. A map showing the locations of these sites and listing of these sites are provided in Attachment 5. The standards below would apply to Neighborhood Commercial uses. Additionally, Neighborhood Commercial uses would be subject to the same off-street parking requirements as required for other commercial uses contained the Chapter 23.20 [Parking and Loading].

- **Applicability:**
  - Applies to residentially zoned properties with existing commercial uses operating within the confines of a permitted commercial building or structure.

- **General Requirements:**
  - Uses Permitted by Right:
    - Common Workspaces
    - Convenience Stores
    - Drug Stores and Pharmacies
    - Offices (non-medical/dental)
    - Professional Services (barber, beauty salon/spa, tailor, dry cleaning, self-service laundry, etc.)
    - Food Sales with No Alcohol
    - Retail Shops

  - Conditionally Permitted:
    - Food Sales with Alcohol Sales

  - Not Permitted:
    - Bars/Lounges
    - Off-Sales Alcohol Sales
    - Automotive Parts Stores
    - Churches/Places of Assembly
    - Drive-Through of Any Kind
- Tobacco/Smoke Shops and Tobacco Sales
- Reverse Vending Machines

- Review Process:
  - Uses permitted by right will be reviewed ministerially by the Director of Community Development.
  - Conditionally permitted uses will be reviewed by the Planning Commission.

**Corrections to Draft Zoning Code Text:**

Staff has realized there are two (2) errors in the text of the Draft Zoning Code and is bringing this to the attention of the Planning Commission. The errors are as follows:

**Page 35 – Section 23.05.030 Development Standards-CBD Zone:**
Staff needs to make an adjustment to the maximum allowed residential density permitted in the CBD zone. Table 23.050.030 (first row, second column) states that the maximum residential density allowed in the CBD zone is 48 units per acre. Staff has realized this density is incorrect and needs to be adjusted to a maximum of 64 units per acre. The reason for this change is that RH properties within the area bounded by Chapel Avenue to the east, Atlantic Boulevard to the west, Woodward Avenue to the north, and Commonwealth Avenue to the south, are allowed a maximum residential density of 64 units per acre. The CBD zone is located within this geographic area, however, the draft Code allows only a maximum of 48 units per acre. It is not Staff’s intent to allow a lesser density in the CBD zone, but rather, it has always been Staff’s intent to allow a maximum density in the CBD zone that is equal to the highest density allowed in the RH zone, which would be 64 dwelling units per acre. This has been corrected in the Draft Code attached to this report.

**Page 35 – Section 23.05.030 Development Standards-EMC Zone:**
Table 23.050.030 has a typo in relation to the Maximum Residential Density permitted in the EMC zone (first row, third column). The statement “30 east of Granada Avenue” is incorrect and should correctly state “30 west of Granada Avenue.” This has been corrected in the Draft Code attached to this report.

**STAFF RECOMMENDED ACTION:**

It is recommended that the Planning Commission receive and file this informational report and provide recommendations to Staff as deemed appropriate.

**ATTACHMENTS:**

1. Table 1 - Recommendations Summary (Page 10)
2. Table 2 - Comments Summary Table (Page 14)
3. PowerPoint Presentation – Project Wrap Up (Presentation #19) (Page 30)
4. Parking Zones Adjacent to Single-Family Uses or Zones (Page 90)
5. Draft Parcel Listing for Parking Zone Properties (Page 121)
6. Commercial Uses on Residential Properties (Page 123)
7. City of Alhambra Zoning Map (Page 125)
8. Comprehensive Zoning Code Update Staff Report from the January 17th Planning Commission Meeting (Page 126)
## Table 1 – Recommendations Summary

<table>
<thead>
<tr>
<th>Comment No.</th>
<th>Regulation Classification</th>
<th>Staff Recommendation</th>
<th>Planning Commission Recommendation</th>
<th>Vote</th>
<th>Recommendation Date</th>
</tr>
</thead>
</table>
| 1           | Low Barrer Navigation Centers | Permitted by-right in RL, RM, RH zones | Conditional Use Permit required in the RL zone, permitted by-right in RM, RH zones | Ayes: 8  
Noes: 2  
Abstain: | December 19, 2022 |
| 2           | 100% residential uses in CBD zone | Residential permitted on ground floor fronting Main St. with Minor Use Permit | Residential prohibited on the ground floor fronting on Main St. | Ayes: 6  
Noes: 4 | December 19, 2022 |
| 3           | Residential uses in EMC zone | Max 30 du/acre allowed west of Granada Ave.; Residential not allowed east of Granada Ave | As recommended by staff | Ayes: 5  
Noes: 4 | February 21, 2023 |
| 4           | Single-family attached uses in CBD, EMC, CMU zones | Not permitted in CBD, EMC, CMU zones | As recommended by staff | Ayes: 9  
Noes: 0 | January 3, 2023 |
| 5           | Multi-family residential uses in PO, I zones | Permitted by-right in PO, I zones | Conditional Use Permit required in the PO, I zones | Ayes: 9  
Noes: 0 | January 17, 2023 |
| 6           | Minimum residential side yard setbacks | 2nd floor: 6 ft.  
3rd floor: 7 ft.  
4th floor: 8 ft.  
5th floor: 9 ft. | As recommended by staff plus the addition of a 30-degree encroachment plane beginning 6 feet above the side property line when adjacent to a lower-scale, low-density residential building | Ayes: 9  
Noes: 0 | January 17, 2023 |
| 7           | FAR/Lot coverage | RL FAR:  
Lots less than 10,000: 0.40  
Lots 10,000-19,999: 0.35  
Lots 20,000 and greater: 0.30.  
Lot Coverage:  
No Lot Coverage standard | RL FAR:  
0.40  
Lot Coverage standard is eliminated | Ayes: 5  
Noes: 4 | January 17, 2023 |
| 8           | Maximum height RM, RH zones | Maximum: 3 stories for RM and 5 stories for RH | As recommended by staff with additional standard of: RH zone 3 stories maximum when adjacent to RL zone | Ayes: 6  
Noes: 3 | January 17, 2023 |
| 9           | Parking requirements for expansion of nonconforming residential uses | Nonconforming properties may expand without additional parking required | As recommended by staff | Ayes: 9  
Noes: 0 | January 3, 2023 |
| 10          | Parking requirement for Medium Density residential uses | 2 garage spaces per unit, Guest: 0.5 | A recommended by staff | Ayes: 9  
Noes: 0 | January 3, 2023 |
| 11          | Parking requirement for High Density residential uses | 2 garage spaces per unit, Guest: 0.5 | A recommended by staff | Ayes: 9  
Noes: 0 | January 3, 2023 |
<table>
<thead>
<tr>
<th></th>
<th>Permitting levels in the CMU zone</th>
<th>Various uses are Permitted by-right, Minor Use Permit, Conditional Use Permit</th>
<th>As recommended by staff with the following exceptions: Veterinary Services: M, Custom Manufacturing: M, Food &amp; Beverage Manufacturing (Small): M, Personal Storage: C. These recommendations also carry forward to the EMC zone</th>
<th>Ayes: 9 Noes: 0</th>
<th>March 20, 2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Outdoor Entertainment uses in the CBD zone</td>
<td>Not allowed</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>13</td>
<td>Custom Manufacturing uses in the CBD zone</td>
<td>Permitted by MUP</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>14</td>
<td>Permitting levels in the PO zone</td>
<td>Indoor Entertainment permitted by-right on sites 30-acres or more, by MUP on sites less than 30-acres Outdoor Entertainment not permitted</td>
<td>Indoor Entertainment permitted by MUP Outdoor Entertainment not permitted</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>15</td>
<td>Hotels and Motels in the CBD and CMU zones</td>
<td>Permitted by CUP</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>16</td>
<td>Car Washes</td>
<td>Prohibited on lots within 50 feet (less street or alley right-of-way) of a Residential Zoning District</td>
<td>Prohibited on lots within 50 feet (not including street or alley right-of-way) of a Residential Zoning District</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>17</td>
<td>Entertainment uses in the I zone</td>
<td>Indoor Entertainment permitted by-right on sites 30-acres or more, by MUP on sites less than 30-acres Outdoor Entertainment not permitted</td>
<td>Indoor Entertainment permitted by MUP Outdoor Entertainment not permitted</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>18</td>
<td>Bar and Club uses in the I zone</td>
<td>Permitted by CUP</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>19</td>
<td>Number of beds in Emergency Shelters</td>
<td>Maximum of 12 beds</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 6, 2023</td>
</tr>
<tr>
<td>20</td>
<td>Regional and Local Serving uses</td>
<td>Staff has not defined Regional uses; Should RC Overlay District be eliminated</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
</tr>
<tr>
<td>21</td>
<td>Maximum Floor Area Ration CMU zone</td>
<td>Maximum FAR: 2.0</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 21, 2023</td>
</tr>
<tr>
<td>22</td>
<td>Non-Residential Use Heights When Adjacent to Residential Zone District</td>
<td>Maximum height of 3 stories and 40 feet</td>
<td>3 stories and 40 feet within 50 ft (not including street or alley right-of-way) of RL or RM Zoning District</td>
<td>Ayes: 9 Noes: 0</td>
<td>February 21, 2023</td>
</tr>
<tr>
<td>23</td>
<td>Maximum Heights in EMC zone</td>
<td>West of Granada Avenue: 5 stories, 75 feet; 3 stories, 40 feet within 50 feet of a Residential Zoning District; East of Granada Ave: 2 stories, 25 ft</td>
<td>As recommended by staff</td>
<td>Ayes: 5 Noes: 4</td>
<td>February 21, 2023</td>
</tr>
<tr>
<td>No.</td>
<td>Issue Description</td>
<td>Decision</td>
<td>Ayes</td>
<td>Noes</td>
<td>Date</td>
</tr>
<tr>
<td>-----</td>
<td>--------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>24</td>
<td>Maximum Height in I Zone</td>
<td>6 stories and 55 feet, 5 stories and 55 feet</td>
<td>Ayes: 8 Noes: 0</td>
<td>February 21, 2023</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Minimum Parcel Size in RC Overlay District</td>
<td>Eliminate the RC Overlay District</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Additional Parking Spaces—When Required</td>
<td>When a change in use, expansion of a use, or expansion of floor area creates an increase of 30 percent or more in the number of required parking</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Parking Spaces—Food Service Uses</td>
<td>1 space each 120 sf of dining area plus 1 space each 250 sf of all other area.</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Parking Spaces—Outdoor Dining Areas</td>
<td>Outdoor dining areas to be exempt from parking space requirements</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Residential Parking—CBD zone</td>
<td>1.5 spaces per unit, Guest: 0.3 per unit</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>AC Zone Classification</td>
<td>District to be classified as “AC (Automobile Commercial) zone”</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Nonconforming Residential Setbacks</td>
<td>Allow continuation of nonconforming residential setbacks, up to 50% of required setback, whichever is less</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Bicycle Parking Space Dimensions</td>
<td>All bicycle parking spaces shall be a minimum of 2 ft in width and 6 ft in length</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
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<tr>
<td>33</td>
<td>Bicycle Parking Space Ratio</td>
<td>1 long-term bicycle parking space for each 5 units</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
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<tr>
<td>34</td>
<td>Car Sharing Programs</td>
<td>Permitted with Minor Use Permit</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
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<tr>
<td>35</td>
<td>Billboard Signs</td>
<td>Allowed to remain as nonconforming signs</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Painted Signs</td>
<td>Remove from Prohibited Signs list</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>Design Review Board Responsibilities</td>
<td>Maintain Design Review Board’s existing responsibilities</td>
<td>Ayes: 9 Noes: 0</td>
<td>March 20, 2023</td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>Objective Design Standards—Building Scale</td>
<td>None</td>
<td>Ayes: 5 Noes: 4</td>
<td>April 3, 2023</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>Objective Design Standards—Open Space/Green Space</td>
<td>Minimum of 50% of the common open space in the RM zone shall be planted and visible from the abutting street right-of-way</td>
<td>Ayes: 5 Noes: 3</td>
<td>May 1, 2023</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>Objective Design Standards—Shade/Shadow Studies</td>
<td>None</td>
<td>Ayes: 9 Noes: 0</td>
<td>April 17, 2023</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>Design Standards</td>
<td>None</td>
<td>Ayes: 9 Noes: 0</td>
<td>April 17, 2023</td>
<td></td>
</tr>
</tbody>
</table>

12
| 42 | Landscape Standards- Side and Rear Yards | None | As recommended by staff | Ayes: 9  
Noes: 0 | April 17, 2023 |
<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Standard/Regulation Class</th>
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<th>Proposed Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Low Barrier Navigation Centers</td>
<td>RL, RM, RH</td>
<td>Permitted by Right</td>
<td>State law requires permitted by right in nonresidential zones that allow residential or mixed use.</td>
<td>None</td>
<td>Conditional Use Permit required in the RL zone, permitted by-right in RM, RH zones.</td>
</tr>
<tr>
<td>2</td>
<td>Permitted Uses</td>
<td>CBD</td>
<td>Residential permitted on ground floor fronting Main St. with Modification</td>
<td>100% residential is not proper usage in the Downtown, ground floors should be commercial.</td>
<td>None</td>
<td>Residential prohibited on the ground floor fronting on Main St.</td>
</tr>
<tr>
<td>3</td>
<td>Residential uses</td>
<td>EMC</td>
<td>Max 30 du/acre allowed west of Granada Ave. Residential not allowed east of Granada Ave</td>
<td>Residential should not be allowed in any part of EMC.</td>
<td>No residential uses allowed in any part of EMC.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>23</td>
<td>Property Development Standard</td>
<td>Height</td>
<td>EMC</td>
<td>West of Granada Avenue: 5 stories, 75 feet; 3 stories, 40 feet within 50 feet of a Residential Zoning District; East of Granada Ave: 2 stories, 25 ft</td>
<td>2 stories, 25 feet along all of EMC zone</td>
<td>Recommendation: West of Granada Avenue; 5 stories, 75 feet; 3 stories, 40 feet within 50 feet (less street or alley right-of-way) of a Residential Zoning District; East of Granada Ave: 2 stories, 25 ft</td>
</tr>
<tr>
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<tr>
<td>4 Residential</td>
<td>Permitted Uses</td>
<td>Single-family attached uses</td>
<td>CBD, EMC, CMU</td>
<td>Single-family attached is equal to low density. CUP should be required for single-family attached.</td>
<td>Not permitted</td>
<td>Not permitted in CBD, EMC, CMU.</td>
</tr>
<tr>
<td>5</td>
<td>Permitted by Right</td>
<td>Multifamily residential</td>
<td>I, PO</td>
<td>Concerned with residential uses on properties previous allowed by CUP but now allowed by-right.</td>
<td>Not Permitted</td>
<td>Conditional Use Permit required in PO, I zones.</td>
</tr>
</tbody>
</table>
### Commissioner Comment Summary (December 5, 2022)

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Property Development</td>
<td>RL, RM, RH</td>
<td>Upper Stories: 6 ft</td>
<td>Require additional step back not as a development standard but as a design standard - evaluates on a case-by-case basis. Upper stories setbacks should be more stringent (higher number) but should have flexibility in how the setbacks are achieved (allow an average setback to allow modulation in building). Standard should be 10 feet for upper stories with flexibility on how it is achieved (average) as buildings may be up to 5 stories and need larger side setbacks.</td>
<td>2nd floor: 6 ft. 3rd floor: 7 ft. 4th floor: no standard 5th floor: no standard</td>
<td>As recommended by staff plus a 30 degree encroachment plane beginning 6 feet above the side property line when adjacent to a lower-scale, low-density residential building</td>
</tr>
<tr>
<td>Land Use Category</td>
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</tbody>
</table>
| Residential       | Property Development Standards | FAR/Lot Coverage | RL | FAR: 
Lots less than 10,000: 0.35 
Lots 10,000-19,999: 0.325 
Lots 20,000 and greater: 0.30 
Lot Coverage: 50% if all buildings are 1-story, otherwise 40% | Eliminate Maximum Lot Coverage and include garages in Floor Area Ratio (FAR) calculations | FAR: 
Lots less than 10,000: 0.35 
Lots 10,000-19,999: 0.325 
Lots 20,000 and greater: 0.30. 
Lot Coverage: 50% if all buildings are 1-story, otherwise 40%. | FAR: 0.40 |
<p>|                   | Height                     | RM, RH| Maximum: 3 stories for RM and 5 stories for RH | Reduce to 2 stories when adjacent to RL | No height reductions when multifamily adjacent to single-family. | Maximum stories RH zone: 3 stories when adjacent to RL zone, 5 stores otherwise |
| Off-Street Parking | When Required | RL, RM, RH | Not required for additions and expansions | No longer requiring current parking requirements for additions over 50% may be problematic. Nonconforming properties may expand without additional parking. Where do cars park if a home as a 1-car garage or no garage? | Entire property must be brought into compliance with current code for additions of 50% or more. | As recommended by staff |</p>
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<tbody>
<tr>
<td>Residential</td>
<td>Off-Street Parking</td>
<td>Spaces Required</td>
<td>Up to 3 bed: 2 garage spaces plus 1 additional 4 bed or more: 2 garage spaces plus 1 additional space for each bed over 3 Guest: 0.5</td>
<td>Large jump in required parking over current code. Supportive of lesser requirement. Should be more aligned with SFR or SFR + guest parking</td>
<td>2 parking spaces for each unit, plus one additional parking space for each 750 sq. ft. of gross floor area in excess of 2,000 sq. ft.</td>
<td>Recommendation: 2 garage spaces per unit. Guest: 0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>RM, RH</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>RH</td>
<td>Up to 3 bed: 2 garage spaces plus 1 additional 4 bed or more: 2 garage spaces plus 1 additional space for each bed over 3 Guest: 0.5</td>
<td>Support for buildings to be forced to provide more parking over current code so it does not spill out into the streets</td>
<td>2 covered spaces within an enclosed garage for each unit, plus one additional parking space for each 500 sq. ft. of gross floor area in excess of 1,000 sq. ft. for each unit</td>
<td>Recommendation: 2 garage spaces per unit. Guest: 0.5</td>
</tr>
</tbody>
</table>
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<tbody>
<tr>
<td>12</td>
<td>Commercial</td>
<td>Permitted Uses</td>
<td>Outdoor Entertainment</td>
<td>Outdoor Entertainment not permitted</td>
<td>CBD is ideal environment for outdoor entertainment</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>Permitted Uses</td>
<td>Custom Manufacturing</td>
<td>CBD</td>
<td>Custom manufacturing uses should at least require a MUP due to noise impacts incompatible with the district and would rather see in the Industrial zone. Custom manufacturing as an example of a use that should not be allowed to leap from conditionally permitted to permitted by-right</td>
<td>Permitted by right in Industrial zone.</td>
<td>Recommendation: Permitted by MUP</td>
</tr>
<tr>
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<tr>
<td>14 Commercial</td>
<td>Permitted Uses</td>
<td>Uses in General</td>
<td>CMU</td>
<td>General comment on uses permitted by right Questioning potential issues for by right uses in the CMU because it can possibly be located next to 100% high density residential. Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by-right uses? Concern with allowing so much residential and then permitting so many uses in the CMU Zone. Many uses may be next to residential uses and create impacts.</td>
<td>No changes recommended.</td>
<td></td>
<td></td>
</tr>
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<tr>
<td>15</td>
<td>Hotels/Motels</td>
<td>CBD, CMU</td>
<td>Permitted by MUP</td>
<td>There is a large variety of hotels/motels and maybe for some larger sized hotels/motels this should remain a CUP rather than an MUP in CBD and CMU zones. State legislation allows conversion of hotels/motels into low barrier housing and MUP or CUP will allow for local control.</td>
<td>Permitted by CUP.</td>
<td>Recommendation: Permitted by CUP.</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>Permitted Uses</td>
<td></td>
<td></td>
<td>Car washes prohibited on lots “abutting” a residential zoning district</td>
<td>Should change “abutting” to “adjacent to”</td>
<td>No restrictions when abutting or adjacent to residential zoning district.</td>
<td>Recommendation: Prohibited on lots within 50 feet (less street or alley right-of-way) of a Residential Zoning District</td>
</tr>
<tr>
<td>16</td>
<td>Car Washes</td>
<td>CMU, AC</td>
<td></td>
<td>Indoor entertainment permitted by right on sites 30 acres or more and MUP if less. Outdoor entertainment not permitted</td>
<td>In differentiating indoor versus outdoor entertainment, the definition should include that indoor entertainment cannot be heard from outside as it was in the commercial zoning district.</td>
<td>Indoor and outdoor entertainment not permitted.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>17</td>
<td>Indoor/Outdoor Entertainment</td>
<td>PO</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
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<td></td>
</tr>
<tr>
<td>18</td>
<td>Bars and Clubs</td>
<td>I</td>
<td>Not permitted</td>
<td>Bars and clubs permitted w/ CUP in the PO. Industrial zone may be more appropriate due to noise.</td>
<td>Not permitted</td>
<td>Recommendatio n: Permitted by CUP.</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Emergency Shelters</td>
<td>I</td>
<td>Shelter shall have a maximum of 12 beds</td>
<td>Emergency shelters only allow for no more than 12 beds. This may be too few beds considering costs required to establish a shelter. This may be a disincentive to potential providers. May need to look into increasing the number of beds at some point.</td>
<td>Maximum of 12 beds.</td>
<td>No change recommended.</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Regional v. Local Uses</td>
<td>RC</td>
<td>None</td>
<td>Need definition of Regional Retail v. Local Servicing</td>
<td>None</td>
<td>No change recommended.</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Property Development Standards</td>
<td>FAR</td>
<td>CMU</td>
<td>Maximum: 2.0</td>
<td>Lot area less than 10,000 sq. ft.: 0.75</td>
<td>No change recommended.</td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Concerned that the high FAR is still allowed abutting low density residential and there could be a large disparity from one lot to an abutting lot even if height is limited.</td>
<td>Lot area between 10,000 and 19,999 sq. ft.: 1.0</td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Lot area between 20,000 sq. ft. and one acre: 1.2</td>
<td></td>
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<td></td>
<td>Lot area larger than one acre: 2.0.</td>
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</tr>
<tr>
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<tr>
<td>22</td>
<td>Height</td>
<td>All Non-Residential Zones</td>
<td>3 stories and 40 feet within 50 ft of a Residential Zoning District</td>
<td>Should say &quot;when abutting RL and RM&quot; because the RH zone will have larger heights and CMU height does not need to be limited next to the RH Zone.</td>
<td>3 stories and 40 feet if adjacent to a residential zone or use.</td>
<td>Recommendation: 3 stories and 40 feet within 50 ft (less street or alley right-of-way) of RL or RM Zoning District.</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Commercial Property Development Standards</td>
<td>I</td>
<td>Stories remain unchanged at 6</td>
<td>Shouldn't the stories be increased if the City wants to add more housing.</td>
<td>6 stories, 55 feet</td>
<td>No change recommended.</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Minimum Parcel Size</td>
<td>RC</td>
<td>None for existing legal parcel. 5 acre minimum for subdivisions</td>
<td>If the 5 acre minimum requirement is no longer applicable, still need a minimum area requirement. It should not be zero.</td>
<td>5 acre minimum applies to all projects, including existing parcels.</td>
<td>No change recommended.</td>
<td></td>
</tr>
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</tr>
<tr>
<td>Commercial</td>
<td>Off-Street Parking</td>
<td>When Required, All Non-Residential Zones</td>
<td>When a change in use, expansion of a use, or expansion of floor area creates an increase of 30 percent or more in the number of required parking.</td>
<td>Why is it not 25% or 10%? 30% is 3 more spaces or 30 more spaces. It seems the number could potentially be generous depending on what the use is. A scalable number would be more palatable.</td>
<td>Any change in use, expansion of a use, or expansion of floor area that creates an increase in the number of required parking.</td>
<td>No change recommended.</td>
<td></td>
</tr>
<tr>
<td>Food Service</td>
<td>All Non-Residential Zones</td>
<td>1 space each 120 sf of dining area plus 1 space each 250 sf of all other areas.</td>
<td>Prefers the current code for food service uses.</td>
<td>1 space for each 120 sf of gross floor area.</td>
<td>1 space for each 120 sf of gross floor area.</td>
<td>No change recommended.</td>
<td></td>
</tr>
<tr>
<td>Outdoor Dining</td>
<td>All Non-Residential Zones</td>
<td>1 space per each 120 sf of outdoor dining area.</td>
<td>Is in favor of exempting outdoor dining areas completely as it is an amenity that is not always used.</td>
<td>1 space per each 120 sf of outdoor dining area.</td>
<td>Recommendation: Outdoor dining areas shall be exempted from any off-street parking requirements.</td>
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</tr>
</tbody>
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<tr>
<td>29</td>
<td>Commercial</td>
<td>Off-Street Parking</td>
<td>CBD</td>
<td>Residential and mixed-use residential have same parking requirement per dwelling as RH</td>
<td>The CBD should be our walkable area, and having increased parking for residential is less flexible. Perhaps the code could provide flexibility for projects in this area or for certain areas where it makes sense to tailor parking requirements.</td>
<td>Residential and mixed-use residential have same parking requirement per dwelling as R-3.</td>
<td>Recommendation: Residential Parking: 1.5 per unit. Guest: 0.3 per unit.</td>
</tr>
<tr>
<td>30</td>
<td>General</td>
<td>Zoning District Title</td>
<td>AC</td>
<td>AC (Automobile Commercial)</td>
<td>Recommend calling it 'Transportation Related' rather than 'Auto' since dominance of gas powered vehicles is diminishing and future transportation types are currently undetermined.</td>
<td>AC (Automobile Commercial)</td>
<td>No change recommended.</td>
</tr>
<tr>
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</tr>
<tr>
<td>31 Non-Conforming</td>
<td>Additions</td>
<td>Setbacks</td>
<td>Building can be extended with nonconforming setback by right</td>
<td>Continuing the nonconformity has to meet certain standards.</td>
<td>Any reduced side setback requires approval of a Modification or Variance.</td>
<td>Recommendation: An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does not encroach any further into the setback or, up to a maximum of 50% of the required setback, whichever is the lesser encroachment, and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of this Title.</td>
<td></td>
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<tr>
<td>32</td>
<td>Bicycle Parking</td>
<td>All</td>
<td>All bicycle parking spaces shall be a minimum of two feet in width and six feet in length.</td>
<td>We have electric bikes for carrying families or groceries. Are we just planning for traditional 2-wheel bike? Supports spaces for wider bicycles.</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>33</td>
<td>Bicycle Parking</td>
<td>Multi-family Uses</td>
<td>1 long-term bicycle space for each 5 units</td>
<td>Bike parking requirements seem a little high. Maybe match up more realistically to our commuting patterns</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>Citywide</td>
<td>Off-Street Parking</td>
<td></td>
<td></td>
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<td></td>
<td>Recommendation: Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit.</td>
</tr>
<tr>
<td>34</td>
<td>Car Sharing</td>
<td>All</td>
<td>Administrative process</td>
<td>Prefers carshare through a minor use permit</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Billboards</td>
<td>All</td>
<td>Nonconforming Section</td>
<td>Can we phase out billboards? Nuisance, annoying.</td>
<td>Nonconforming sign, permitted to remain if continually used and maintained.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>36</td>
<td>Painted Signs</td>
<td>All</td>
<td>Prohibited</td>
<td>Can there be an exception that addresses historic qualities (in reference to painted signs, murals).</td>
<td>Permitted</td>
<td>Recommendation: Remove from Prohibited List.</td>
</tr>
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<td>Draft Standard</td>
<td>Comment</td>
<td>Current Standard</td>
<td>Proposed Standard</td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------------------</td>
<td>----------</td>
<td>----------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>37</td>
<td>Process</td>
<td>All</td>
<td>DRB responsibilities be reduced</td>
<td>Design Review Board responsibilities should not be reduced.</td>
<td></td>
<td>Recommendation: Maintain DRB's current responsibilities.</td>
</tr>
<tr>
<td>38</td>
<td>Building Scale</td>
<td>All</td>
<td>None</td>
<td>Is there a way to specifically address buildings disproportionate to scale in adjacent buildings.</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>39</td>
<td>Objective Design Standards</td>
<td>Multi-Family Uses</td>
<td>None</td>
<td>There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.</td>
<td>None</td>
<td>No change recommended.</td>
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<tr>
<td>40</td>
<td>Objective Design Standards</td>
<td>Shade/Shadow Standards</td>
<td>All</td>
<td>If developments are next to other properties or buildings that they are not similar to (multi-family next to single family for instance), it would be helpful to have shadow studies or require for the proposed project to be consistent with the adjacent properties.</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
</tbody>
</table>

Staff should come up with a specific measurable threshold in order to be objective about that standard so it can be verified.
<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Standard/Regulation Class</th>
<th>Zone</th>
<th>Draft Standard</th>
<th>Comment</th>
<th>Current Standard</th>
<th>Proposed Standard</th>
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<tbody>
<tr>
<td>Citywide</td>
<td>Design Standards</td>
<td>Architectural Style</td>
<td>RL, RM, RH</td>
<td>None</td>
<td>If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.</td>
<td>Single-Family Residential Design Guidelines</td>
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<tr>
<td>Citywide</td>
<td>Landscape Standards</td>
<td>Landscape Side and Rear Yards</td>
<td>RL, RM, RH</td>
<td>None</td>
<td>Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.</td>
<td>None</td>
</tr>
</tbody>
</table>
ATTACHMENT 3

PowerPoint Presentation

Meeting of June 5, 2023
COMPREHENSIVE ZONING CODE UPDATE

Final Presentation of a Series: Project Wrap-Up

Planning Commission Regular Meeting
June 5, 2023
PRESENTATION GOAL

• To continue presentation of proposed Parking zone changes

• To present Zone Specific Use Standards

• To generate a resolution with recommendations of the changes to the draft Zoning Code and return the resolution on July 3, 2023.
PRESENTATION AGENDA

- Presentation Series Timeline
- Parking Zone (Continued Presentation)
- Comment #5
- Specific Use Standards
- Zone Text Corrections
- Next Steps
PRESENTATION SERIES TIMELINE

- August 1, 2022
  Presentation 1 – Administration

- August 15, 2022
  Presentation 2 – Zoning Districts, Land Uses
  (Residential Zoning Districts & Land Uses)

- September 6, 2022
  Meeting cancelled

- September 19, 2022
  Continuation of Presentation 2 – Zoning Districts & Land Uses (Non-Residential)

- October 3, 2022
  Continuation of Presentation 2 – Zoning Districts & Land Uses (Non-Residential)

DRAFT

TENTATIVE PRESENTATION SERIES TIMELINE

- October 17, 2022
  Presentation 3 – Property Development Standards

- November 21, 2022
  Presentation 4 – Parking Standards

- December 5, 2022
  Presentation 5 – Design Standards, Sign Standards, Nonconforming Uses

- December 19, 2022
  Presentation 6 – Wrap-up

- January 2, 2023
  Continuation of Presentation 6 – Wrap-up

- January 17, 2023
  Continuation of Presentation 6 – Wrap-up

DRAFT

TENTATIVE PRESENTATION SERIES TIMELINE

- February 6, 2023
  Continuation of Presentation 6 – Wrap-up

- February 21, 2023
  Continuation of Presentation 6 – Wrap-up

- March 6, 2023
  Meeting cancelled

- March 20, 2023
  Continuation of Presentation 6 – Wrap-up

DRAFT
TENTATIVE PRESENTATION SERIES TIMELINE

- April 3, 2023
  Continuation of Presentation 6
- April 17, 2023
  Continuation of Presentation – Wrap-up
- May 1, 2023
  Continuation of Presentation – Wrap-up
- May 15, 2023
  Continuation of Presentation – Wrap-up
TENTATIVE PRESENTATION SERIES TIMELINE

- **June 5, 2023**
  Continuation of Presentation – Wrap-up

- **July 3, 2023**
  Public Hearing for recommendation to City Council

- **August 28, 2023**
  City Council Public Hearing

- **September 11, 2023**
  City Council Continued Public Hearing
COMMISSIONER COMMENTS

COMMENT 1

Draft Standards:
- Law Barrier Navigation Centers are permitted by-right in the RL, RM, and RH zones.

Commission Comment:
- Law Barrier Navigation Centers are required by State law to be permitted by-right in non-residential zones that allow residential and mixed-use.

Staff Recommendation:
- No Change.
- Program 27 (REDUCE DEVELOPMENT CONSTRAINTS FOR AFFORDABLE HOUSING) of the City of Alhambra 2021-2027 Housing Element requires amending the Zoning Code to allow Law Barrier Navigation Centers by-right in all residential zones, areas zoned for mixed-use, and non-residential zones permitting multifamily uses.

Commission Recommendation:
- Conditional Use Permit required in RL zone, permitted by-right in RM, RH zones.

COMMENT 2

Draft Standards:
- Residential uses will be allowed on the ground floor, fronting onto Main Street (100% residential), with approval of a Minor Use Permit (MUP).

Commission Comment:
- 100% residential projects are not the proper use in the Downtown. The ground floors should be reserved for retail and commercial uses.

Staff Recommendation:
- No Change.
- Program 27 of the Housing Element, in order to reduce development constraints for affordable housing, requires revising the Zoning Code to allow 100% residential projects in all commercial zones, including the Central Business District.

Commission Recommendation:
- Residential uses prohibited on ground floor fronting on Main Street.

COMMENT 3 / COMMENT 23 - TABLED FROM DECEMBER 19, 2022

Draft Standards:
- Residential uses are allowed on a maximum density of 25 units per net acre of the plain (commonly known as SMG zone in parts located west of Griffith Avenue).
- Not allowed in the SMG zone east of Griffith Avenue.

Staff Recommendation:
- No Change.
- Program 27 of the Housing Element requires amending the Zoning Code to allow Law Barrier Navigation Centers in all residential zones, areas zoned for mixed-use, and non-residential zones permitting multifamily uses.

Commission Recommendation:
- No Change.
- Program 27 of the Housing Element requires amending the Zoning Code to allow Law Barrier Navigation Centers by-right in all residential zones, areas zoned for mixed-use, and non-residential zones permitting multifamily uses.

Staff Recommendation:
- No Change.
- Program 27 of the Housing Element requires amending the Zoning Code to allow Law Barrier Navigation Centers by-right in all residential zones, areas zoned for mixed-use, and non-residential zones permitting multifamily uses.

Commission Recommendation:
- No Change.
- Staff to investigate feasibility of allowing residential or mixed-use projects across the entire SMG zone at a maximum density of 30 acres per unit.

Commission Recommendation:
- Staff to investigate what is the minimum number of stories necessary to develop residential or mixed-use projects.
COMMISSIONER COMMENTS
COMMENT 3 — TABLED FROM DECEMBER 19, 2022

Considerations
- Draft 2021-2019 Housing Element has identified the EMC zone having capacity for 222 units

Capacity Modeling Methodology
- Removal of Parcels for Consideration:
  - Sites with proposed projects
  - Sites from previous inventory
  - Serve as open space or public facilities
  - Having critical economic or other likely impediments that would make redevelopment unlikely
  - With improvements built in 2000 or later

COMMISSIONER COMMENTS
COMMENT 3 — TABLED FROM DECEMBER 19, 2022

Capacity Modeling Methodology
- Parcel Assemblages
  - Between 0.5 acres and 10 acres in size
  - No more than 4 parcels per assemblage
  - Apply Redevelopment Indicators
    - Land to Improvement Ratio
    - Total Value per Square Foot
    - Results in “Weak, Low, Medium, High, Strong” redevelopment potential
  - “Weak” and “Low” are removed

Findings – EMC Zone East of Grenada Avenue
- Total parcels: 38
- Existing 0.5-acre parcels: 4
- New 0.5-acre parcels through assemblage: 4
- Parcels with “Weak” or “Low” Redevelopment Indicators: 2
- Total parcels with redevelopment potential: 6
- Residential units accommodated: 113

<table>
<thead>
<tr>
<th>Site</th>
<th>Acres (a.k)</th>
<th>Maximum No. of Units</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>25,237</td>
<td>16</td>
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<tr>
<td>2</td>
<td>22,591</td>
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<td>3</td>
<td>27,332</td>
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<td>4</td>
<td>30,531</td>
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<td>5</td>
<td>40,619</td>
<td>23</td>
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<td>6</td>
<td>30,081</td>
<td>22</td>
</tr>
<tr>
<td>Total</td>
<td>181,610</td>
<td>113</td>
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</tbody>
</table>
COMMISSIONER COMMENTS

COMMENT 4

- Draft Standard:
  - Single-family attached uses are permitted by-right in the CBD (Central Business District), EMC (East Main Commercial), and CMU (Commercial Mixed-Use) zones.

- Commission Comment:
  - Single-family attached is equivalent to low density residential development and should require a CUP.

- Staff Recommendation:
  - Single-family attached uses should not be permitted in the CBD, EMC and CMU zones.
  - Such uses are low density uses and are not appropriate to be located in the commercial zones.

- Commission Recommendation:
  - As recommended by staff.

COMMENT 5

- Draft Standard:
  - Multi-family residential uses are permitted by-right in the PO (Professional Office) and I (Industrial) zones.

- Commission Comment:
  - Current Code requires a CUP for multi-family uses in the PO zone and now such uses will be allowed by-right.

- Staff Recommendation:
  - No Change.

- Commission Recommendation:
  - Conditional Use Permit required in PO and I zones.

COMMENT 6

- Draft Standard:
  - Maximum residential side yard setback for all upper stories: 6 ft.

- Commission Comment:
  - Additional setback should be required, but it was undecided if that be a flat number or handled on a case-by-case basis, more like a design standard.

- Staff Recommendation:
  - 2nd Floor: 6 feet
  - 3rd Floor: 7 feet
  - 4th Floor: 8 feet
  - 5th Floor: 9 feet
  - Future Multi-family Residential Design Guidelines will address concerns with incompatibility with height, mass, scale, etc.

- Commission Recommendation:
  - As recommended by staff, plus additions of a 30 degree encroachment plane beginning 6 feet above the side property line when adjacent to a lower-scale, low-density residential building.

COMMENT 7

- Draft Standard:
  - Res zone will carry forward the current Floor Area Ratio (FAR) and Lot Coverage standards.

- Maximum FAR:
  - Lots less than 10,000: 0.35
  - Lots 10,000-19,999: 0.325
  - Lots 20,000 and greater: 0.30

- Maximum Lot Coverage:
  - 30% if all buildings are 1-story, otherwise 40%

- Commission Comment:
  - Eliminate the Lot Coverage requirement.
  - Implement only FAR but also include garages into the FAR calculations.
COMMISSIONER COMMENTS

COMMENT 7
- Staff Recommendation:
  - RL Maximum FAR: 0.40
    - Lot 10,000 or greater: 0.35
    - Lot 20,000 and greater: 0.30
  - Eliminate Lot Coverage standard

- Commission Recommendation:
  - RL Maximum FAR: 0.40
  - Lot Coverage standard is eliminated

COMMENT 10
- Draft Standard:
  - Maximum heights in RM zones and RH zones of 3 stories and 5 stories, respectively.

- Commission Comment:
  - Height for RM and RH zones should be reduced when adjacent to RL zone.

- Staff Recommendation:
  - No Change.

- Commission Recommendation:
  - As recommended by staff with additional standard of:
    - RH zone stories maximum when adjacent to RL zone.

- Draft Standard:
  - Parking requirement for Medium Density Residential Uses:
    - Up to 3 bed:
      - 2 garage spaces, plus 1 additional space
    - 4 bed or more:
      - 3 garage spaces, plus 1 additional space for each bed over 3
    - Quotient 0.5

- Commission Comment:
  - This is a significant increase in required parking from current R-2 standard.
**COMMISSIONER COMMENTS**

**COMMENT 11**

- **Staff Recommendation:**
  - Staff recommends a revised parking standard as follows:
    - 20 garage spaces per unit, plus
      - 0.5 guest per unit
  - Similar to the Single-Family Residential parking requirement, but with the added requirement for guest parking spaces.
  - Will result in fewer parking spaces required as compared to current R-2 requirement.
  - Off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.

- **Commission Recommendation:**
  - As recommended by staff.

---

**DRAFT**

**COMMISSIONER COMMENTS**

**COMMENT 11**

- **Draft Standard:**
  - Parking requirement for High-Density Residential Uses.
    - Up to 3 beds:
      - 20 garage spaces, plus
        - 1 additional space
    - 4 beds or more:
      - 2 garage spaces, plus
        - 1 additional space for each bed over 3
  - Guest: 0.5

- **Commission Comment:**
  - Support for buildings to be forced to provide more parking over current code so it does not spill out into the street.

---

**DRAFT**

**COMMISSIONER COMMENTS**

**COMMENT 11**

- **Staff Recommendation:**
  - Staff recommends a revised parking standard as follows:
    - 20 garage spaces per unit, plus
      - 0.5 guest per unit
  - Identical to the recommended standard for Medium-Density Residential uses.
  - Will result in fewer parking spaces required as compared to current R-3 requirement.
  - Off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.

- **Commission Recommendation:**
  - As recommended by staff.

---

**DRAFT**

**COMMISSIONER COMMENTS**

**COMMENT 12**

- **Draft Standard:**
  - Outdoor Entertainment not allowed in the CBD zone.

- **Commission Comment:**
  - The CBD zone is ideal for outdoor entertainment.

- **Staff Recommendation:**
  - No change.
  - Predominantly, participants conduct events in open or partially enclosed or screened facilities that are not compatible with the CBD zone.
  - Driving ranges, golf courses, sports complexes, miniature golf courses, tennis courts, outdoor batting cages, swimming pools, archery ranges, and similar.

- **Commission Recommendation:**
  - As recommended by staff.
COMMISSIONER COMMENTS

COMMENT 13

- Draft Standards:
  - Custom Manufacturing is permitted by-right in the CBD zone.

- Commission Comment:
  - Custom manufacturing uses should at least require a MUP due to noise impacts.
  - Would rather see in the Industrial zone.
  - Custom manufacturing is an example of a use that should not be allowed to leap from conditionally permitted to permitted by-right.

- Staff Recommendation:
  - Require MUP for Custom Manufacturing uses in the CBD zone.

- Commission Recommendation:
  - As recommended by staff.

COMMENT 14 – TABLED TO FUTURE MEETING

- Draft Standards:
  - Various uses are permitted by-right in the CMU zone.

- Commission Comment:
  - Questioning potential issues for by-right uses in the CMU because it can possibly be located next to T&B’s High density residential.
  - Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by-right uses.
  - Concerns with allowing so much residential and then permitting so many uses in the CMU Zone. Many uses may be next to residential uses and create impacts.

- Staff Recommendation:
  - No Change.

- Commission Recommendation:
  - Discussion tabled to future meeting.

COMMISSIONER COMMENTS

COMMENT 15

- Draft Standards:
  - Hotels and Motel uses are permitted by MUP in the CBD and CMU zones.

- Commission Comment:
  - There is a large wide variety of hotels/motels and maybe for some larger sized hotels/motels this should remain a CUP rather than an MUP in CBD and CMU zones.
  - State legislation allows conversion of hotels/motels into low barrier housing and MUP or CUP will allow for local control.

- Staff Recommendation:
  - Change the permit kind for Hotel and Motel uses from MUP to CUP.

- Commission Recommendation:
  - As recommended by staff.

COMMENT 16

- Draft Standards:
  - Car washes are prohibited on lots abutting a residential zoning district.

- Commission Comment:
  - Should change “abutting” to “adjacent to”.

- Staff Recommendation:
  - Staff recommends changing the standard to: “Prohibited on lots within 50 feet (not including street or alley right-of-way) of a Residential Zoning District.”

- Commission Recommendation:
  - Prohibited on lots within 50 feet (not including street or alley right-of-way) of a Residential Zoning District.”
COMMISSIONER COMMENTS

COMMENT 17

- Draft Standard:
  - Indoor entertainment permitted by-right in the PD on sites 30 acres or more and by MUP if less. Outdoor entertainment not permitted.

- Commission Comment:
  - In differentiating indoor versus outdoor entertainment, the definition should include that indoor entertainment cannot be viewed from outside as it was in the commercial zoning district.

- Staff Recommendation:
  - No Change.

- Commission Recommendation:
  - Indoor Entertainment permitted by MUP
  - Outdoor Entertainment not permitted

COMMISSIONER COMMENTS

COMMENT 19

- Draft Standard:
  - Staff shall have a maximum of 12 beds.
  - This is an existing standard being carried forward and not a new standard.

- Commission Comment:
  - This may be too few beds considering costs required to establish a shelter. This may be a disincentive to potential providers.
  - May need to look into increasing the number of beds at some point.

- Staff Recommendation:
  - No Change.
  - Existing code consistent with State laws.

- Commission Recommendation:
  - As recommended by staff.

COMMISSIONER COMMENTS

COMMENT 20

- Draft Standard:
  - Bars and Clubs are not permitted in the I (Industrial) zone.

- Commission Comment:
  - Bars and Clubs permitted w/CUP in the I. Industrial zone may be more appropriate due to noise.

- Staff Recommendation:
  - Staff recommends allowing Bars and Clubs in the I zone with a CUP.

- Commission Recommendation:
  - As recommended by staff.

COMMISSIONER COMMENTS

COMMENT 20 – TABLED TO FUTURE MEETING

- Draft Standard:
  - There is no definition for Regional Use as any distinction between Regional Uses versus Local Uses for the RC (Regional Commercial) Overlay District.

- Commission Comment:
  - Need definition of Regional Retail vs. Local Retailing.

- Staff Recommendation:
  - No Change.

- Commission Recommendation:
  - Discussion tabled to future meeting.
COMMISSIONER COMMENTS

Draft Standard:
- Maximum FAR in the CMU zone: 2.0

Commission Comment:
- Reduced height (5 stories to 3 stories) when adjacent to low density residential without related reduction in FAR can cause a different disparity in scale with the adjacent low density residential.

Staff Recommendation:
- No Change.
  - CMU zone identified in Housing Element as a resource area to provide housing capacity pursuant to PNHF.
  - Reduced FAR in conjunction with reduced height will reduce the number of units that can be accommodated in the CMU zone.

DRAFT

COMMISSIONER COMMENTS

Draft Standard:
- Maximum height of all non-residential zones shall be reduced to 3 stories and 40 feet within 50 ft. of a Residential Zoning District.

Commission Comment:
- Should apply only during new BL and RM because the RH zone will have larger height similar to CMU.

Staff Recommendation:
- 3 stories and 40 feet within 50 ft. (less street or alley right-of-way) of BL or RM Zoning District.

DRAFT

COMMISSIONER COMMENTS

Considerations:
- Planning Commission has stated preference to maintain ground floors with commercial use.

Findings – EMC Zone East of Granada Avenue
- Residential uses at 30 units per acre need at least 2 stories.
- Minimum 3 stories required for mixed-use.
  - 1st floor commercial
  - Parking combination at-grade and subterranean or all subterranean.
  - 2nd & 3rd floors residential
- Minimum 4 stories or more required for mixed-use.
  - 1st floor commercial
  - 2nd floor or 2nd & 3rd floors are structured parking
  - 3rd & 4th or 4th & 5 floors residential.

DRAFT

COMMISSIONER COMMENTS

Comment 23 – Tabled from December 19, 2022
COMMISSIONER COMMENTS

COMMENT 24

Draft Standard:
- Various uses are permitted by-right in the CMU zone.

Commission Comment:
- Questioning potential issues for by-right uses in the CMU because it can possibly be located next to 100% high density residential.
- Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by-right uses.
- Concerns with allowing too much residential and then permitting so many uses in the CMU Zone. Many uses may be next to residential uses and create impacts.

Staff Recommendation:
- No Change.

---

COMMISSIONER COMMENTS

COMMENT 14 – TABLED FROM FEBRUARY 21, 2023

Existing Permitting Levels:
- Permitted (P)
  - Staff level approval
- Conditionally Permit (C)
  - Discretionary level approval
- Nor Permitted (NP)

Proposed Permitting Levels:
- Permitted (P)
  - Staff level approval
- Minor Use Permit (M)
  - Director level approval
- Conditionally Permitted (C)
  - Discretionary level approval
- Not Permitted (NP)

---

COMMISSIONER COMMENTS

COMMENT 14 – TABLED FROM FEBRUARY 21, 2023

<table>
<thead>
<tr>
<th>Horizental Uses</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
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<tbody>
<tr>
<td>Single Unit Dwelling, Attached</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Multi Unit Dwelling</td>
<td>P</td>
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</tr>
<tr>
<td>Family Day Care-Small</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Family Day Care-Large</td>
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<tr>
<td>Long Term Health Care</td>
<td>NP</td>
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<tr>
<td>Senior Residential Care Facility</td>
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<td>Supportive Housing</td>
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<td>Transitional Housing</td>
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<td>Public/Semi-Public Uses</td>
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<tr>
<td>Bars and Stores Allowed</td>
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</table>
### Commissioner Comments

**Comment 14 — Tabled from February 21, 2023**

<table>
<thead>
<tr>
<th>Category</th>
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<th>Recommended Code</th>
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<tbody>
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<td>Community Assembly</td>
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<td>Community Garden</td>
<td>HP</td>
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<tr>
<td>Cultural Institution</td>
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<td>C</td>
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<td>Day Care Centers</td>
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<td>Government Offices</td>
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<td>Hospitals</td>
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<td>Clinics</td>
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<td>Skilled Nursing Facilities</td>
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<td>Park and Recreational Facilities</td>
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<td>Parking Lots and Structures</td>
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**Commissioner Comments**

**Comment 14 — Tabled from February 21, 2023**

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<tr>
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<th>Recommended Code</th>
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<td>Banks, Financial Institutions</td>
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<tr>
<td>Business Services</td>
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<td>Churches/Religious</td>
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<td>Restaurants</td>
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<td>Financial/Other Business</td>
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<td>C</td>
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<tr>
<td>Food Preparation</td>
<td>HP</td>
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<tr>
<td>Medical Office/Intervention Services</td>
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**COMMISSIONER COMMENTS**

**COMMENT 14 — TABLED FROM FEBRUARY 21, 2023**

<table>
<thead>
<tr>
<th>Land Use</th>
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<tr>
<td>Custom Manufacturing</td>
<td>HP</td>
<td>P</td>
</tr>
<tr>
<td>Food &amp; Beverage Manufacturing, Small</td>
<td>HP</td>
<td>P</td>
</tr>
<tr>
<td>Personal Storage</td>
<td>C</td>
<td>M</td>
</tr>
<tr>
<td>Transportation, Communications and Utility Uses</td>
<td>C</td>
<td>M</td>
</tr>
<tr>
<td>Communication Facilities</td>
<td>C</td>
<td>M</td>
</tr>
<tr>
<td>Recycling - Revenue-Generating Machine</td>
<td>C</td>
<td>M</td>
</tr>
<tr>
<td>Recycling - Small Collection Facility</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Trunk Sealer or Terminals</td>
<td>HP</td>
<td>C</td>
</tr>
</tbody>
</table>

**COMMISSIONER COMMENTS**

**COMMENT 14 — TABLED FROM FEBRUARY 21, 2023**

- Land Uses with Permit Step-Down of 2 or More (C to P)
  - Single-Unit Dwelling, Attached
  - Multi-Unit Dwelling
  - Small Residential Care Facility
  - Instructional Services
  - Veterinary Services

**Staff Recommendation:**
- No Change.

---

**COMMISSIONER COMMENTS**

**COMMENT 15 — TABLED FROM FEBRUARY 21, 2023**

58 Land Uses

- 17 Existing Conditionally Permitted (C) uses will remain Conditionally Permitted (C)
- 4 Existing Conditionally Permitted (C) uses will be permitted by Minor Use Permit (M)
- 5 Existing Conditionally Permitted (C) uses will be Permitted (P)
- 3 Existing Conditionally Permitted (C) uses will be Not Permitted (NP)
- 11 Existing Permitted (P) uses will remain Permitted (P)
- 2 Existing Permitted uses will be permitted by Minor Use Permit (M)
- 1 Existing Permitted Use will be Conditionally Permitted (C)
- 0 Existing Permitted Uses will be Not Permitted (NP)
- 3 Existing Not Permitted uses will be Conditionally Permitted (C)
- 2 Existing Not Permitted uses will be permitted by Minor Use Permit (M)
- 9 Existing Not Permitted uses will be Permitted (P)

---

**COMMISSIONER COMMENTS**

**COMMENT 20 — TABLED FROM FEBRUARY 21, 2023**

- **Draft Standards:**
  - There is no definition for Regional Use or any distinction between Regional Uses vs. Local Uses for the RC (Regional Commercial) Overlay District

- **Commission Comment:**
  - Need definition of Regional Retail vs. Local Serving
  - Is the Regional Commercial Overlay District still needed?

- **Staff Recommendation:**
  - Overlay District useful in coordination with Redevelopment as an available tool
  - Remove the Regional Commercial Overlay District
COMMISSIONER COMMENTS

COMMENT 25

- Draft Standard:
  - There shall be no minimum parcel size for existing legal parcels in the RC Overlay District.

- Commission Comment:
  - If the 5-acre minimum requirement is no longer applicable, will need a minimum area requirement.
  - It should not be zero.

- Staff Recommendation:
  - No change (dependent upon Comment 20 recommendations).
  - Was a viable standard when Redevelopment was an available tool.

Draft

COMMISSIONER COMMENTS

COMMENT 26

- Draft Standard:
  - Additional off-street parking spaces shall be provided when a change in use, expansion of use, or expansion of floor area creates an increase of 10 percent or more in the number of required parking spaces.

- Commission Comment:
  - Why is it not 25% or 50%?
  - Potentially be generous given what the use is.
  - 10% could be equal to 3 spaces or 30 spaces.
  - A scalable number would be more printable.
  - Will cause a spill over to more demand for street parking.

- Staff Recommendation:
  - No change.
  - 10% threshold is broad enough without being overly broad to relieve city business and property owners of the burden to provide more parking.

Draft

COMMISSIONER COMMENTS

COMMENT 27

- Draft Standard:
  - Minimum off-street parking requirements for Food Service businesses shall be 1 space for each 120 sq ft of dining area, plus 1 space for each 250 sq ft of all other areas.

- Commission Comment:
  - Prefers the current code for food service uses.

- Staff Recommendation:
  - No change.
COMMISSIONER COMMENTS
COMMENT 28

- Draft Standard:
  - Outdoor dining areas shall be provided with 1 parking space for each 120 square feet.
  - This is being carried forward from the existing code and is not a new requirement.

- Commission Comment:
  - For exempts outdoor dining areas completely as it is an amenity that is not always used.

- Staff Recommendation:
  - Staff recommends exempting outdoor dining areas from any off-street parking requirements.

COMMISSIONER COMMENTS
COMMENT 29

- Draft Standard:
  - Multifamily and residential dwellings in a mixed-use development in the CBD zone shall have the same off-street parking requirements as multifamily uses in the R1 zone.
  - 2 garage spaces per unit, plus 0.5 guest per unit

- Commission Comment:
  - The CBD should be an area of dense activity, and having increased parking for residential is less flexible.
  - Perhaps the code could provide flexibility for projects in this area or for certain areas where it makes sense to tailor parking requirements.

- Staff Recommendation:
  - Staff recommends a revised parking standard as follows:
    - Residential Parking: 1.5 spaces per unit, plus 0.3 guest per unit.
    - Based upon parking ratio of ES at The Alhambra
    - 1.6 spaces per unit, plus 0.3 guest per unit.
    - 240 luxury residential apartments

COMMISSIONER COMMENTS
COMMENT 30

- Draft Standard:
  - AC (Automobile Commercial) zoning designation.

- Commission Comment:
  - Recommend calling it "Transportation Related" rather than "Auto" since dominance of gas-powered vehicles is diminishing and future transportation types are currently undetermined.

- Staff Recommendation:
  - 卑
  - District is focused on sales, service, maintenance of automobiles.
COMMISSIONER COMMENTS

Draft Standard:
- Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces.

Commission Comment:
- Prefers carshare through a Minor Use Permit.

Staff Recommendation:
- Staff recommends a change to the standards as follows:
  - "Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit.”

---

COMMISSIONER COMMENTS

Draft Standard:
- Billboard standards are being carried forward from the existing code.

Commission Comment:
- Can we phase out billboards? Nuisance, annoying.

Staff Recommendation:
- No Change.
- A legal nonconforming sign.
- May remain provided:
  - Continuously maintained and operated.
  - not expanded, enlarged, or otherwise altered in any manner with the exception of facial copy change or replacement.

---

COMMISSIONER COMMENTS

Draft Standard:
- The Design Review Board responsibilities were proposed to be reduced and those responsibilities shifted to Planning Staff.

Commission Comment:
- Design Review Board responsibilities should not be reduced.

Staff Recommendation:
- Staff recommends there be no reductions in the responsibilities and duties of the Design Review Board.
COMMISSIONER COMMENTS

Comment 38

- Draft Standard:
  - There are no draft standards proposed to regulate building scale.

- Commission Comment:
  - Is there a way to specifically address building size, disproportionate to scale in adjacent buildings?

- Staff Recommendation:
  - No Change.
  - Building size standards can result in:
    * Conflict with programs of the Draft 2021-2029 Housing Element
    * Equity issues

---

COMMISSIONER COMMENTS

Comment 39

- Comment 6 – Commission Recommendation on January 2nd

  - 1st floor: 5 feet
  - 2nd floor: 6 feet
  - 3rd floor: 7 feet
  - 4th floor: 8 feet
  - 5th floor: 9 feet

  - Plus addition of a 30 degree encroachment plane beginning 6 feet above the side property line when adjacent to a lower-scale, low-density residential building.

---

COMMISSIONER COMMENTS

Comment 40

- Generalized depiction of RH (Residential High Density) neighborhood

  - 3 properties
    - Property 1: Original 1-story, single-family residence
    - Property 2: Original 1-story, single-family residence
    - Property 3: Existing 3-story, multi-family residence
COMMISSIONER COMMENTS
COMMENT 39

- Draft Standard:
  - There are no draft standards proposed to regulate green space for multifamily developments.

- Commission Comment:
  - There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.

- Staff Recommendation:
  - No Change.

COMMISSIONER COMMENTS
COMMENT 40

- Draft Standard:
  - No proposed draft shade/shadow standards.

- Commission Comment:
  - It would be helpful to have shadow studies or require for the proposed project (Multifamily) to be consistent with the adjacent properties (single-family).
  - Staff should come up with a specific measurable threshold in order to be objective about that standard so that it can be verified.

- Staff Recommendation:
  - No Change.
  - Standards controlling shade/shadow generates some concerns as Encroachment Plane

COMMISSIONER COMMENTS
COMMENT 41

- Draft Standard:
  - No draft architectural style or compatibility standards are proposed.

- Commission Comment:
  - If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.

- Staff Recommendation:
  - No Change.
  - DRB will review the architectural style
  - Historic preservation Ordinance is being developed – can be used as resource to protect properties and homes with historic significance
  - Future Multifamily Residential Design Guidelines will identify predominant and preferred architectural styles in neighborhoods – similar to Single-Family Design Guidelines

COMMISSIONER COMMENTS
COMMENT 42

- Draft Standard:
  - No draft standard is proposed to landscaping of interior side and rear yards of residential properties.

- Commission Comment:
  - Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.

- Staff Recommendation:
  - No Change.
  - Rear and interior side yards a usually fenced and not visible from public view
  - Promotes water conservation
COMMISSIONER COMMENTS
COMMENT 39 - TABLED FROM APRIL 17, 2023

* Draft Standards:
  - There are no draft standards proposed to regulate green space for multifamily developments.

* Commission Comment:
  - There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.

* Staff Recommendations:
  - No Change.

COMMISSIONER COMMENTS
COMMENT 39 - TABLED FROM APRIL 17, 2023

* Multi-family residential developments must provide common open space areas.
* Permanent areas for recreation and enjoyment with shared access for all building occupants.
* Min. 400 sf per unit (current code)
* Min. 300 sf per unit (proposed code)
* Located in interior of lot
  - Not allowed in front yard
  - Not visible from street

COMMISSIONER COMMENTS
COMMENT 39 - TABLED FROM APRIL 17, 2023

* Commission requested research on area city requirements
  - No requirements for green space
    - South Pasadena
    - San Marino
    - San Gabriel
    - Temple City
    - Monterey Park
  - Pasadena has "main garden" requirements
    - Must be at least 50% planted
ZONE CHANGES/PARKING ZONE

- April 17th - Presentation began
  - 58 P(Parking) zoned properties
  - 35 properties adjacent to single-family zone or use
  - Attachment 8
  - Rezone to:
    - RL – 19
    - RM – 2
    - CMU – 2
    - EMC – 5
    - I – 7
ZONE CHANGES/
PARKING ZONE

- May 1 – Staff returned additional information requested by Commission
  - Additional information on P properties adjacent to single-family uses or zones
  - Any deed restrictions on existing parking lots
ZONE CHANGES/
PARKING ZONE DEED RESTRICTIONS

• 13 existing parking lots
• 1 deed restriction
  o For the perpetual parking of overnight delivery vehicles for an adjacent industrial use at 949 South Meridian Avenue.
  o Recommendation:
    ▪ Zoning: I (Industrial)
    ▪ GP Land Use Designation: Industrial
• 3 other parcels not deed restricted but not likely to redevelop
PLANNING COMMISSION COMMENTS
COMMENT #5

- PO & I Zones: Multi-family uses permitted by-right
- Commission recommended CUP
- Violates Housing Element Law - Government Code Section 65583.2(c)
- Inconsistent with Draft Housing Element Policy 3.3
PLANNING COMMISSION COMMENTS
COMMENT #5

• Government Code Section 65583.2(c)
  o Multi-family Housing permitted by-right when:
    ▪ At least 20% of units are affordable
    ▪ Site was identified in 5th Cycle & 6th Cycle Housing Elements Sites Inventories
PLANNING COMMISSION COMMENTS
COMMENT #5

• Inconsistent with Draft Housing Element Policy 3.3

"Policy 3.3: The city shall allow housing developments with at least 20 percent affordable housing by-right on lower-income housing sites that have been counted in previous housing element cycles, consistent with Government Code Section 65583.2(c)."

• Commission’s recommendation for CUP will not be forward to City Council
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

- Accessory Dwelling Unit (ADU) Ordinance
  - Updates to existing Ordinance
  - For consistency with latest State ADU Law changes
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Affordable Housing on Religious Facility Sites
  o Assembly Bill AB 1851
  o Allow affordable multi-family residences on sites with religious facilities
  o Housing type supported in Draft Housing Element Program 9
  o Housing type supported by members of City Council
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Affordable Housing on Religious Facility Sites
  o Allowed on sites with an existing religious facility
  o Allowed on nonresidential, RM, or RH sites adjacent to or contiguous to parcel developed with an existing religious facility
  o Facility must be established on site minimum of 5 years
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Affordable Housing on Religious Facility Sites
  o All parcels to be developed must be owned by non-profit organization
  o 36 Religious facilities in the City
  o 30 Sites owned and operated by the non-profit organization
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Affordable Housing on Religious Facility Sites
  o Maximum 32 DU/acre
  o Up to 75 unit projects permitted by right
  o Projects exceeding 75 units permitted with Minor Use Permit
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Affordable Housing on Religious Facility Sites
  o 1 parking space/unit
  o No parking required if ½ mile walking distance from public transit
  o Existing parking may be reduced up to 50% to accommodate development
  o Remaining parking may be shared between residences and religious facility
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

- Affordability Requirements – Prior Draft Standard
  - Rental Units
    - Minimum 80% shall be rented to Low-Income households (Earning 50%-80% AMI)
    - Remaining shall be rented to workforce households (Earning 60%-120% AMI)
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Affordability Requirements – Prior Draft Standard
  o For-Sale Units
    ▪ Moderate Income
      o Minimum 80% shall be sold to Moderate Income households (80%-120% AMI)
      o Remaining shall be sold to workforce income households (60%-120% AMI)
    ▪ Low-Income
      o Minimum 50% shall be sold to Low Income households (50%-80% AMI)
      o Remaining shall be sold to workforce income households (60%-120% AMI)
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Affordability Requirements – Modified
  
  o Consistent with minimum affordability requirements of AB 1851
  
  o In-line with affordability requirements of Density Bonus Law (Government Code Section 65915)
    
    ▪ Minimum 10% total units – Low Income Households (80% AMI)
    ▪ Minimum 5% total units – Very Low Income Households (50% AMI)
    ▪ Minimum 10% total units – Moderate Income Households (120% AMI)
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Why modify the standard?

  o Consistent with minimum affordability requirements of AB 1851
  o Proposed standard excessive
    ▪ 100% of units affordable versus 5% or 10% affordable
  o May deter development
  o Could be considered a governmental constraint to development
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Drive Through Uses
  o Requires CUP
  o Pedestrian and Vehicular Circulation Plan required
  o Queue Analysis required
  o Minimum 12-foot wide queue lane
  o Minimum 15-foot interior radius at curves
  o Entrances and exits minimum 100 feet from street intersection
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Neighborhood Commercial Uses
  o Neighborhood serving commercial uses on residential zoned property
  o Uses Permitted by Right
  o Uses Permitted with Conditional Use Permit
  o Prohibited Uses
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Neighborhood Commercial Uses - Permitted by Right
  o Common Workspaces
  o Convenience Stores
  o Drug Stores and Pharmacies
  o Offices (non-medical/dental)
  o Professional Services (barber, beauty salon/spa, tailor, dry cleaning, self-service laundry, etc.)
  o Food Sales with No Alcohol
  o Retail Shops
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

- Neighborhood Commercial Uses - Conditionally Permitted
  - Food Sales with Alcohol Sales
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

- Neighborhood Commercial Uses - Prohibited Uses
  - Bars/Lounges
  - Off-Sales Alcohol Sales
  - Automotive Parts Stores
  - Churches/Places of Assembly
  - Drive-Through of Any Kind
  - Tobacco/Smoke Shops and Tobacco Sales
  - Reverse Vending Machines
ZONE TEXT AMENDMENTS
SPECIFIC USE STANDARDS

• Neighborhood Commercial Uses – Review Process
  o By-Right Uses: Ministerially by the Director of Community Development
  o Conditionally Permitted Uses: Discretionary review by the Planning Commission
ZONE TEXT CORRECTIONS

• Page 35 – Table 23.05.030
  - Maximum Residential Density
    - CBD Zone: 48 65
    - EMC Zone: 30 east west of Granada Avenue
NEXT STEPS

• Wrap-up Presentation
• Planning Commission Public Hearing
  o Scheduled for July 3, 2023
  o Resolution for Commission adoption
    ▪ Recommendations based upon tonight’s discussion
    ▪ Recommendations for related General Plan Amendment and Zone Change
  o Recommendation to the City Council
• City Council Public Hearing
  o Scheduled for August 28, 2023
• City Council Continued Public Hearing
  o Scheduled for September 11, 2023
RESOURCES

Presentations can be viewed from the City of Alhambra’s webpage

- https://www.cityofalhambra.org/AgendaCenter

Existing comments and feedback from previous Presentations are available at

- https://www.alhambracodeupdate.com/documents

Email comments to:

- Codealhambra@cityofalhambra.org

Submit through CODEALHAMBRA website

- https://www.alhambracodeupdate.com
ATTACHMENT 4

Parking Zones Adjacent to

Single Family Uses or Zones
3200 Midvale Place
APN: 5291-024-009

Existing Land Use: Single-Family Residence

Surrounding Land Uses:

   East: Industrial storage/parking
   West: Single-family residences
   North: Single-family residences
   South: Industrial

Lot Area: 4,722 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
3201 Mission Road
APN: 5291-024-017

**Existing Land Use:** Industrial storage/parking for adjacent industrial use

**Surrounding Land Uses:**
- **East:** Parking Lot
- **West:** Single-family residences
- **North:** Single-family residences
- **South:** Industrial

**Lot Area:** 18,273 sf

**Proposed Zoning Classification:** I

**Proposed Land Use Designation:** Industrial
3201 Mission Road
APN: 5291-024-021

Existing Land Use: Parking for adjacent industrial use

Surrounding Land Uses:
- **East:** Single-family residences
- **West:** Industrial storage/parking
- **North:** Single-family residences
- **South:** Industrial

Lot Area: 57,597 sf

Proposed Zoning Classification: I

Proposed Land Use Designation: Industrial
No Address

APN: 5291-025-031

Existing Land Use: Water retention field for adjacent industrial use

Surrounding Land Uses:
- **East:** Industrial
- **West:** Single-family residences
- **North:** Single-family residences
- **South:** Industrial

Lot Area: 9,234 sf

Proposed Zoning Classification: 1

Proposed Land Use Designation: Industrial
No Address

APN: 5291-026-019

Existing Land Use: Industrial storage

Surrounding Land Uses:

East: Industrial

West: Single-family residences, industrial

North: Single-family residences

South: Industrial

Lot Area: 6,105 sf

Proposed Zoning Classification: I

Proposed Land Use Designation: Industrial
904 Westminster Avenue
APN: 5291-026-020

Existing Land Use: Industrial storage

Surrounding Land Uses:
  East: Industrial
  West: Industrial
  North: Industrial storage
  South: Industrial

Lot Area: 8,776 sf

Proposed Zoning Classification: I

Proposed Land Use Designation: Industrial
No Address
APN: 5291-026-021

Existing Land Use: Parking lot

Surrounding Land Uses:
  East: Emery Park, industrial
  West: Industrial
  North: Single-family residences, parking lot
  South: Industrial

Lot Area: 13,518 sf

Proposed Zoning Classification: I

Proposed Land Use Designation: Industrial
No Address

APN: 5342-033-026

Existing Land Use: Parking lot for adjacent industrial use. This parcel is deed restricted for perpetual overnight parking of delivery trucks associated with the adjacent industrial use at 949 S Meridian Ave.

Surrounding Land Uses:
  East: Parking lot
  West: Single-family residences
  North: Single-family residences
  South: Industrial

Lot Area: 10,720 sf

Proposed Zoning Classification: I

Proposed Land Use Designation: Industrial
2908 Concord Avenue (APN: 5291-026-008), 2912 Concord Avenue (APN: 5291-026-007),
2916 Concord Avenue (APN: 5291-026-006), 2920 Concord Avenue (APN: 5291-026-005),
2924 Concord Avenue (APN: 5291-026-004)

Existing Land Use: 5 residential parcels with split zoning. The front of the parcels are zoned R-1 and the rear of the parcels are zoned P. Accessory structures for 5 single-family residential properties occupy the P portions.

Surrounding Land Uses:

East: Parking lot, Industrial

West: Single-family residences, Industrial

North: Single-family residences

South: Industrial

Lot Area: Varies

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
No Address

APN: 5351-001-017

Existing Land Use: Parcel serves as vehicle parking and circulation for adjacent service station.

Surrounding Land Uses:

  East: Commercial

  West: City of Los Angeles

  North: Single-family residences

  South: Commercial

Lot Area: 4,557 sf

Proposed Zoning Classification: CMU

Proposed Land Use Designation: General Commercial
1340 South Primrose Avenue
APN: 5355-005-011

Existing Land Use: Single-family residence

Surrounding Land Uses:

East: Single-family residence
West: Single-family residence
North: Single-family residence
South: Commercial

Lot Area: 6,799 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
1408 7th Street
APN: 5357-004-019

Existing Land Use: Parking lot

Surrounding Land Uses:

   East: Single-family residence
   West: Commercial, single-family residence
   North: Commercial
   South: 3 apartment units, single-family residences

Lot Area: 7,500 sf

Proposed Zoning Classification: CMU

Proposed Land Use Designation: General Commercial
807 East Main Street
APN: 5336-021-038

Existing Land Use: Split zone: P/EMC. Vacant lot

Surrounding Land Uses:

East: Vacant
West: Single-family residence, medium density residences, commercial
North: Single-family residence, medium density residences
South: Commercial

Lot Area: 18,553 sf

Proposed Zoning Classification: EMC

Proposed Land Use Designation: General Commercial
25 North Granada Avenue
APN: 5336-021-041

Existing Land Use: Vacant lot

Surrounding Land Uses:

East: Medium- and high-density residential

West: Vacant, single-family residence, medium density residences, commercial

North: Single-family residence, medium density residences

South: Commercial

Lot Area: 9,430 sf

Proposed Zoning Classification: EMC

Proposed Land Use Designation: General Commercial
16 N El Molino Street
APN: 5336-012-015

Existing Land Use: 4 Apartment units

Surrounding Land Uses:

   East: Single-family residences, medium-density residences, commercial
   West: Medium density residences, parking lot
   North: High density residences, single-family residences
   South: Commercial

Lot Area: 7,496 sf

Proposed Zoning Classification: RM

Proposed Land Use Designation: Medium Density Residential
18 North Vega Street
APN: 5364-019-010

Existing Land Use: Single-family residence

Surrounding Land Uses:
- **East**: Single-family residences, 3 apartment units
- **West**: Single-family residence, 3 apartment units
- **North**: 2 units, single-family residences
- **South**: Commercial

Lot Area: 7,230 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
20 North Vega Street
APN: 5364-019-009

Existing Land Use: 2 residential units

Surrounding Land Uses:
- East: Single-family residences, 3 apartment units
- West: Single-family residences
- North: Single-family residences
- South: Single-family residence, commercial

Lot Area: 7,401 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
15 Champion Place
APN: 5364-019-015

Existing Land Use: 3 apartments

Surrounding Land Uses:

East: 3 apartment units, commercial
West: Single-family residence, 2 residential units
North: Single-family residences
South: Commercial

Lot Area: 7,205 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
21 Champion Place

APN: 5364-019-016

Existing Land Use: Single-family residence

Surrounding Land Uses:

East: 3 apartment units, single-family residence
West: Single-family residences, 2 residential units
North: Single-family residences
South: 3 apartment units

Lot Area: 7,498 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
16 Champion Place

APN: 5364-018-020

Existing Land Use: 3 apartment units

Surrounding Land Uses:

East: Vacant

West: Commercial, 3 apartment units, single-family residence

North: Single-family residences

South: Commercial

Lot Area: 22,182 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
No Address

APN: 5364-018-019

Existing Land Use: Parcel has split zoning. Front 1/3 of parcel fronting onto Main Street is zoned EMC; the middle 1/3 is zoned; and the rear 1/3 is zoned R-1

Surrounding Land Uses:

   East: City of San Gabriel

   West: Commercial, 3 apartment units

   North: Single-family residences

   South: Commercial

Lot Area: 19,632 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
14 South Almansor Street
APN: 5345-022-025

Existing Land Use: 10 apartment units

Surrounding Land Uses:
  East: Medium-density residences
  West: Commercial
  North: Commercial
  South: Low- and medium-density residential uses

Lot Area: 13,574 sf

Proposed Zoning Classification: RM

Proposed Land Use Designation: Medium Density Residential
12 South Granada Avenue
APN: 5346-005-007

Existing Land Use: 6 apartment units

Surrounding Land Uses:
- **East**: Parking lot, single-family residences
- **West**: Commercial
- **North**: Commercial
- **South**: Low and medium density residences, Granada Elementary School

**Lot Area**: 7,500 sf

**Proposed Zoning Classification**: RL

**Proposed Land Use Designation**: Low Density Residential
5 South Valencia Street

APN: 5346-005-012

Existing Land Use: Parking lot satisfying minimum off-street parking requirements for new retail/office development at 918-924 East Main Street.

Surrounding Land Uses:

East: Parking lot, single-family residences

West: Multiple-family and single-family residences

North: Commercial

South: Single-family residences, Granada Elementary School

Lot Area: 8,400 sf

Proposed Zoning Classification: EMC

Proposed Land Use Designation: General Commercial
No Address
APN: 5346-006-006

Existing Land Use: Parking lot

Surrounding Land Uses:

- **East**: Parking lot, single-family residences
- **West**: Parking lot and low, single-family residences
- **North**: Commercial
- **South**: Single-family residences, Granada Elementary School

Lot Area: 7,501 sf

Proposed Zoning Classification: EMC

Proposed Land Use Designation: General Commercial
14 South El Molino Street
APN: 5346-008-012

Existing Land Use: Single-family residence

Surrounding Land Uses:
- **East:** Single-family residences
- **West:** Single-family residences
- **North:** Commercial
- **South:** Single-family residences

**Lot Area:** 7,501 sf

**Proposed Zoning Classification:** RL

**Proposed Land Use Designation:** Low Density Residential
15 South El Molino Street
APN: 5346-006-011

Existing Land Use: 5 apartment units

Surrounding Land Uses:

East: Single-family residences

West: Parking lot, single-family residences

North: Commercial

South: Single-family residences, Granada Elementary School

Lot Area: 7,512 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
15 South Vega Street
APN: 5346-008-007

Existing Land Use: Single-family residence

Surrounding Land Uses:
- **East:** Single-family residences
- **West:** Single-family residences
- **North:** Commercial
- **South:** Single-family residences

Lot Area: 3,638 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
16 South Vega Street
APN: 5346-009-018

Existing Land Use: Single-family residence

Surrounding Land Uses:

    East: Parking lot
    West: Single-family residences
    North: Commercial
    South: Single-family residences

Lot Area: 3,634 sf

Proposed Zoning Classification: RL

Proposed Land Use Designation: Low Density Residential
1212 East Main Street
APN: 5346-009-030

**Existing Land Use:** Split zone parcel. Front half of lot with the commercial building is zoned EMC. The back half with the parking lot is zoned P. The parking lot provides the required parking spaces for the commercial building.

**Surrounding Land Uses:**
- **East:** Multi-family residences, single-family residences
- **West:** Single-family residences
- **North:** Commercial
- **South:** Single-family residences, vacant residential lot

**Lot Area:** 26,162 sf

**Proposed Zoning Classification:** EMC

**Proposed Land Use Designation:** East Main Commercial
## Gyoty of Alhambra

### Draft Parcel Listing for Parking Zoned Properties

<table>
<thead>
<tr>
<th>APN</th>
<th>Address</th>
<th>Parcel Size</th>
<th>Current Use</th>
<th>Existing Zoning Classification</th>
<th>Recommended Zoning Classification</th>
<th>Existing Land Use Designation</th>
<th>Recommended Land Use Designation</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>5336-021-035</td>
<td>58 S ALMANSOR ST</td>
<td>20268 sf</td>
<td>Parking Lot</td>
<td>P</td>
<td>EMC</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Existing nonconforming use will remain conforming</td>
</tr>
<tr>
<td>5345-021-025</td>
<td>S 4 S ALMANSOR ST</td>
<td>13574 sf</td>
<td>Parking Lot</td>
<td>P</td>
<td>RM</td>
<td>Parking</td>
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<td>Existing nonconforming use will remain nonconforming due to existing density</td>
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<tr>
<td>5345-005-001</td>
<td>512 E BAY ST</td>
<td>13357 sf</td>
<td>P</td>
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<td>Parking</td>
<td>High Density Residential</td>
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</tr>
<tr>
<td>5364-019-015</td>
<td>56 CHAMPION PL</td>
<td>7050 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
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<tr>
<td>5364-018-020</td>
<td>56 CHAMPION PL</td>
<td>22182 sf</td>
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<td>Low Density Residential</td>
<td>Existing nonconforming use will remain nonconforming due to existing density</td>
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<tr>
<td>5336-019-025</td>
<td>51 CHAMPION PL</td>
<td>7480 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
<td>Existing nonconforming use will become conforming use</td>
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<tr>
<td>5345-005-022</td>
<td>S 5 S COMMONWEALTH AVE</td>
<td>9175 sf</td>
<td>P</td>
<td>R/PB</td>
<td>CBD</td>
<td>Parking</td>
<td>Central Business District</td>
<td>Parcel has multiple zoning designations. Rezone portion to CBD. Existing nonconforming use will remain nonconforming</td>
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<tr>
<td>5331-028-017</td>
<td>7256 S COMMONWEALTH AVE</td>
<td>8041 sf</td>
<td>P</td>
<td>2 DU</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming use</td>
</tr>
<tr>
<td>5210-026-008</td>
<td>2098 CONCORD AVE</td>
<td>7526 sf</td>
<td>P</td>
<td>1 DU</td>
<td>R1/P</td>
<td>Low Density Residential</td>
<td>Low Density Residential</td>
<td>Existing nonconforming use will become conforming use</td>
</tr>
<tr>
<td>5210-026-007</td>
<td>2012 CONCORD AVE</td>
<td>7526 sf</td>
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<td>1 DU</td>
<td>R1/P</td>
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<td>Low Density Residential</td>
<td>Existing nonconforming use will become conforming use</td>
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<tr>
<td>5210-026-006</td>
<td>2016 CONCORD AVE</td>
<td>8036 sf</td>
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<tr>
<td>5210-026-005</td>
<td>2020 CONCORD AVE</td>
<td>8444 sf</td>
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<td>5210-026-004</td>
<td>2024 CONCORD AVE</td>
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<tr>
<td>5336-012-015</td>
<td>56 N EL MOLINO ST UNIT A</td>
<td>7486 sf</td>
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<td>4 DU</td>
<td>RM</td>
<td>Parking</td>
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<td>5346-008-012</td>
<td>54 S EL MOLINO ST</td>
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<td>Parking</td>
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<tr>
<td>5346-006-011</td>
<td>55 S EL MOLINO ST</td>
<td>7512 sf</td>
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<td>Parking</td>
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</tr>
<tr>
<td>5336-016-011</td>
<td>74 S GRANDA AVE</td>
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<td>P</td>
<td>4 DU</td>
<td>RM</td>
<td>Parking</td>
<td>Medium Density Residential</td>
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<tr>
<td>5336-021-045</td>
<td>25 S GRANADA AVE</td>
<td>9410 sf</td>
<td>P</td>
<td>EMC</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Parking</td>
<td>General Commercial</td>
</tr>
<tr>
<td>5346-020-007</td>
<td>15 S GEMAAN AVE</td>
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<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
<td>Existing nonconforming use will remain nonconforming due to existing density</td>
<td></td>
</tr>
<tr>
<td>5336-021-040</td>
<td>55 N Hidalgo AVE</td>
<td>30443 sf</td>
<td>P</td>
<td>Parking Lot</td>
<td>EMC</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Parcel has multiple zoning designations. North half is zoned P and south half is zoned EMC. Existing use is nonconforming in the P zone and will be conforming when rezoned is its entirety to EMC</td>
</tr>
<tr>
<td>5336-022-022</td>
<td>22 N Hidalgo AVE</td>
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<td>Parking Lot</td>
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<td>EMC</td>
<td>Parking</td>
<td>General Commercial</td>
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<td>5345-021-030</td>
<td>55 S Hidalgo AVE</td>
<td>6075 sf</td>
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<td>Low Density Residential</td>
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</tr>
<tr>
<td>5338-013-017</td>
<td>556 HOWARD ST UNIT A</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain conforming</td>
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<tr>
<td>5338-013-018</td>
<td>556 HOWARD ST UNIT B</td>
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<td>Parking</td>
<td>High Density Residential</td>
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<td>5338-013-019</td>
<td>556 HOWARD ST UNIT C</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain conforming</td>
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<tr>
<td>5338-013-020</td>
<td>556 HOWARD ST UNIT D</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain conforming</td>
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<tr>
<td>5338-013-021</td>
<td>556 HOWARD ST UNIT E</td>
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<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
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<td>5338-013-022</td>
<td>556 HOWARD ST UNIT F</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
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<td>5338-013-023</td>
<td>556 HOWARD ST UNIT G</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain conforming</td>
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<tr>
<td>5338-013-024</td>
<td>556 HOWARD ST UNIT H</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5338-013-025</td>
<td>556 HOWARD ST UNIT I</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5338-013-026</td>
<td>556 HOWARD ST UNIT J</td>
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<td>RL</td>
<td>Parking</td>
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<tr>
<td>5338-013-027</td>
<td>556 HOWARD ST UNIT K</td>
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<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5338-013-028</td>
<td>556 HOWARD ST UNIT L</td>
<td>17071 sf</td>
<td>P</td>
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<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5338-013-029</td>
<td>556 HOWARD ST UNIT M</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain conforming</td>
<td></td>
</tr>
<tr>
<td>5338-013-030</td>
<td>556 HOWARD ST UNIT N</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain conforming</td>
<td></td>
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<tr>
<td>5338-013-031</td>
<td>556 HOWARD ST UNIT O</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain conforming</td>
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<tr>
<td>5338-013-032</td>
<td>556 HOWARD ST UNIT P</td>
<td>17071 sf</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5342-028-021</td>
<td>1395 LEMON ST</td>
<td>2085 sf</td>
<td>P</td>
<td>1 DU</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming use</td>
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<tr>
<td>5342-028-020</td>
<td>1395 S LEMON ST</td>
<td>1802 sf</td>
<td>P</td>
<td>1 DU</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
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<td>5336-021-038</td>
<td>807 E MAIN ST</td>
<td>1851 sf</td>
<td>P</td>
<td>Parking Lot</td>
<td>EMC</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Parcel has multiple zoning designations. Northern portion is zoned P and southern portion is zoned EMC. Existing use is nonconforming in the P zone and will be conforming when rezoned is its entirety to EMC</td>
</tr>
<tr>
<td>Parcel</td>
<td>Description</td>
<td>Address</td>
<td>Zoning</td>
<td>Existing Conformity</td>
<td>New Zoning</td>
<td>Notes</td>
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<tr>
<td>5291-025-031</td>
<td>1027 E MAIN ST</td>
<td>14868 sf</td>
<td>Commercial Store and Parking Lot</td>
<td>EMC</td>
<td>Parking/General Commercial</td>
<td>Existing conforming use will remain conforming</td>
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<td>5346-009-030</td>
<td>312 E MAIN ST</td>
<td>24162 sf</td>
<td>Parking Lot</td>
<td>EMC</td>
<td>Parking/General Commercial</td>
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<tr>
<td>5338-031-008</td>
<td>555 W MAIN ST</td>
<td>5450 sf</td>
<td>Commercial Store and Parking Lot</td>
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<td>Parking</td>
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<td>5291-024-009</td>
<td>300 MIDVALE PL</td>
<td>4727 sf</td>
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<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
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<td>5291-024-017</td>
<td>3265 W missions RD</td>
<td>1972 sf</td>
<td>Outdoor storage</td>
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<td>I</td>
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<td>Industrial</td>
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<td>5291-024-02</td>
<td>3265 W missions RD</td>
<td>5759 sf</td>
<td>Parking Lot</td>
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<td>Parking</td>
<td>Industrial</td>
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<tr>
<td>5355-005-011</td>
<td>3448 SIMMOISE AVE</td>
<td>6793 sf</td>
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<td>Parking</td>
<td>Low Density Residential</td>
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<tr>
<td>5142-028-018</td>
<td>3165 S RAYMOND AVE</td>
<td>1813 sf</td>
<td>1 DU</td>
<td>P</td>
<td>IN</td>
<td>Parking</td>
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<tr>
<td>5142-028-019</td>
<td>3265 S RAYMOND AVE</td>
<td>1941 sf</td>
<td>1 DU</td>
<td>P</td>
<td>IN</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
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<tr>
<td>5336-016-010</td>
<td>15 N VALENCIA ST</td>
<td>7848 sf</td>
<td>12 DU</td>
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<td>RM</td>
<td>Parking</td>
<td>Medium Density Residential</td>
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<tr>
<td>5336-014-018</td>
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<tr>
<td>5346-005-012</td>
<td>5 S VALENCA ST</td>
<td>8400 sf</td>
<td>Parking Lot</td>
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<td>EMC</td>
<td>Parking</td>
<td>General Commercial</td>
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</tr>
<tr>
<td>5346-019-009</td>
<td>20 N VEGA ST</td>
<td>7401 sf</td>
<td>2 DU</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
<td>Existing nonconforming use will remain nonconforming due to existing density</td>
</tr>
<tr>
<td>5346-005-030</td>
<td>15 N VEGA ST</td>
<td>7500 sf</td>
<td>1 DU</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
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<tr>
<td>5346-028-007</td>
<td>15 N VEGA ST</td>
<td>3688 sf</td>
<td>1 DU</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
<td>Existing nonconforming use will remain nonconforming</td>
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<tr>
<td>5346-009-018</td>
<td>35 S VEGA ST</td>
<td>3684 sf</td>
<td>1 DU</td>
<td>P</td>
<td>RL</td>
<td>Parking</td>
<td>Low Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
</tr>
<tr>
<td>5344-010-008</td>
<td>625 W WASHINGTON ST</td>
<td>791 sf</td>
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<td>P</td>
<td>OMU</td>
<td>Parking</td>
<td>General Commercial</td>
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<tr>
<td>5344-10-008</td>
<td>625 W WASHINGTON ST</td>
<td>7951 sf</td>
<td>5 DU</td>
<td>P</td>
<td>OMU</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Existing conforming use will remain nonconforming</td>
</tr>
<tr>
<td>5344-10-009</td>
<td>409 W WASHINGTON ST</td>
<td>7951 sf</td>
<td>5 DU</td>
<td>P</td>
<td>OMU</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Existing nonconforming use will remain nonconforming</td>
</tr>
<tr>
<td>5312-026-031</td>
<td>910 WESTMINSTER AVE</td>
<td>8776 sf</td>
<td>Outdoor storage</td>
<td>P</td>
<td>I</td>
<td>Parking</td>
<td>Industrial</td>
<td>Existing nonconforming use will become conforming</td>
</tr>
<tr>
<td>5137-027-004</td>
<td>21 N 2ND ST</td>
<td>4247 sf</td>
<td>Fire Station</td>
<td>P/R-3</td>
<td>PF</td>
<td>Parking/High Density Residential</td>
<td>Public Facilities</td>
<td>Existing nonconforming use will remain nonconforming</td>
</tr>
<tr>
<td>5338-013-019</td>
<td>21 N 3RD ST</td>
<td>2005 sf</td>
<td>10 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing conforming use will remain nonconforming</td>
</tr>
<tr>
<td>5338-013-039</td>
<td>25 N 3RD ST</td>
<td>7890 sf</td>
<td>Multi-Family</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5338-034-033</td>
<td>21 N 4TH ST</td>
<td>7893 sf</td>
<td>2 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
</tr>
<tr>
<td>5338-012-021</td>
<td>21 N 4TH ST</td>
<td>7893 sf</td>
<td>8 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5338-012-022</td>
<td>20 N 4TH ST</td>
<td>7406 sf</td>
<td>5 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
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<tr>
<td>5338-012-030</td>
<td>20 N 4TH ST</td>
<td>1317 sf</td>
<td>10 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
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<tr>
<td>5338-012-068</td>
<td>26 N 4TH ST</td>
<td>1337 sf</td>
<td>10 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
</tr>
<tr>
<td>5338-012-091</td>
<td>15 N 3RD ST</td>
<td>7038 sf</td>
<td>Parking Lot</td>
<td>P</td>
<td>OMU</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Existing conforming use will remain nonconforming</td>
</tr>
<tr>
<td>5338-031-007</td>
<td>15 N 5TH ST</td>
<td>1923 sf</td>
<td>16 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
</tr>
<tr>
<td>5338-012-092</td>
<td>15 N 5TH ST</td>
<td>7861 sf</td>
<td>5 DU</td>
<td>P</td>
<td>RH</td>
<td>Parking</td>
<td>High Density Residential</td>
<td>Existing nonconforming use will become conforming</td>
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<tr>
<td>5317-004-019</td>
<td>1408 S 7TH ST</td>
<td>7300 sf</td>
<td>Parking Lot</td>
<td>P</td>
<td>OMU</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Existing conforming use will remain nonconforming</td>
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<tr>
<td>5291-025-011</td>
<td>No Address</td>
<td>620 sf</td>
<td>Vacant</td>
<td>P</td>
<td>I</td>
<td>Parking</td>
<td>Industrial</td>
<td>Existing conforming use will remain nonconforming</td>
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<tr>
<td>5291-031-019</td>
<td>No Address</td>
<td>6037 sf</td>
<td>Vacant</td>
<td>P</td>
<td>I</td>
<td>Parking</td>
<td>Industrial</td>
<td>Existing conforming use will remain nonconforming</td>
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<td>5291-026-021</td>
<td>No Address</td>
<td>1918 sf</td>
<td>Parking Lot</td>
<td>P</td>
<td>I</td>
<td>Parking</td>
<td>Industrial</td>
<td>Existing conforming use will remain nonconforming</td>
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<td>5338-031-016</td>
<td>No Address</td>
<td>16279 sf</td>
<td>Parking Lot</td>
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<td>OMU</td>
<td>Parking</td>
<td>General Commercial</td>
<td>Existing conforming use will remain nonconforming</td>
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<td>5338-031-026</td>
<td>No Address</td>
<td>16720 sf</td>
<td>Parking Lot</td>
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<td>OMU</td>
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<td>19009 sf</td>
<td>Parking Lot</td>
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<td>750 sf</td>
<td>Parking Lot</td>
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<td>5315-002-017</td>
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<td>Parking Lot</td>
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<td>OMU</td>
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<tr>
<td>5364-018-019</td>
<td>No Address</td>
<td>19632 sf</td>
<td>Vacant</td>
<td>R-2/EMC</td>
<td>RL/EMC</td>
<td>Low Density Residential/Parking/General Commercial</td>
<td>Low Density Residential/General Commercial</td>
<td>Parcel has multiple zoning designations. Only the portion zoned P to be rezone to RL. Portions zoned R-1 and EMC to remain unchanged</td>
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<tr>
<td>OBJECT ID</td>
<td>AIN</td>
<td>ADDRESS</td>
<td>EXISTING USE</td>
<td>YEAR BUILT</td>
<td>SQ FT</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>-----------</td>
<td>----------------</td>
<td>------------------------</td>
<td>---------------------------------------------------</td>
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<td>1</td>
<td>5338016050</td>
<td>1318 W ALHAMBRA RD</td>
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<td>1956</td>
<td>5000</td>
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<td>5338008008</td>
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<td>1921</td>
<td>7704</td>
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<td>3</td>
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<td>5292001016</td>
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<td>Supermarket</td>
<td>1966</td>
<td>21000</td>
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<td>5</td>
<td>5350013001</td>
<td>700 S ATLANTIC BLVD</td>
<td>Auto, Recreation Equipment, Construction Equipment Sales and Service</td>
<td>1964</td>
<td>1056</td>
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<td>6</td>
<td>5350013004</td>
<td>704 S ATLANTIC BLVD</td>
<td>Store Combination</td>
<td>1922</td>
<td>5117</td>
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<td>7</td>
<td>5345012029</td>
<td>512 S CHAPEL AVE</td>
<td>Store</td>
<td>1969</td>
<td>2584</td>
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<tr>
<td>8</td>
<td>5292005024</td>
<td>233 S FREMONT AVE</td>
<td>Office Building</td>
<td>1977</td>
<td>1920</td>
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<tr>
<td>9</td>
<td>5322032027</td>
<td>600 N GARFIELD AVE</td>
<td>Service Station</td>
<td>1963</td>
<td>1107</td>
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<td>10</td>
<td>5322032007</td>
<td>620 N GARFIELD AVE</td>
<td>Store Combination</td>
<td>1913</td>
<td>1282</td>
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<td>11</td>
<td>5322032006</td>
<td>624 N GARFIELD AVE</td>
<td>Office Building</td>
<td>1923</td>
<td>4816</td>
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<td>12</td>
<td>5322032001</td>
<td>712 N GARFIELD AVE</td>
<td>Office Building</td>
<td>1945</td>
<td>1116</td>
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<td>13</td>
<td>5353003023</td>
<td>1901 GARVEY AVE</td>
<td>Hotel and Motel</td>
<td>1947</td>
<td>6139</td>
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<td>14</td>
<td>5353001017</td>
<td>2011 GARVEY AVE</td>
<td>Hotel and Motel</td>
<td>1936</td>
<td>3060</td>
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<tr>
<td>15</td>
<td>5292001015</td>
<td>200 N HUNTINGTON DR</td>
<td>Supermarket</td>
<td>1966</td>
<td>3250</td>
<td></td>
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</tr>
<tr>
<td>16</td>
<td>5343005004</td>
<td>300 S MARENGO AVE</td>
<td>Store Combination</td>
<td>1928</td>
<td>3356</td>
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<tr>
<td>17</td>
<td>5344014011</td>
<td>515 W MISSION RD</td>
<td>Auto, Recreation Equipment, Construction Equipment Sales and Service</td>
<td>1972</td>
<td>1540</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>18</td>
<td>5344014010</td>
<td>521 W MISSION RD</td>
<td>Auto, Recreation Equipment, Construction Equipment Sales and Service</td>
<td>1948</td>
<td>943</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>19</td>
<td>5353001003</td>
<td>2840 W RAMONA RD</td>
<td>Office Building</td>
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<td>9076</td>
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<tr>
<td>20</td>
<td>5344020021</td>
<td>500 S 4TH ST</td>
<td>Auto, Recreation Equipment, Construction Equipment Sales and Service</td>
<td>1940</td>
<td>1572</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
ATTACHMENT 8

Comprehensive Zoning Code Update

Staff Report, dated January 17, 2023
Planning Commission
January 17, 2023
Comprehensive Zoning Code Update

TO: City of Alhambra Planning Commission
FROM: Andrew Ho, Director of Community Development
       Vanessa Reynoso, Deputy Director of Community Development
       Paul Lam, Principal Planner

SUBJECT: Continuation of Presentation regarding the Comprehensive Zoning Code Update: Summary of comments and recommended changes.

SUMMARY:
At the previous Planning Commission meeting of January 2nd, Staff intended to provide the and final presentation of the Zoning Code update presentation series that began five (5) months ago with the Planning Commission meeting of August 1, 2022. To date, staff has provided a total of nine (9) presentations to the Planning Commission on the various sections of the draft Zoning Code, highlighting significant changes between the current and proposed Zoning Code.

The presentation prepared for the January 2nd meeting was for the purpose of continuing the review of the Commission’s comments and requests for changes to the draft standards and regulations, and providing Staff responses to those comments along with recommendations on how to proceed. Staff compiled a total of 42 comments and changes to the draft Zoning Code based on the feedback provided throughout the presentation series process. Discussion on those 42 comments and changes began on the December 19th meeting and continued into the January 2nd meeting. Between those two meetings, the Planning Commission reviewed and came to consensus on seven (7) recommendations and tabled discussion on five (5) recommendations. Three (3) of the tabled discussions were to provide Staff with time to conduct further analysis, and two (2) of the tabled discussions were on subject matters that were expected to have extensive discussion, and therefore tabled to a future meeting where more time for discussion would be available.

Of the seven recommendations, the Planning Commission proposed three recommendations that differed from Staff’s recommendations. These recommendations were for Comment Nos. 1, 2 and 6. The four Staff recommendations that the Commission agreed with were for Comment Nos. 4, 9, 10 and 11. The recommendations that were tabled were for Comment Nos. 3, 23, 5, 7 and 8. The Staff has provided a table that summarizes the actions taken on the comments thus far (Attachment I).

The goal of tonight’s meeting is for the Commission to complete their review of the remaining 35 items in order to confirm the final recommendations that the Commission wishes to pass on to the City Council as part of the Zoning Code adoption process. The meeting format will consist of Staff presenting a specific proposed Zoning Code standard or regulation; summarizing the comment(s) received; providing Staff recommended changes (if any); and then verifying Commission consensus on the proposed changes. To aid in this process, Staff has attached the updated PowerPoint presentation that will be
utilized during tonight’s meeting. Additionally, Staff has attached the Staff Reports provided for the December 19th and January 2nd meetings, which includes detailed discussion on each of the comments and recommendations; a summary table of the comments and recommendations; and a complete copy of the draft Zoning Code document.

It should be noted that the attached draft Zoning Code document incorporates all items that were previously noted as “TBD” during the presentation series, including sections on Accessory Dwelling Units (page 148); Affordable Housing on Religious Facility Sites [also known as Congregate Living] (page 151); Cannabis Facilities, Cultivation, and Deliveries (page 157); and Neighborhood Commercial Uses in Residential Zones (page 175). The Accessory Dwelling Units (ADU) section is based on the City’s existing ADU Ordinance, but has been updated to be consistent with recent State laws relating to ADUs, while the Cannabis Facilities, Cultivation, and Deliveries section is a continuation of the City’s existing Cannabis Ordinance. The new sections on Affordable Housing on Religious Facility Sites and Neighborhood Commercial Uses in Residential Zones were drafted in response to direction previously provided by the City Council. Staff requests that the Planning Commission begin their review of these sections although the Commission should note that these sections will not be discussed this evening. Staff intends to provide additional discussion and detail on these sections at the forthcoming Planning Commission public hearing.

Upon receiving direction from the Commission on the remaining 35 of 42 comments, Staff will begin preparing a draft resolution with a list of the final recommendations on the draft Zoning Code that the Commission will be making to the City Council. Meetings with the City Council will be scheduled following the Planning Commission public hearing but are anticipated for February 2023.

STAFF RECOMMENDED ACTION:

It is recommended that the Planning Commission receive and file this informational report and provide recommendations to Staff as deemed appropriate.

ATTACHMENTS:

1. Table 1 - Recommendations Summary
2. Table 2 - Comments Summary Table
3. PowerPoint Presentation – Project Wrap Up (Presentation #9)
4. PowerPoint Presentation – Housing Densities
5. Comprehensive Zoning Code Update Staff Report from the January 2nd Planning Commission Meeting
## Table 1 – Recommendations Summary

<table>
<thead>
<tr>
<th>Comment No.</th>
<th>Regulation Classification</th>
<th>Staff Recommendation</th>
<th>Planning Commission Recommendation</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Low Barrer Navigation Centers</td>
<td>Permitted by-right in RL, RM, RH zones</td>
<td>Conditional Use Permit required in the RL zone, permitted by-right in RM, RH zones</td>
<td>Ayes: 8 Noes: 2</td>
</tr>
<tr>
<td>2</td>
<td>100% residential uses in CBD zone</td>
<td>Residential permitted on ground floor fronting Main St. with Modification</td>
<td>Residential prohibited on the ground floor fronting on Main St.</td>
<td>Ayes: 6 Noes: 4</td>
</tr>
<tr>
<td>3</td>
<td>Residential uses in EMC zone</td>
<td>Max 30 du/acre allowed west of Granada Ave.; Residential not allowed east of Granada Ave</td>
<td>Tabled pending further analysis from staff</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>23</td>
<td>Maximum heights in EMC zone</td>
<td>West of Granada Avenue: 5 stories, 75 feet; 3 stories, 40 feet within 50 feet of a Residential Zoning District; East of Granada Ave: 2 stories, 25 ft</td>
<td>Tabled pending further analysis from staff</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>4</td>
<td>Single-family attached uses in CBD, EMC, CMU zones</td>
<td>Not permitted in CBD, EMC, CMU zones</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>5</td>
<td>Multi-family residential uses in PO, I zones</td>
<td>Permitted by-right in PO, I zones</td>
<td>Tabled</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>6</td>
<td>Minimum residential side yard setbacks</td>
<td>2nd floor: 6 ft. 3rd floor: 7 ft. 4th floor: 8 ft. 5th floor: 9 ft.</td>
<td>As recommended by staff plus the addition of a 30 degree encroachment plane beginning 6 feet above the side property line when adjacent to a lower-scale, low-density residential building</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>7</td>
<td>FAR/Lot coverage</td>
<td>FAR: Lots less than 10,000: 0.35 Lots 10,000-19,999: 0.325 Lots 20,000 and greater: 0.30. Lot Coverage: 50% if all buildings are 1-story, otherwise 40%.</td>
<td>Tabled pending further analysis by staff</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>8</td>
<td>Maximum height RM, RH zones</td>
<td>Maximum: 3 stories for RM and 5 stories for RH</td>
<td>Tabled</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>9</td>
<td>Parking requirements for expansion of nonconforming residential uses</td>
<td>Nonconforming properties may expand without additional parking required</td>
<td>As recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
</tr>
<tr>
<td>10</td>
<td>Parking requirement for Medium Density residential uses</td>
<td>2 garage spaces per unit, Guest: 0.5</td>
<td>A recommended by staff</td>
<td>Ayes: 9 Noes: 0</td>
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</tbody>
</table>
| 11 | Parking requirement for High Density residential uses | 2 garage spaces per unit, Guest: 0.5 | A recommended by staff | Ayes: 9  
Noes: 0 |
<table>
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<tr>
<th></th>
<th>Land Use Category</th>
<th>Standard/Regulation Class</th>
<th>Zone</th>
<th>Draft Standard</th>
<th>Comment</th>
<th>Current Standard</th>
<th>Proposed Standard</th>
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<tr>
<td>1</td>
<td>Residential</td>
<td>Permitted Uses</td>
<td>RL, RM, RH</td>
<td>Permitted by Right</td>
<td>State law requires permitted by right in nonresidential zones that allow residential or mixed use.</td>
<td>None</td>
<td>Conditional Use Permit required in the RL zone, permitted by-right in RM, RH zones.</td>
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<td>2</td>
<td>Residential</td>
<td>CBD</td>
<td>Residential uses</td>
<td>Residential permitted on ground floor fronting Main St. with Modification</td>
<td>100% residential is not proper usage in the Downtown, ground floors should be commercial.</td>
<td>None</td>
<td>Residential prohibited on the ground floor fronting on Main St.</td>
</tr>
<tr>
<td>3</td>
<td>Residential</td>
<td>EMC</td>
<td>Max 50 du/acre allowed west of Granada Ave. Residential not allowed east of Granada Ave</td>
<td>No residential uses allowed in any part of EMC.</td>
<td>No change recommended.</td>
<td></td>
<td></td>
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<tr>
<td>23</td>
<td>Commercial</td>
<td>Property Development Standard</td>
<td>Height</td>
<td>EMC</td>
<td>West of Granada Avenue: 5 stories, 75 feet; 3 stories, 40 feet within 50 feet of a Residential Zoning District East of Granada Ave: 2 stories, 25 ft</td>
<td>2 stories, 25 feet along all of EMC zone</td>
<td>Recommendation: West of Granada Avenue: 5 stories, 75 feet; 3 stories, 40 feet within 50 feet (less street or alley right-of-way) of a Residential Zoning District East of Granada Ave: 2 stories, 25 ft</td>
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<td>Standard/Regulation Class</td>
<td>Zone</td>
<td>Draft Standard</td>
<td>Comment</td>
<td>Current Standard</td>
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<td>4 Residential</td>
<td>Permitted Uses</td>
<td>Single-family attached uses</td>
<td>CBD, EMC, CMU</td>
<td>Single-family attached permitted by right</td>
<td>Single-family attached is equal to low density. CUP should be required for single-family attached.</td>
<td>Not permitted</td>
<td>Not permitted in CBD, EMC, CMU.</td>
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<td>5</td>
<td>Multifamily residential</td>
<td>I, PO</td>
<td>Permitted by Right</td>
<td>Concerned with residential uses on properties previously allowed by CUP but now allowed by-right.</td>
<td>Not Permitted</td>
<td>No change recommended.</td>
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<td>Land Use Category</td>
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<td>Zone</td>
<td>Draft Standard</td>
<td>Comment</td>
<td>Current Standard</td>
<td>Proposed Standard</td>
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<tr>
<td>Residential</td>
<td>Property Development Standard Property Development Standard</td>
<td>Side Setback</td>
<td>RL, RM, RH</td>
<td>Upper Stories: 6 ft</td>
<td>Require additional step back not as a development standard but as a design standard – evaluates on a case-by-case basis. Upper stories setbacks should be more stringent (higher number) but should have flexibility in how the setbacks are achieved (allow an average setback to allow modulation in building). Standard should be 10 feet for upper stories with flexibility on how it is achieved (average) as buildings may be up to 5 stories and need larger side setbacks.</td>
<td>2nd floor: 6 ft. 3rd floor: 7 ft. 4th floor: no standard 5th floor: no standard</td>
<td>As recommended by staff plus a 30 degree encroachment plane beginning 6 feet above the side property line when adjacent to a lower-scale, low-density residential building</td>
</tr>
</tbody>
</table>
### Commissioner Comment Summary

<table>
<thead>
<tr>
<th>Land Use Category</th>
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</table>
| 7                 | Property Development Standards | FAR/Lot Coverage | RL | FAR:  
Lots less than 10,000: 0.35  
Lots 10,000-19,999: 0.325  
Lots 20,000 and greater: 0.30  
Lot Coverage: 50% if all buildings are 1-story, otherwise 40% | Eliminate Maximum Lot Coverage and include garages in Floor Area Ratio (FAR) calculations | FAR:  
Lots less than 10,000: 0.35  
Lots 10,000-19,999: 0.325  
Lots 20,000 and greater: 0.30.  
Lot Coverage: 50% if all buildings are 1-story, otherwise 40%. | FAR:  
Lots less than 10,000: 0.40  
Lots 10,000-19,999: 0.35  
Lots 20,000 and greater: 0.30  
Lot Coverage: Eliminate |
<p>| 8                 | Height | RM, RH | Maximum: 3 stories for RM and 5 stories for RH | Reduce to 2 stories when adjacent to RL | No height reductions when multifamily adjacent to single-family. | No change recommended. |
| 9                 | Off-Street Parking | When Required | RL, RM, RH | Not required for additions and expansions | No longer requiring current parking requirements for additions over 50% may be problematic. Nonconforming properties may expand without additional parking. Where do cars park if a home as a 1-car garage or no garage? | Entire property must be brought into compliance with current code for additions of 50% or more. | No change recommended. |</p>
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<tbody>
<tr>
<td>Residential</td>
<td>Off-Street Parking</td>
<td>RM, RH</td>
<td>Up to 3 bed: 2 garage spaces plus 1 additional</td>
<td>Large jump in required parking over current code. Supportive of lesser requirement. Should be more aligned with SFR or SFR + guest parking</td>
<td>2 parking spaces for each unit, plus one additional parking space for each 750 sq. ft. of gross floor area in excess of 2,000 sq. ft.</td>
<td>Recommendation: 2 garage spaces per unit. Guest: 0.5</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>4 bed or more: 2 garage spaces plus 1 additional space for each bed over 3</td>
<td>Guest: 0.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Up to 3 bed: 2 garage spaces plus 1 additional</td>
<td>Support for buildings to be forced to provide more parking over current code so it does not spill out into the streets</td>
<td>2 covered spaces within an enclosed garage for each unit, plus one additional parking space for each 500 sq. ft. of gross floor area in excess of 1,000 sq. ft. for each unit</td>
<td>Recommendation: 2 garage spaces per unit. Guest: 0.5</td>
</tr>
<tr>
<td></td>
<td>Spaces Required</td>
<td>RH</td>
<td>4 bed or more: 2 garage spaces plus 1 additional space for each bed over 3</td>
<td>Guest: 0.5</td>
<td></td>
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<tbody>
<tr>
<td>12 Commercial</td>
<td>Permitted Uses</td>
<td>Outdoor Entertainment</td>
<td>Outdoor Entertainment not permitted</td>
<td>CBD is ideal environment for outdoor entertainment</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td></td>
<td>Custom Manufacturing</td>
<td>CBD</td>
<td>Custom Manufacturing permitted by Right</td>
<td>Permitted by right in Industrial zone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Commercial</td>
<td>Permitted Uses</td>
<td>Custom Manufacturing</td>
<td>CBD</td>
<td>Custom manufacturing permitted by-right</td>
<td>Permitted by right in Industrial zone</td>
<td>Recommendation: Permitted by MUP</td>
</tr>
</tbody>
</table>
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<tbody>
<tr>
<td>Commercial</td>
<td>Permitted Uses</td>
<td>Uses in General</td>
<td>General comment on uses permitted by right</td>
<td>Questioning potential issues for by right uses in the CMU because it can possibly be located next to 100% high density residential. Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by right uses? Concern with allowing so much residential and then permitting so many uses in the CMU Zone. Many uses may be next to residential uses and create impacts.</td>
<td>No changes recommended.</td>
<td></td>
</tr>
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</tr>
<tr>
<td>15</td>
<td>Hotels/Motels</td>
<td>CBD, CMU</td>
<td>Permitted by MUP</td>
<td>There is a large/wide variety of hotels/motels and maybe for some larger sized hotels/motels this should remain a a CUP rather than an MUP in CBD and CMU zones. State legislation allows conversion of hotels/motels into low barrier housing and MUP or CUP will allow for local control.</td>
<td>Permitted by CUP.</td>
<td>Recommendation: Permitted by CUP.</td>
</tr>
<tr>
<td>Commercial</td>
<td>Permitted Uses</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>16</td>
<td>Car Washes</td>
<td>CMU, AC</td>
<td>Car washes prohibited on lots “abutting” a residential zoning district</td>
<td>Should change “abutting” to “adjacent to”</td>
<td></td>
<td>Recommendation: Prohibited on lots within 50 feet (less street or alley right-of-way) of a Residential Zoning District</td>
</tr>
<tr>
<td>17</td>
<td>Indoor/Outdoor Entertainment</td>
<td>PO</td>
<td>Indoor entertainment permitted by right on sites 30 acres or more and MUP if less. Outdoor entertainment not permitted</td>
<td>In differentiating indoor versus outdoor entertainment, the definition should include that indoor entertainment cannot be heard from outside as it was in the commercial zoning district.</td>
<td>Indoor and outdoor entertainment not permitted.</td>
<td>No change recommended.</td>
</tr>
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</tr>
<tr>
<td>18</td>
<td>Bars and Clubs</td>
<td>I</td>
<td>Not permitted</td>
<td>Bars and clubs permitted w/ CUP in the PO. Industrial zone may be more appropriate due to noise.</td>
<td>Not permitted</td>
<td>Recommendatio n: Permitted by CUP.</td>
</tr>
<tr>
<td>19</td>
<td>Emergency Shelters</td>
<td>I</td>
<td>Shelter shall have a maximum of 12 beds</td>
<td>Emergency shelters only allow for no more than 12 beds. This may be too few beds considering costs required to establish a shelter. This may be a disincentive to potential providers. May need to look into increasing the number of beds at some point.</td>
<td>Maximum of 12 beds.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>Commercial</td>
<td>Regional v. Local Uses</td>
<td>RC</td>
<td>None</td>
<td>Need definition of Regional Retail v. Local Servicing</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>21</td>
<td>FAR</td>
<td>CMU</td>
<td>Maximum: 2.0</td>
<td>Concerned that the high FAR is still allowed abutting low density residential and there could be a large disparity from one lot to an abutting lot even if height is limited.</td>
<td>Lot area less than 10,000 sq. ft.: 0.75</td>
<td>Lot area between 20,000 sq. ft. and one acre: 2.0.</td>
</tr>
<tr>
<td></td>
<td>Property Development Standards</td>
<td></td>
<td></td>
<td></td>
<td>Lot area between 10,000 and 19,999 sq. ft.: 1.0</td>
<td>No change recommended.</td>
</tr>
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<tr>
<td>22</td>
<td>Height</td>
<td>All Non-Residential Zones</td>
<td>3 stories and 40 feet within 50 ft of a Residential Zoning District</td>
<td>Should say &quot;when abutting RL and RM&quot; because the RH zone will have larger heights and CMU height does not need to be limited next to the RH Zone.</td>
<td>3 stories and 40 feet if adjacent to a residential zone or use.</td>
<td>Recommendation: 3 stories and 40 feet within 50 ft (less street or alley right-of-way) of RL or RM Zoning District.</td>
</tr>
<tr>
<td>24</td>
<td>Property Development Standards</td>
<td>I</td>
<td>Stories remain unchanged at 6</td>
<td>Shouldn't the stories be increased if the City wants to add more housing.</td>
<td>6 stories, 55 feet</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>25</td>
<td>Minimum Parcel Size</td>
<td>RC</td>
<td>None for existing legal parcel. 5 acre minimum for subdivisions</td>
<td>If the 5 acre minimum requirement is no longer applicable, still need a minimum area requirement. It should not be zero.</td>
<td>5 acre minimum applies to all projects, including existing parcels.</td>
<td>No change recommended.</td>
</tr>
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</tr>
<tr>
<td>Commercial</td>
<td>Off-Street Parking</td>
<td>When Required</td>
<td>All Non-Residential Zones</td>
<td>Why is it not 25% or 10%? 30% is 3 more spaces or 30 more spaces. It seems the number could potentially be generous depending on what the use is. A scalable number would be more palatable.</td>
<td>Any change in use, expansion of a use, or expansion of floor area that creates an increase in the number of required parking.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>Food Service</td>
<td></td>
<td>All Non-Residential Zones</td>
<td>1 space each 120 sf of dining area plus 1 space each 250 sf of all other areas.</td>
<td>Prefers the current code for food service uses.</td>
<td>1 space for each 120 sf of gross floor area.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>Outdoor Dining</td>
<td></td>
<td>All Non-Residential Zones</td>
<td>1 space per each 120 sf of outdoor dining area.</td>
<td>Is in favor of exempting outdoor dining areas completely as it is an amenity that is not always used.</td>
<td>1 space per each 120 sf of outdoor dining area.</td>
<td>Recommendation: Outdoor dining areas shall be exempted from any off-street parking requirements.</td>
</tr>
<tr>
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</tr>
<tr>
<td>Commercial</td>
<td>Off-Street Parking</td>
<td>CBD</td>
<td>Residential and mixed-use residential have same parking requirement per dwelling as RH</td>
<td>The CBD should be our walkable area, and having increased parking for residential is less flexible. Perhaps the code could provide flexibility for projects in this area or for certain areas where it makes sense to tailor parking requirements.</td>
<td>Residential and mixed-use residential have same parking requirement per dwelling as R-3.</td>
<td>Recommendation: Residential Parking: 1.5 per unit. Guest: 0.3 per unit.</td>
</tr>
<tr>
<td></td>
<td>Zoning District Title</td>
<td>AC</td>
<td>AC (Automobile Commercial)</td>
<td>Recommend calling it 'Transportation Related' rather than 'Auto' since dominance of gas powered vehicles is diminishing and future transportation types are currently undetermined.</td>
<td>AC (Automobile Commercial)</td>
<td>No change recommended.</td>
</tr>
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<tr>
<td>31 Non-Conforming</td>
<td>Additions</td>
<td>Setbacks</td>
<td>RL, RM, RH</td>
<td>Building can be extended with nonconforming setback by right (Continuing the nonconformity has to meet certain standards. Allowing up to half of the required setback can be okay (allowing 3 feet to be continued for a 6 ft setback requirement) by right, but more should have a discretionary process)</td>
<td>Any reduced side setback requires approval of a Modification or Variance.</td>
<td>Recommendation: An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does not encroach any further into the setback or, up to a maximum of 50% of the required setback, whichever is the lesser encroachment, and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of this Title.</td>
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<tr>
<td>32</td>
<td>Bicycle Parking</td>
<td>All</td>
<td>All bicycle parking spaces shall be a minimum of two feet in width and six feet in length.</td>
<td>We have electric bikes for carrying families or groceries. Are we just planning for traditional 2-wheel bike? Supports spaces for wider bicycles.</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>33</td>
<td>Bicycle Parking</td>
<td>Multi-family Uses</td>
<td>1 long-term bicycle space for each 5 units</td>
<td>Bike parking requirements seem a little high. Maybe match up more realistically to our commuting patterns</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td><strong>Citywide</strong></td>
<td>Off-Street Parking</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Car Sharing</td>
<td>All</td>
<td>Administrative process</td>
<td>Prefers carshare through a minor use permit</td>
<td>None</td>
<td>Recommendation: Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit.</td>
</tr>
<tr>
<td>35</td>
<td>Billboards</td>
<td>All</td>
<td>Nonconforming Section</td>
<td>Can we phase out billboards? Nuisance, annoying.</td>
<td>Nonconforming sign, permitted to remain if continually used and maintained.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>36</td>
<td>Painted Signs</td>
<td>All</td>
<td>Prohibited</td>
<td>Can there be an exception that addresses historic qualities (in reference to painted signs, murals).</td>
<td>Permitted</td>
<td>Recommendation: Remove from Prohibited List.</td>
</tr>
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<tr>
<td>37</td>
<td>Process</td>
<td>All</td>
<td>DRB responsibilities be reduced</td>
<td>Design Review Board responsibilities should not be reduced.</td>
<td></td>
<td>Recommendation: Maintain DRB’s current responsibilities.</td>
</tr>
<tr>
<td>38</td>
<td>Building Scale</td>
<td>All</td>
<td>None</td>
<td>Is there a way to specifically address buildings disproportionate to scale in adjacent buildings.</td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Citywide</td>
<td>Objective Design Standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>Open Space/Green Space</td>
<td>Multi-Family Uses</td>
<td>None</td>
<td>There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.</td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Citywide</td>
<td>Shade/Shadow Standards</td>
<td>All</td>
<td>None</td>
<td>If developments are next to other properties or buildings that they are not similar to (multi-family next to single family for instance), it would be helpful to have shadow studies or require for the proposed project to be consistent with the adjacent properties.</td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>40</td>
<td>Objective Design Standards</td>
<td></td>
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<tr>
<td>Citywide</td>
<td>Design Standards</td>
<td>Architectural Style</td>
<td>RL, RM, RH</td>
<td>If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.</td>
<td>Single-Family Residential Design Guidelines</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>Citywide</td>
<td>Landscape Standards</td>
<td>Landscape Side and Rear Yards</td>
<td>RL, RM, RH</td>
<td>Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
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</table>
PRESENTATION GOAL

- To review specific comments from the Commission requesting certain changes to the draft standards and regulations

- To generate a resolution with recommendations of the changes to the draft Zoning Code and return the resolution on February 6, 2023.
PRESENTATION AGENDA

- Presentation Series Timeline
- Commissioner Comments
- Next Steps
PRESENTATION SERIES TIMELINE

- **August 1, 2022**  
  Presentation 1 – Administration

- **August 15, 2022**  
  Presentation 2 – Zoning Districts, Land Uses  
  (Residential Zoning Districts & Land Uses)

- **September 6, 2022**  
  Meeting cancelled.

- **September 19, 2022**  
  Continuation of Presentation 2 – Zoning Districts & Land Uses (Non-Residential)

- **October 3, 2022**  
  Continuation of Presentation 2 – Zoning Districts & Land Uses (Non-Residential)
TENTATIVE PRESENTATION SERIES TIMELINE

- **October 17, 2022**
  
  Presentation 3 – Property Development Standards

- **November 21, 2022**
  
  Presentation 4 – Parking Standards

- **December 5, 2022**
  
  Presentation 5 – Design Standards, Sign Standards, Nonconforming Uses

- **December 19, 2022**
  
  Presentation 6 – Wrap-up

- **January 2, 2023**
  
  Continuation of Presentation 6 – Wrap-up

- **January 17, 2023**
  
  Continuation of Presentation 6 – Wrap-up
TENTATIVE PRESENTATION SERIES TIMELINE

- February 6, 2023
  - Public Hearing for recommendation to City Council
  - City Council presentations, TBD
  - City Council public hearings, TBD
COMMISSIONER COMMENTS

COMMENT 1

• Draft Standard:
  o Low Barrier Navigation Centers are permitted by-right in the RL, RM, and RH zones.

• Commission Comment:
  o Low Barrier Navigation Centers are required by State law to be permitted by-right in non-residential zones that allow residential and mixed-use.

• Staff Recommendation:
  o No Change.
  o Program 27 [REDUCE DEVELOPMENT CONSTRAINTS FOR AFFORDABLE HOUSING] of the City of Alhambra 2021-2029 Housing Element requires amending the Zoning Code to allow Low Barrier Navigation Centers by-right in all residential zones, areas zoned for mixed uses, and non-residential zones permitting multifamily uses.

• Commission Recommendation:
  o Conditional Use Permit required in RL zone, permitted by-right in RM, RH zones.
COMMISSIONER COMMENTS

COMMENT 2

- **Draft Standard:**
  - Residential uses will be allowed on the ground floor, fronting onto Main Street (100% residential), with approval of a Minor Use Permit (MUP)

- **Commission Comment:**
  - 100% residential projects are not the proper use in the Downtown. The ground floors should be reserved for retail and commercial uses.

- **Staff Recommendation:**
  - No Change.
  - Program 27 of the Housing Element, in order to reduce development constraints for affordable housing, requires revising the Zoning Code to allow 100% residential projects in all commercial zones, including the Central Business District.

- **Commission Recommendation:**
  - Residential uses prohibited on ground floor fronting on Main Street.
COMMISSIONER COMMENTS

COMMENT 4

• **Draft Standard:**
  o Single-family attached uses are permitted by-right in the CBD (Central Business District), EMC (East Main Commercial), and CMU (Commercial Mixed-Use) zones.

• **Commission Comment:**
  o Single-family attached is equivalent to low density residential development and should require a CUP.

• **Staff Recommendation:**
  o Single-family attached uses should not be permitted in the CBD, EMC and CMU zones.
  o Such uses are low density uses and are not appropriate to be located in the commercial zones.

• **Commission Recommendation:**
  o As recommended by staff.
COMMISSIONER COMMENTS

COMMENT 6

• Draft Standard:
  o Minimum residential side yard setback for all upper stories: 6 ft.

• Commission Comment:
  o Additional setback should be required, but it was undecided if that be a flat number or handled on a case-by-case basis, more like a design standard.

• Staff Recommendation:
  o 2nd floor: 6 feet
  o 3rd floor: 7 feet
  o 4th floor: 8 feet
  o 5th floor: 9 feet
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.

• Commission Recommendation:
  o As recommended by staff, plus addition of a 30 degree encroachment plane beginning 6 feet above the side property line when adjacent to a lower-scale, low-density residential building.
COMMISSIONER COMMENTS

COMMENT 9

- **Draft Standard:**
  - Residential uses that are legal nonconforming with respect to off-street parking can be expanded without having to provide additional off-street parking spaces.

- **Commission Comment:**
  - May be problematic.
  - Where do cars park if a home has a 1-car garage or no garage?

- **Staff Recommendation:**
  - No Change.
  - 50% threshold of current code is burdensome on smaller homes.

- **Commission Recommendation:**
  - As recommended by staff.
COMMISSIONER COMMENTS

COMMENT 10

- **Draft Standard:**
  - Parking requirement for Medium Density Residential Uses.
    - Up to 3 bed:
      - 2 garage spaces, plus
      - 1 additional space
    - 4 bed or more:
      - 2 garage spaces, plus
      - 1 additional space for each bed over 3
  
  **Guest:** 0.5

- **Commission Comment:**
  - This is a significant increase in required parking from current R-2 standard
COMMISSIONER COMMENTS

COMMENT 10

• Staff Recommendation:
  o Staff recommends a revised parking standard as follows:

    2 garage spaces per unit, plus
    0.5 guest per unit

  o Similar to the Single-Family Residential parking requirement, but with the added requirement for guest parking spaces.
  o Will result in fewer parking spaces required as compared to current R-2 requirement.
  o Off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.

• Commission Recommendation:
  o As recommended by staff.
COMMISSIONER COMMENTS

COMMENT 11

• Draft Standard:
  o Parking requirement for High Density Residential Uses.
    Up to 3 bed:
    2 garage spaces, plus
    1 additional space

    4 bed or more:
    2 garage spaces, plus
    1 additional space for each bed over 3

  Guest: 0.5

• Commission Comment:
  o Support for buildings to be forced to provide more parking over current code so it does not spill out into the street.
COMMISSIONER COMMENTS

COMMENT 11

- **Staff Recommendation:**
  - Staff recommends a revised parking standard as follows:

    2 garage spaces per unit, plus
    0.5 guest per unit

  - Identical to the recommended standard for Medium Density Residential uses.
  - Will result in fewer parking spaces required as compared to current R-3 requirement.
  - Off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.

- **Commission Recommendation:**
  - As recommended by staff.
COMMISSIONER COMMENTS

COMMENT 3 / COMMENT 23

Comment 3
- Draft Standard:
  - Residential uses are allowed at a maximum density of 30 units per acre in the East Main Commercial (EMC) zone in parcels located west of Granada Avenue.
  - Not allowed in the EMC zone east of Granada Avenue.
- Commission Comment:
  - Housing should not be allowed in the entirety of the EMC zone.
- Staff Recommendation:
  - No Change.
  - Program 27 of the Housing Element requires revising the Zoning Code to allow 100% residential projects in all commercial zones, including the EMC zone.
  - Program 19 of the Housing Element requires revising the Zoning Code to allow a maximum residential density of 30 dwellings per acre on parcels located west of Granada Avenue.

Comment 23
- Draft Standard:
  - EMC zone properties located west of Granada Avenue shall have a maximum height limit of 5 stories and 75 feet.
  - 3 stories and 40 feet shall be required if located within 50 feet of Residential Zoning District.
  - Properties located east of Granada Avenue shall be limited to 2 stories and 25 feet.
- Commission Comment:
  - The maximum height shall be 2 stories and 25 feet along all of the EMC zone.
- Staff Recommendation:
  - No change to height limits east and west of Granada Avenue, except:
    - 3 stories and 40 feet shall be required if located within 50 feet (less street or alley right-of-way) of Residential Zoning District.
COMMISSIONER COMMENTS

COMMENT 5

• Draft Standard:
  o Multifamily residential uses are permitted by-right in the PO (Professional Office) and I (Industrial) zones.

• Commission Comment:
  o Current Code requires a CUP for multifamily uses in the PO zone and now such uses will be allowed by-right.
  o There will be a loss of control.

• Staff Recommendation:
  o No Change.
  o Consistent with streamlining provision of Goal 4, Policy 4.5 of Housing Element.
  o New residential development projects will still be subject to all applicable provisions of the Municipal Code, Building Code, and Fire Code, AND conditions of approvals.
COMMISSIONER COMMENTS

COMMENT 7

• Draft Standard:
  o RL zone will carry forward the current Floor Area Ratio (FAR) and Lot Coverage standards
  o Maximum FAR:
    ▪ Lots less than 10,000: 0.35
    ▪ Lots 10,000-19,999: 0.325
    ▪ Lots 20,000 and greater: 0.30
  o Maximum Lot Coverage:
    ▪ 50% if all buildings are 1-story, otherwise 40%

• Commission Comment:
  o Eliminate the Lot Coverage requirement.
  o Implement only FAR but also include garages into the FAR calculations.
**COMMISSIONER COMMENTS**

**COMMENT 7**

- **Staff Recommendation:**
  - Maximum FAR:
    - Lots less than 10,000: 0.40
    - Lots 10,000-19,999: 0.35
    - Lots 20,000 and greater: 0.30
  - Eliminate Lot Coverage standard

<table>
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<tr>
<th>Lot Size</th>
<th>FAR Allowance</th>
<th>Minus 2-Car Garage</th>
<th>Total Living Area</th>
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<td>- 400 sf</td>
<td>3,100 sf</td>
</tr>
</tbody>
</table>
COMMISSIONER COMMENTS
COMMENT 8

- **Draft Standard:**
  - Maximum heights in RM zone and RH zones of 3 stories and 5 stories, respectively.

- **Commission Comment:**
  - Height for RM and RH zones should be reduced when adjacent to RL zone

- **Staff Recommendation:**
  - No Change.
  - Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS
COMMENT 12

- **Draft Standard:**
  - Outdoor Entertainment not allowed in the CBD zone.

- **Commission Comment:**
  - The CBD zone is ideal for outdoor entertainment.

- **Staff Recommendation:**
  - No Change.
  - Predominantly participant sports conducted in open or partially enclosed or screened facilities that are not compatible with the CBD zone.
  - Driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and similar.
COMMISSIONER COMMENTS

COMMENT 13

• **Draft Standard:**
  o Custom Manufacturing is permitted by-right in the CBD zone.

• **Commission Comment:**
  o Custom manufacturing uses should at least require a MUP due to noise impacts.
  o Would rather see in the Industrial zone.
  o Custom manufacturing as an example of a use that should not be allowed to leap from conditionally permitted to permitted by-right.

• **Staff Recommendation:**
  o Require MUP for Custom Manufacturing uses in the CBD zone.
COMMISSIONER COMMENTS

COMMENT 14

- **Draft Standard:**
  - Various uses are permitted by-right in the CMU zone.

- **Commission Comment:**
  - Questioning potential issues for by-right uses in the CMU because it can possibly be located next to 100% high density residential.
  - Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by-right uses?
  - Concern with allowing so much residential and then permitting so many uses in the CMU Zone. Many uses may be next to residential uses and create impacts.

- **Staff Recommendation:**
  - No Change.
COMMISSIONER COMMENTS

COMMENT 15

• Draft Standard:
  o Hotels and Motel uses are permitted by MUP in the CBD and CMU zones.

• Commission Comment:
  o There is a large/wide variety of hotels/motels and maybe for some larger sized hotels/motels this should remain a CUP rather than an MUP in CBD and CMU zones.
  o State legislation allows conversion of hotels/motels into low barrier housing and MUP or CUP will allow for local control.

• Staff Recommendation:
  o Change the permit level for Hotel and Motel uses from MUP to CUP.
COMMISSIONER COMMENTS

COMMENT 16

• Draft Standard:
  o Car washes are prohibited on lots abutting a residential zoning district.

• Commission Comment:
  o Should change “abutting” to “adjacent to”.

• Staff Recommendation:
  o Staff recommends changing the standard to:
    “Prohibited on lots within 50 feet (less street or alley right-of-way) of a Residential Zoning District.”
  o Term “adjacent to” vague and open to interpretation.
  o A public right-of-way such as a street or alley would not be counted in the 50-foot distance.
COMMISSIONER COMMENTS

COMMENT 17

• **Draft Standard:**
  - Indoor entertainment permitted by-right in the PO on sites 30 acres or more and by MUP if less. Outdoor entertainment not permitted.

• **Commission Comment:**
  - In differentiating indoor versus outdoor entertainment, the definition should include that indoor entertainment cannot be heard from outside as it was in the commercial zoning district.

• **Staff Recommendation:**
  - No Change.
  - Predominantly participant sports conducted in open or partially enclosed or screened facilities that are not compatible with the PO zone.
  - Driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and similar.
  - Sites subject to MUP will be subject to conditions of approval addressing concerns with noise, loitering, traffic, public safety, etc.
COMMISSIONER COMMENTS

COMMENT 18

• Draft Standard:
  o Bars and Clubs are not permitted in the I (Industrial) zone.

• Commission Comment:
  o Bars and Clubs permitted w/CUP in the PO. Industrial zone may be more appropriate due to noise.

• Staff Recommendation:
  o Staff recommends allowing Bars and Clubs in the I zone with a CUP.
• Draft Standard:
  o Shelter shall have a maximum of 12 beds.
  o This is an existing standard being carried forward and not a new standard.

• Commission Comment:
  o This may be too few beds considering costs required to establish a shelter. This may be a disincentive to potential providers.
  o May need to look into increasing the number of beds at some point.

• Staff Recommendation:
  o No Change.
  o Existing code consistent with State laws.
COMMISSIONER COMMENTS

COMMENT 20

- **Draft Standard:**
  - There is no definition for Regional Use or any distinction between Regional Uses versus Local Uses for the RC (Regional Commercial) Overlay District.

- **Commission Comment:**
  - Need definition of Regional Retail v. Local Servicing.

- **Staff Recommendation:**
  - No Change.
COMMISSIONER COMMENTS

COMMENT 21

• **Draft Standard:**
  o Maximum FAR in the CMU zone: 2.0

• **Commission Comment:**
  o Reduced height (5 stories to 3 stories) when adjacent to low density residential without related reduction in FAR can cause a different disparity in scale with the adjacent low density residential.

• **Staff Recommendation:**
  o No Change.
  o CMU zone identified in Housing Element as a resource area to provide housing capacity pursuant to RHNA.
  o Reduced FAR in conjunction with reduced height will reduce the number of units that can be accommodated in the CUM zone.
COMMISSIONER COMMENTS

COMMENT 22

- **Draft Standard:**
  - Maximum height of all non-residential zones shall be reduced to 3 stories and 40 feet within 50 ft. of a Residential Zoning District.

- **Commission Comment:**
  - Should apply only "when abutting RL and RM" because the RH zone will have larger height similar to CMU.

- **Staff Recommendation:**
  - 3 stories and 40 feet within 50 ft (less street or alley right-of-way) of RL or RM Zoning District."
COMMISSIONER COMMENTS

COMMENT 24

- Draft Standard:
  - Maximum height in the I zone is currently 6 stories and 55 feet.
  - Maximum stories remains at 6 but the height is increased to 5 feet.

- Commission Comment:
  - Shouldn’t the stories be increased if the City wants to add more housing.

- Staff Recommendation:
  - No change.
  - Stories is adequate for residential uses.
COMMISSIONER COMMENTS

COMMENT 25

• Draft Standard:
  o There shall be no minimum parcel size for existing legal parcels in the RC Overlay District.

• Commission Comment:
  o If the 5-acre minimum requirement is no longer applicable, still need a minimum area requirement.
  o It should not be zero.

• Staff Recommendation:
  o No change.
  o Was a viable standard when Redevelopment was an available tool.
COMMISSIONER COMMENTS

COMMENT 26

• Draft Standard:
  o Additional off-street parking spaces shall be provided when a change in use, expansion of a use, or expansion of floor area creates an increase of 30 percent or more in the number of required parking.

• Commission Comment:
  o Why is it not 25% or 10%?
  o potentially be generous depending on what the use is.
  o 30% could be equal to 3 spaces or 30 spaces.
  o A scalable number would be more palatable.
  o Will cause a spill over to more demand for street parking.

• Staff Recommendation:
  o No change.
  o 30% threshold is broad enough without being overly broad to relieve city businesses and property owners of the burden to provide more parking.
COMMISSIONER COMMENTS

COMMENT 27

• Draft Standard:
  o Minimum off-street parking requirements for Food Service business shall be 1 space for each 120 sf of dining area, plus 1 space for each 250 sf of all other areas.

• Commission Comment:
  o Prefers the current code for food service uses.

• Staff Recommendation:
  o No change.
COMMISSIONER COMMENTS

COMMENT 28

- **Draft Standard:**
  - Outdoor dining areas shall be provided with 1 parking space for each 120 square feet.
  - This is being carried forward from the existing code and is not a new requirement.

- **Commission Comment:**
  - Favors exempting outdoor dining areas completely as it is an amenity that is not always used.

- **Staff Recommendation:**
  - Staff recommends exempting outdoor dining areas from any off-street parking requirements.
COMMISSIONER COMMENTS

COMMENT 29

- Draft Standard:
  - Multifamily and residential dwellings in a mixed-use development in the CBD zone shall have the same off-street parking requirements as multifamily uses in the RH zone.
  - 2 garage spaces per unit, plus 0.5 guest per unit

- Commission Comment:
  - The CBD should be our walkable area, and having increased parking for residential is less flexible.
  - Perhaps the code could provide flexibility for projects in this area or for certain areas where it makes sense to tailor parking requirements.
COMMISSIONER COMMENTS
COMMENT 29

- **Staff Recommendation:**
  - Staff recommends a revised parking standard as follows:
    - Residential Parking: 1.5 spaces per unit, plus 0.3 guest per unit.
  - Based upon parking ratio of 88 at The Alhambra
    - 1.6 spaces per unit, plus 0.3 guest per unit.
    - 260 luxury residential apartments.
COMMISSIONER COMMENTS

COMMENT 30

• Draft Standard:
  o AC (Automobile Commercial) zoning designation.

• Commission Comment:
  o Recommend calling it 'Transportation Related' rather than 'Auto' since dominance of gas-powered vehicles is diminishing and future transportation types are currently undetermined.

• Staff Recommendation:
  o No Change.
  o District is focused on sales, service, maintenance of automobiles.
COMMISSIONER COMMENTS
COMMENT 31

• Draft Standard:
  o An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does not encroach any further into the setback and the enlargement is limited to the first floor.

  o Additions above the first floor shall conform with the requirements of the Code.

• Commission Comment:
  o Continuing the nonconformity has to meet certain standards.
  o Allowing up to half of the required setback can be okay (allowing 3 feet to be continued for a 6 ft setback requirement) by-right, but more should have a discretionary process.
COMMISSIONER COMMENTS

COMMENT 31

- **Staff Recommendation:**
  - Staff recommends a change to the standards as follows:

  - "An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does encroach any further into the setback or, up to a maximum of 50% of the required setback, whichever is the lesser encroachment, and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of the Code."

  - Allows flexibility to extend an existing nonconforming side setback by-right, but only up to 50% of the required setback.
COMMISSIONER COMMENTS

COMMENT 32

- **Draft Standard:**
  - All bicycle parking spaces shall be a minimum of two feet in width and six feet in length.

- **Commission Comment:**
  - We have electric bikes for carrying families or groceries. Are we just planning for traditional 2-wheel bike?
  - Supports spaces for wider bicycles.

- **Staff Recommendation:**
  - No Change.
  - A 2-foot x 6-foot bicycle space is the typical bicycle space.
  - Consistent with other cities.
COMMISSIONER COMMENTS

COMMENT 33

- **Draft Standard:**
  - 1 long-term bicycle space for each 5 units.

- **Commission Comment:**
  - Bike parking requirements seem a little high. Maybe match up more realistically to our commuting patterns.

- **Staff Recommendation:**
  - No Change.
  - Ratio is consistent with other cities.
COMMISSIONER COMMENTS

COMMENT 34

• **Draft Standard:**
  - Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces.

• **Commission Comment:**
  - Prefers carshare through a Minor Use Permit.

• **Staff Recommendation:**
  - Staff recommends a change to the standards as follows:
    - "Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit."
COMMISSIONER COMMENTS

COMMENT 35

• **Draft Standard:**
  o Billboard standards are being carried forward from the exiting code.

• **Commission Comment:**
  o Can we phase out billboards? Nuisance, annoying.

• **Staff Recommendation:**
  o No Change.
  o A legal nonconforming signs.
  o May remain provided:
    • Continuously maintained and operated.
    • not expanded, enlarged, or otherwise altered in any manner with the exception of facial copy change or replacement.
COMMISSIONER COMMENTS
COMMENT 36

• **Draft Standard:**
  o Painted Signs are prohibited.

• **Commission Comment:**
  o Can there be an exception that addresses historic qualities (in reference to painted signs, murals).

• **Staff Recommendation:**
  o Staff recommends Painted Signs be removed from the list of prohibited signs.
COMMISSIONER COMMENTS

COMMENT 37

• **Draft Standard:**
  o The Design Review Board responsibilities were proposed to be reduced and those responsibilities shifted to Planning Staff.

• **Commission Comment:**
  o Design Review Board responsibilities should not be reduced.

• **Staff Recommendation:**
  o Staff recommends there be no reductions in the responsibilities and duties of the Design Review Board.
COMMISSIONER COMMENTS
COMMENT 38

• Draft Standard:
  o There are no draft standards proposed to regulate building scale.

• Commission Comment:
  o Is there a way to specifically address buildings disproportionate to scale in adjacent buildings?

• Staff Recommendation:
  o No Change.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS

COMMENT 39

• Draft Standard:
  o There are no draft standards proposed to regulate green space for multifamily developments.

• Commission Comment:
  o There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.

• Staff Recommendation:
  o No Change.
COMMISSIONER COMMENTS
COMMENT 40

• Draft Standard:
  o No proposed draft Shade/Shadow standards.

• Commission Comment:
  o It would be helpful to have shadow studies or require for the proposed project (Multifamily) to be consistent with the adjacent properties (single-family).
  o Staff should come up with a specific measurable threshold in order to be objective about that standard so that it can be verified.

• Staff Recommendation:
  o No Change.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS

COMMENT 41

• Draft Standard:
  o No draft Architectural style or compatibility standards are proposed.

• Commission Comment:
  o If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.

• Staff Recommendation:
  o No Change.
  o Existing Single-Family Residential Design Guidelines addresses this with single-family uses.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS
COMMENT 42

• **Draft Standard:**
  - No draft standard is proposed to landscaping of interior side and rear yards of residential properties.

• **Commission Comment:**
  - Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.

• **Staff Recommendation:**
  - No Change.
  - Existing Single-Family Residential Design Guidelines addresses this with single-family uses.
  - Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
NEXT STEPS

- Public Hearing – February 6, 2023
- Resolution for Commission adoption
  - Recommendations based upon tonight’s discussion
  - Recommendations for related General Plan Amendment and Zone Change
- Recommendation to the City Council
RESOURCES

Presentations can be viewed from the City of Alhambra’s webpage

https://www.cityofalhambra.org/AgendaCenter

Existing comments and feedback from previous Presentations are available at

https://www.alhambracodeupdate.com/documents

Email comments to:

Codealhambra@cityofalhambra.org

Submit through CODEALHAMBRA website

https://www.alhambracodeupdate.com
ATTACHMENT 4

PowerPoint Presentation - Housing Densities
WOODHAVEN (S. MARENGO AVE., S BENITO AVE., W. GLEN DON WY.)
125 TOWNHOME UNITS

Density: 16.1 DU/Acre
Height: 3 Stories, 35’
Lot Size: 7.75 Acres
Lot Size: 11.2 Acres
Height: 4 Stories, 51'-58'
Density: 23.2 DU/Acre

260-Unit Mixed-Use Apartments
88 S Garfield Ave.
616-700 N. STONEMAN AVE.
79 TOWNHOME UNITS

Density: 25.3 DU/Acre
Height: 2 Stories, 26’-5” – 30’
Lot Size: 3.12 Acres
800-810 N. GARFIELD AVE.
14 TOWNHOME UNITS

Density: 28 DU/Acre
Height: 2 Stories, 27'-9"
Lot Size: 0.50 Acres
500 W. MAIN ST.
80-UNIT MIXED-USE

Density: 36.9 DU/Acre
Height: 5 Stories,
28’ – 64’-4”
Lot Size: 2.17 Acres
225 S. ATLANTIC BLVD., 228 S. OLIVE AVE.
63 CONDOMINIUM UNITS

Density: 39.4 DU/Acre
Height: 3 Stories,
38’ – 47’-6”
Lot Size: 1.60 Acres
400 W. MAIN ST.
88-UNIT MIXED-USE CONDOMINIUMS AND TOWNHOMES

Density: 41.9 DU/Acre
Height: 4 Stories,
43’, 50’ – 60’
Lot Size: 2.1 Acres
100 E. BAY STATE ST.
129 CONDOMINIUM UNITS

Density: 47.9 DU/Acre
Height: 3 & 4 Stories, 36’ – 42’
Lot Size: 2.69 Acres
235 W. MAIN ST.
93-UNIT MIXED-USE

Density: 78.2 DU/Acre
Height: 5 Stories,
62'-3” – 74'-8"
Lot Size: 1.19 Acres
89 S. CHAPEL AVE.
67-UNIT SENIOR APARTMENTS

Density: 142.6 DU/Acre
Height: 4 Stories, 50'
Lot Size: 0.47 Acres
15 N. 3rd St.
75-Unit Senior Apartments

Density: 144.2 DU/Acre
Height: 6 Stories, 72'
Lot Size: 0.52 Acres
369 W. MAIN ST.
108-UNIT MIXED-USE SENIOR APARTMENTS

Density: 154.3 DU/Acre
Height: 5 Stories, 62’
Lot Size: 0.7 Acres
ATTACHMENT 5

Comprehensive Zoning Code Update

Staff Report, dated January 2, 2023
Plan Commission
January 2, 2023
Comprehensive Zoning Code Update

TO: City of Alhambra Planning Commission

FROM: Andrew Ho, Director of Community Development
       Vanessa Reynoso, Deputy Director of Community Development
       Paul Lam, Principal Planner

SUBJECT: Continuation of Presentation regarding the Comprehensive Zoning Code Update: Summary of comments and recommended changes.

SUMMARY:

At the previous Planning Commission meeting of December 19th, Staff intended to provide the eighth and final presentation of the Zoning Code update presentation series that began five (5) months ago with the Planning Commission meeting of August 1, 2022. Staff previously provided a total of seven (7) presentations to the Planning Commission on the various sections of the draft Zoning Code, highlighting significant changes between the current and proposed Zoning Code.

The presentation prepared for the December 19th meeting was for the purpose of reviewing the Commission’s and public’s comments and requests for changes to the draft standards and regulations, and providing Staff’s responses to those comments along with recommendations on how to proceed. Staff compiled a total of 42 comments and changes to the draft Zoning Code based on the feedback provided throughout the presentation series process. During the December 19th meeting, the Planning Commission reviewed and came to consensus on recommendations for only two (2) of the 42 comments.

On a third comment, Comment #3, the Commission began discussion but wanted to defer the matter in order to discuss Comment #3 together with Comment #23, as they seemed to be related. The Commission inquired into residential densities of the mixed-use developments along Main Street and how they would compare against developments built at 30 units per acre. Staff has prepared as Attachment 5, a summary of 13 existing residential and mixed-use developments within the city, including statistics of the project densities and heights.

The goal of tonight’s meeting is for the Commission to complete their review of the remaining 40 items in order to confirm the final recommendations that the Commission wishes to pass on to the City Council as part of the Zoning Code adoption process. The meeting format will consist of Staff presenting a specific proposed Zoning Code standard or regulation; summarizing the comment(s) received; providing Staff recommended changes (if any); and then verifying Commission consensus on the proposed changes. To aid in this process, Staff has attached the updated PowerPoint presentation that will be utilized during tonight’s meeting. Additionally, Staff has attached the Staff Report provided for the December 19th meeting, which includes detailed discussion on each of the comments and recommendations; a summary table of the comments and recommendations; and a complete copy of the draft Zoning Code document.
It should be noted that the attached draft Zoning Code document incorporates all items that were previously noted as “TBD” during the presentation series, including sections on Accessory Dwelling Units (page 148); Affordable Housing on Religious Facility Sites [also known as Congregate Living] (page 151); Cannabis Facilities, Cultivation, and Deliveries (page 157); and Neighborhood Commercial Uses in Residential Zones (page 175). The Accessory Dwelling Units (ADU) section is based on the City’s existing ADU Ordinance, but has been updated to be consistent with recent State laws relating to ADUs, while the Cannabis Facilities, Cultivation, and Deliveries section is a continuation of the City’s existing Cannabis Ordinance. The new sections on Affordable Housing on Religious Facility Sites and Neighborhood Commercial Uses in Residential Zones were drafted in response to direction previously provided by the City Council. Staff requests that the Planning Commission begin their review of these sections although the Commission should note that these sections will not be discussed this evening. Staff intend to provide additional discussion and detail on these sections at the forthcoming public hearing scheduled for January 17, 2023.

Upon receiving direction from the Commission on the remaining 40 of 42 comments, Staff will begin preparing a draft resolution with a list of the final recommendations on the draft Zoning Code that the Commission will be making to the City Council. Meetings with the City Council will be scheduled following the Planning Commission public hearing but are anticipated for February 2023.

WRITTEN PUBLIC COMMENT

On December 19, 2022, Staff received an email message from a resident regarding the Zoning Code update project. Due to time constraints, that email was not included in the December 19th staff report, nor was it distributed to the Planning Commissioners prior to the meeting. That email is now included as Attachment 2 in this staff report.

STAFF RECOMMENDED ACTION:

It is recommended that the Planning Commission receive and file this informational report and provide recommendations to Staff as deemed appropriate.

ATTACHMENTS:

1. Comments Summary Table
2. Cliff Bender Email Dated December 19, 2022
3. Comprehensive Zoning Code Update Staff Report from the December 19th Planning Commission Meeting
4. PowerPoint Presentation – Project Wrap Up (Presentation #8)
5. PowerPoint Presentation – Housing Densities
## Commissioner Comment Summary

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<tr>
<th></th>
<th>Land Use Category</th>
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<tbody>
<tr>
<td>1</td>
<td>Residential</td>
<td>Permitted Uses</td>
<td>RL, RM, RII</td>
<td>Permitted by Right</td>
<td>State law requires permitted by right in nonresidential zones that allow residential or mixed use.</td>
<td>None</td>
<td>No change recommended.</td>
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<tr>
<td>2</td>
<td>Residential</td>
<td>CBD</td>
<td>CBD</td>
<td>Residential permitted on ground floor fronting Main St with Modification</td>
<td>100% residential is not proper usage in the Downtown, ground floors should be commercial.</td>
<td>None</td>
<td>No change recommended.</td>
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<tr>
<td>3</td>
<td>Commercial</td>
<td>EMC</td>
<td>EMC</td>
<td>Max 30 du/acre allowed west of Granada Ave. Residential not allowed east of Granada Ave</td>
<td>Residential should not be allowed in any part of EMC.</td>
<td>No residential uses allowed in any part of EMC.</td>
<td>No change recommended.</td>
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<tr>
<td>4</td>
<td>Commercial</td>
<td>Property Development Standard</td>
<td>Height</td>
<td>West of Granada Avenue: 5 stories, 75 feet; 3 stories, 40 feet within 50 feet of a Residential Zoning District; East of Granada Ave: 2 stories, 25 ft</td>
<td>2 stories, 25 feet along all of EMC zone</td>
<td>5 stories, 55 feet; 3 stories and 40 feet if adjacent to a residential zone or use.</td>
<td>Recommendation: West of Granada Avenue: 5 stories, 75 feet; 3 stories, 40 feet within 50 feet (less street or alley right-of-way) of a Residential Zoning District; East of Granada Ave: 2 stories, 25 ft</td>
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<tr>
<td>4</td>
<td>Residential</td>
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<td></td>
<td>Permitted Uses</td>
<td>Single-family attached uses</td>
<td>CBD, EMC, CMU</td>
<td>Single-family attached is equal to low density. CUP should be required for single-family attached.</td>
<td>Not permitted</td>
<td>Not permitted in CBD, EMC, CMU.</td>
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<td>5</td>
<td></td>
<td>Multifamily residential</td>
<td>I, PO</td>
<td>Concerned with residential uses on properties previous allowed by CUP but now allowed by-right.</td>
<td>Not Permitted</td>
<td>No change recommended.</td>
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<tr>
<td>Residential</td>
<td>Property Development Standard Property Development Standard</td>
<td>Side Setback</td>
<td>RL, RM, RH, Upper Stories: 6 ft</td>
<td>Require additional step back not as a development standard but as a design standard – evaluates on a case-by-case basis. Upper stories setbacks should be more stringent (higher number) but should have flexibility in how the setbacks are achieved (allow an average setback to allow modulation in building). Standard should be 10 feet for upper stories with flexibility on how it is achieved (average) as buildings may be up to 5 stories and need larger side setbacks.</td>
<td>2nd floor: 6 ft.</td>
<td>2nd floor: 6 ft.</td>
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<td>7</td>
<td>Property Development Standards</td>
<td>FAR/Lot Coverage</td>
<td>RL</td>
<td>FAR: Lots less than 10,000: 0.35 Lots 10,000-19,999: 0.325 Lots 20,000 and greater: 0.30 Lot Coverage: 50% if all buildings are 1-story, otherwise 40%</td>
<td>Eliminate Maximum Lot Coverage and include garages in Floor Area Ratio (FAR) calculations</td>
<td>FAR: Lots less than 10,000: 0.35 Lots 10,000-19,999: 0.325 Lots 20,000 and greater: 0.30. Lot Coverage: 50% if all buildings are 1-story, otherwise 40%.</td>
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<tr>
<td>8</td>
<td>Residential</td>
<td>Height</td>
<td>RM, RH</td>
<td>Maximum: 3 stories for RM and 5 stories for RH</td>
<td>Reduce to 2 stories when adjacent to RL</td>
<td>No height reductions when multifamily adjacent to single-family.</td>
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<tr>
<td>9</td>
<td>Off-Street Parking</td>
<td>When Required</td>
<td>RL, RM, RH</td>
<td>Not required for additions and expansions</td>
<td>No longer requiring current parking requirements for additions over 50% may be problematic. Nonconforming properties may expand without additional parking. Where do cars park if a home as a 1-car garage or no garage?</td>
<td>Entire property must be brought into compliance with current code for additions of 50% or more.</td>
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<tr>
<td>Residential</td>
<td>Off-Street Parking</td>
<td>RM, RH</td>
<td>Up to 3 bed: 2 garage spaces plus 1 additional</td>
<td>Large jump in required parking over current code.</td>
<td>2 parking spaces for each unit, plus one additional parking space for each 750 sq. ft. of gross floor area in excess of 2,000 sq. ft.</td>
<td>Recommendation: 2 garage spaces per unit. Guest: 0.5</td>
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</table>

<p>| Residential       | Off-Street Parking        | RH   | Up to 3 bed: 2 garage spaces plus 1 additional | Support for buildings to be forced to provide more parking over current code so it does not spill out into the streets | 2 covered spaces within an enclosed garage for each unit, plus one additional parking space for each 500 sq. ft. of gross floor area in excess of 1,000 sq. ft. for each unit | Recommendation: 2 garage spaces per unit. Guest: 0.5 |</p>
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<tbody>
<tr>
<td>Commercial</td>
<td>Permitted Uses</td>
<td>Outdoor Entertainment</td>
<td>Outdoor Entertainment not permitted</td>
<td>CBD is ideal environment for outdoor entertainment</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>Commercial</td>
<td>Permitted Uses</td>
<td>Custom Manufacturing</td>
<td>Custom Manufacturing permitted by Right</td>
<td>Custom manufacturing uses should at least require a MUP due to noise impacts incompatible with the district and would rather see in the Industrial zone. Custom manufacturing as an example of a use that should not be allowed to leap from conditionally permitted to permitted by-right</td>
<td>Permitted by right in Industrial zone.</td>
<td>Recommendation: Permitted by MUP</td>
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<tr>
<td>Commercial</td>
<td>Permitted Uses</td>
<td>Uses in General</td>
<td>CMU</td>
<td>General comment on uses permitted by right</td>
<td>Questioning potential issues for by right uses in the CMU because it can possibly be located next to 100% high density residential. Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by right uses? Concern with allowing so much residential and then permitting so many uses in the CMU Zone. Many uses may be next to residential uses and create impacts.</td>
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<tr>
<td>15</td>
<td>Hotels/Motels</td>
<td>CBD, CMU</td>
<td>Permitted by MUP</td>
<td>There is a large/wide variety of hotels/motels and maybe for some larger sized hotels/motels this should remain a a CUP rather than an MUP in CBD and CMU zones. State legislation allows conversion of hotels/motels into low barrier housing and MUP or CUP will allow for local control.</td>
<td>Permitted by CUP.</td>
<td>Recommendation: Permitted by CUP.</td>
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<tr>
<td>Commercial</td>
<td>Permitted Uses</td>
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<tr>
<td>16</td>
<td>Car Washes</td>
<td>CMU, AC</td>
<td>Car washes prohibited on lots “abutting” a residential zoning district</td>
<td>Should change “abutting” to “adjacent to”</td>
<td>No restrictions when abutting or adjacent to residential zoning district.</td>
<td>Recommendation: Prohibited on lots within 50 feet (less street or alley right-of-way) of a Residential Zoning District</td>
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<tr>
<td>17</td>
<td>Indoor/Outdoor Entertainment</td>
<td>PO</td>
<td>Indoor entertainment permitted by right on sites 30 acres or more and MUP if less. Outdoor entertainment not permitted</td>
<td>In differentiating indoor versus outdoor entertainment, the definition should include that indoor entertainment cannot be heard from outside as it was in the commercial zoning district.</td>
<td>Indoor and outdoor entertainment not permitted.</td>
<td>No change recommended.</td>
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<tr>
<td>18</td>
<td>Bars and Clubs</td>
<td>I</td>
<td>Not permitted</td>
<td>Bars and clubs permitted w/ CUP in the PO. Industrial zone may be more appropriate due to noise.</td>
<td>Not permitted</td>
<td>Recommendatio n: Permitted by CUP.</td>
</tr>
<tr>
<td>19</td>
<td>Emergency Shelters</td>
<td>I</td>
<td>Shelter shall have a maximum of 12 beds</td>
<td>Emergency shelters only allow for no more than 12 beds. This may be too few beds considering costs required to establish a shelter. This may be disincentive to potential providers. May need to look into increasing the number of beds at some point.</td>
<td>Maximum of 12 beds.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>20</td>
<td>Regional v. Local Uses</td>
<td>RC</td>
<td>None</td>
<td>Need definition of Regional Retail v. Local Servicing</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>21</td>
<td>Property Development Standards</td>
<td>FAR</td>
<td>CMU</td>
<td>Maximum: 2.0</td>
<td>Lot area less than 10,000 sq. ft.: 0.75</td>
<td>Lot area larger than one acre: 2.0.</td>
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<td>22</td>
<td>All Non-Residential Zones</td>
<td>Height</td>
<td>3 stories and 40 feet within 50 ft of a Residential Zoning District</td>
<td>Should say &quot;when abutting RL and RM&quot; because the RH zone will have larger heights and CMU height does not need to be limited next to the RH Zone.</td>
<td>3 stories and 40 feet if adjacent to a residential zone or use.</td>
<td>Recommendation: 3 stories and 40 feet within 50 ft (less street or alley right-of-way) of RL or RM Zoning District.</td>
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<tr>
<td>24</td>
<td>Property Development Standards</td>
<td>I</td>
<td>Stories remain unchanged at 6 stories. Height increases from 55 to 75 ft</td>
<td>Shouldn't the stories be increased if the City wants to add more housing.</td>
<td>6 stories, 55 feet</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>25</td>
<td>Minimum Parcel Size</td>
<td>RC</td>
<td>None for existing legal parcel. 5 acre minimum for subdivisions</td>
<td>If the 5 acre minimum requirement is no longer applicable, still need a minimum area requirement. It should not be zero.</td>
<td>5 acre minimum applies to all projects, including existing parcels.</td>
<td>No change recommended.</td>
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<tr>
<td>Commercial</td>
<td>Off-Street Parking</td>
<td>When Required</td>
<td>All Non-Residential Zones</td>
<td>When a change in use, expansion of a use, or expansion of floor area creates an increase of 30 percent or more in the number of required parking.</td>
<td>Why is it not 25% or 10%? 30% is 3 more spaces or 30 more spaces. It seems the number could potentially be generous depending on what the use is. A scalable number would be more palatable. Allowing these changes without a demand for more parking will cause a spill over to more demand for street parking.</td>
<td>Any change in use, expansion of a use, or expansion of floor area that creates an increase in the number of required parking.</td>
</tr>
<tr>
<td>Food Service</td>
<td></td>
<td>All Non-Residential Zones</td>
<td>1 space each 120 sf of dining area plus 1 space each 250 sf of all other areas.</td>
<td>Prefers the current code for food service uses.</td>
<td>1 space for each 120 sf of gross floor area.</td>
<td>No change recommended.</td>
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<tr>
<td>Outdoor Dining</td>
<td></td>
<td>All Non-Residential Zones</td>
<td>1 space per each 120 sf of outdoor dining area.</td>
<td>Is in favor of exempting outdoor dining areas completely as it is an amenity that is not always used.</td>
<td>1 space per each 120 sf of outdoor dining area.</td>
<td>Recommendation: Outdoor dining areas shall be exempted from any off-street parking requirements.</td>
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<tr>
<td>29</td>
<td>Commercial</td>
<td>Off-Street Parking</td>
<td>CBD</td>
<td>Residential and mixed-use residential have same parking requirement per dwelling as RH</td>
<td>The CBD should be our walkable area, and having increased parking for residential is less flexible. Perhaps the code could provide flexibility for projects in this area or for certain areas where it makes sense to tailor parking requirements</td>
<td>Residential and mixed-use residential have same parking requirement per dwelling as R-3.</td>
</tr>
<tr>
<td>30</td>
<td>General</td>
<td>Zoning District Title</td>
<td>AC</td>
<td>AC (Automobile Commercial)</td>
<td>Recommend calling it 'Transportation Related' rather than 'Auto' since dominance of gas powered vehicles is diminishing and future transportation types are currently undetermined.</td>
<td>AC (Automobile Commercial)</td>
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<tr>
<td>Non-Conforming</td>
<td>Additions</td>
<td>Setbacks</td>
<td>Building can be extended with nonconforming setback by right</td>
<td>Continuing the nonconformity has to meet certain standards.</td>
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<td>Any reduced side setback requires approval of a Modification or Variance.</td>
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<td></td>
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<td>RL, RM, RH</td>
<td>Building can be extended with nonconforming setback by right</td>
<td>Allowing up to half of the required setback can be okay (allowing 3 feet to be continued</td>
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<td>Recommendation:</td>
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<td>for a 6 ft setback requirement) by right, but more should have a discretionary process</td>
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<td>An existing legally established dwelling that no longer conforms to a setback</td>
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<td>setback or, up to</td>
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<td>a maximum of 50% of</td>
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<td>the required setback,</td>
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<td>lesser encroachment,</td>
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<td>floor. Additions</td>
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<td>floor shall</td>
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<td>this Title.</td>
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Recommendation: An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does not encroach any further into the setback or, up to a maximum of 50% of the required setback, whichever is the lesser encroachment, and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of this Title.
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<td>32</td>
<td>Bicycle Parking</td>
<td>All</td>
<td>All bicycle parking spaces shall be a minimum of two feet in width and six feet in length.</td>
<td>We have electric bikes for carrying families or groceries. Are we just planning for traditional 2-wheel bike? Supports spaces for wider bicycles.</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>33</td>
<td>Off-Street Parking</td>
<td>Multi-family Use</td>
<td>1 long-term bicycle space for each 5 units</td>
<td>Bike parking requirements seem a little high. Maybe match up more realistically to our commuting patterns</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>34</td>
<td>Car Sharing</td>
<td>All</td>
<td>Administrative process</td>
<td>Recommends carshare through a minor use permit.</td>
<td>None</td>
<td>Recommendation: Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit.</td>
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<td>35</td>
<td>Billboards</td>
<td>All</td>
<td>Nonconforming Section</td>
<td>Can we phase out billboards? Nuisance, annoying.</td>
<td>Nonconforming</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>36</td>
<td>Painted Signs</td>
<td>All</td>
<td>Prohibited</td>
<td>Can there be an exception that addresses historic qualities (in reference to painted signs, murals).</td>
<td>Permitted</td>
<td>Recommendation: Remove from Prohibited List.</td>
</tr>
<tr>
<td>Land Use Category</td>
<td>Standard/Regulation Class</td>
<td>Zone</td>
<td>Draft Standard</td>
<td>Comment</td>
<td>Current Standard</td>
<td>Proposed Standard</td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------------------</td>
<td>------</td>
<td>----------------</td>
<td>---------</td>
<td>------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>37</td>
<td>Process</td>
<td>All</td>
<td>DRB responsibilities be reduced</td>
<td>Design Review Board responsibilities should not be reduced.</td>
<td></td>
<td>Maintain DRB’s current responsibilities.</td>
</tr>
<tr>
<td>38</td>
<td>Objective Design Standards</td>
<td>All</td>
<td>None</td>
<td>Is there a way to specifically address buildings disproportionate to scale in adjacent buildings.</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>39</td>
<td>Open Space/Green Space</td>
<td>Multi-Family Uses</td>
<td>None</td>
<td>There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>40</td>
<td>Objective Design Standards</td>
<td>All</td>
<td>None</td>
<td>If developments are next to other properties or buildings that they are not similar to (multi-family next to single family for instance), it would be helpful to have shadow studies or require for the proposed project to be consistent with the adjacent properties. Staff should come up with a specific measurable threshold in order to be objective about that standard so it can be verified.</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
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</table>
### Commissioner Comment Summary

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Standard/Regulation Class</th>
<th>Zone</th>
<th>Draft Standard</th>
<th>Comment</th>
<th>Current Standard</th>
<th>Proposed Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>41 Citywide</td>
<td>Design Standards, Architectural Style</td>
<td>RL, RM, RH</td>
<td>None</td>
<td>If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.</td>
<td>Single-Family Residential Design Guidelines</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>42 Citywide</td>
<td>Landscape Standards, Landscape Side and Rear Yards</td>
<td>RL, RM, RH</td>
<td>None</td>
<td>Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
</tbody>
</table>
ATTACHMENT 2

From: Cliff Bender
To: Lam, Paul
Subject: Zoning Code Update Presentations
Date: Monday, December 19, 2022 4:37:10 PM

CAUTION: This email originated from outside your organization.

December 19, 2022

Paul Lam, Principal Planner, and
Members of the Planning Commission

(Please forward to Planning Commissioners)

Subject: Zoning Code Update Presentations

The public has been encouraged to participate and provide input to the Zoning Code Update, however this is not a simple task. Understandably, the series of presentations has been directed to the Planning Commissioners and for the most part has been very technical in nature, often using terms and abbreviations the majority of the public may not easily understand. An example from one of the presentation slides, "Presently allowed by CUP in CPD, CBD, VSP, EMC. Will be allowed by right in CBD, EMC, CMU." Unless you are immediately familiar with these terms, as are our Commissioners, the presentation slide is meaningless to most of the public.

Those of us in the public who are interested and have the time to devote to studying what is actually being said in the presentations have also been told that, "All presentations will be recorded with video and audio recordings available for review and download following each presentation that can be accessed through the City’s website and project website." These recordings, however, are not of only the Code Update presentations, but are the video recordings of the Planning Commission meetings, requiring the viewer to either view the entire meeting or scroll through to find just the right spot for the presentation. Printed copies of the presentation slides were not available to the public until the fourth presentation. Review of previous presentations is not easy.

I realize that you are not yet to the point of having Public Hearings on the Zoning Code Update, but if you truly want relevant input from the public, which I certainly hope you do, the presentations will have to be addressed TO the public in a meaningful way that we can understand. One approach might be to highlight the changes from the current code- Show what is current, the proposed change, and explain the rationale for the change. Unless the public can understand what is being presented, a Public Hearing is nothing more than a check mark on the bureaucratic check-off list.

One thing that I have been able to draw from the presentations so far is the troubling appearance that city staff is proposing to take over much of what is now the responsibility of, and under the purview of the Planning Commission. While this may
be an effort to streamline some Planning Division functions, I am concerned that it could easily lead to a lack of critical review of proposed development projects. To be painfully honest, the Planning Division has not earned the full faith and trust of Alhambra residents in past years. Citizen oversight remains essential.

Cliff Bender
Midwickhill Drive
ATTACHMENT 3

Comprehensive
Zoning Code Update
Staff Report
December 19, 2022
TO: City of Alhambra Planning Commission

FROM: Andrew Ho, Director of Community Development
Vanessa Reynoso, Deputy Director of Community Development
Paul Lam, Principal Planner

SUBJECT: Presentation regarding the Comprehensive Zoning Code Update: Summary of Planning Commission comments and recommended changes.

BACKGROUND:

The purpose of the zoning ordinance is to specify which uses are allowed on a given property, establish development standards, and implement the policies of the City of Alhambra’s General Plan. The zoning ordinance classifies land by category or district (e.g., residential, commercial, industrial). The last time the zoning ordinance received a comprehensive update was in 1986. Since then, the ordinance has been updated many times, but updating only individual Chapters or Sections on an as-needed basis.

The comprehensive update needs to be consistent with housing programs contained in the City’s 2021-2029 Housing Element. The Housing Element contains several programs that changes to how residential uses are managed in terms of zone district allowances, maximum densities, and development standards, among other requirements. These programs and changes are in response to the 6,825 residential units that the City must accommodate as mandated by the California Department of Housing and Community Development (HCD) and their Regional Housing Needs Assessment (RHNA) allocation.

The comprehensive updated is also needed because the foundations of much of the current standards and requirements are based in planning principals of the 1980’s. Since then, there have been changes in society including the values that people place in how they live, work, shop, etc., and the provisions of the zoning ordinance need to reflect those ideals.

PLANNING COMMISSION AND PUBLIC INPUT RECEIVED:

At the previous Planning Commission meeting of December 5th, Staff presented the objective design standards, sign standards, and nonconforming uses, buildings, and lots standards. That presentation generated the following comments and questions from the Commission and the public:

Commissioner Input and Comments

- Is there an objective way to address scale and preservation of privacy which is addressed in the new code? Is there a way to specifically address buildings disproportionate to scale in adjacent buildings which is not shown on the slides for residential uses? This should be addressed in the code.
• In terms of open space requirements, there does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities. Does any part of our Zoning Code relate to green space?

• Is there a requirement that setback areas are required to be landscaped and can count towards open space? Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.

• If developments are next to other properties or buildings that they are not similar to (multi-family next to single family for instance), it would be helpful to have shadow studies or require for the proposed project to be consistent with the adjacent properties. If we have an objective standard to address this, then the Commission can use it for their decisions moving forward as in the past the Commission has not been able to because no objective standards were in place.

• For shadow studies, staff should come up with a specific measurable threshold in order to be objective about that standard so it can be verified.

• If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before. Maybe the new project has to pay homage to the architectural structure being replaced. Maybe we can brainstorm the wording or requirement, but we should consider having some standard.

• There should be more clarification on objective design standards since we are moving away from the gray area. For instance, with architectural styles, if we want to preserve a certain style, we will need specific standards for what is preserved and how to classify a main style in a neighborhood. We should think of how we establish these standards to address neighborhoods with many different styles and to consider how some standards worked in the past and how others may work in the future.

• To what extent do SB 35 and SB 330 require specific design standards, or are there areas where those laws do not require specific design standards but rather say the city “should” or “could” adopt those standards but are not required to. Understands not leaving it arbitrary, but which objective design standards are requirements and where do we have discretion to choose to develop standards. Are there factors the state says we can’t consider and others they say we must consider?

• Will it be allowed to have an exception to objective design standards such as having a Variance to objective design standards? What will be the process to make an exception to the standards?

• Besides setbacks, will there be other nonconforming features that will be allowed to continue with additions?

• Are there any limits for additions to properties with 0’ setback and how are we protecting privacy in those instances?

• Can we write in that continuing the nonconformity has to meet certain standards? We should have minimum standards that are met before we allow these additions to be allowed by-right.
• Using old homes built in 20’s wanting to add to their home, for example, we would want to be lenient with situations like that. Taking building/fire requirements into consideration and trying to find a balance between the restrictions, not being too strict and not being too lenient.

• Other than privacy and impact to neighbors, is there any other impact?

• Not comfortable with the potential of a 0-lot line expansion as well as allowing it to be by-right. Allowing up to half of the required setback can be okay (allowing 3 feet to be continued for a 6 ft setback requirement) by-right, but more should have a discretionary process.

• Would support the proposal to allow only a continuance of a building if the setback is at least half of the requirement.

• Can there be standards for the removal of billboards?

• Is the change to the wall sign area driven by need? Do business owners want bigger signs? Or is this just to simplify/standardize the formula?

• Why are painted signs prohibited? Can there be an exception that addresses historic qualities? Can there be a specialized process for those types of signs.

• An issue that continues to be raised by the public relates to the various zones especially in the Downtown such as the CBD, EMC, and the DRD is the boundaries between those separate districts. Is it part of the Zoning Code update to consider changing these boundaries as it seems to be an area of much concern? This needs to be revisited in the wrap up.

• There is one presentation planned for the Planning Commission public hearing. Is the presentation series to informally discuss the draft and then we will go into deliberation to discuss the changes? Shouldn’t that process be longer and not contained within one public hearing? Is there room to have more hearings?

• With the way that some Commissioners process information, it may be more helpful for them to see redlines.

• Commissioner Sahu wants it to be put on the record that he wants to see red lined documents.

• What is the timeframe to re-examine the Inclusionary Housing Ordinance as it is important to look into affordable housing?

• Wants the Planning Commission to see the final language before sending it off to City Council.

Public Input and Comments

• Proposed design standards will be applicable to multi-family and mixed-use developments. Is what is being discussed today applicable to single-family residential developments, or only mixed-use and multi-family?
• Agrees that there need to be some minimums setback requirements. City needs a little more control. Potentially having 0-lot line extensions is too much.

• Confirmed permitting the continuation of a nonconforming setback applies to legal nonconforming and not to work that was illegally done without permits.

A summary of these and previous comments from the Planning Commission and the public have been summarized and posted on the Zoning Code Update project website.

MEETING FORMAT:

Tonight’s presentation will be the final presentation of this presentation series that began with the Planning Commission meeting of August 1, 2022. Planning Staff has provided, so far, a total of seven (7) presentations to the Planning Commission on the various Sections of the draft Code. In those presentations, Staff highlighted only the major or significant changes between the current Code and the proposed Code. Planning Commissioners and the public had opportunities to provide input and ask questions during these presentations. The purpose of tonight’s meeting is to review specific comments from the Commission requesting certain changes to the draft standards and regulations, and Staff’s responses to those comments. Staff will present a specific proposed standard or regulation, summarize the Commissions’ comment(s), provide Staff recommended changes (if any), and verify Commission consensus on the proposed changes.

There are a total of 42 comments/changes the Commission had to the draft Code. The comments and Staff recommendations are summarized in a table in Attachment 1 and a discussion of each of these comments and recommendations are provided in the Discussion section, below.

DISCUSSION:

The following are the 42 comments/changes Staff received from the Planning Commission. Comments regarding the Residential uses and standards are presented, first, followed by the Non-Residential, Nonconforming, and Citywide uses and standards, in that order.

**Residential Uses**

**Comment 1**

*Draft Standard:*  
Low Barrier Navigation Centers are permitted by-right in the RL, RM, and RH zones.

*Comment:*  
Low Barrier Navigation Centers are required by State law to be permitted by-right in non-residential zones that allow residential and mixed-use.

*Recommendation:*  
Staff recommends no change and allow Low Barrier Navigation Centers by-right in the RL, RM, and RH zones. Program 27 [REDUCE DEVELOPMENT CONSTRAINTS FOR AFFORDABLE HOUSING] of the City of Alhambra 2021-2029 Housing Element requires amending the Zoning Code to allow Low Barrier Navigation Centers by-right in all residential zones, areas zoned for mixed uses, and non-residential zones permitting multifamily uses.
**Comment 2**

*Draft Standard:*
Residential uses will be allowed on the ground floor, fronting onto Main Street (100% residential), with approval of a Minor Use Permit (MUP).

*Comment:*
100% residential projects are not the proper use in the Downtown. The ground floors should be reserved for retail and commercial uses.

*Recommendation:*
Staff recommends no change and recommends allowing ground floor residential uses fronting on Main Street with approval of an MUP. Staff shares the opinion that Downtowns should have a vibrant retail commercial base at street level, however, the City has been tasked by the State of California to provide zoning that has capacity to accommodate 6,825 housing units across all income levels through 2029. Similar to Comment 1, another Program 27 of the Housing Element to reduce development constraints for affordable housing requires revising the Zoning Code to allow 100% residential projects in all commercial zones, including the Central Business District.

**Comment 3**

*Draft Standard:*
Residential uses are allowed at a maximum density of 30 units per acre in the East Main Commercial (EMC) zone in parcels located west of Granada Avenue, and not allow any residential uses in the EMC east of Granada Avenue.

*Comment:*
Housing should not be allowed in the entirety of the EMC zone.

*Recommendation:*
Staff recommends no change and recommends allowing residential uses up to a maximum density of 30 units per acre in the EMC zone, only on those parcels located west of Granada Avenue. As noted in Comment 2, Program 27 of the Housing Element requires the City to revise the Zoning Code to allow residential uses in all commercial zones, including the EMC zone. However, residential uses will be allowed in the EMC zone in a limited basis, meaning only in the EMC zone west of Granada Avenue. The EMC zone covers the area bounded by Chapel Avenue to the west and to the east by the east city limits shared with the City of San Gabriel. The EMC zone is not uniformly built-out as the portion west of Granada Avenue is urbanized with deep commercial lots that are improved with shopping centers and multi-level buildings, whereas the portion east of Granada is populated with shallow lots and one- and two-story buildings. The area west of Granada is suited for high density residential development. Additionally, Program 19 [REZONE AND UPZONE STRATEGIES TO MEET RHNA TARGETS AND BUFFERS] of the Housing Element requires that all zones that currently do not allow housing will be rezoned to allow housing at a range of densities, and specifically requires:

“Rezone to allow housing in the EMC zone on sites west of Granada Ave. at a maximum density of 30 units/ac.”

Furthermore, several properties in the EMC zone located west of Granada Avenue have been identified in the Housing Element as sites that contribute to the 6,825 dwelling units that must be accommodated through zoning pursuant to the RHNA. If residential uses were not allowed throughout the EMC zone,
this will cause a shortfall in the City’s capacity and would require the City to revise the Housing Element and analyze where else in the City that shortfall can be accommodated.

**Comment 4**

*Draft Standard:*  
Single-family attached uses are permitted by-right in the CBD (Central Business District), EMC (East Main Commercial), and CMU (Commercial Mixed-Use) zones.

*Comment:*  
Single-family attached is equivalent to low density residential development and should require a CUP.

*Recommendation:*  
Staff recommends that single-family attached uses should not be permitted in the CBD, EMC and CMU zones. Such uses are low density uses and are not appropriate to be located in the commercial zones.

**Comment 5**

*Draft Standard:*  
Multifamily residential uses are permitted by-right in the PO (Professional Office) and I (Industrial) zones.

*Comment:*  
Current Code requires a CUP for multifamily uses in the PO zone and now such uses will be allowed by-right. There will be a loss of control.

*Recommendation:*  
Staff recommends no change allow multifamily residential uses in the PO and I zones by-right. There will be no loss of local control when being approved by-right. Allowing these uses by-right and not by CUP will help streamline the processes for housing development projects. Project streamlining of a great concern to the State of California and is reflected in the Goals, Policies, and Programs of the Housing Element. Goal 4 of the Housing Element seeks to develop regulations and strategies that mitigate potential government and nongovernment constraints to housing production and affordability. Within that Goal, there is Policy 4.5 that reads: “Ensure the Zoning Code is user-friendly, streamlined, and flexible to accommodate new housing development.” The administrative level review will still require new residential development projects to be subject to all applicable provisions of the Municipal Code, Building Code, and Fire Code, plus be reviewed by all applicable City Departments, who will then prepare conditions of approval in which the developer would have to comply with.

**Comment 6:**

*Draft Standard:*  
Minimum residential side yard setback for all upper stories: 6 ft.

*Comment:*  
Additional setback should be required, but it was undecided if that be a flat number or handled on a case-by-case basis more like a design standard.

*Recommendation:*  
Staff recommends the minimum residential side yard setbacks for upper floors as follows:
2nd floor: 6 ft.
3rd floor: 7 ft.
4th floor: 8 ft.
5th floor: 9 ft.

This follows the current Code’s residential side yard standard that begins with a minimum 5-foot side yard for the 1st floor and each additional floor requires an additional foot of setback. The Commission’s concern with the side yard setback pertains to how new multi-level residential developments could impact a neighboring building that could very likely be a 1-story single-family residence. The City is presently in process of developing Multifamily Residential Design Guidelines. The City will be issuing a Request for Proposals for the development of the guidelines in January 2023. As part of the guidelines work effort, the City will ask the selected consultant, to develop guidelines to address concerns with incompatible height, mass, scale, etc.

**Comment 7:**
*Draft Standard:*
RL zone will carry forward the current Floor Area Ratio (FAR) and Lot Coverage standards which are:

Maximum FAR:
- Lots less than 10,000: 0.35
- Lots 10,000-19,999: 0.325
- Lots 20,000 and greater: 0.30

Maximum Lot Coverage:
- 50% if all buildings are 1-story, otherwise 40%

*Comment:*
Eliminate the Lot Coverage requirement. Implement only FAR but also include garages into the FAR calculations.

*Recommendation:*
Staff recommends no change and to carry forward the current FAR and Lot Coverage Requirements for the RL zone. Including the garages into the FAR calculation will severely affect many of the single-family properties in that it will result in smaller homes. Below are examples of the effect on three common single family lot types in the City.

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>FAR Allowance</th>
<th>Minus 2-Car Garage</th>
<th>Total Living Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,500 sf</td>
<td>1,925 sf</td>
<td>- 400 sf</td>
<td>1,525 sf</td>
</tr>
<tr>
<td>6,500 sf</td>
<td>2,275 sf</td>
<td>- 400 sf</td>
<td>1,875 sf</td>
</tr>
<tr>
<td>7,500 sf</td>
<td>2,625 sf</td>
<td>- 400 sf</td>
<td>2,225 sf</td>
</tr>
</tbody>
</table>

The recommendation from the Commission will adversely affect the sizes of the homes, especially the lots under 7,000 square feet. This would reduce the maximum sizes of the homes to sizes that may not be a fit for growing families or multi-generational families.

**Comment 8**
*Draft Standard:*
Maximum heights in RM zone and RH zones of 3 stories and 5 stories, respectively.
**Comment:**
Height for RM and RH zones should be reduced with adjacent to RL zone.

**Recommendation:**
Staff recommends no change. As explained in Comment 6, the City will be developing Multifamily Design Guidelines. The consultant selected to develop the guidelines will be asked to develop guidelines to address concerns with incompatible height, mass, scale, etc. Furthermore, if such a standard were in place, there can be times when such a standard is unenforceable. For instance, AB 1763 allows 100% affordable housing project located within ½ mile of a major transit stop the ability to exceed the maximum height limit by 3 stories.

**Comment 9**

*Draft Standard:*
Residential uses that are legal nonconforming with respect to off-street parking can be expanded without having to provide additional off-street parking spaces.

**Comment:**
May be problematic. Where do cars park if a home has a 1-car garage or no garage?

**Recommendation:**
Staff recommends no change and to allow residential uses that are legal nonconforming with respect to off-street parking to be expanded without having to provide additional off-street parking spaces. The current Code requires a nonconforming dwelling to fully comply with all off-street parking requirements when the dwelling is being expanded by 50% or more. Most of the nonconforming residences in the city have only a 1-car garage, although there are many homes that do not have any garages. The current requirement is burdensome on the smaller homes and the proposed may be equally burdensome if there is a compliance requirement. For instance, if the owner of an 800 square foot home that had only a 1-car garage wanted to add over 400 sf (more than 50% addition), that owner would also have to add another garage space or even build a new 2-car garage. This will add additional project cost and can even use up valuable backyard space of the lot was small. If the owner is unable to provide the garage parking, then the owner is forced to add less than 400 square feet.

**Comment 10**

*Draft Standard:*
The parking requirement for medium density residential uses shall be as follows:

- **Up to 3 bed:**
  - 2 garage spaces plus 1 additional

- **4 bed or more:**
  - 2 garage spaces plus 1 additional space for each bed over 3

  Guest: 0.5

**Comment:**
This is a significant increase in required parking from current R-2 standards.
Recommendation:
Staff recommends a revised parking standard as follows:

2 garage spaces per unit, plus 0.5 guest per unit

This proposed standard is similar to the Single-Family Residential parking requirement, but with the added requirement for guest parking spaces. This change will result in fewer parking spaces required as compared to current R-2 requirements. Off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.

Comment 11
Draft Standard:
The parking requirement for high density residential uses shall be as follows:

Up to 3 bed:
2 garage spaces plus 1 additional

4 bed or more:
2 garage spaces plus 1 additional space for each bed over 3

Guest: 0.5

Comment:
Support for buildings to be forced to provide more parking over current code so it does not spill out into the streets.

Recommendation:
Staff recommends a revised parking standard as follows:

2 garage spaces per unit, plus 0.5 guest per unit

This standard is identical to the medium density residential parking requirement. This change will result in fewer parking spaces required as compared to current R-3 requirements. A comment was made by a Commissioner of the desire to increase the parking spaces required for high density developments to as to minimize or prevent spill-over into the street, however, off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.

Commercial Uses
Comment 12
Draft Standard:
Outdoor Entertainment not allowed in the CBD zone.

Comment:
The CBD zone is ideal for outdoor entertainment.
**Recommendation:**
Staff recommends no change and to not allow Outdoor Entertainment in the CBD zone. There may be some confusion as to what type of entertainment is included in this category. This category of use addresses large outdoor venues, facilities, or arenas and is defined as follows:

“Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and riding stables.”

These types of uses are not compatible with the character of the CBD zone and will not be permitted in the zone.

**Comment 13**  
*Draft Standard*  
Custom Manufacturing is permitted by-right in the CBD zone.

**Comment:**  
Custom manufacturing uses should at least require a MUP due to noise impacts incompatible with the district and would rather see in the Industrial zone. Custom manufacturing as an example of a use that should not be allowed to leap from conditionally permitted to permitted by-right.

**Recommendation:**  
Staff recommends that Custom Manufacturing uses be allowed in the CBD zone with an MUP. Staff agrees with the Commission that such uses may introduce impacts and the MUP will allow the City to exercise control and assign conditions of approval.

**Comment 14**  
*Draft Standard:*  
Various uses are permitted by-right in the CMU zone.

**Comment:**  
Questioning potential issues for by-right uses in the CMU because it can possibly be located next to 100% high density residential. Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by-right uses?

Concern with allowing so much residential and then permitting so many uses in the CMU Zone.

Many uses may be next to residential uses and create impacts.

**Recommendation:**  
Staff recommends no changes to the permitted uses of the CMU zone. The Commission did not specify which uses in particular were of concern, if any. Permitted by-right a variety of commercial uses in the CMU zone with foster diversity in products and services within the City’s commercial corridors and will attract a variety of customers/shoppers.
**Comment 15**

*Draft Standard:*
Hotels and Motel uses are permitted by MUP in the CBD and CMU zones.

*Comment:*
There is a large/wide variety of hotels/motels and maybe for some larger sized hotels/motels this should remain a CUP rather than an MUP in CBD and CMU zones.

State legislation allows conversion of hotels/motels into low barrier housing and MUP or CUP will allow for local control.

*Recommendation:*
Staff recommends changing the permit level for Hotel and Motel uses from MUP to CUP. Current code requires a CUP for such uses and the transitory nature of these uses warrants maintaining the same level of control. Conversion of hotels and motels to housing, emergency shelters, low barrier navigation housing, etc. is strictly regulated by the State and an existing CUP entitlement issued to a hotel or motel will not prevent or add regulations to a proposed conversion project.

**Comment 16**

*Draft Standard:*
Car washes are prohibited on lots abutting a residential zoning district.

*Comment:*
Should change “abutting” to “adjacent to”.

*Recommendation:*
Staff recommends changing the standard to:

"Prohibited on lots within 50 feet (less street or alley right-of-way) of a Residential Zoning District."

The term “abutting” was a concern to the Commission as that meant that the two properties had to be contiguous. The Commission preferred “adjacent to”, that term is somewhat vague and open to interpretation, therefore, staff is recommended using a minimum distance of 50 feet. A public right-of-way such as a street or alley would not be counted in the 50-foot distance.

**Comment 17**

*Draft Standard*
Indoor entertainment permitted by-right In the PO on sites 30 acres or more and by MUP if less. Outdoor entertainment not permitted.

*Comment:*
In differentiating indoor versus outdoor entertainment, the definition should include that indoor entertainment cannot be heard from outside as it was in the commercial zoning district.

*Recommendation:*
Staff recommends no change and permit Indoor Entertainment by-right on sites 30 acres or more and by MUP if less. Outdoor entertainment not permitted. This is similar to Comment 12. There may be some
confusion as to what type of entertainment is included in this category. This category of use addresses large outdoor venues, facilities, or arenas and is defined as follows:

“Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and riding stables.”

These types of uses are not compatible with the character of the PO zone and will not be permitted in the zone.

Indoor Entertainment uses are defined as follows:

“Establishments providing predominantly participant sports, indoor amusement and entertainment services conducted within an enclosed building. Typical uses include arcades, bingo halls, bowling alleys, billiard parlors, card rooms, health clubs, ice-roller-skating rinks, indoor racquetball courts, athletic clubs, indoor shooting ranges, and physical fitness centers.”

The MUP requirement for these uses on sites of less than 30 acres will subject the project to review by City Departments that will issue conditions of approval. Depending upon the exact use, the conditions of approval could address concerns with noise, loitering, traffic, public safety, etc.

Comment 18
Draft Standard:
Bars and Clubs are not permitted in the I (Industrial) zone.

Comment:
Bars and Clubs permitted w/ CUP in the PO. Industrial zone may be more appropriate due to noise.

Recommendation:
Staff recommendation to allow Bars and Clubs in the I zone with a CUP.

Comment 19
Draft Standard
Shelter shall have a maximum of 12 beds (This is an existing standard being carried forward and not a new standard).

Comment:
Emergency shelters only allow for no more than 12 beds. This may be too few beds considering costs required to establish a shelter. This may be a disincentive to potential providers. May need to look into increasing the number of beds at some point.

Recommendation:
Staff recommends no change and continue to limits emergency shelters to a maximum of 12 beds. This standard is a carry-over from the current code and is not a new standard. The 2021-2029 Housing Element has found that the current Ordinance has four (4) requirements that are in conflict with State law. The 12-bed limit is not any of these conflicts. The Housing Element requires that the Emergency Shelter Ordinance be revise to resolve the conflicting items. During that time, the City will have an opportunity to reconsider various requirements of the Ordinance.
**Comment 20**

*Draft Standard:*
There is no definition for Regional Use or any distinction between Regional Uses versus Local Uses for the RC (Regional Commercial) Overlay District.

*Comment:*
Need definition of Regional Retail v. Local Servicing.

*Recommendation:*
Staff recommends no change and there be new definition for Regional Uses nor distinction made between Regional and Local Uses. The current code does not define Regional Uses or make the distinction between Regional and Local Uses. Implementing requirement for “regional” uses is not needed and may be counter-productive. The Costco Center is an example of a regional center that is home to some regional businesses but has also been occupied but smaller “mom-and-pop” stores with no adverse effects. Even though there are some non-regional tenants, the center is successful from a regional perspective. The City also has experience with an existing mixed-use development where it was required that the ground floor units be occupied by nationally recognized tenants or businesses franchises of five (5) or more. The intent was to occupy the building with known brands and therefore increase patronage, however, that requirement was very inflexible made the lease spaces very difficult to lease.

**Comment 21**

*Draft Standard:*
Maximum FAR in the CMU zone: 2.0

*Comment:*
Concerned that even though building height is lowered in the CMU zone from 5 stories to 3 stories when adjacent to low density residential, the FAR does not change, which can result in 3-story buildings that spread out and that can cause a different disparity in scale with the adjacent low density residential.

*Recommendation:*
Staff recommends no change and the maximum FAR for the CMU zone adjacent to low density residential will be 2.0. The maximum FAR should not be altered. CMU zoned properties are one resource the city has to comply with the capacity for 6,825 dwelling units required pursuant to the RHNA, and the City cannot establish standards that would have the effect of restricting or lowering the number of units that could built. The reduced height of 5 stories to 3 stories may not have an impact but the combination of reduced height and reduced FAR will definitely have the effect of lowering the number of units that can be built.

**Comment 22**

*Draft Standard:*
The maximum height of all non-residential zones shall be reduced to 3 stories and 40 feet within 50 ft. of a Residential Zoning District.

*Comment:*
Should say "when abutting RL and RM" because the RH zone will have larger heights and CMU height does not need to be limited next to the RH Zone.
**Recommendation:**
Staff recommends the standard to be changed to “3 stories and 40 feet within 50 ft (less street or alley right-of-way) of RL or RM Zoning District.” Staff concurs that no height reduction is needed when adjacent to RH since RH has a maximum height allowance of 5 stories, however, Staff is recommending adding the phrase “(less street or alley right-of-way)” to eliminate any confusion on the implementation of the 50-foot distance.

**Comment 23**

**Draft Standard:**
EMC zone properties located west of Granada Avenue shall have a maximum height limit of 5 stories and 75 feet. 3 stories and 40 feet shall be required if located within 50 feet of Residential Zoning District. Properties located east of Granada Avenue shall be limited to 2 stories and 25 feet.

**Comment:**
The maximum height shall be 2 stories and 25 feet along all of the EMC zone.

**Recommendation:**
Staff recommends no change to the maximum height limits, however, Staff recommends adding the phrase “(less street or alley right-of-way)” to eliminate any confusion on the implementation of the 50-foot distance. Staff recommends against reducing the height limits as the reduced heights as suggested will severely affect that capacity of residential dwelling units in the EMC, and in turn, affect the overall capacity for residential dwellings pursuant to the RHNA requirements and will cause the City to revise the Housing Element and analyze where else in the City the shortfall in dwelling unit capacity can be accommodated.

**Comment 24**

**Draft Standard:**
Maximum height in the I zone is currently 6 stories and 55 feet. The stories remain at 6 but the height is increased to 75 feet.

**Comment:**
Shouldn't the stories be increased if the City wants to add more housing.

**Recommendation:**
Staff recommends no changes. Staff is confident that 6 stories are sufficient for the variety of potential uses in the I zone, including multifamily residential and mixed-use. The 20 feet of additional height is intended to allow flexibility to allow for higher ceiling heights, especially at the ground floor where ceiling heights of 15 to 20 feet are common.

**Comment 25**

**Draft Standard:**
There shall be no minimum parcel size for existing legal parcels in the RC Overlay District, however, a minimum parcel size of 5 acres is required for any subdivisions.

**Comment:**
If the 5-acre minimum requirement is no longer applicable, still need a minimum area requirement. It should not be zero.
Recommendation:
Staff recommends no change. Existing legal lots less than 5 acres in size will be buildable, however, any subdivision actions must result in parcels of at least 5 acres. This proposed standard is essentially any exemption for smaller parcels from the 5-acre minimum requirement, and it is needed. Current code requires that anyone wishing to develop in the RC Overlay District must have 5 acres of land. This standard was established in the 1980’s when the City had a Redevelopment Agency that could assist land developers with property acquisition. The Redevelopment Agency has since disbanded and now it is less likely that private developers will be able to assemble properties of that magnitude on their own. Since the dissolution of the Redevelopment Agency, there have been no new development projects in the RC Overlay District. It has been Staff experience that property owners in the area want to develop, but they are impeded by the 5-acre requirement. This change will give the smaller land owners the opportunity to develop their properties.

Comment 26
Draft Standard:
Additional off-street parking spaces shall be provided when a change in use, expansion of a use, or expansion of floor area creates an increase of 30 percent or more in the number of required parking.

Comment:
Why is it not 25% or 10%? 30% is 3 more spaces or 30 more spaces. It seems the number could potentially be generous depending on what the use is. A scalable number would be more palatable.

Allowing these changes without a demand for more parking will cause a spill over to more demand for street parking.

Recommendation:
Staff recommends no change and additional off-street parking will be required when a change in use, expansion of a use, or expansion of floor area creates an increase of 30% or more in the number of required parking. The 30% threshold allows for some modest change of use or expansion of floor area without having to provide additional parking. As nearly all of the existing commercial properties are fully built-out, it is often infeasible to provide additional parking. The 30% threshold is broad enough without being overly broad to relieve city businesses and property owners of the burden to provide more parking.

Comment 27
Draft Standard:
Minimum off-street parking requirements for Food Service business shall be 1 space for each 120 sf of dining area, plus 1 space for each 250 sf of all other areas.

Comment:
Prefers the current code for food service uses.

Recommendation:
Staff recommends no change. Food Service businesses are required to provide off-street parking spaces at the rate of 1 space for each 120 sf of dining area, plus 1 space for each 250 sf of all other areas. The proposed change will apply one standard for dining areas and a lesser standard for the areas of the restaurant. This is different from current code’s approach which applies one standard throughout the entire lease space which requires the same number of parking spaces regardless if the area is occupied
by a dining table or a walk-in cooler. The proposed code is less burdensome than the current requirement and could be an incentive to attract more businesses.

**Comment 28**
*Draft Standard:*
Outdoor dining areas shall be provided with 1 parking space for each 120 square feet of outdoor dining area (this is being carried forward from the existing code and is not a new requirement).

*Comment:*  
Favors exempting outdoor dining areas completely as it is an amenity that is not always used.

*Recommendation:*  
Staff recommends changing the standard to exempt outdoor dining areas from any off-street parking requirements.

**Comment 29**
*Draft Standard:*
Multifamily and residential dwellings in a mixed-use development in the CBD zone shall have the same off-street parking requirements as multifamily uses in the RH zone.

*Comment:*  
The CBD should be our walkable area, and having increased parking for residential is less flexible. Perhaps the code could provide flexibility for projects in this area or for certain areas where it makes sense to tailor parking requirements.

*Recommendation:*  
Staff recommends the draft standard to revised to the following standard:

- **Residential Parking:** 1.5 per unit.  
- **Guest:** 0.3 per unit.

Staff agrees with the Commission that the CBD zone is a unique district where the automobile is de-emphasized due to it being a resource-rich area and goods and services are within walking distance. The Commission did not provide or suggest a parking standard for residential uses, however, Staff is proposing the parking ratio stated above. The ratio is based upon the parking ratio of an existing mixed-use development in the Downtown. That project is the 88 at Alhambra Place mixed use development with 260 residential units with a parking ratio of 1 space for each 1.6 units plus 0.3 guest spaces per unit. That development opened in 2017 and Staff is not aware of any parking issues with those residences.

**Comment 30**
*Draft Standard:*
Zoning Designation AC (Automobile Commercial)

*Comment:*  
Recommend calling it 'Transportation Related' rather than 'Auto' since dominance of gas-powered vehicles is diminishing and future transportation types are currently undetermined.
**Recommendation:**
Staff recommends no change and the district will be designation the AC (Automobile Commercial) zone. The AC zone is located along Main Street between Palm Avenue to the west and Atlantic Boulevard to the east. The purpose of this zone is to create a district that will promote a cohesive environment for the display, sale and servicing of motor vehicles, and other businesses that are related to the use and maintenance of automobiles. The “Transportation Related” designation or similar would be appropriate is the district was intended to facilitate other aspects of transportation such as transit stations, transportation hubs, depots, etc. As the district is focused on automobiles in general, regardless of the fuel types, the AC designation is appropriate.

**Nonconforming Uses, Structures, and Lots**

**Comment 31**

**Draft Standard:**
An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does encroach any further into the setback and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of this Title.

**Comment:**
Continuing the nonconformity has to meet certain standards.

Allowing up to half of the required setback can be okay (allowing 3 feet to be continued for a 6 ft setback requirement) by-right, but more should have a discretionary process

**Recommendation:**
Staff recommends a change to the standards as follows:

“An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does encroach any further into the setback or, up to a maximum of 50% of the required setback, whichever is the lesser encroachment, and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of this Title.”

**Citywide**

**Comment 32**

**Draft Standard:**
All bicycle parking spaces shall be a minimum of two feet in width and six feet in length.

**Comment:**
We have electric bikes for carrying families or groceries. Are we just planning for traditional 2-wheel bike? Supports spaces for wider bicycles.

**Recommendation:**
Staff is recommending no change and al bicycle parking spaces shall be a minimum of two feet in width and six feet in length. The concern expressed is for wider spaces for wider bicycles such 3-wheelers, bicycles with wide baskets or trailers attached etc. The Commission did not state a preference for size of space nor how many such spaces need to be provided. A two-foot wide and six-foot long is the typical standard used by cities and cities that Staff researched do not have requirements to accommodate wider bicycles.
**Comment 33**  
*Draft Standard:*  
1 long-term bicycle space for each 5 units.

*Comment:*  
Bike parking requirements seem a little high. Maybe match up more realistically to our commuting patterns.

*Recommendation:*  
Staff recommends no change and 1 long-term bicycle space shall be required for each 5 units. This ratio is similar to other area city requirements. A comment was made that this standard may be too high, however, the Commission did not offer an alternative standard.

**Comment 34**  
*Draft Standard:*  
Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces.

*Comment:*  
Prefers carshare through a Minor Use Permit.

*Recommendation:*  
Staff recommends a change to the standards as follows:

“Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit.”

**Comment 35**  
*Draft Standard*  
There is no new standard proposed. Billboard standards are being carried forward from the exiting code.

*Comment:*  
Can we phase out billboards? Nuisance, annoying

*Staff Recommendation:*  
Staff recommends no change as no standard was provided by the Commission. The existing sign code standard applicable to Billboard signs will be carried forward as follows:

“Billboard signs which are lawfully in existence at the time of the adoption of these regulations are exempt from the provisions of this Section. Such signs, if not in accordance with the regulation of this Chapter, need not be removed or brought into conformity with the regulations; provided they are continuously maintained and operated and are not expanded, enlarged, or otherwise altered in any manner with the exception of facial copy change or replacement.”

The Outdoor Advertising Act (Business & Professions Code 5200 et seq.) provides cities with the ability to remove legal nonconforming billboards, however, cities are required to pay just compensation to the billboard owner and the property owner, with limited exceptions.
**Comment 36**

*Draft Standard:*
Painted Signs are prohibited.

*Comment:*
Can there be an exception that addresses historic qualities (in reference to painted signs, murals).

*Recommendation:*
Staff recommends a change to remove Painted Signs from the list of prohibited signs. Painted signs were recommended for prohibition as painted walls signs can be unattractive and can have the potential to diminish the character of a building or its neighborhood. That concern is mitigated by the fact that painted wall signs are subject to Design Review Board review and approval.

It was pointed out by the Commission that some painted signs can have redeeming qualities such as murals. It should be noted that true murals are not considered signs as they do not advertise any product, business, organization, logo, etc., and are regulated by the City’s Art in Public Places Program. However, if a “mural” contains any type advertisement, it is regulated as a sign and will be subject to Design Review Board review and approval.

**Comment 37**

*Draft Standard:*
The Design Review Board responsibilities were proposed to be reduced and those responsibilities shifted to Planning Staff.

*Comment:*
Design Review Board responsibilities should not be reduced.

*Recommendation:*
Staff recommends that the Design Review Board (DRB) responsibilities shall not be reduced. The DRB reviews almost all improvement projects in the city that are visible from the exterior. This includes all nonresidential new construction, additions, exterior modifications such as storefront changes and paint colors changes, and exterior signage. The DRB also reviews residential projects such as new multifamily developments, exterior modifications including roof material changes, window changes, exterior remodels, and front yard walls and fences. The proposal was to have staff review assume the responsibilities to review residential and nonresidential exterior modifications, front yard fences and walls, and exterior business signs that do not require a uniform sign program.

**Comment 38**

*Draft Standard:*
No draft standard is proposed to regulate building scale.

*Comment:*
Is there a way to specifically address buildings disproportionate to scale in adjacent buildings?

*Recommendation:*
Staff recommends no change and the Commission provided no recommendation or standard. This is similar to Comment 6. The Commission is concerned with how new multi-level residential
developments could impact a neighboring building that could very likely be a 1-story single-family residence. The City is presently in process of developing Multifamily Residential Design Guidelines. The City will be issuing a Request for Proposals for the development of the guidelines in January 2023. As part of the guidelines work effort, the City will ask the selected consultant, to develop guidelines to address concerns with incompatible height, mass, scale, etc.

Comment 39
Draft Standard:
No draft standard is proposed to regulate green space for multifamily developments.

Comment:
There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.

Recommendation.
Staff recommends no change and the Commission provided no recommendation or standard. While there are open space standards, there are regulation for the amount of open space, dimensions, accessibility, surfacing, and amenities. The surfacing requirements offers various surfaces that would make the space convenient for outdoor living including lawn, but it does not require any specific amounts of lawn or other green space.

Comment 40
Draft Standard:
No draft Shade/Shadow standards are proposed.

Comment:
If developments are next to other properties or buildings that they are not similar to (multi-family next to single family for instance), it would be helpful to have shadow studies or require for the proposed project to be consistent with the adjacent properties.

Staff should come up with a specific measurable threshold in order to be objective about that standard so it can be verified

Recommendation:
Staff recommends no change and the Commission provided no recommendation or standard. This is similar to Comment 38. The Commission is concerned with how new multi-level residential developments could impact a neighboring building that could very likely be a 1-story single-family residence. The City is presently in process of developing Multifamily Residential Design Guidelines. The City will be issuing a Request for Proposals for the development of the guidelines in January 2023. As part of the guidelines work effort, the City will ask the selected consultant, to develop guidelines to address concerns with incompatible height, mass, scale, etc.

Comment 41
Draft Standard:
No draft Architectural style or compatibility standards are proposed.
Comment:
If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.

Recommendation:
Staff recommends no change and the Commission provided no recommendation or standard. The City currently has the Single-Family Design Guidelines that provides guidelines and guidance for the construction of new single-family residences and remodels of existing single-family residences within the established single-family neighborhoods. The guidelines also provide a brief description of neighborhood in terms of the predominant architectural styles in those neighborhoods and the typical characteristics and design elements that are of those styles. Implementation of the guidelines helps to ensure that the project will be appropriately designed within the context of its neighborhood and stays true to the selected architectural style. As mentioned previously, the City has begun the process to develop Multifamily Design Guidelines. It is anticipated that the Multifamily Design Guidelines will provide equal benefit as that of the Single-Family Design Guidelines.

Comment 42
Draft Standard:
No draft standard is proposed to landscaping of interior side and rear yards of residential properties.

Comment:
Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.

Recommendation:
Staff recommends no change. Most side and rear residential yards are fenced in and not visible from the street, therefore, there is no need to require landscaping. There are some properties that may not be fenced or are fenced with fencing that can be seen through, and thus, the side and/or rear yards are visible from the street. Even with these properties, no landscaping requirement is needed. A greater concern with these properties is that the property owners maintain yards in a presentable manner and do not allow them to become blighted with overgrown weeds, excessive storage etc.

OPPORTUNITIES FOR ADDITIONAL PUBLIC INPUT:

The presentations are not public hearing items and are not subject to public noticing requirements, however, in the interest of public participation and transparency, announcements of this presentation were advertised on the City’s social media accounts, and on CODEALHAMBRA (https://www.alhambracodeupdate.com/), a website dedicated specifically to the zoning code update project. Announcements were also distributed through two separate direct emails to those who signed up to receive news specifically related to this project. Announcements were provided in English, Spanish, and Traditional Chinese. Future presentations will also be announced in the same manner.

All presentations will be recorded with video and audio recordings available for review and download following each presentation that can be accessed through the City’s website and the project website. The public also has an opportunity to sign-up to receive project updates through the dedicated project website.
NEXT STEPS:

Staff will utilize the results of tonight’s discussion to generate a resolution with recommendations of the changes to the draft Zoning Code and return the resolution to the Planning Commission at the next Planning Commission meeting of Tuesday, January 17, 2023. This will be a public hearing for the purpose of making a recommendation on the draft Zoning Code to the City Council. Meetings with the City Council will be scheduled following the Planning Commission public hearing.

STAFF RECOMMENDED ACTION:

It is recommended that the Planning Commission receive and file this informational report and provide recommendations to Staff as deemed appropriate.

ATTACHMENT:

1. Commissioner Comments Summary
2. Zoning Code – Draft
<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Standard/Regulation Class</th>
<th>Zone</th>
<th>Current Standard</th>
<th>Draft Standard</th>
<th>Proposed Standard</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Residential</td>
<td>Low Barrier Navigation Centers</td>
<td>CBD</td>
<td>Permitted by Right</td>
<td>Residential permitted on ground floor facing Main St. with 100% residential is not proper usage in the Downtown, ground floors should be commercial.</td>
<td>No change recommended</td>
<td>No change recommended</td>
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<tbody>
<tr>
<td>Residential</td>
<td>Property Development Standard</td>
<td>Side Setback</td>
<td>Upper Stories: 6 ft</td>
<td>Require additional step back not as a development standard but as a design standard – evaluates on a case-by-case basis. Upper stories setbacks should be more stringent (higher number) but should have flexibility in how the setbacks are achieved (allow an average setback to allow modulation in building). Standard should be 10 feet for upper stories with flexibility on how it is achieved (average) as buildings may be up to 5 stories and need larger side setbacks.</td>
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<td>2nd floor: 6 ft.</td>
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<td>3rd floor: 7 ft.</td>
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<td>4th floor: no standard</td>
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<td>5th floor: no standard</td>
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<td>Property Development Standards</td>
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<td>Off-Street Parking</td>
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<td>Commercial Permitted Uses</td>
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<td>Minimum Parcel Size</td>
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Recommendation: An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does not encroach any further into the setback or, up to a maximum of 50% of the required setback, whichever is the lesser encroachment, and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of this Title.
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<th>Zone</th>
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<tr>
<td>32</td>
<td>Bicycle Parking</td>
<td>All</td>
<td>All bicycle parking spaces shall be a minimum of two feet in width and six feet in length.</td>
<td>We have electric bikes for carrying families or groceries. Are we just planning for traditional 2-wheel bike? Supports spaces for wider bicycles.</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>33</td>
<td>Bicycle Parking</td>
<td>Multi-family Uses</td>
<td>1 long-term bicycle space for each 5 units</td>
<td>Bike parking requirements seem a little high. Maybe match up more realistically to our commuting patterns</td>
<td>None required</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>34</td>
<td>Car Sharing</td>
<td>All</td>
<td>Administrative process</td>
<td>Prefers carshare through a minor use permit</td>
<td>None</td>
<td>Recommendation: Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit.</td>
</tr>
<tr>
<td>35</td>
<td>Billboards</td>
<td>All</td>
<td>Nonconforming Section</td>
<td>Can we phase out billboards? Nuisance, annoying.</td>
<td>Nonconforming sign, permitted to remain if continually used and maintained.</td>
<td>No change recommended.</td>
</tr>
<tr>
<td>36</td>
<td>Painted Signs</td>
<td>All</td>
<td>Prohibited</td>
<td>Can there be an exception that addresses historic qualities (in reference to painted signs, murals).</td>
<td>Permitted</td>
<td>Recommendation: Remove from Prohibited List.</td>
</tr>
<tr>
<td>Land Use Category</td>
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<td>Zone</td>
<td>Draft Standard</td>
<td>Comment</td>
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<tr>
<td>37</td>
<td>Process</td>
<td>All</td>
<td>DRB responsibilities be reduced</td>
<td>Design Review Board responsibilities should not be reduced.</td>
<td>Draft Standard</td>
<td>Recommendation: Maintain DRB’s current responsibilities.</td>
</tr>
<tr>
<td>38</td>
<td>Building Scale</td>
<td>All</td>
<td>None</td>
<td>Is there a way to specifically address buildings disproportionate to scale in adjacent buildings.</td>
<td>Current Standard</td>
<td>None</td>
</tr>
<tr>
<td>39</td>
<td>Open Space/Green Space</td>
<td>Multi-Family Uses</td>
<td>None</td>
<td>There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.</td>
<td>Current Standard</td>
<td>None</td>
</tr>
<tr>
<td>40</td>
<td>Shade/Shadow Standards</td>
<td>All</td>
<td>None</td>
<td>If developments are next to other properties or buildings that they are not similar to (multi-family next to single family for instance), it would be helpful to have shadow studies or require for the proposed project to be consistent with the adjacent properties. Staff should come up with a specific measurable threshold in order to be objective about that standard so it can be verified.</td>
<td>Current Standard</td>
<td>None</td>
</tr>
<tr>
<td>Land Use Category</td>
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<td></td>
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<td></td>
<td>If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.</td>
<td></td>
<td></td>
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<td>42 Citywide</td>
<td>Landscape Standards</td>
<td>Landscape Side and Rear Yards</td>
<td>RL, RM, RH</td>
<td>None</td>
<td>None</td>
<td>No change recommended.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.</td>
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Article I:
Introductory Provisions

Chapter 23.01 Purpose and Effect of the Zoning Code

23.01.010 Title

23.01.020 Authority
The Alhambra Zoning Code is adopted pursuant to the authority contained in Section 65850 of the California Government Code.

23.01.030 Purpose
The purpose of this Code is to implement the City's General Plan and to protect and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare. More specifically, the Code is adopted to achieve the following objectives:

A. Provide standards for the orderly growth and development of the City, and guide and control the use of land to provide a safe, harmonious, attractive, and sustainable community.
B. Achieve the arrangement of land uses depicted in the Alhambra General Plan, consistent with the goals and policies of the General Plan.
C. Enhance the appearance of the City and promote high-quality design.
D. Preserve and enhance the quality of life and character of residential neighborhoods.
E. Promote economic growth and the creation of jobs.
F. Facilitate the appropriate location of community facilities, institutions, transportation, and parks and recreational areas.
G. Allow for public participation in government decision-making regarding land use and development in a manner consistent with State law.
H. Define duties and powers of administrative bodies and officers responsible for implementation of the Code.

23.01.040 Relationship to the General Plan

This Code implements the goals and policies of the Alhambra General Plan by regulating the use of land and structures within the City. This Code and the General Plan shall be consistent with one another. Any permit, license, or approval issues pursuant to this Code must be consistent with the General Plan and all applicable specific plans. In any case where there is a conflict between this Code and the General Plan, the General Plan shall control.

23.01.050 Applicability

A. Applicability to Property. This Code shall apply, to the extent permitted by law, to all property within the corporate limits of the City of Alhambra and to property for which applications for annexation and/or subdivisions have been submitted to the City of Alhambra, including all uses, structures, and land owned by any private person, firm, corporation or organization, or the City of Alhambra or other local, State or federal agencies. Any governmental agency shall be exempt from the provisions of this Code only to the extent that such property may not be lawfully regulated by the City of Alhambra.

B. Minimum Requirements. The provisions of this Code shall be minimum requirements for the promotion of the public health, safety, and general welfare. Where this Code provides for more discretion on the part of a City official or body, that discretion may be exercised to impose more stringent requirements than set forth in this Code as may be necessary to promote orderly land use development and the purposes of this Code.

C. Compliance with Regulations. No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved in any zone, except in accordance with the provisions of this Code, including the development and performance standards herein, and any permit issued pursuant hereto. The temporary or transitory nature of a use does not exempt it from this requirement.

D. Conflicting Regulations. The regulations of this Code and requirements or conditions imposed pursuant to this Code shall not supersede any other regulations or requirements adopted or imposed by the Alhambra City Council, the State of California, or any federal agency that has jurisdiction by law over uses and development authorized by this Code. All uses and development authorized by this Code shall comply with all other such regulations and requirements. Where conflict occurs between the provisions of the Code and any other City ordinance, chapter, resolution, guideline, or regulation, the more restrictive provisions shall control, unless otherwise specified.

E. Private Agreements. This Code shall not interfere with or annul any recorded easement, covenant, or other agreement now in effect, provided that where this Code imposes greater restriction than
imposed by an easement, covenant, or agreement, this Code shall control. The City of Alhambra shall not be responsible for monitoring or enforcing private agreements.

F. Prior Ordinance. The provisions of this Code supersede all prior ordinances codified in Title 23 of the Alhambra Municipal Code and any amendments. No provisions of this Code shall validate any land use or structure established, constructed, or maintained in violation of the prior Zoning Code, unless such validation is specifically authorized by this Code and is in conformance with all other regulations.

G. Effect on Previously Approved Projects and Projects in Progress.
1. Building Permit. Any building or structure for which a Building Permit has been issued may be completed and used in accordance with the plans, specifications, and permits on which said Building Permit was granted, provided at least one inspection has been requested and posted for the primary structure on the site where the permit is issued and provided construction is diligently pursued and completed within six months of permit issuance. No extensions of time except as provided for in the Building Code shall be granted for commencement of construction, unless the applicant has secured an allowed permit extension from the Planning Division.

2. Previously Approved Land Use Authorization. This Zoning Code shall not interfere with, repeal, abrogate, or annul any previously granted land use authorization. All allowances, requirements, and conditions of approval of previous land use authorizations shall apply until the applicable review authority specifically repeals the allowance, requirement, or condition.

3. Land Use Authorization in Process. An application for a discretionary land use authorization that has been accepted by the Planning Division as complete for processing prior to the adoption of this Code or any applicable amendment shall be processed according to the requirements of this Zoning Code or the prior Code upon written request from the project applicant. The written request shall be made no later than 30 days after the effective date of this Zoning Code and at least one action must be taken by the review authority within 210 days of the effective date of this Code.

H. Application During Local Emergency. The City Council may authorize a deviation from a provision of this Code during a local emergency declared and ratified under the Alhambra Municipal Code. The City Council may authorize a deviation by resolution without notice or public hearing.

23.01.060 Responsibility for Administration

The Zoning Code shall be administered by the Alhambra City Council, Planning Commission, and Community Development Department as established in Chapter 23.23, Planning Authorities.
23.01.070 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Code is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Code. The Alhambra City Council hereby declares that it would have passed this Code, and each section, subsection, sentence, clause, and phrase thereof, regardless of the fact that any or one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

23.01.080 Fees

The City Council shall establish by resolution, and may amend and revise from time to time, fees for processing the discretionary entitlement applications and other permits authorized or required by this Code. All fees shall be paid at the time an application is filed, and no processing shall commence until the fees are paid in full.
Chapter 23.02 Interpretation of the Zoning Code

23.02.010 Purpose

The purpose of this Chapter is to provide precision in the interpretation of the Zoning Code. The meaning and construction of words and phrases defined in this Chapter apply throughout the Code, except where the context indicates a different meaning.

23.02.020 Rules of Interpretation

In interpreting the various provisions of the Code, the following rules of interpretation shall apply:

A. General Rules. The following general rules apply to the interpretation and application of the Zoning Code.

1. The specific controls the general.

2. In case of conflict between the text and a figure, illustration, heading, caption, diagram, or graphic, the text controls.

3. Sections and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.

4. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
   a. “And” indicates that all connected words or provisions shall apply.
   b. “And/or” indicates that the connected words or provisions may apply singularly or in any combination.
   c. “Or” indicates that the connected words or provisions may apply singularly or in any combination.
   d. “Either... or” indicates that the connected words or provisions shall apply singularly but not in combination.

5. The words “shall”, “will”, “must”, and “is to” are always mandatory and not discretionary. “Should” is a regulation that is not mandatory but must be either fulfilled or the applicant must demonstrate an alternative that fulfills the intent of the regulation. “May” is permissive.

6. The present tense includes the past and future tenses, and the future tense includes the past.

7. The singular number includes the plural, and the plural, the singular.

8. All references to departments, committees, commissions, boards, or other public agencies are to those of the City of Alhambra, unless otherwise indicated.
9. All references to public officials are to those of the City of Alhambra, and include designated deputies of such officials, unless otherwise indicated.

B. **Calendar Days.** All references to days are to calendar days, unless otherwise indicated. If a deadline falls on a weekend or holiday, or a day when the City offices are closed, it shall be extended to the next working day. The end of a time period shall be the close of business on the last day of the period (5:00PM).

C. **Definitions.** The Director shall make the interpretation for any definition not expressly identified in this Code.

### 23.02.030 Rules of Measurement

For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Director.

A. **Fractions.** Whenever this Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:

1. **General Rounding.** Fractions exceeding one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions equal to or less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.

2. **Exception for State Affordable Housing Density Bonus.** The calculation of fractions related to permitted bonus density units for projects eligible for bonus density pursuant to Government Code Section 65915 or any successor statute, and Chapter 23.14, Affordable Housing, Density Bonuses, and Incentives, any fractional number of units shall be rounded up to the next whole number.

B. **Measuring Distances.**

1. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.

2. **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.

3. **Measurements Involving a Structure.** Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.
4. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

5. **Measuring Radius.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project, in all directions.

---

C. **Measuring Height.** Height is measured as the vertical distance measured from the average level of the finished grade of the lot to the highest point of the object being measured.

1. **Measuring Building Height.** Building height is the vertical distance measured from the average elevation of the finished grade within five feet of the structure to the highest point of the structure.

2. **Measuring the Number of Stories.** In measuring the number of stories in a building, the following rules shall apply:
a. An interior balcony or mezzanine shall be counted as a full story if its floor area exceeds one-third of the total area of the nearest full floor directly below it or if it is enclosed on more than two sides.

b. A basement shall be counted as a full story if the vertical distance between finished grade and the finished surface of the floor above the basement is more than six feet at any point.

c. A story shall not exceed 25 feet in height from the upper surface of the floor to the ceiling above.

FIGURE 23.02.030.C.2: MEASURING THE NUMBER OF STORIES

3. Measuring Height of Fences or Walls.

D. Measuring Lot Width and Depth.

1. **Lot Width.** Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot along a straight line parallel to the front lot line at the minimum required building setback line.

2. **Lot Depth.** Lot depth is measured along a straight line down from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.
FIGURE 23.02.030.D: MEASURING LOT WIDTH AND DEPTH

E. **Determining Floor Area.** The floor area of a building is the sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, vehicular maneuvering areas, or any space where the floor-to-ceiling height is less than six feet.

F. **Determining Floor Area Ratio.** The floor area ratio (FAR) is the ratio of the total gross floor area of a development to the total site area of the property on which the development is located. To calculate the FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.

G. **Determining Lot Coverage.** Lot coverage is the ratio of the horizontal area measured at the outside of the exterior walls of the ground floor of all principal and accessory buildings located on a lot to the net lot area, typically expressed as a percentage.

H. **Determining Lot Frontage.**
   1. **Corner Lot.** The front of a lot is the narrowest dimension of the lot with street frontage.
   2. **Through Lot.** Both street frontages shall be designated as the front of the lot.

I. **Determining Setbacks (Yards).** A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. Required setbacks shall be unobstructed from the ground to the sky except where allowed pursuant to Section 23.12.040, Encroachments into Required Setbacks, subject to compliance with the Building Code. The following special regulations for determining yards apply when a lot abuts a proposed street or alley.
1. **Yards Abutting Planned Street Expansions.** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street, the required setback shall be established from the future right-of-way rather than the property line.

2. **Yards on Alleys.**
   
a. If a side lot line abuts an alley, the yard shall be considered an interior side yard rather than a corner side yard.

   b. In calculating the minimum yard for any lot with an interior side yard abutting an alley, no part of the width of the alley may be considered as part of the required yard.

![Diagram of set backs and yards](image)

**FIGURE 23.02.030.I: DETERMINING SETBACKS (YARDS)**

**J. Measuring Signs.** The calculations of measurements related to signs are described in Chapter 23.21, Signs.
Chapter 23.03 Zoning Districts and Zoning Map

23.03.010 Establishment of Districts

The City shall be classified into districts, the designation and regulation of which are set forth in this Code and as follows.

A. **Base Zoning Districts.** The City is divided into base zoning districts which are established as shown in Table 23.03.010, Base Zoning Districts, Specific Plan Districts, and Overlay Districts.

B. **Specific Plan Districts.** Specific plan districts are established as shown in Table 23.03.010, Base Zoning Districts, Specific Plan Districts, and Overlay Districts.

C. **Overlay Districts.** Overlay districts, one or more of which may be combined with a base zone, are established as shown in Table 23.03.010, Base Zoning Districts, Specific Plan Districts, and Overlay Districts.

### TABLE 23.03.010: BASE ZONING DISTRICTS, SPECIFIC PLAN DISTRICTS, AND OVERLAY DISTRICTS

<table>
<thead>
<tr>
<th>Zone Symbol</th>
<th>Zone Name</th>
<th>General Plan Land Use Designation Implemented by Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base Zoning Districts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RL</td>
<td>Residential Low Density</td>
<td>Low Density Residential</td>
</tr>
<tr>
<td>RM</td>
<td>Residential Medium Density</td>
<td>Medium Density Residential</td>
</tr>
<tr>
<td>RH</td>
<td>Residential High Density</td>
<td>High Density Residential</td>
</tr>
<tr>
<td><strong>Commercial and Mixed Use Zoning Districts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CBD</td>
<td>Central Business District</td>
<td>Central Business District</td>
</tr>
<tr>
<td>EMC</td>
<td>East Main Commercial</td>
<td>General Commercial</td>
</tr>
<tr>
<td>CMU</td>
<td>Commercial Mixed Use</td>
<td>General Commercial</td>
</tr>
<tr>
<td>AC</td>
<td>Automotive Commercial</td>
<td>Automotive Commercial</td>
</tr>
<tr>
<td><strong>Employment Zoning Districts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO</td>
<td>Professional Office</td>
<td>Office Professional, Medical Office</td>
</tr>
<tr>
<td>I</td>
<td>Industrial</td>
<td>Industrial</td>
</tr>
<tr>
<td><strong>Public and Semi-Public Zoning Districts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PF</td>
<td>Public Facilities</td>
<td>Public Facilities, Institutional</td>
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<tr>
<td>OS</td>
<td>Open Space</td>
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<tr>
<td><strong>Specific Plan Districts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SP</td>
<td>Specific Plan</td>
<td>Specific Plan</td>
</tr>
</tbody>
</table>
The boundaries of the zones established by this Code are not included in this Code but are shown on the Official Zoning Map maintained by the City Clerk. The Official Zoning Map, together with all legends, symbols, notations, references, zone boundaries, map symbols, and other information on the maps, have been adopted by the Council and are hereby incorporated into this Code by reference, together with any amendments previously or hereafter adopted, as though they were fully included here.

A. **Uncertainty of Boundaries.** If an uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of alleys, lanes, streets, highways, streams, or railroads shall be construed to follow such centerlines.

2. Boundaries indicated as approximately following lot lines, city limits, or extraterritorial boundary lines shall be construed as following such lines, limits, or boundaries.

B. **Parcels Containing Two or More Zoning Districts.**

1. For parcels containing two or more zoning districts, the location of the zoning district boundary shall be determined by the Director.

2. For parcels containing two or more zoning districts, the applicable regulations for each district shall apply.

### Overlay Districts

<table>
<thead>
<tr>
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</tr>
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<td>-WMC</td>
<td>West Main Corridor Master Plan</td>
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</tr>
<tr>
<td>-PD</td>
<td>Planned Development</td>
<td>N/A</td>
</tr>
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</table>

**23.03.020 Official Zoning Map and District Boundaries**

The boundaries of the zones established by this Code are not included in this Code but are shown on the Official Zoning Map maintained by the City Clerk. The Official Zoning Map, together with all legends, symbols, notations, references, zone boundaries, map symbols, and other information on the maps, have been adopted by the Council and are hereby incorporated into this Code by reference, together with any amendments previously or hereafter adopted, as though they were fully included here.

A. **Uncertainty of Boundaries.** If an uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of alleys, lanes, streets, highways, streams, or railroads shall be construed to follow such centerlines.

2. Boundaries indicated as approximately following lot lines, city limits, or extraterritorial boundary lines shall be construed as following such lines, limits, or boundaries.

B. **Parcels Containing Two or More Zoning Districts.**

1. For parcels containing two or more zoning districts, the location of the zoning district boundary shall be determined by the Director.

2. For parcels containing two or more zoning districts, the applicable regulations for each district shall apply.
Article II: District Regulations

Chapter 23.04 Residential Zoning Districts

23.04.010 Purpose and Applicability

The purposes of Residential Zoning Districts are to:

A. Provide for a full range of housing types to meet the diverse economic and social needs of residents;
B. Preserve, protect, and enhance the character of the City’s neighborhoods;
C. Enhance the quality of life of residents;
D. Ensure that the scale and design of new development and alterations to existing development are compatible with surrounding uses and appropriate to the physical and aesthetic characteristics of the proposed location; and
E. Provide sites for public and semi-public uses such as parks, schools, day care, and other community uses that serve residents and complement surrounding residential development.

Additional purposes of each Residential Zoning District:

**Residential Low Density (RL).** The RL Zone is intended to provide for residential development and other compatible uses in a low density residential neighborhood setting at densities up to five dwelling units per acre. The RL Zone implements the Low Density Residential General Plan Land Use Designation.

**Residential Medium Density (RM).** The RM Zone is intended to provide for a variety of housing types at densities up to 18 dwelling units per acre. Housing types in this Zone include single-unit detached units, duplexes, triplexes, and other medium density housing types. Other compatible uses appropriate in a medium density residential environment are allowed. The RM Zone implements the Medium Residential Density General Plan Land Use Designation.

**Residential High Density (RH).** The RH Zone is intended to provide for a variety of housing types at densities up to 24, 43, or 64 dwelling units per acre. A variety of housing types are allowed, including attached and detached single-unit dwellings, townhomes, condominiums, garden-style units, multi-unit developments, and apartments. This Zone also provides for public uses, quasi-public uses, and similar and compatible uses that may be appropriate in a high density residential environment. The RH Zone implements the High Density Residential General Plan Land Use Designation.
23.04.020 Land Use Regulations

Table 23.04.020: Land Use Regulations – Residential Zoning Districts, sets the land use regulations for the Residential Zoning Districts. Land uses are defined in Chapter 23.35, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title.

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RL</th>
<th>RM</th>
<th>RH</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Housing Types</td>
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<td></td>
</tr>
<tr>
<td>Single-Unit Dwelling, Detached</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Single-Unit Dwelling, Attached</td>
<td>-</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Multi-Unit Dwelling</td>
<td>-</td>
<td>P</td>
<td>P</td>
<td>Condominium projects require a minimum of six units</td>
</tr>
<tr>
<td>Accessory Dwelling Units</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Family Day Care</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Residential</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Low Barrier Navigation Centers</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Must be consistent with Government Code Section 65660 et seq</td>
</tr>
<tr>
<td>Residential Care Facility</td>
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<td></td>
</tr>
<tr>
<td>Small</td>
<td></td>
<td></td>
<td></td>
<td>Small residential care facilities constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district.</td>
</tr>
<tr>
<td>Large</td>
<td>-</td>
<td>-</td>
<td>M</td>
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<tr>
<td>Residential Facility, Assisted Living</td>
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<td>M</td>
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</tr>
<tr>
<td>Single Room Occupancy (SRO)</td>
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<td>C</td>
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<td>See Section 23.22.230, Single Room Occupancy</td>
</tr>
<tr>
<td>Supportive Housing</td>
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<td></td>
<td></td>
<td>Transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district.</td>
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<tr>
<td>Transitional Housing</td>
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<tr>
<td>Public/Semi-Public Uses</td>
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<td></td>
</tr>
<tr>
<td>Community Assembly</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>See Section 23.22.060, Affordable Housing on Religious Facility Sites</td>
</tr>
<tr>
<td>Community Garden</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>See Section 23.22.100, Community Gardens</td>
</tr>
<tr>
<td>Cultural Institutions</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
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### TABLE 23.04.020: LAND USE REGULATIONS - RESIDENTIAL ZONING DISTRICTS

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RL</th>
<th>RM</th>
<th>RH</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day Care Centers</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Park and Recreation Facilities</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Public Safety Facilities</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Schools</td>
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<td>C</td>
<td>C</td>
<td></td>
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<tr>
<td>Transportation, Communication, and Utility Uses</td>
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<tr>
<td>Communication Facilities</td>
<td></td>
<td></td>
<td></td>
<td>See subclassification below</td>
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<tr>
<td>Telecommunication</td>
<td></td>
<td></td>
<td></td>
<td>See Section 23.22.240, Telecommunication Facilities</td>
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<tr>
<td>Other Uses</td>
<td></td>
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<td></td>
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<tr>
<td>Accessory Uses, Activities, and Structures</td>
<td></td>
<td></td>
<td></td>
<td>See Section 23.22.030, Accessory Uses and Activities and Section 23.12.020, Accessory Structures</td>
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<tr>
<td>Cannabis Cultivation</td>
<td></td>
<td></td>
<td></td>
<td>See Section 23.22.080, Cannabis Facilities, Cultivation, and Deliveries</td>
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<tr>
<td>Home Occupations</td>
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<td></td>
<td></td>
<td>See Section 23.22.160, Home Occupations</td>
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<tr>
<td>Neighborhood Commercial</td>
<td></td>
<td></td>
<td></td>
<td>Neighborhood Commercial uses may be allowed on residentially zoned properties with existing commercial uses operating within the confines of a permitted commercial building or structure pursuant to Section 23.22.180, Neighborhood Commercial Uses in Residential Zones</td>
</tr>
<tr>
<td>Nonconforming Uses</td>
<td></td>
<td></td>
<td></td>
<td>See Chapter 23.19, Nonconforming Uses, Sites, and Structures</td>
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<tr>
<td>Temporary Uses</td>
<td></td>
<td></td>
<td></td>
<td>See Section 23.22.250 Temporary Uses</td>
</tr>
</tbody>
</table>

#### 23.04.030 Development Standards

Table 23.04.030: Development Standards – Residential Zoning Districts, prescribes the development standards for Residential Zoning Districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the Additional Regulations column refer to other sections of this Title.
# TABLE 23.04.030: DEVELOPMENT STANDARDS - RESIDENTIAL ZONING DISTRICTS

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RL</th>
<th>RM</th>
<th>RH</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Density and Floor Area Standards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Density (units per acre)</td>
<td>5</td>
<td>18</td>
<td></td>
<td>• Area bounded by Atlantic Blvd., W. Woodward Ave., W. Commonwealth Ave., and Chapel Ave.: 64</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Other areas:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>– Lots less than 10,000 square feet: 24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>– Lots 10,000 square feet or more: 43</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lots less than 10,000 square feet</td>
<td>0.35</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Lots 10,000 to 19,999 square feet</td>
<td>0.325</td>
<td>n/a</td>
<td>n/a</td>
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<tr>
<td>Lots 20,000 square feet or more</td>
<td>0.30</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td><strong>Height Standards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Height (ft)</td>
<td>25 (A)</td>
<td>35</td>
<td></td>
<td>• Area bounded by Atlantic Blvd, W. Woodward Ave, W. Commonwealth Ave, and Chapel Ave and parcels on major arterial streets within 1300 feet of a freeway interchange: 75</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Other areas: 45</td>
</tr>
<tr>
<td>Maximum Number of Stories</td>
<td>2</td>
<td>3</td>
<td></td>
<td>• Area bounded by Atlantic Blvd, W. Woodward Ave, W. Commonwealth Ave, and Chapel Ave and parcels on major arterial streets within 1300 feet of a freeway interchange: 6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Other areas: 5</td>
</tr>
</tbody>
</table>
**TABLE 23.04.030: DEVELOPMENT STANDARDS - RESIDENTIAL ZONING DISTRICTS**

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>RL</th>
<th>RM</th>
<th>RH</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setback Standards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Front Setback (ft)</td>
<td>25, or</td>
<td>Whichever is greater:</td>
<td>Properties on Curtis or Electric Lanes: 15</td>
<td>(B)</td>
</tr>
<tr>
<td></td>
<td>• 25, or</td>
<td>• Average of front setbacks of two adjacent properties, or</td>
<td>Other areas:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• 20 ft</td>
<td>• 20 ft</td>
<td><em>Whichever is greater:</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Average of front setbacks of two adjacent properties, or</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• 15 ft</td>
<td></td>
</tr>
<tr>
<td>Minimum Corner Side Setback (ft)</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Reversed corner lot</td>
<td>The required front setback of the first lot to the rear</td>
<td>The required front setback of the first lot to the rear</td>
<td>The required front setback of the first lot to the rear</td>
<td></td>
</tr>
<tr>
<td>Minimum Interior Setback (ft)</td>
<td>First story: 5</td>
<td>First story: 5</td>
<td>First story: 5</td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>20% of lot depth, up to 15 feet</td>
<td>10</td>
<td>Properties which have rear yards on Curtis or Electric Lanes: 15, otherwise 10</td>
<td></td>
</tr>
<tr>
<td>Lot Coverage Standards</td>
<td>Max coverage (% of lot)</td>
<td>45</td>
<td>55</td>
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</tr>
<tr>
<td></td>
<td>All buildings on site are one story: 50, otherwise 40</td>
<td>45</td>
<td>55</td>
<td></td>
</tr>
</tbody>
</table>

**Additional Development Standards**

A. **Sloping Lot Adjustment.** Where a lot has a slope greater than 25 percent, measured from the curb line to a point midway between the side lot lines at a distance of 50 feet from the front lot line, the minimum required front setback is that of the zone. An attached or detached garage with a maximum capacity of two cars and no more than 10 feet in height measured from the front property line, may be set back a minimum of five feet from the front and side property lines.

B. **Through Lots.**
Chapter 23.05 Commercial Zoning Districts

23.05.010 Purpose and Applicability

The purposes of the Commercial Zoning Districts are to:

A. Provide for the orderly, well-planned, and balanced development of commercial areas;
B. Designate adequate land for a full range of local- and regional-serving commercial and retail services, consistent with the General Plan;
C. Maintain and strengthen the City’s economic resources;
D. Increase employment opportunities and expand the economic base of the City;
E. Provide appropriately-located areas that provide a variety of goods and services for residents, employees, and visitors;
F. Provide opportunities for a mix of complementary uses that may combine residential and non-residential uses, or a variety of non-residential uses, on the same site; and
G. Promote pedestrian-oriented, mixed-use commercial nodes and corridors at appropriate locations.

Additional purposes of each Commercial Zoning Districts:

Central Business District (CBD). The CBD Zone is intended to preserve and enhance a central, focal downtown area, providing a multi-purpose residential and commercial district that meets the service needs of surrounding neighborhoods. The CBD Zone implements the Central Business District General Plan Land Use Designation.

East Main Commercial (EMC). The EMC Zone is intended to provide areas for a mix of commercial, professional, and residential uses along the East Main Street corridor. Zone regulations are intended to foster a vibrant corridor with active ground floor uses in buildings designed in an appropriate relationship to the scale and character of adjacent neighborhoods. The EMC Zone implements the General Commercial General Plan Land Use Designation.

Commercial Mixed-Use (CMU). The CMU Zone is intended to provide areas for a broad range of retail and service commercial activities, as well as office and residential uses that support retail and commercial uses. This Zone provides for developments that include a mix of residential and/or office and commercial development or single use commercial or retail development. The CMU Zone implements the General Commercial General Plan Land Use Designation.

Automotive Commercial (AC). The AC Zone is intended to provide a cohesive environment for the display, sale, and servicing of motor vehicles; support uses and designs that enhance the automotive environment; and attract new auto-related business. The AC Zone implements the Automotive Commercial General Plan Land Use Designation.
23.05.020 Land Use Regulations

Table 23.05.020: Land Use Regulations – Commercial Zoning Districts, sets the land use regulations for the Commercial Zoning Districts. Land uses are defined in Chapter 23.35, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title. Numbers in parentheses refer to specific limitations listed at the end of the table.

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>CBD</th>
<th>EMC</th>
<th>CMU</th>
<th>AC</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Residential Housing Types</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Unit Dwelling, Attached</td>
<td>P(1)/M(8)</td>
<td>P(2)/M(8)</td>
<td>P</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Multi-Unit Dwelling</td>
<td>P(1)/M(8)</td>
<td>P(2)/M(8)</td>
<td>P</td>
<td>-</td>
<td></td>
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<tr>
<td>Family Day Care</td>
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<td>See Section 23.22.140, Family Day Care</td>
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<tr>
<td>Low Barrier Navigation Centers</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>-</td>
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</tr>
<tr>
<td>Must be consistent with Government Code Section 65660 et seq</td>
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<tr>
<td>Small Residential Care Facility</td>
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</tr>
<tr>
<td>Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district.</td>
<td></td>
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</tr>
<tr>
<td>Supportive Housing</td>
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<tr>
<td>Transitional Housing</td>
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<tr>
<td>Public/Semi-Public Uses</td>
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<tr>
<td>Colleges and Trade Schools</td>
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<td>-</td>
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</tr>
<tr>
<td>Community Assembly</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>-</td>
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</tr>
<tr>
<td>See Section 23.22.060, Affordable Housing on Religious Facility Sites</td>
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<tr>
<td>Community Garden</td>
<td>C(3)</td>
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<tr>
<td>See Section 23.22.100, Community Gardens</td>
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<tr>
<td>Cultural Institutions</td>
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<td>C</td>
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<tr>
<td>Day Care Centers</td>
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<td>Government Offices</td>
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<td>Hospitals and Clinics</td>
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</tr>
</tbody>
</table>
## TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>CBD</th>
<th>EMC</th>
<th>CMU</th>
<th>AC</th>
<th>Additional Regulations</th>
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</thead>
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<tr>
<td>Skilled Nursing Facility</td>
<td>C(3)</td>
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<tr>
<td>Instructional Services</td>
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<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park and Recreation Facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Lots and Structures</td>
<td>C(3)</td>
<td>M</td>
<td>M</td>
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<td></td>
</tr>
<tr>
<td>Public Safety Facilities</td>
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<td>C</td>
<td>C</td>
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<td></td>
</tr>
<tr>
<td>Schools</td>
<td>C(3)</td>
<td>C</td>
<td>C</td>
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</tbody>
</table>

### Commercial Uses

**Animal Boarding and Veterinary Services**

- See subclassifications below

**Pet Day Care**

- M  
- M  
- M  
- Shall be entirely enclosed, soundproofed, and air-conditioned

**Veterinary Services**

- C(3)  
- P  
- P  
- M

**Automobile/Vehicle Sales and Services**

- See subclassifications below

**Automobile Rental**

- -  
- -  
- C  
- See Section 23.22.070, Automobile/Vehicle Sales and Services

**Automobile/Vehicle Sales and Leasing**

- -  
- -  
- C  
- See Section 23.22.070, Automobile/Vehicle Sales and Services

**Automobile/Vehicle Service and Repair, Minor**

- -  
- -  
- C  
- See Section 23.22.070, Automobile/Vehicle Sales and Services

**Automobile/Vehicle Repair, Major**

- -  
- -  
- C  
- See Section 23.22.070, Automobile/Vehicle Sales and Services

**Service Stations**

- C(3)  
- C  
- C  
- C  
- See Section 23.22.070, Automobile/Vehicle Sales and Services

**Vehicle Washing**

- -  
- -  
- C(7)  
- C(7)  
- See Section 23.22.070, Automobile/Vehicle Sales and Services and Alhambra Municipal Code Chapter 5.76, Commercial Auto Washing Facilities
TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>CBD</th>
<th>EMC</th>
<th>CMU</th>
<th>AC</th>
<th>Additional Regulations</th>
</tr>
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<tbody>
<tr>
<td>Banks and Financial Institutions</td>
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<tr>
<td>Commercial Entertainment and Recreation</td>
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<td>Cinema/Theater</td>
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<td>Bars/Night Clubs/Lounges</td>
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<td>Restaurants</td>
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<td>Food and Beverage Sales</td>
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<td>P</td>
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<td>Transportation, Communication, and Utility Uses</td>
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<td>See Section 23.22.240, Telecommunication Facilities</td>
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<td>Facilities within Buildings</td>
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<td>M</td>
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<td>Telecommunication</td>
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<td>See Section 23.22.240, Telecommunication Facilities</td>
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<td>Recycling Facility</td>
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<td>See Section 23.22.250 Temporary Uses</td>
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<tr>
<td>Reverse Vending Machine</td>
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<td>M</td>
<td>See Section 23.22.220, Recycling Facilities</td>
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<td>Small Collection Facility</td>
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<td>-</td>
<td>C</td>
<td>C</td>
<td>See Section 23.22.220, Recycling Facilities</td>
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<td>Transit Stations and Terminals</td>
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<td>Other Uses</td>
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<td>See Section 23.22.250 Temporary Uses</td>
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<td>Accessory Uses and Structures</td>
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<td>See Section 23.22.030, Accessory Uses and Section 23.12.020, Accessory Structures</td>
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<td>Cannabis Cultivation</td>
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<td>See Section 23.22.080, Cannabis Facilities, Cultivation, and Deliveries</td>
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<td>See Section 23.22.090, Collection Boxes</td>
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<td>Live Entertainment</td>
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<td>See Section 23.22.170, Live Entertainment</td>
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<td>Outdoor Dining and Seating</td>
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<td>See Section 23.22.200, Outdoor Dining and Seating</td>
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<td>Outdoor Display and Sales</td>
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<td></td>
<td>See Section 23.22.210, Outdoor Display and Sales</td>
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<td>Nonconforming Uses</td>
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<td>See Chapter 23.19, Nonconforming Uses, Sites, and Structures</td>
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<td>Temporary Uses</td>
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<td></td>
<td>See Section 23.22.250 Temporary Uses</td>
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### TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL ZONING DISTRICTS

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>CBD</th>
<th>EMC</th>
<th>CMU</th>
<th>AC</th>
<th>Additional Regulations</th>
</tr>
</thead>
</table>

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

Notes:

1. Limited to upper stories or in the rear of the site where a nonresidential use with a minimum depth of 45 feet is located along the Main Street frontage.
2. Limited to sites west of Granada Avenue.
3. Not allowed on Main Street, conditionally permitted in other locations.
4. Limited to upper stories or in the rear of the site where another nonresidential use with a minimum depth of 45 feet is located along the Main Street frontage.
5. Permitted in the RC Overlay District, Minor Use Permit approval is required in other locations.
6. Must contain a minimum of 100 square feet of retail floor area.
7. Prohibited on lots abutting a Residential Zoning District. In the CMU Zoning District, must be located a minimum of 500 feet from any other vehicle washing establishment.
8. When located on the ground floor along the Main Street frontage.

### 23.05.030 Development Standards

Table 23.05.030: Development Standards – Commercial and Mixed-Use Zoning Districts, prescribes the development standards for Commercial and Mixed-Use Zoning Districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the Additional Regulations column refer to other sections of this Title.

### TABLE 23.05.030: DEVELOPMENT STANDARDS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

<table>
<thead>
<tr>
<th>Standard</th>
<th>CBD</th>
<th>EMC</th>
<th>CMU</th>
<th>AC</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Residential Density (units per acre)</td>
<td>64</td>
<td>30 west of Granada Avenue</td>
<td>48</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>3.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td></td>
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<tr>
<td>Maximum Building Height (ft)</td>
<td>75</td>
<td>East of Granada Avenue: 25</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>West of Granada Avenue: 40 within 50 feet of a Residential Zoning District, otherwise 75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>40 within 50 feet of a Residential Zoning District, otherwise 75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>40 within 50 feet of a Residential Zoning District, otherwise 75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Standard</td>
<td>CBD</td>
<td>EMC</td>
<td>CMU</td>
<td>AC</td>
<td>Additional Regulations</td>
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<tr>
<td>----------------------------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>----</td>
<td>------------------------</td>
</tr>
<tr>
<td>Maximum Number of Stories</td>
<td>5</td>
<td></td>
<td>3</td>
<td></td>
<td>3 within 50 feet of a Residential Zoning District, otherwise 5</td>
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<tr>
<td></td>
<td></td>
<td>East of Granada Avenue: 2</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>West of Granada Avenue: 3 within 50 feet of a Residential Zoning District, otherwise 5</td>
<td></td>
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<tr>
<td>Minimum Setbacks (ft)</td>
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<tr>
<td>Front</td>
<td>0(A)</td>
<td>0(A)</td>
<td>0(A)</td>
<td>0(A)</td>
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<tr>
<td>Corner Side</td>
<td>0(A)</td>
<td>0(A)</td>
<td>0(A)</td>
<td>0(A)</td>
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<tr>
<td>Interior Side</td>
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<td>0, 10 adjacent to a Residential Zoning District</td>
<td>0, 10 adjacent to a Residential Zoning District</td>
<td>0, 10 adjacent to a Residential Zoning District</td>
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<td>Rear</td>
<td>0, 10 adjacent to a Residential Zoning District</td>
<td>0, 10 adjacent to a Residential Zoning District</td>
<td>0, 10 adjacent to a Residential Zoning District</td>
<td>0, 10 adjacent to a Residential Zoning District</td>
<td></td>
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</tbody>
</table>

**Additional Development Standards**

A. **Required Building Location, CBD, EMC, and CMU Districts.** The following building location requirements apply in the CBD, EMC, and CMU Districts.

1. **Build-to Line.** Buildings shall be located within 10 feet of street-facing property lines for at least 50 percent of the linear street frontage.

2. **Corner Build Area.** Buildings shall be located within 10 feet of the property line within 30 feet of the street corner.

3. **Frontage Improvements.** The area between buildings and the property line shall be improved as part of a wider sidewalk, outdoor dining/seating area, or with landscaping.

4. ** Modifications.** These requirements may be modified or waived through approval of a Modification upon finding that:
   a. Entry courtyards, plazas, entries, or outdoor eating areas are located adjacent to the property line and buildings are built to the edge of the courtyard, plaza, or dining area; or
   b. The building incorporates an alternative entrance design that creates a welcoming entry feature facing the street or is designed in a manner that compliments adjacent or surrounding land uses.
Chapter 23.06 Employment Zoning Districts

23.06.010 Purpose and Applicability

The purposes of the Employment Zoning Districts are to:

A. Designate adequate land for commercial businesses, professional offices, and industrial development, consistent with the General Plan;
B. Maintain and strengthen the City’s economic resources;
C. Provide a range of employment opportunities to meet the needs of current and future residents; and
D. Provide areas for a wide range of manufacturing, industrial processing, and service commercial uses, and protect areas where such uses now exist.

Additional purposes of each Employment Zoning District:

Professional Office (PO). The PO Zone is intended to provide areas for a range of medical, professional, and administrative offices; research and development activities; and other similar and compatible uses. The PO Zone implements the Office Professional and Medical Office General Plan Land Use Designations.

Industrial (I). The I Zone is intended to provide for a wide range of professional, service, industrial, manufacturing, warehousing, fitness, and compatible commercial uses to support a thriving employment areas to serve the needs of the community. The I Zone implements the Industrial General Plan Land Use Designation.

23.06.020 Land Use Regulations

Table 23.06.020: Land Use Regulations – Employment Zoning Districts, sets the land use regulations for the Employment Zoning Districts. Land uses are defined in Chapter 23.35, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title. Numbers in parentheses refer to specific limitations listed at the end of the table.

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>PO</th>
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<th>Additional Regulations</th>
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<tr>
<td>Residential Uses</td>
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<tr>
<td>Residential Housing Types</td>
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TABLE 23.06.020: LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

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<td>Live-Work Unit</td>
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<td>Must be consistent with Government Code Section 65660 et seq</td>
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<tr>
<td>Small Residential Care Facilities</td>
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<td>Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district.</td>
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<td>Supportive Housing</td>
<td>See Section 23.22.060, Affordable Housing on Religious Facility Sites</td>
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<td>Cultural Institutions</td>
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<td>Day Care Centers</td>
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<td>Emergency Shelter</td>
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<td>Park and Recreation Facilities</td>
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<tr>
<td>Veterinary Services</td>
<td>P</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>Automobile/Vehicle Sales and Services</td>
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<td>See subclassifications below</td>
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<tr>
<td><em>Automobile/Vehicle Service and Repair, Minor</em></td>
<td>-</td>
<td>M</td>
<td>See Section 23.22.070, Automobile/Vehicle Sales and Services</td>
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<tr>
<td><em>Automobile/Vehicle Repair, Major</em></td>
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<td>M</td>
<td>See Section 23.22.070, Automobile/Vehicle Sales and Services</td>
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<td><em>Service Stations</em></td>
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<td>M</td>
<td>See Section 23.22.070, Automobile/Vehicle Sales and Services</td>
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<tr>
<td>Banks and Financial Institutions</td>
<td>P</td>
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<td></td>
</tr>
<tr>
<td>Business Services</td>
<td>P</td>
<td>P</td>
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</tr>
<tr>
<td>Commercial Entertainment and Recreation</td>
<td></td>
<td></td>
<td>See subclassifications below</td>
</tr>
<tr>
<td><em>Indoor</em></td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><em>Outdoor</em></td>
<td>-</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>Drive-Through Facility</td>
<td>C</td>
<td>C</td>
<td>See Section 23.22.120, Drive-Through Facility</td>
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<tr>
<td>Eating and Drinking Establishments</td>
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<td></td>
<td>See subclassifications below</td>
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<tr>
<td><em>Bars/Night Clubs/Lounges</em></td>
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<td>-</td>
<td>See Section 23.22.190, On-sale Alcohol Beverage Establishments</td>
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<td><em>Restaurants</em></td>
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<td>M</td>
<td>See Section 23.22.190, On-sale Alcohol Beverage Establishments</td>
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<tr>
<td>Farmer's Markets</td>
<td>M</td>
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<td>See Section 23.22.150, Farmer's Markets</td>
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<tr>
<td>Food Preparation</td>
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<td>Funeral Parlors and Interment Services</td>
<td>C</td>
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<td>Offices</td>
<td>P</td>
<td>P</td>
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<td>Coworking Offices</td>
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<tr>
<td>Personal Services</td>
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<td>See subclassifications below</td>
</tr>
<tr>
<td><em>General Personal Services</em></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Repair and Maintenance Services</td>
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<td>P</td>
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</tr>
<tr>
<td>Retail Sales</td>
<td></td>
<td></td>
<td>See subclassifications below</td>
</tr>
<tr>
<td><em>Building Material Stores and Retail Garden Centers</em></td>
<td>-</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><em>Food and Beverage Sales</em></td>
<td>P</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><em>General Retail</em></td>
<td>P</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Land Use Classification</td>
<td>PO</td>
<td>I</td>
<td>Additional Regulations</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>----</td>
<td>---</td>
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<tr>
<td><strong>Outdoor Retail Sales and Nurseries</strong></td>
<td>-</td>
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<td></td>
</tr>
<tr>
<td><strong>Industrial Uses</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Construction and Material Yards</td>
<td>-</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Custom Manufacturing</td>
<td>-</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><strong>Food and Beverage Manufacturing</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Scale</td>
<td>-</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Large Scale</td>
<td>-</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>General Industrial</td>
<td>-</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>Light Industrial</td>
<td>-</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Research and Development</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Salvage and Wrecking</td>
<td>-</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td><strong>Storage, Warehousing, and Wholesaling</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Storage</td>
<td>-</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>Indoor</td>
<td>-</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Outdoor</td>
<td>-</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td><strong>Transportation, Communication, and Utility Uses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication Facilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities within Buildings</td>
<td>-</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td><strong>Telecommunication</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freight/Truck Facilities</td>
<td>-</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Light Fleet-Based Services</td>
<td>M</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Public Works and Utilities</td>
<td>-</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td><strong>Recycling Facility</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reverse Vending Machine</td>
<td>-</td>
<td>C</td>
<td>See Section 23.22.220, Recycling Facilities</td>
</tr>
<tr>
<td>Small Collection Facility</td>
<td>-</td>
<td>C</td>
<td>See Section 23.22.220 Recycling Facilities</td>
</tr>
<tr>
<td>Large Collection Facility</td>
<td>-</td>
<td>C</td>
<td>See Section 23.22.220, Recycling Facilities</td>
</tr>
<tr>
<td><strong>Other Uses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory Uses and Structures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cannabis Cultivation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed
Table 23.06.020: Land Use Regulations – Employment Zoning Districts

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>PO</th>
<th>I</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collection Boxes</td>
<td></td>
<td></td>
<td>See Section 23.22.090, Collection Boxes</td>
</tr>
<tr>
<td>Home Occupations</td>
<td></td>
<td></td>
<td>See Section 23.22.160, Home Occupations</td>
</tr>
<tr>
<td>Live Entertainment</td>
<td></td>
<td></td>
<td>See Section 23.22.170, Live Entertainment</td>
</tr>
<tr>
<td>Outdoor Dining and Seating</td>
<td></td>
<td></td>
<td>See Section 23.22.200, Outdoor Dining and Seating</td>
</tr>
<tr>
<td>Outdoor Display and Sales</td>
<td></td>
<td></td>
<td>See Section 23.22.210 Outdoor Display and Sales</td>
</tr>
<tr>
<td>Nonconforming Uses</td>
<td></td>
<td></td>
<td>See Chapter 23.19, Nonconforming Uses, Sites, and Structures</td>
</tr>
<tr>
<td>Temporary Uses</td>
<td></td>
<td></td>
<td>See Section 23.22.250, Temporary Uses</td>
</tr>
</tbody>
</table>

Notes:
1. Limited to the area bounded by Orange Street to the north, Mission Road to the south, Raymond Avenue to the east, and Palm Avenue to the west

23.06.030 Development Standards

Table 23.06.030: Development Standards – Employment Zoning Districts, prescribes the development standards for Employment Zoning Districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the Additional Regulations column refer to other sections of this Title.

Table 23.06.030: Development Standards – Employment Zoning Districts

<table>
<thead>
<tr>
<th>Standard</th>
<th>PO</th>
<th>I</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Residential Density (units/acre)</td>
<td>43</td>
<td>75</td>
<td>43</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>1.5; 3.3 for residential or mixed use projects on lots 30 acres or more in size</td>
<td>2.0</td>
<td></td>
</tr>
<tr>
<td>Maximum Height (feet)</td>
<td>40 within 50 feet of a Residential Zoning District, otherwise 75</td>
<td>75</td>
<td></td>
</tr>
<tr>
<td>Maximum Number of Stories</td>
<td>3 within 50 feet of a Residential Zoning District, otherwise 5 Residential or mixed use projects on lots 30 acres or more in size: 6</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Minimum Setbacks (ft)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Standard</td>
<td>PO</td>
<td>I</td>
<td>Additional Regulations</td>
</tr>
<tr>
<td>--------------</td>
<td>-----</td>
<td>----</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td><strong>Front</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>20</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Residential or mixed use projects on lots 30 acres or more in size: 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Corner Side</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td><strong>Side</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5</td>
<td></td>
<td>0, 10 adjacent to a Residential Zoning District</td>
</tr>
<tr>
<td></td>
<td>Residential or mixed use projects on lots 30 acres or more in size: 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rear</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10</td>
<td></td>
<td>0, 10 adjacent to a Residential Zoning District</td>
</tr>
<tr>
<td></td>
<td>Residential or mixed use projects on lots 30 acres or more in size: 0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Chapter 23.07 Public and Semi-Public Zoning Districts

23.07.010 Purpose and Applicability

The purposes of the Public and Semi-Public Zoning Districts are to:

A. Provide land for the development of public, semi-public, recreational, and public parking uses that provide services to the community and support existing and new residential, commercial, and industrial land uses;

B. Provide areas for educational facilities, cultural and institutional uses, health services, parks and recreation, general government operations, utility and public service needs, and other similar and related supporting uses; and

C. Provide opportunities for outdoor recreation and meet the recreational needs of City residents.

Additional purposes of each Public and Semi-Public Zoning District:

Public Facilities (PF). The PF Zone is intended to provide for a broad range of government, institutional, educational, and other facilities operated and under the control of a public agency. The PF Zone implements the Public Facilities and Institutional General Plan Land Use Designations.

Open Space (OS). The OS Zone is intended to provide and maintain areas for open space and active and passive park and recreation, including areas for natural resource, scenic, or historic preservation and outdoor and indoor recreation such as playing fields, playgrounds, community centers, and other recreational uses. The OS Zone implements the Open Space General Plan Land Use Designation.

23.07.020 Land Use Regulations

Table 23.07.020: Land Use Regulations – Public and Semi-Public Zoning Districts, sets the land use regulations for the Public and Semi-Public Zoning Districts. Land uses are defined in Chapter 23.35, Use Classifications. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title. Numbers in parentheses refer to specific limitations listed at the end of the table.

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>PF</th>
<th>OS</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public/Semi-Public Uses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cemeteries and Columbarium</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Colleges and Trade Schools</td>
<td>C</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>
### TABLE 23.07.020: LAND USE REGULATIONS – PUBLIC AND SEMI-PUBLIC ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>PF</th>
<th>OS</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Assembly</td>
<td>C</td>
<td>C</td>
<td>See Section 23.22.060, Affordable Housing on Religious Facility Sites</td>
</tr>
<tr>
<td>Community Garden</td>
<td>M</td>
<td>-</td>
<td>See Section 23.22.100, Community Gardens</td>
</tr>
<tr>
<td>Cultural Institutions</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Day Care Centers</td>
<td>M</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Emergency Shelter</td>
<td>P</td>
<td>-</td>
<td>See Section 23.22.130, Emergency Shelters</td>
</tr>
<tr>
<td>Government Offices</td>
<td>P</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Hospitals and Clinics</td>
<td>See subclassifications below</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Clinics</strong></td>
<td>P</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Hospitals</strong></td>
<td>M</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Skilled Nursing Facility</strong></td>
<td>M</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Instructional Services</td>
<td>M</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Park and Recreation Facilities</td>
<td>M</td>
<td>P</td>
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<tr>
<td>Parking Lots and Structures</td>
<td>M</td>
<td>-</td>
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<tr>
<td>Public Safety Facilities</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Schools</td>
<td>C</td>
<td>C</td>
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</tr>
<tr>
<td><strong>Commercial Uses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Entertainment and Recreation</td>
<td>See subclassifications below</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Indoor</strong></td>
<td>M</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Outdoor</strong></td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Farmer’s Markets</td>
<td>M</td>
<td>M</td>
<td>See Section 23.22.150, Farmer’s Markets</td>
</tr>
<tr>
<td><strong>Transportation, Communication, and Utility Uses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication Facilities</td>
<td>See subclassifications below</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Facilities within Buildings</strong></td>
<td>P</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Telecommunication</strong></td>
<td>See Section 23.22.240, Telecommunication</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freight/Truck Facilities</td>
<td>M</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Light Fleet-Based Services</td>
<td>M</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Public Works and Utilities</td>
<td>P</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Recycling Facility</td>
<td>P</td>
<td>-</td>
<td>See Section 23.22.220, Recycling Facilities</td>
</tr>
</tbody>
</table>
TABLE 23.07.020: LAND USE REGULATIONS – PUBLIC AND SEMI-PUBLIC ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>PF</th>
<th>OS</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transit Stations and Terminals</td>
<td>P</td>
<td>-</td>
<td></td>
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</tbody>
</table>

Other Uses

<table>
<thead>
<tr>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Uses and Structures: See Section 23.22.030, Accessory Uses; and Section 23.12.020, Accessory Structures</td>
</tr>
<tr>
<td>Nonconforming Uses: See Section 23.19, Nonconforming Uses, Sites, and Structures</td>
</tr>
<tr>
<td>Temporary Uses: See Section 23.22.250, Temporary Uses</td>
</tr>
</tbody>
</table>

23.07.030 Development Standards

Table 23.07.030: Development Standards – Public and Semi-Public Zoning Districts, prescribes the development standards for Public and Semi-Public Zoning Districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the Additional Regulations column refer to other sections of this Title.

<table>
<thead>
<tr>
<th>Standard</th>
<th>PF</th>
<th>OS</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>1.5</td>
<td>0.2</td>
<td></td>
</tr>
<tr>
<td>Maximum Height (feet)</td>
<td>40 within 50 feet of a Residential Zoning District, otherwise 55</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Maximum Number of Stories</td>
<td>3 within 50 feet of a Residential Zoning District, otherwise 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Setbacks (ft)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Corner Side</td>
<td>10</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>5</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>10</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>
Chapter 23.08 Specific Plan Districts

23.08.010 Purpose

The purpose of this Chapter is to identify all of the adopted Specific Plans that apply in the City of Alhambra and reference the regulations that apply.

23.08.020 Applicability

A. Once adopted, a Specific Plan shall govern all use and development of properties within the bounds of that Specific Plan.

B. Where a Specific Plan is silent regarding development standards, the provisions of this Title shall govern. The Director shall have the authority to determine which provisions of this Title apply where a Specific Plan is silent.

C. When a use is not specifically listed as permitted in the Specific Plan, the Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the Specific Plan as permitted or not found to be substantially like a permitted use are prohibited.

D. No discretionary entitlement applications or other permits may be approved, adopted, or amended within an area covered by a Specific Plan, unless found to be consistent with the adopted Specific Plan.

23.08.030 Adopted Specific Plans

The following is a list of the City’s adopted Specific Plans. Each Specific Plan area is mapped on the official Zoning Map.

A. 2300 Poplar Boulevard Specific Plan. See the 2300 Poplar Boulevard Specific Plan on file with the City of Alhambra.

B. 2400 South Fremont Avenue Specific Plan. See the 2400 South Fremont Avenue Specific Plan on file with the City of Alhambra.

C. 2500 West Hellman Avenue Specific Plan. See the 2500 West Hellman Avenue Specific Plan on file with the City of Alhambra.

D. Alhambra Pacific Plaza Specific Plan. See the Alhambra Pacific Plaza Specific Plan on file with the City of Alhambra.

E. Alhambra Place Specific Plan. See the Alhambra Place Specific Plan on file with the City of Alhambra.

F. Alhambra – 100 Bay Street (Alhambra Walk) Specific Plan. See the Alhambra – 100 Bay Street (Alhambra Walk) Specific Plan on file with the City of Alhambra.
G. **Alhambra 5th and Main Specific Plan.** See the Alhambra 5th and Main Specific Plan on file with the City of Alhambra.

H. **Casita de Zen Specific Plan.** See the Casita de Zen Specific Plan on file with the City of Alhambra.

I. **Marengo & Acacia Specific Plan.** See the Marengo & Acacia Specific Plan on file with the City of Alhambra.
Chapter 23.09 Regional Commercial (-RC) Overlay District

23.09.010 Purpose

The purpose of this Chapter is to create a zoning overlay district which will promote the development of regional retail uses within the community; revitalize the economic growth and health of the area; stabilize and enhance the value of property; improve the City’s share of regional retail sales; create and renew proper relationships between tax revenues of real property and the cost of municipal services and thereby promote and protect the health, safety, comfort, appearance and general welfare of the community.

23.09.020 Applicability

The provisions of this Chapter apply to all lands within the boundaries of the Regional Commercial (-RC) Overlay District shown on the Zoning Map.

23.09.030 Minimum Lot Size

The minimum lot size within the Regional Commercial (-RC) Overlay District is five acres. Development on lots less than five acres in size is allowed subject to Section 23.12.030, Development on Substandard Lots.
Chapter 23.10 West Main Corridor Master Plan (-WMC) Overlay District

23.10.010 Purpose

The purpose of this Chapter is to identify the applicability of the West Main Corridor Master Plan.

23.10.020 Applicability

The West Main Corridor Master Planning Document applies to all use and development of properties within the boundaries of the West Main Corridor Master Planning area.

23.10.030 West Main Corridor Master Plan

All development within the West Main Corridor Master Plan (-WMC) Overlay District shall be consistent with the goals, objectives, and design requirements of the West Main Corridor Master Plan.
Chapter 23.11 Planned Development (-PD) Overlay District

23.11.010 Purpose

The purpose of this Chapter is to establish a Planned Development (-PD) Overlay District that provides for one or more properties to be developed under a plan that provides for better coordinated development and incorporates development standards crafted to respond to site conditions to:

A. Promote the development of a cohesive and aesthetically pleasing urban structure;
B. Provide for greater flexibility in the design of the developments than is otherwise possible through the strict application of zone regulations;
C. Ensure compliance with the General Plan and provide various types of land use which can be combined in compatible relationships with each other as a part of a holistically planned development; and
D. Promote innovation and creativity in building design and development concepts.

23.11.020 Zoning Map Designation

A Planned Development Overlay District shall be noted on the Zoning Map by adding the designation “-PD” to the base zone.

23.11.030 Land Use Regulations

No use other than an existing use is permitted in a -PD Overlay District except in compliance with a valid PD Plan.

A. Any permitted or conditional use authorized by this Title may be included in an approved PD Plan consistent with the General Plan land use designation(s) for the property.

23.11.040 Development Standards

A. Minimum Area. The minimum area of a PD Overlay District shall be one acre; however, the City Council may approve a smaller area if it finds that a PD would provide greater benefits to the general welfare of the Alhambra residents and property owners than development under conventional zoning because of unique characteristics of the site or the proposed use.

B. Residential Unit Density. Except where a density bonus is granted in compliance with Chapter 23.14, Affordable Housing, Density Bonuses, and Incentives, the total number of dwelling units in a PD Overlay District shall not exceed the maximum number permitted by the General Plan density for the total area of the planned development designated for residential use.
C. **Other Development Standards.** Other development standards shall be as prescribed by the PD Overlay District. Where the PD Overlay District is silent regarding particular development standards, the development standards of the applicable base zoning district shall apply.

**23.11.050 Project Review**

Plans for a project in a PD Overlay District shall be accepted for planning and building permits or subdivisions only if they are consistent with an approved PD Plan and any conditions of approval or the PD Overlay District development standards. No project may be approved and no building permit issued unless the project, alteration or use is consistent with an approved PD Plan and PD Overlay District.
Article III: Citywide Regulations

Chapter 23.12 General Site Regulations

23.12.010 Purpose and Applicability

The purpose of this Chapter is to prescribe site regulations that apply, except where specifically stated, to development in all zoning districts. These standards shall be used in conjunction with the standards for each district established in Article II, District Regulations. In any case of conflict, the standards specific to the district shall control.

23.12.020 Accessory Structures

A. Applicability.

1. Detached Structures. The provisions of this Section apply to roofed structures, including but not limited to garages, carports, sheds, workshops, gazebos, and covered patios which are detached from and accessory to a main building on the site. These provisions also apply to open, unroofed structures such as play equipment, decks and trellises, that are over 24 inches in height and are detached from and accessory to a main building on the site.

2. Attached Structures. The provisions of this Section do not apply to accessory structures attached to a main building, which shall comply in all respects with the requirements of this Title applicable to the main building. Structures with a common wall or roof with the main building shall be considered part of the main building.

3. Accessory Dwelling Units. Accessory Dwelling Units, attached or detached, are subject to the standards of Section 23.22.040, Accessory Dwelling Units.

B. Relation to Existing Structures. A detached accessory structure may only be constructed on a lot on which there is a permitted main building to which the accessory structure is related.

C. Development Standards. Accessory structures shall meet the development standards of the Zoning District in which it is located except as follows:

1. Maximum Height. Accessory structures shall not exceed a height of 15 feet.
2. **Corner Side Setbacks.** Accessory structures less than four feet in height may be located within the required corner side setback up to three feet from the corner side lot line.

3. **Interior Side and Rear Setbacks.** Accessory structures shall be set back a minimum of three feet from any interior side or rear lot line.

4. **Rear Yard Coverage.** Accessory structures shall not occupy more than 40 percent of the required rear yard setback area.

D. **Plumbing.** Residential accessory structures may have the plumbing for laundry, water heaters, toilet, shower, and/or sink subject to the following limitations:

1. Sinks are limited to single compartment sinks; multi-compartment kitchen type sinks are not allowed.
2. Access to a bathroom must be from the exterior of the building only. No interior access is allowed.

### 23.12.030 Development on Substandard Lots

A substandard lot is any lot or parcel of land that was legally created through a recorded deed even when consisting of an area, width, or depth less than that required by zoning district regulations.

A. **Development Standards.** A substandard lot is buildable but shall be subject to the same development standards as a standard lot.

B. **Reductions Prohibited.** No substandard lot shall be further reduced in area, width, or depth, unless such reduction is required as part of a public improvement.

### 23.12.040 Encroachments into Required Setbacks

Where setbacks and open yard areas are required in this Title, they shall be not less in depth or width than the minimum dimension specified, shall be at every point open, and shall not be obstructed with non-movable features from the ground upward, except as provided in Table 23.12.040, Allowed Encroachments into Required Setbacks, or as specifically identified in another section of this Title.

<table>
<thead>
<tr>
<th>Encroachment</th>
<th>Front Setback</th>
<th>Corner Side Setback</th>
<th>Interior Side Setback</th>
<th>Rear Setback</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>All encroachments</td>
<td>No encroachment may extend closer than three feet to an interior lot line or into a public utility easement unless specifically stated. Where any allowance of this Title conflicts with applicable building codes, the more restrictive shall apply.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## TABLE 23.12.040: ALLOWED ENCROACHMENTS INTO REQUIRED SETBACKS

<table>
<thead>
<tr>
<th>Encroachment</th>
<th>Front Setback</th>
<th>Corner Side Setback</th>
<th>Interior Side Setback</th>
<th>Rear Setback</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornices, canopies, eaves, and similar architectural features</td>
<td>4 feet</td>
<td>4 feet</td>
<td>2 feet</td>
<td>4 feet</td>
<td></td>
</tr>
<tr>
<td>Chimneys</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bay windows</td>
<td>1.5 feet</td>
<td>1.5 feet</td>
<td>1.5 feet</td>
<td>1.5 feet</td>
<td></td>
</tr>
<tr>
<td>Fire escapes required by law or public agency regulation</td>
<td>3 feet</td>
<td>3 feet</td>
<td>3 feet</td>
<td>3 feet</td>
<td></td>
</tr>
<tr>
<td>Uncovered stairs, ramps, stoops, landings, decks, porches, balconies, and platforms</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>All elements two feet or less above sidewalk grade or ground elevation where there is no adjacent sidewalk</strong></td>
<td>6 feet</td>
<td>May encroach up to property line</td>
<td>May encroach up to property line</td>
<td>May encroach up to property line</td>
<td></td>
</tr>
<tr>
<td><strong>All elements more than two feet above sidewalk grade or ground elevation where there is no adjacent sidewalk</strong></td>
<td>1.5 feet</td>
<td>1.5 feet</td>
<td>1.5 feet</td>
<td>1.5 feet</td>
<td></td>
</tr>
<tr>
<td>Covered porches and patios</td>
<td>May not encroach</td>
<td>4 feet</td>
<td>May encroach up to three feet from property line</td>
<td>May encroach up to three feet from property line</td>
<td></td>
</tr>
<tr>
<td>Ramps and similar structures that provide access for persons with disabilities</td>
<td>Reasonable accommodation will be made, consistent with the Americans with Disabilities Act, See Chapter 23.31, Reasonable Accommodation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 23.12.050 Fences and Freestanding Walls

Fences, walls, dense hedges, and similar structures shall comply with the standards of this Section.

A. **Maximum Height.** The maximum allowed height of fences, walls, dense hedges, and related structures is as follows:

1. **Front Setbacks and within Five Feet of a Corner Side Property Line.** Fences, walls, dense hedges, and similar structures located within the required front setback and within five feet of a corner side property line are subject to Design Review pursuant to Chapter 23.26, Design Review, and the following.
a. Fences, walls, dense hedges, and similar structures may be a maximum of three feet high measured from finished grade.
b. The fence or wall shall not be constructed from grey smooth block, wire or chain link.
c. The fence or wall shall not contain any points or ornamentation along its top.
d. The fence or wall shall be architecturally compatible with the design and style of the associated development and any corner side yard fence.

2. **With 20 Feet of a Corner.** Fences, walls, dense hedges, and similar structures located within 20 feet of an intersection shall comply with the standards of Section 23.12.170, Visibility at Intersections.

3. **Other Areas.** Fences, walls, dense hedges, and similar structures located on all other portions of a lot may be a maximum of six feet.
   a. **Exceptions.** Fences, walls, dense hedges, and similar structures exceeding six feet in height to enclose commercial or industrial uses, tennis courts, or similar areas, when such fences are not in a street setback area, may be erected with approval of a Minor Use Permit.

B. **Prohibition on Hazardous Fencing Materials.** The use of barbed wire, razor wire, ultra-barrier, electrified, and other hazardous fencing is not permitted unless such fencing is required by any law or regulation of the City, the State of California, Federal Government, or other public agency. An exception to this standard may be approved for sites in an Industrial District, according to the procedures of Chapter 23.29, Modifications.

C. **Maintenance.** All walls and fences shall be maintained in a safe, neat and orderly condition at all times.

23.12.060 Grading

The intent of this Section is to ensure that the finish grade of a project site is commensurate with or not significantly higher than the finished grade of adjacent properties. A project site shall not be artificially raised so that the finished elevation of the first floor street elevation of any structure, excepting subsurface parking, is more than three feet higher than the top of the required curb at any point of any adjacent public right-of-way. Additionally, a project site shall not be artificially raised more than two feet above the finished grades of adjacent properties measured at the property line.

23.12.070 Height Exceptions

The structures listed in the following table may exceed the maximum permitted building height for the zoning district in which they are located, subject to the limitations stated and further provided that no portion of a structure in excess of the building height limit may contain habitable areas or advertising.
TABLE 23.12.070: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS

<table>
<thead>
<tr>
<th>Allowed Projection</th>
<th>Maximum Vertical Projection Above the Height Limit</th>
<th>Maximum Coverage and Locational Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skylights</td>
<td>1 foot</td>
<td>None</td>
</tr>
<tr>
<td>Chimneys</td>
<td>8 feet</td>
<td>None</td>
</tr>
<tr>
<td>Flagpoles</td>
<td>15 feet</td>
<td>None</td>
</tr>
<tr>
<td>Decorative features such as spires, cupolas, bell towers, domes, obelisks, and monuments</td>
<td>10 feet</td>
<td>Limited to a total of 20% of roof area, inclusive of all structures</td>
</tr>
<tr>
<td>Rooftop open space features such as sun decks, sunshade and windscreen devices, open trellises, and landscaping</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elevator and stair towers</td>
<td>20 feet</td>
<td>Limited to a total of 10% of roof area</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Must be setback from the exterior wall one foot for every foot of projection above the height limit</td>
</tr>
<tr>
<td>Mechanical equipment penthouses</td>
<td>10 feet</td>
<td>Limited to 60% of roof area</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Must be setback from the exterior wall one foot for every foot of projection above the height limit</td>
</tr>
<tr>
<td>Mechanical equipment</td>
<td>5 feet</td>
<td>Must be setback from the exterior wall one foot for every foot of projection above the height limit</td>
</tr>
<tr>
<td>Fire escapes, catwalks, and open railings required by law</td>
<td>No restriction</td>
<td>None</td>
</tr>
<tr>
<td>Telecommunications facilities, antennas, microwave equipment, and radio towers</td>
<td>Subject to the provisions of Section 23.22.240, Telecommunications Facilities</td>
<td></td>
</tr>
</tbody>
</table>

23.12.080 Lighting and Illumination

A. **Applicability.** The standards of this Section apply to all new development and to exterior alterations and additions that involve replacement light fixtures or systems, except as provided below.

1. **Exemptions.** The following lighting is exempt from the provisions of this Section.
   a. **Public Street Lighting.**
   b. **Athletic Field Lights.** Athletic field lights used within a public school campus or public park.
   c. **Safety and Security Lighting.** Safety and security lighting for public facilities.
d. **Construction and Emergency Lighting.** All construction or emergency lighting fixtures, provided they are temporary and are discontinued immediately upon completion of the construction work or abatement of the emergency.

B. **Prohibitions.** The following types of exterior lighting are prohibited.

1. **Searchlights.** The operation of searchlights for advertising purposes.
2. **Mercury Vapor.** Mercury vapor lights.
3. **Other Light Types.** Laser lights or any other lighting that flashes, blinks, alternates, or moves.

C. **Minimum Illumination.**

1. **Parking and Access Areas.** Parking and access areas shall be maintained in compliance with Section 23.20.090.J, Lighting.
2. **Multi-Unit Residential Buildings.** Aisles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least one-quarter foot-candles at the ground level during the hours of darkness.
3. **Non-Residential Buildings.** All exterior doors, during the hours of darkness, shall be illuminated with a minimum of one-half foot-candle of light.

D. **General Requirements.**

1. **Fixture Types.** All luminaries shall meet the most recently adopted criteria of the Illuminating Engineering Society of North America (IESNA) for "Cut Off" or "Full Cut Off" luminaries.
2. **Design of Fixtures.** Fixtures shall be appropriate to the style and scale of the architecture. Fixtures on buildings shall be attached only to walls or eaves, and the top of the fixture shall not exceed the height of the parapet or roof or eave of roof.
3. **Timing Controls.** All outdoor lighting in nonresidential development shall be on a time clock or photo-sensor system and turned off during daylight hours and during hours when the building are not in use and the lighting is not required for security.
4. **Trespass.** All lights shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties. The light level at property lines shall not exceed 0.3 foot-candles.

**23.12.090 Outdoor Storage**

Storage of goods, materials, machines, equipment, and inoperable vehicles or parts outside of a building for more than 72 hours is prohibited except as provided below. The regulations of this Section do not apply
to temporary storage of construction materials reasonably required for construction work on the premises pursuant to a valid building permit or to the parking and storage of operable vehicles.

A. **Industrial Zone.** In the Industrial Zone, outdoor storage is permitted as an accessory use and allowed as primary use with the approval of a Conditional Use Permit.

   1. **Location.** Outdoor storage shall not be located in the required front and corner side setbacks, parking and circulation areas, and required landscaped areas.

   2. **Screening.** Outdoor storage shall be screened subject to the standards of Section 23.12.120, Screening

B. **Public Facilities Zone.** In the Public Facilities Zone, outdoor storage is permitted as an accessory use.

   1. **Location.** Outdoor storage shall not be within the required setbacks, parking and circulation areas, and required landscaped areas.

   2. **Screening.** Outdoor storage shall be screened subject to the standards of Section 23.12.120, Screening

### 23.12.100 Recreational Vehicle Storage

Storage of boats, trailers, recreational vehicles and other similar vehicles shall be prohibited unless specifically designated areas for the exclusive storage of such vehicles are set aside on the development plan and provided for in the project covenants, conditions and restrictions. Where such areas are provided, they shall be permitted in the interior and rear yards setback with a minimum of three feet from interior and rear property lines, shall be prohibited in the front and corner street side yards, enclosed and screened from view by a six-foot high decorative masonry wall and opaque gate, and landscaping, with adequate security lighting directed away from adjacent residences.

### 23.12.110 Refuse and Recycling Collection Areas

This Section establishes design and locational criteria for refuse, solid waste, recycling, compost, and green waste container storage areas. Refuse, solid waste, recycling, compost, and green waste are collectively referred to as “waste and recycling.”

A. **General Requirements.** All waste and recycling shall be placed in an appropriate receptacle. All garbage cans, mobile trash bins, receptacles, and all recycling materials and containers for such recycling materials shall be maintained and stored in compliance with this Section.

B. **Containment.** All development shall provide either individual waste and recycling containers or waste and recycling enclosures consistent with the following:

   1. **Individual Waste and Recycling Containers.** Individual waste and recycling containers for each unit or tenant may be provided as follows:
a. **Development Type.** Individual waste and recycling containers may be provided for:
   
i. Single-unit development.
   
ii. Multi-unit development with three or fewer units.
   
iii. Nonresidential development where the Director finds that the nature of the proposed development is such that the development will be adequately served with individual waste and recycling containers.

b. **Location.** The waste and recycling containers shall not be located within any required front setback, corner side setback, any required parking and landscaped areas, or any other area required by this Title to be constructed or maintained unencumbered, according to fire and other applicable building and public safety codes.

c. **Visibility.** The waste and recycling containers shall not be visible from a public right-of-way.

2. **Waste and Recycling Container Enclosures.** Waste and recycling container enclosures are required for all new residential developments of four or more residential units and nonresidential development except where the Director finds the development will be adequately served with individual waste and recycling containers pursuant to Subsection (B)(1)(a) above.

   a. **Size.** Waste and recycling-container enclosures shall be sized to accommodate all trash, garbage, recyclables, and green waste until such items are picked up by the City or its contracted waste and recycling collector.

   b. **Location.**
      
i. The waste and recycling container enclosure shall be located within 100 feet of an access point to the building they serve for nonresidential development and within 200 feet of an access point to the unit it serves for residential development.

      ii. The waste and recycling container enclosure shall not be located within any required front setback, corner side setback, any required parking and landscaped areas, or any other area required by this Title to be constructed or maintained unencumbered, according to fire and other applicable building and public safety codes.

   c. **Accessibility.**
      
i. Waste and recycling storage areas shall be accessible so that trucks and equipment used by the contracted waste and recycling collector have sufficient maneuvering areas and, if feasible, so that the collection equipment can avoid backing up.
ii. For residential development with ten or more units, independent access shall be provided such that trash can be deposited without opening gates.

d. **Screening.** Waste and recycling storage areas located outside or on the exterior of any building shall be screened with a solid enclosure at least five feet high and include a roof structure.

e. **Enclosure Material.** Enclosure material shall be solid masonry or concrete tilt-up with decorated exterior-surface finish. The trash enclosure shall match and complement the color scheme and architecture of the associated development.

f. **Gate Material.** Latching, view-obscuring gates shall be provided to screen trash enclosure openings.

### 23.12.120 Screening

**A. Applicability.** The standards of this Section apply to all new development and additions that expand existing floor area by 10 percent or more.

1. **Exceptions.** Modifications to the standards of this Section may be granted pursuant to Chapter 23.29, Modifications, where the review authority finds that the characteristics particular to the property or vicinity would render the required fencing or screening unnecessary or ineffective.

**B. Required Screening.**

1. **Roof-mounted Equipment and Duct Systems.** All roof-mounted equipment shall be screened according to the following standards:

   a. **Flat Roof, Partial or No Parapet.** Roof-mounted equipment or ducts located on a flat roof (partial or no parapet) shall be screened from view from any street, public right-of-way or adjacent property. The screening shall be solid match and complement the color scheme and architecture of the building.

   b. **Pitched Roof.** For roof-mounted equipment or ducts located on a pitched roof, the pitched roof shall be designed and constructed to accommodate roof-mounted equipment. A platform shall be constructed and recessed into the roof such that one side of the equipment shall be below the pitch of the roof. The remainder of the equipment and ducts which are above the roof pitch shall be screened from view from any street, public right-of-way or adjacent property. The screening shall be solid match and complement the color scheme and architecture of the building or roof.

   c. **Parapet Roof.** For roof-mounted equipment or ducts located on a parapet roof, the parapet roof shall be designed and constructed to accommodate roof-mounted equipment. Any portion of the equipment or ducts which are above the parapet shall be screened from view from any street, public right-of-way or adjacent
property. The screening shall be solid and match and complement the color scheme and architecture of the building.

2. **Utility Service.** All new utility service shall be installed in accordance with the standards listed below. For the purposes of this Section, utilities shall include, but shall not be limited to the following: electricity, telephone, gas, water and cable television.

   a. When new utility service is installed in conjunction with new or existing development, all existing and proposed utilities on a project site shall be placed underground. Such undergrounding shall be accomplished in accordance with the utility's rules and tariff schedules on file with the California Public Utilities Commission. Exceptions may be granted by the Director where undergrounding of utilities is infeasible due to health and safety or utility requirements.

   b. All surface or ground mounted utility facilities, including transformers, terminal boxes, pull boxes, gas meters and electric meter cabinets shall be screened from public view and/or treated to match the materials and colors of the adjacent building or treated with an acceptable wrap design.

   c. Electric meters which are located on the exterior of a building shall be contained within a flush mounted cabinet and screened from public view. The meter cabinets shall match the building materials and color.

   d. Gas meters which are located in the front of a building shall be screened from public view with a minimum 30-inch high masonry wall. Such wall shall be treated to match the color and finish of the adjacent building.

   e. Exceptions may be granted by the Director where screening is infeasible due to health and safety or utility requirements.

3. **Common Property Lines.** A screening wall shall be provided on the interior lot lines of any lot that contains any use in the Industrial Use Classification or the Transportation, Communication, and Utilities Use Classification except Telecommunications Facilities, and abuts a Residential Zone or residential use.

   a. **Timing.** The screening wall shall be provided at the time of new construction or expansion of buildings, or changes from one use classification to another use classification.

   b. **Location.** Screening walls shall follow the lot line of the lot to be screened unless the Director finds that screening in another location on the lot will substantially screen the subject building, facility, or activity.

   c. **Height.** The screening wall shall be four feet in height within the required front setback of the subject lot and adjacent to the required front setback of the adjacent residential lot and six feet in height in other locations.

   d. **Materials.** The screening wall shall be solid masonry.
4. **Outdoor Storage Areas.** Outdoor storage areas shall be screened from public rights-of-way, adjacent Residential Zones or residential uses, and publicly accessible open space areas with a solid masonry wall a minimum of six feet in height.

C. **Maintenance.** Screening walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the required and the maximum allowed height.

### 23.12.130 Security Devices

Security devices, including gate, bars, grille or other such physical barrier intended to protect and secure a building, structure or storefront from unauthorized intrusion, shall be located and designed in compliance with the following standards.

A. **Residential Zones and Residential Uses.** Security devices on doors and windows, are prohibited in all Residential Zones and on all Residential Uses. Those security devices installed prior to March 21, 2016 are considered legal nonconforming, provided they were installed in compliance with Fire Code then in effect, and may remain until such time as changes, modifications, alterations or improvements which require City approval are made to the structure.

B. **Nonresidential Zones.** Security devices are allowed in nonresidential zoning districts. Security devices on building openings which face public streets shall comply with the following standards.

1. **Interior Mounted Security Devices.** Interior mounted security devices are allowed in compliance with the following standards.
   a. The security devices shall be interior mounted, retractable or openable, and concealed from public view during business hours.
   b. Any associated mechanical equipment or housing shall be concealed from public view.
   c. The security devices shall be architecturally integrated with the design of the building.

2. **Exterior Mounted or Fixed, Non-Retractable or Non-Openable Security Devices.** Exterior mounted or fixed, non-retractable or non-openable security devices are allowed pursuant to Design Review Board approval and the following standards.
   a. Security devices, bars and decorative wrought iron grillwork may be permitted for windows or other building openings.
   b. Decorative wrought iron grillwork or gates may also be permitted for doors, porches, breezeways and other building openings. Such grill-work must be openable or retractable and concealed from view during business hours.
   c. Exterior mounted security shutters are also permitted provided that such devices are retractable and are concealed from view during business hours.
d. Security devices shall be architecturally integrated with the design of the building, shall be aesthetically attractive and shall not overwhelm or dominate the building.

C. **Installation.** Security devices shall be installed in compliance with all applicable regulations of the Fire and Police Departments and the Building Division.

D. **Nonconforming Security Devices.** Immediately upon any change, modification, alteration in the building, a new use requiring a new business license (excepting change of ownership), or discontinuation of use of the premises for more than 14 consecutive days, to which any existing nonconforming security devices relate, all such devices shall become unlawful and shall be removed or abated as provided in Section 23.24.150, Enforcement, and the Alhambra Municipal Code.

### 23.12.140 Swimming Pools

Swimming pools and spas having a depth or more than 18 inches, that are not completely enclosed within a building shall comply with the following standards in addition to all other applicable requirements of this Title. All setbacks are measured from the water line of the pool.

A. **Front Yards.** Swimming pools, spas and pool equipment shall not be located within a required front yard.

B. **Side and Rear Yards.** Swimming pools, spas and pool equipment may be located within the required interior side, or rear yard provided the swimming pool and pool equipment, including pumps, are located a minimum of three feet from any property line.

C. **Corner Side Yards.** Swimming pools, spas and pool equipment may be located within the required corner side yard provided the swimming pool and pool equipment, including pumps, are located a minimum of five feet from any property line.

### 23.12.150 Tree Preservation

A. **Purpose and Intent.** This Section is established to recognize oaks, and other California native and mature trees as significant aesthetic and ecological resources and to create favorable conditions for the preservation and propagation of plant heritage for the benefit of the current and future residents of the City and to:

1. Maintain and enhance the public health, safety and welfare through the mitigation of soil erosion and air pollution.

2. Preserve and enhance property values through conserving and enhancing the distinctive and unique aesthetic character of many areas in the City.

B. **Applicability.** The provisions of this Section apply to all protected trees defined as follows.

1. **Protected Trees.**
a. Quercus family trees (oaks) taller than 15 feet, or with a trunk diameter larger than 12 inches in diameter, or 36 inches in circumference, measured at a point four and one-half feet above the root crown.

b. California native trees taller than 15 feet, or with a trunk diameter larger than 12 inches in diameter, or 36 inches in circumference, measured at a point four and one-half feet above the root crown.

c. Mature tree: A tree taller than 20 feet or with a trunk diameter larger 24 inches in diameter, or 75 inches in circumference, measured at a point four and one-half feet above the root crown.

C. **Tree Permit Required.** A Tree Permit is required to remove, top, trim, prune, damage, or otherwise materially alter a protected tree on private property, except as provided below.

1. **Exceptions.** The following are exempt from the requirement for a Tree Permit.
   a. Trees located in the required rear and side yards in the R-1 and R-2 zoning districts.
   b. Fruit trees.
   c. Any palm tree that is not listed as a California native.
   d. Normal and routine trimming or pruning which does not constitute trimming or topping or result in damage or death to a tree.
   e. Removal of dead wood.
   f. Cases of emergency where the Community Development Director, Director of Public Works, or member of a law enforcement agency or Fire Department, determines that the protected tree poses an imminent threat to the public safety, or general welfare.
   g. Removal or relocation of trees necessary to obtain adequate line-of-sight distances for traffic safety as required by the Community Development Director or the Director of Public Works Services.
   h. Removal or trimming of trees for the protection of any public property or public utility property that is undertaken by authority of the City, other public agency having jurisdiction, or public utility.

D. **Tree Permit-Hazardous or Diseased Trees.**

1. **Application.** An application for a Tree Permit for the removal of a diseased or hazardous protected tree shall be made to the Community Development Department pursuant to Section 23.24.020, Application Forms and Fees and contain documentation substantiating the condition of the tree as hazardous or diseased.

2. **Decision.** The Director shall approve, conditionally approve, or deny the application within 10 working days.
3. **Expiration.** A Tree Permit for a hazardous or diseased tree shall automatically expire if the activities authorized by the permit are not completed within six months after the date of approval.

4. **Replacement.** Replacement trees are not required for the removal of a hazardous or diseased tree.

E. **Tree Permit-Healthy Trees.**

1. **Application.** An application for a Tree Permit for the removal of a healthy protected tree shall be made to the Community Development Department pursuant to Section 23.24.020, Application Forms and Fees. The application shall include, but not be limited to the following:
   a. An explanation as to why the tree’s removal is necessary.
   b. An explanation as to why tree removal is more desirable than alternative project designs.
   c. An explanation of any mitigation measures.

2. **Review Authority.** The Community Development Director shall act as the review authority for Tree Permit applications based on consideration of the requirements of this Section.

3. **Public Notice.** All applications for Tree Permits require public notice pursuant to Section 23.24.050, Public Notice. The notice shall state that the Director will consider and decide whether to approve, conditionally approve, or deny the removal of a healthy protected tree application on a date specified in the notice.

4. **Effective Dates.** A Tree Permit for a healthy tree shall automatically expire if the activities authorized by the permit are not completed within one year after the date of approval.

5. **Replacement Trees.**
   a. **Number.**
      i. Quercus family (oaks) and California native trees: Two 24-inch box replacement oak or native trees shall be required for each ten-inch increment of the diameter of the existing tree, or portion thereof.
      ii. Mature trees: One 24-inch box replacement similar or native trees shall be required for each ten-inch increment of the diameter of the existing tree, or portion thereof.
   b. **Location.**
      i. A minimum of 50 percent of the replacement trees shall be planted on site.
      ii. A maximum of 50 percent of the replacement trees may be planted off-site at locations approved by the Director or have their obligation met through payment of an in-lieu fee. The value of each replacement tree,
including the cost of installation, shall be established by a certified arborist and the funds shall be dedicated to an urban forestry program of the City of Alhambra.

F. Enforcement.

1. Whenever a tree removal has occurred in conjunction with construction or work contrary to the provisions of this Chapter, a Code Enforcement Officer shall issue a citation per tree removed without a permit and a City Inspector shall issue a notice to the responsible party to “stop work” on the project on which the violation has occurred. No work shall be allowed until the citation has been paid and the violation has been rectified and approved by the Director.

2. Whenever a tree removal has occurred, independent of a development project, contrary to the provision of this Chapter, no Building Permits on the property associated with the violation shall be issued for a period of one year.

3. Whenever a tree removal has occurred contrary to the provision of this Chapter, the required number of replacement trees shall be double the standard provision.

23.12.160 Underground Utilities

When new utility service is installed in conjunction with new or existing development, all existing and proposed utilities on a project site shall be placed underground. Such undergrounding shall be accomplished in accordance with the utility’s rules and tariff schedules on file with the California Public Utilities Commission.

23.12.170 Visibility at Intersections

On any corner lot, there shall be a triangular area at the corner of the property at the intersection of the streets which extends a minimum of 20 feet along each street, which shall be kept clear of visual obstructions greater than three and less than seven feet in height.
Chapter 23.13 Building Design Standards

23.13.010 Purpose and Applicability

23.13.020 Multi-Family and Mixed-Use Residential Development Citywide, and Nonresidential Development in the CBD, EMC, CMU, and PO Zones

Multi-Family and Mixed-Use Residential development in all zones and nonresidential development in the CBD, EMC, CMU, and PO Zones shall meet the following standards. Exceptions or modifications to the standards of this Section may be granted as specifically stated or through approval of a Modification where the review authority finds that alternative design features have been incorporated to meet the overall design intent of the standard.

A. Building Entrances and Orientation.

1. Buildings located within 30 feet of a front or street side lot line shall be oriented toward the adjacent front or street side lot line with the building frontage parallel to the fronting pedestrian walkway. The primary building entrance shall face the public sidewalk.

2. All buildings located in the interior of a site shall have an entrance from a pedestrian walkway that is a minimum of four feet wide and connects to a public sidewalk.

3. In the CBD Zone, one or more public entrances shall be provided at the rear of all buildings which face Main Street.

4. Additional Entrance Requirements, Ground Floor Nonresidential Uses.
   a. There shall be a minimum of one entrance for every 50 feet of building frontage with a maximum separation of 100 feet between entrances.
   b. Buildings located on corners shall provide an entrance toward each street or have a corner entrance that provides a common entrance to the building from both streets.

5. Additional Entrance Requirements, Residential Uses.
   a. Shared Entrances. All buildings that provide access to more than one unit from a shared exterior entrance shall provide a minimum of one primary shared entranceway that leads to a common area, such as a lobby or community space, a minimum of 10-feet wide and 10-feet deep, and that is emphasized utilizing at least one of the following methods:
      i. A roofed projection over the door (such as an awning, canopy, or overhang) with a minimum depth of five feet and a minimum horizontal area of 30 square feet.
      ii. A recessed entry bay with a minimum depth of five feet.
iii. Incorporating the entrance into a vertical mass that extends two or more feet above the height of the first floor plate vertical mass.

iv. Transparent windows or openings that comprise a minimum of 50 percent of the area located within 20 feet of the midpoint of the primary building entrance. Glass is considered transparent where it has a transparency higher than 80 percent and external reflectance of less than 15 percent.

b. **Individual Entrances.** All residential units accessed through individual entrances at the ground level shall provide a minimum of one primary individual entranceway with a projection (such as a porch) or recess with a minimum depth of three feet and a minimum area of nine square feet.

B. **Building Design.** Buildings shall include the following design features to create visual variety and avoid a large-scale and bulky appearance.

1. **Minimum Depth of Overhanging Eaves.** Overhanging eaves, if provided, shall extend a minimum of two feet beyond the supporting wall.

2. **Roof Line.** Roof lines shall be varied and designed to minimize the bulk of a building, screen roof-mounted equipment, and enhance the building’s architectural design through the following methods:
   a. A minimum of one roof line offset of at least 18 inches in height and 20 feet in length shall be provided for every 50 feet of façade length.
   b. Where parapets are provided, the minimum 18-inch offset in height required in Section 2a may be substituted by an offset of at least 18 inches in depth. All parapets shall provide returns of at least six feet in depth at the end of the parapet face to avoid a false front appearance.

3. **Façade Articulation.** Any building over 50 feet wide shall provide a massing break with a minimum width of 20 feet and minimum depth of 10 feet for every 50 feet of façade length.
   a. **Buildings Three or More Stories:** In addition to the façade articulation requirement in Section B(3), upper and lower stories in buildings of three or more stories shall be distinguished by incorporating one or more of the following features. These features may be applied to the transitions between any floors, except where otherwise specified.
      i. A change in façade materials, along with a change in plane at least one inch in depth at the transition between the two materials.
      ii. A base treatment at the ground floor consisting of a material such as brick, stone, concrete masonry, or other material distinct from the remainder of the façade and projecting at least one inch from the wall surface of the remainder of the building.
iii. Setting back the top floor or floors of the building at least five feet from the remainder of the façade.

4. **Windows and Openings.**
   a. No wall facing a public right-of-way shall run in a continuous plane of more than 30 feet without a window, door, or other opening.
   b. *Nonresidential Uses: Building Transparency/Required Openings.* Exterior walls facing and within 30 feet of a front or street side lot line or pedestrian walkway shall include windows, doors, or other openings for at least 50 percent of the building wall area located between two and a half and seven feet above the level of the sidewalk.
      i. **Design of Required Openings.** Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
      ii. **Reductions.** The Director may approve a Modification to reduce or waive the building transparency requirement where one of the following findings can be made:
         1. The proposed use has certain operational characteristics with which providing the required windows and openings is incompatible; and
         2. Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.
   c. *Residential Uses: Window Trim or Recess.* Windows for residential uses shall have trim at least one-half inch in depth, or be recessed at least two inches from the plane of the surrounding exterior wall.

5. **Exterior Building Colors and Materials.**
   a. Each façade shall have three or more colors and three or more materials.
   b. The following materials are prohibited.
      i. Vinyl siding
      ii. T-111 plywood siding
      iii. Exterior Insulation Finishing System (EIFS)

C. **Space Requirements.**

1. **Ground Floor Height, Nonresidential Uses.** The minimum ground floor height for nonresidential uses is 14 feet measured floor to floor.
2. **Ground Floor Height, Residential Uses.** The minimum ground floor height for residential uses is 10 feet measured floor to floor.

3. **Tenant Space Depth, Nonresidential Uses.** Nonresidential ground floor interior tenant spaces shall be a minimum of 60 feet in depth for a minimum of half of the width of the tenant space and a minimum of 40 feet in depth elsewhere, except as exempted by the Director through the approval of a Modification on small or constrained sites.

4. **Private Storage Space.** Each residential dwelling unit shall have at least 100 cubic feet of enclosed, weather-proofed, and lockable private storage space with a minimum horizontal dimension of three feet.

D. **Open Space Requirements.** Open space shall be provided in compliance with the standards of this Section. No portion of required open space shall be used for driveways or off-street vehicle parking and loading facilities, nor may one area of open space be double counted as satisfying the requirements of multiple types of required open space. However, the area provided to meet the open space requirement may count toward other site requirements such as landscaping, amenities, and stormwater retention and control if the area provided as open space also meets the criteria of those individual requirements.

1. **Common Open Space.** Common Open Space provides permanent areas for recreation and enjoyment with shared access for all building occupants. Common Open Space includes but is not limited to courtyards, terraces, forecourts, gardens, outdoor dining areas, plazas, landscaped areas, patios, swimming pools, barbeque areas, athletic courts or fields, playgrounds, recreation areas, gardens, rooftop amenities, and other similar common areas intended for shared use by building occupants.

   a. **Amount of Common Open Space.** The amount of required open space shall be equal to a minimum of 300 square feet for each unit.

      i. Common indoor recreation/office uses may be calculated towards meeting the open space requirement if the development has 20 or more units. Such indoor common open space shall be accessible and available to all project residents for indoor activities and shall have a minimum area of 1,000 square feet. Indoor recreation uses may have plumbing, but shall not have showers or bathtubs.

   b. **Minimum Dimensions.** Common Open Space shall have a minimum dimension of 15 feet in all directions, except common indoor recreation/office uses

   c. **Accessibility.** Common Open Space shall be accessible to all building occupants. A minimum passageway to any required Common Open Space of seven feet in width with a minimum three foot wide walkway shall be provided.

   d. **Surfacing.** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of lawn,
garden, flagstone, wood planking, concrete, decking, or other serviceable, dust-free surfacing.

i. **Maximum Slope.** Slopes shall not exceed 10 percent.

e. **Required Amenities.** Recreational amenities shall be required on all projects of four or more units. The amenities shall include one or more of the following: Swimming pool, spa, recreation room with ping pong table and lounge furniture or billiard table, children’s play equipment, barbecue and picnic table, tennis court, bocce ball, weight room or sauna, pet friendly amenities including but not limited to drink stations, dog walks/parks, etc., or other similar amenities

f. **Maintenance.** Common indoor and outdoor open space shall be controlled and permanently maintained by the owner of the property, or by a homeowners' association. Provisions for such control and maintenance shall be included in the covenants, conditions and restrictions.

2. **Private Open Space.** Private Open Space provides open space areas for the exclusive use of the occupants of a single dwelling unit and includes but is not limited to balconies, decks, terraces, patios, fenced yards, and other similar private areas.

a. **Minimum Dimensions.** Private open space located on the ground level (e.g., yards, decks, patios) shall have no dimension less than eight feet. Private open space located above ground level (e.g., balconies) shall have no dimension less than five feet.

b. **Accessibility.** Private Open Space shall be accessible to only one dwelling unit by a doorway to a habitable room or hallway.

c. **Surfacing.** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. Slope shall not exceed 10 percent.

E. **Limitations on Location of Parking.** Above ground parking and structured parking, including partially submerged or underground parking with three or more feet above ground shall be located a minimum of 40 feet from the primary street facing property line. The Director may approve a Modification where one of the following findings may be made:

1. The design incorporates conditioned, usable space built close to the public sidewalk to the maximum extent feasible; and

2. The site is physically constrained such that underground parking or above ground parking located more than 40 feet from the primary street frontage is not feasible.

F. **Pedestrian Access.** On-site pedestrian circulation and access shall be provided according to the following standards.
1. **Internal Connections.** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.

2. **Circulation Network.** On-site walkways shall be connected to the public sidewalk and other planned or existing pedestrian routes. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.

3. **Pedestrian Walkway Design.**
   a. Walkways shall be a minimum of four feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
   b. Where a required walkway crosses parking areas or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, striping, or similar method.
   c. Where a required walkway is parallel and within two feet of an auto travel lane, it must be raised or separated from the auto travel lane by a physical barrier consisting of a raised curb at least four inches high.
Chapter 23.14 Affordable Housing, Density Bonuses and Incentives

23.14.010 Purpose

The purpose of this Chapter is to implement the State Density Bonus Law, California Government Code Section 65915 et seq. This Chapter also implements the provisions of the City’s General Plan Housing Element that promote the construction of affordable housing.

23.14.020 Applicable Zoning Districts

This Chapter shall be applicable in all zoning districts that allow residential uses.

23.14.030 Qualifications

All proposed housing developments that qualify under California Government Code Section 65915 for a density increase and other incentives, and any qualified land transfer under California Government Code Section 65915 shall be eligible to apply for a density bonus (including incentives and/or concessions) consistent with the requirements, provisions and obligations set forth in California Government Code Section 65915, as may be amended.

23.14.040 Density Bonus, Incentives and Concessions

The City of Alhambra shall grant qualifying housing developments and qualifying land transfers a density bonus, the amount of which shall be as specified in California Government Code Section 65915 et seq., and incentives or concessions also as described in California Government Code Section 65915 et seq.

23.14.050 Application

An application for a density bonus or other incentive under this Chapter for a housing development shall be submitted in writing to the Planning Division to be processed concurrently with all other entitlements of the proposed housing development. The application for a housing development shall contain information sufficient to fully evaluate the request under the requirements of this Chapter, and in connection with the project for which the request is made, including, but not limited to, the following:

A. A brief description of the proposed housing development;
B. The total number of housing units proposed in the development project, including unit sizes and number of bedrooms;
C. The total number of units proposed to be granted through the density increase and incentive program over and above the otherwise maximum density for the project site;
D. The total number of units to be made affordable to or reserved for sale or rental to, very low, low, or moderate income households, or senior citizens, or other qualifying residents;

E. The zoning, general plan designations and assessor’s parcel number(s) of the project site;

F. A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveway(s) and parking layout; and

G. A list of any concession(s) or incentive(s) being requested to facilitate the development of the project, and a description of why the concession(s) or incentive(s) is needed.

23.14.060 Review and Consideration

The application shall be considered by the Planning Commission or City Council at the same time the project for which the request is being made is considered. If the project is not to be otherwise considered by the Planning Commission or the City Council, the request being made under this Chapter shall be considered by the Community Development Director. The request shall be approved if the applicant complies with the provisions of California Government Code Section 65915 et seq.

23.14.070 Continued Affordability

Consistent with the provisions of California Government Code Section 65915 et seq., prior to a density bonus or other incentives being approved for a project, the City and the applicant shall agree to an appropriate method of assuring the continued availability of the density bonus units.

23.14.080 Denial of Affordable Housing Projects

If at least 20 percent of a housing development’s units are sold or rented to low income households, and the balance of the units are sold or rented to either low or moderate income households, it shall not be disapproved or conditioned in a manner which renders the project infeasible for development for the use of low and moderate income households unless the decision making body finds, based upon substantial evidence, one of the following, pursuant to California Government Code Section 65589.5:

A. The project is not needed for the City to meet its share of the regional need of low and/or moderate income housing as outlined in the adopted Housing Element to the General Plan; or

B. The project as proposed would have a specific, adverse impact upon the public health and safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the project unaffordable to low and/or moderate income households; or

C. Denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the project unaffordable to low and/or moderate income households; or

D. Approval of the project would increase the concentration of low income households in a neighborhood that already has a disproportionately high number of low income households and
there is no feasible method of approving the development at a different site, including sites identified in the adopted Housing Element, without rendering the development unaffordable to low and/or moderate income households; or

E. The project is proposed on land zoned for resource preservation which is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project; or

F. The project is inconsistent with the land use designation as outlined in the adopted General Plan or in any General Plan element as it existed on the date the application for the project was deemed complete.
Chapter 23.15 Inclusionary Housing

23.15.010 Purpose

The provisions of this Chapter establish standards and procedures that encourage the development of housing affordable to a range of households with varying income levels. The purpose of this Chapter is to encourage the development and availability of such housing by ensuring that the addition of affordable housing units to the City’s housing stock is in proportion with the overall increase in new housing units.

23.15.020 Definitions

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. Adjusted for Household Size Appropriate for the Unit. A household of one person in the case of a studio unit, two persons in the case of a one-bedroom unit, three persons in the case of a two-bedroom unit, four persons in the case of a three-bedroom unit, and five persons in the case of a four-bedroom unit.

B. Affordable Housing Cost. The total housing costs paid by a qualifying household, which shall not exceed a specified fraction of their gross income, adjusted for household size appropriate for the unit, as follows:

1. Very low income households, rental units: 30 percent of 50 percent of the Los Angeles County median income;
2. Low income households, rental or for-sale units: 30 percent of 80 percent of the Los Angeles County median income;
3. Moderate income households, for sale units: 40 percent of 110 percent of the Los Angeles County median income;
4. Moderate income households, rental units: 30 percent of 120 percent of the Los Angeles County median income.

C. Developer. Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities, which seeks City approvals for all or part of a residential development.

D. Development Agreement. An agreement entered into between the City and a developer pursuant to § 65864 of the Cal. Gov’t Code and Chapter 23.33, Development Agreements.

E. Director. The City’s Director of Community Development Department or his or her designee.

F. Discretionary Approval. Any entitlement or approval pursuant to Title 23 of Alhambra Municipal Code, including but not limited to a use permit, variance, design approval, and subdivision map.

G. Inclusionary Housing Agreement. A legally binding agreement between a developer and the City, in form and substance satisfactory to the Director and City Attorney, setting forth those provisions.
necessary to ensure that the requirements of this chapter, whether through the provision of inclusionary units or through an alternative method, are satisfied.

H. 
**Inclusionary Housing Plan.** The plan referenced in Subsection 23.15.070.A, and further described in the regulations, which sets forth the manner in which the requirements of this Chapter will be implemented for a particular residential development.

I. 
**Inclusionary Housing Trust Fund.** Shall have the meaning set forth in Section 23.15.110, Inclusionary Housing Trust Fund.

J. 
**Inclusionary Unit.** A dwelling unit that will be offered for rent or sale to low and moderate income households, at an affordable housing cost, pursuant to this Chapter.

K. 
**Low Income Households.** Households whose gross income does not exceed 80 percent of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.

L. 
**Low Income Units, Moderate Income Units, and Very Low Income Units.** Inclusionary units restricted to occupancy by low, moderate, or very low income households, respectively, at an affordable housing cost.

M. 
**Market Rate Units.** Those dwelling units in a residential development that are not inclusionary units.

N. 
**Moderate Income Households.** Households whose gross income does not exceed 120 percent of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.

O. 
**Regulations.** The regulations adopted by the City Council pursuant to Section 23.15.100, Regulations, for the implementation and enforcement of the provisions of this Chapter.

P. 
**Residential Development.** The new construction of projects consisting of: (i) five or more single family units for which a Residential Planned Development (RPD) approval is obtained pursuant to Chapter 23.62; or (ii) five or more multi-family dwelling units.

Q. 
**Substantial Rehabilitation or Substantially Rehabilitated.** The rehabilitation of a dwelling unit(s) that has substantial building and other code violations, and has been vacant for at least six months, such that the unit is returned to the City’s housing supply as decent, safe, and sanitary housing, and the cost of such work exceeds $40,000 per unit, as that amount may be adjusted for inflation pursuant to the regulations.

R. 
**Total Housing Costs.** The total monthly or annual recurring expenses required of a household to obtain shelter. For a rental unit, Total Housing Costs include the monthly rent payment and utilities. For an ownership unit, Total Housing Costs include the mortgage payment (principal and interest), utilities, homeowner’s association dues, taxes, mortgage insurance and any other related assessments.
S. **Very Low Income Households.** Households whose gross income is equal to 50 percent or less of the median income for Los Angeles County as determined annually by the U.S. Department of Housing and Urban Development.

### 23.15.030 Applicability

This Chapter shall apply to all residential development, except those that are exempt pursuant to Section 23.15.060, Exemptions. Further, residential development of five and six units shall be exempt from the requirement to provide affordable housing and any associated obligations set forth in this Chapter or the implementing regulations, and instead shall be required to pay an in lieu fee as described in Section 23.15.050, Alternatives, and as set by City Council resolution.

### 23.15.040 Inclusionary Unit Requirement

A. A total of 15 percent of all newly constructed dwelling units in residential developments shall be developed, offered to and sold or rented to low and moderate income households, at an affordable housing cost, as per the following breakdown:

1. Nine percent of all newly constructed dwelling units shall be sold or rented to low income households;
2. Six percent of all newly constructed dwelling units shall be sold or rented to moderate income households.

B. The inclusionary unit requirement set forth in Subsection (A) of this Section may be reduced as follows:

1. If very low income units are provided in lieu of required low income units, a credit of 1.5 units to every one unit shall be provided;
2. If very low income units are provided in lieu of required moderate income units, a credit of two units to every one unit shall be provided;
3. If low income units are provided in lieu of required moderate income units, a credit of 1.5 units to every one unit shall be provided.

C. In calculating the required number of inclusionary units, fractional units of .75 or above will be rounded up to a whole unit if the residential development consists of ten to 20 units; fractional units of .50 or above will be rounded up to a whole unit if the residential development consists of 21 or more units.

### 23.15.050 Alternatives

In lieu of including the inclusionary units in the residential development pursuant to Section 23.15.040, Inclusionary Unit Requirement, the requirements of this Chapter may be satisfied through one or more of
the alternatives set forth in this Section, in accordance with procedures and standards set forth in the regulations.

A. **In lieu Fee.** At the discretion of the developer, if a residential development consists of 20 units or less, payment of a fee in lieu of all or some of the inclusionary units, as follows:

1. The amount of the fee shall be calculated using the fee schedule established by resolution of the City Council.

2. One-half of the in lieu fee required by this Subsection shall be paid (or a letter of credit posted) prior to issuance of a Building Permit for all or any part of the residential development. The remainder of the fee shall be paid before a certificate of occupancy is issued for any unit in the residential development.

3. The fees collected shall be deposited in the Inclusionary Housing Trust Fund.

B. **Off-site Units.** Upon application by the developer and at the discretion of the Director, the developer may satisfy the requirement of providing inclusionary units as part of the residential development, in whole or in part, by constructing or substantially rehabilitating the required number of inclusionary units at a site different than the site of the residential development.

C. **Land Donation.** Upon application by the developer and at the discretion of the Director, the developer may satisfy the requirement of providing inclusionary units as part of the residential development, in whole or in part, by a conveyance of land to the City for the construction of the required inclusionary units.

### 23.15.060 Exemptions

The following residential developments are exempt from the requirements of this Chapter:

A. Residential developments that obtain a Planning Commission approval from the City prior to the effective date of this Chapter, which obtain a Building Permit pursuant to that discretionary approval within one year of the effective date of this Chapter, and which obtain a certificate of occupancy pursuant to that same discretionary approval.

B. Residential developments that are exempt from this Chapter pursuant to State law.

### 23.15.070 Procedures

A. At the times and in accordance with the standards and procedures set forth in the regulations, developers shall:

1. Submit an Inclusionary Housing Plan for approval by the Director, setting forth in detail the manner in which the provisions of this Chapter will be implemented for the proposed residential development;
2. Execute and cause to be recorded an Inclusionary Housing Agreement (unless developer is complying with this Chapter pursuant to Subsection 23.15.050.A, In-lieu Fee, or Subsection 23.15.050.C, Land Donation).

B. No discretionary approval shall be issued for all or any portion of a residential development subject to this Chapter until the developer has submitted an Inclusionary Housing Plan.

C. No building permit shall be issued for all or any portion of a residential development subject to this Chapter unless the Director has approved the Inclusionary Housing Plan, and the Inclusionary Housing Agreement (if required) is recorded.

D. No certificate of occupancy shall be issued for all or any portion of a residential development subject to this Chapter unless the approved Inclusionary Housing Plan has been fully implemented.

23.15.080 Standards

A. All inclusionary units shall be reasonably dispersed throughout the residential development; shall be proportional, in number, bedroom size and location, to the market rate units; and shall be comparable with the market rate units in terms of the base design, appearance, materials and finished quality.

B. All inclusionary units in a residential development shall be constructed concurrently with or prior to the construction of the market rate units. In the event the City approves a phased project, some inclusionary units as required by this Chapter shall be provided within each phase of the residential development.

C. Inclusionary units shall be reserved for low and moderate income households at the ratios established pursuant to Section 23.15.040, Inclusionary Unit Requirement, and shall be provided at the applicable affordable housing cost.

1. An inclusionary unit that is for rent shall remain reserved for the target income level group at the applicable affordable housing cost in perpetuity.

2. An inclusionary unit that is for sale shall remain reserved for the target income level group at the applicable affordable housing cost for a period of 45 years.

D. Notwithstanding Subsection (C)(2) of this Section, inclusionary units for sale may be sold to an above moderate income purchaser in accordance with procedures set forth in the regulations, provided that the sale shall result in a recapture by the City or its designee of a financial interest in the unit equal to (1) the difference between the initial affordable sales price and the appraised value at the time of the initial sale, and (2) a proportionate share of any appreciation.

23.15.090 Enforcement

A. The provisions of this Chapter shall apply to all developers and their agents, successors and assigns proposing a residential development. All inclusionary units shall be rented or sold in
accordance with this Chapter and the regulations adopted pursuant to Section 23.15.100, Regulations.

B. Any individual who sells or rents an inclusionary unit in violation of the provisions of this Chapter shall be required to forfeit all monetary amounts so obtained. Recovered funds shall be deposited into the Inclusionary Housing Trust Fund.

C. The City may institute any appropriate legal actions or proceedings necessary to ensure compliance with this Chapter, including but not limited to: (1) actions to revoke, deny or suspend any permit, including a building permit, certificate of occupancy, or discretionary approval; and (2) actions for injunctive relief or damages.

D. In any action to enforce this Chapter or an Inclusionary Housing Agreement recorded hereunder, the City shall be entitled to recover its reasonable attorney's fees and costs.

23.15.100 Regulations

The City Council shall by resolution establish regulations for the implementation of this Chapter.

23.15.110 Inclusionary Housing Trust Fund

There is hereby established a separate fund of the City, to be known as the Inclusionary Housing Trust Fund. All monies collected pursuant to Subsection 23.15.050.A, In-lieu Fee, Subsection 23.15.080.D, or Section 23.15.090, Enforcement, shall be deposited in the Inclusionary Housing Trust Fund.

23.15.120 Administrative Fees

The City Council may by resolution establish reasonable fees and deposits for the administration of this Chapter.

23.15.130 Appeal

Within ten calendar days after the date of any Director’s decision, an appeal may be filed pursuant to Section 23.24.120, Appeals. The appellant shall follow the appeal procedures set forth in Section 23.24.120, Appeals.

23.15.140 Taking Determination

A. Commencing upon the approval or disapproval of the Inclusionary Housing Plan by the Director pursuant to the regulations, and within 15 days thereafter, a developer may request a determination that the requirements of this Chapter, taken together with the inclusionary incentives, as applied to the residential development, would legally constitute a taking of property of the residential development without just compensation under the California or Federal Constitutions. The
developer has the burden of providing economic information and other evidence necessary to establish that application of the provisions of this Chapter to the residential development would constitute a taking of the property of the proposed residential development without just compensation. The Director shall make the determination, which may be appealed in the manner and within the time set forth in Section 23.15.130, Appeal, except that the City Council shall serve as the review body.

B. In making the taking recommendation or determination, the decision maker shall assume each of the following:
   1. Application of the inclusionary housing requirement to the residential development;
   2. Application of the inclusionary incentives;
   3. Utilization of the most cost-efficient product type for the inclusionary units; and
   4. External funding where reasonably likely to occur.

C. If it is determined that the application of the provisions of this Chapter would be a taking, the Inclusionary Housing Plan shall be modified to reduce the obligations in the inclusionary housing component to the extent and only to the extent necessary to avoid a taking. If it is determined no taking would occur though application of this Chapter to the residential development, the requirements of this Chapter remain applicable.
Chapter 23.16 Art in Public Places Program

23.16.010 Purpose

The City Council finds and declares:

A. Cultural and artistic resources enhance the quality of life for individuals living in, working in and visiting the City.

B. Balanced development of cultural and artistic resources preserves and improves the quality of the urban environment and increases real property values.

C. Cultural and artistic resources are an important aspect of educating and enhancing the community of the City, and supporting outside art projects such as the Pasadena Rose Parade Float help to serve this goal.

D. As development and revitalization of the real property within the City continues, the opportunity for creation of cultural and artistic resources is diminished.

E. As this development and revitalization continues as a result of market forces, urbanization of the community results.

F. As these opportunities are diminished and this urbanization occurs, the need to develop alternative sources for cultural and artistic outlets to improve the environment, image and character of the community is increased.

G. Development of cultural and artistic assets should be financed by those whose development and revitalization diminishes the availability of the community’s resources for those opportunities and contributes to community urbanization.

H. Establishment of this Arts in Public Places Program will promote the general welfare through balancing the community’s physical growth and revitalization and its cultural and artistic resources.

23.16.020 City Art Fund Created

A. There is hereby created a fund to be known as the “Art in Public Places Fund” (“Art Fund”) to account for fees paid pursuant to this Chapter. This fund shall be maintained by the City Treasurer and shall be used solely:

1. For the acquisition, installation, improvement, maintenance and insurance of an art work;

2. To sponsor or support performing arts and/or outside art projects, including but not limited to the Pasadena Rose Parade Float;

3. For the acquisition and improvement of real property for the purpose of displaying art work, which has been or may be subsequently approved by the City; or
4. For maintenance of and utility charges related to property purchased pursuant to subsections A.1 and A.3 above.

B. If real property purchased with monies from the Art Fund is subsequently sold, the proceeds from the sale shall be returned to the Art Fund.

**23.16.030 Arts Committee Established**

There shall be a City Arts Committee to fulfill the duties established in this Chapter. The Committee may establish procedures for the selection of locations of public art displays; for the selection of art to be purchased or commissioned for display; and for the selection of public performances to be funded by the Art Fund. The City Council may prescribe, by resolution, other duties, and the qualifications of and appointment process for the members of the Committee.

**23.16.040 Applicability**

A. **New Development.** All new residential development of more than five units, and all commercial, industrial, and public building development projects, with a building valuation exceeding $500,000 shall be subject to the provisions of this Chapter.

B. **Existing Development.** Exterior modifications, alterations and additions, all remodeling of existing residential buildings of more than five units, and all remodeling of existing commercial, industrial and public buildings, shall be subject to the provisions of this Chapter when such remodeling has a valuation exceeding $250,000.

C. **Exempt Development.** The following developments or modifications, alterations and additions to the developments are exempt from this Chapter. This exemption shall apply only as long as the exempt use is maintained.

1. Low- or moderate-income housing,
2. Senior housing,
3. Performing arts facilities,
4. Museums,
5. Public buildings,
6. Interior remodel/tenant improvements, and
7. National disaster repairs/rebuilding required by code.

**23.16.050 Obligation**

A. Any development subject to this Chapter shall be obligated to contribute to the City's Art in Public Places program. The amount of such contribution shall be a percentage of the total building valuation for the development excluding land value, off-site improvement costs, interior
improvements, parking facilities and public facilities. The total building valuation shall be computed using the latest building valuation data as set forth by the International Conference of Building Officials (IBO) unless, in the opinion of the Building Official, a different valuation measure should be used. The percentage required to be contributed shall be set by City Council resolution.

B. An applicant may satisfy the contribution obligation required by subsection A above in one of four ways:

1. Through payment in cash of the contribution amount directly to the Art Fund (the "In Lieu Fee"); or

2. Through donation of an approved art work, equal to or exceeding the value of the contribution amount, pursuant to Section 23.16.080, Procedure for Acceptance of Art Work Donated to the City; or,

3. Through installation of an approved art work, equal to or exceeding the value of the contribution amount, pursuant to Section 23.16.070, Procedures for Placing Art Work on Private Property; or,

4. Through design of the development in such a manner that it satisfies the contribution obligation pursuant to Section 23.16.130, Procedure for Approving Architecture as Art.

C. Nothing in this Section shall prohibit the applicant from privately placing or publicly donating an approved art work with acquisition and installation costs in an amount less than the contribution amount; provided that the applicant shall also pay to the City Art Fund an amount equal to the difference between the program allocation and the costs of acquisition and installation of such art work. The minimum value of art installed by an applicant shall be at least $2,500. Also subject to City approval, an applicant may be permitted to pay its allocation to a performing arts program within the City.

D. Fifteen percent of the revenue generated from the Art Fund is allocated for administrative costs.

23.16.060 Timing

A. If an applicant elects to satisfy its obligations hereunder through the payment of an in lieu art fee, such payment shall be made prior to issuance of building permit. As used in this Chapter, "applicant" shall mean an applicant for a building permit for a development which is subject to this Chapter pursuant to Section 23.16.040, Applicability.

B. If an applicant elects to satisfy its obligations hereunder through donation of an approved art work, or installation of an approved art work on private property, the art work shall be approved, as provided herein, prior to issuance of a Building Permit.

C. Prior to final inspection or issuance of a certificate of occupancy, financial security in an amount equal to the acquisition and installation costs of any approved art work, in a form approved by the City Attorney, must be posted. Any donated approved art work must be accepted by the City Council prior to final inspection or issuance of a Certificate of Occupancy.
D. The applicant must record a covenant on the subject property which provides for ongoing maintenance of approved art work prior to Certificate of Occupancy.

E. If any approved art work placed on private property pursuant to this Chapter is removed without City approval, the Certificate of Occupancy may be revoked.

23.16.070 Procedures For Placing Art Work On Private Property

A. **Application Procedure.** An application for placement of art work on private property shall be submitted to the Planning Division and shall include:

1. Preliminary sketches, photographs or other documentation of sufficient descriptive clarity to indicate the nature of the proposed art work;

2. An appraisal or other evidence of the value of the proposed art work, including acquisition and installation costs;

3. Preliminary plans containing such detailed information as may be required by the City to adequately evaluate the location of the art work in relation to the proposed development, and its compatibility with the proposed development, including compatibility with the character of adjacent conforming developed parcels and existing neighborhood if necessary to evaluate the proposal; and

4. A narrative statement to be submitted to the City Art in Public Places Committee to demonstrate that the art work will be displayed in an area open and freely available to the general public at least 10 hours each day, or otherwise provide public accessibility in an equivalent manner based on the characteristics of the art work or its placement on the site.

B. **Review and Approval.** Completed applications shall be submitted to the Community Development Department for the City Art in Public Places Committee review and approval of the art work, considering the aesthetic quality and harmony of the art work with the existing on-site improvements, and the proposed location of and public accessibility to the art work.

23.16.080 Procedure For Acceptance Of Art Work Donated To The City

A. **Application Procedure.** An application for acceptance of art work to be donated to the City shall include:

1. Preliminary sketches, photographs, models or other documentation of sufficient descriptive clarity to indicate the nature of the proposed art work;

2. An appraisal or other evidence of the value of the proposed art work, including acquisition and installation costs;

3. A written agreement executed by or on behalf of the artist who created the art work which expressly waives his or her rights under the California Art Preservation Act or other applicable law; and
4. Other information as may be required by the City Arts Committee to adequately evaluate the proposed donation of art work.

B. **Review and Acceptance.**

1. Completed applications shall be submitted to the City Arts Committee for review and recommendation to the City Council.

2. Recommendations shall be forwarded to the City Council, which shall have the sole authority to accept or reject or conditionally accept the donation.

**23.16.090 Limitation On Forms Of Art**

A. **Private Property.** Subject to the provisions of Section 23.16.070, Procedures for Placing Art Work on Private Property, and Section 23.16.100, Ownership of Artwork, if a person subject to this Chapter chooses to meet the art in public places allocation requirement by providing art, the only form of art which can satisfy the requirement is placement of an approved art work on private property. As used in this Chapter, an "art work" is a sculpture, mural or portable painting, earthwork, firework, neon, glass mosaic, photograph, print, calligraphy; or other form of physical hard media.

B. **Donation of Art.** Subject to the provisions of Section 23.16.080, Procedure for Acceptance of Art Work Donated to the City, and Section 23.16.110, Art Work on Public Property, Performing Arts, Outside Art Projects, and Purchase of Real Property for Public Art, if a person subject to this Chapter chooses to meet the art in public places allocation by donation of art, the only form of art which can be donated to the City is an art work as described in subsection A above.

**23.16.100 Ownership Of Artwork**

A. All art work placed on the site of an applicant's project shall remain the property of the applicant; the obligation to provide all maintenance necessary to preserve the art work in good condition shall remain with the owner of the site.

B. Maintenance of art work shall include without limitation, preservation of the art work in good condition to the satisfaction of the City, protection of the art work against physical defacement, mutilation or alteration, and securing and maintaining fire and extended coverage insurance and vandalism coverage in an amount to be determined by the City Attorney. Prior to placement of an approved art work, applicant and owner of the site shall execute and record a covenant in a form approved by the City for maintenance of the art work. Failure to maintain the art work as provided herein is hereby declared to be a public nuisance.

C. In addition to all other remedies provided by law, in the event the owner fails to maintain the art work, upon reasonable notice, the City may perform all necessary repairs, maintenance or secure insurance, and the costs therefor shall become a lien against the real property.

D. All art work donated to the City shall become the property of the City upon acceptance by the City Council.
23.16.110 Art Work On Public Property, Performing Arts, Outside Art Projects, And Purchase Of Real Property For Public Art

A. The Alhambra City Arts Committee shall prepare an annual plan for the Art in Public Places Program.

B. The Alhambra City Arts Committee may recommend to the City Council the purchase of art work to be displayed on public property, support for the performing arts, support for outside art projects, and the purchase and improvement of real property to be used for the display of art work. A recommendation shall include:
   1. The type of art work considered, an analysis of the constraints applicable to placement of the art work on a site, the need for and practicality of the maintenance of the art work, and the costs of acquisition and installation of the art work; or
   2. The type of performance and amount recommended; or
   3. A description of the outside art project and the amount recommended; or
   4. The estimated costs of acquisition and improvements of the real property proposed to be purchased.

C. An expenditure from the City Art Fund may be made for the performing arts; provided, that the performance occurs at a location in the City of Alhambra, or owned or controlled by the City.

D. An expenditure from the City Art Fund may be made for outside art projects including but not limited to the Pasadena Rose Parade Float; provided, that the project serves to educate the community on the City’s history or artistic culture.

23.16.120 Criteria For Approving Architecture As Art

The following criteria shall be used to determine, on a case-by-case basis, whether architecture can be considered art for purposes of fulfilling the City's public art requirement.

A. The architect shall be substantially recognized by the art world in shows, museums, and/or publications.

B. When reviewing architecture as art, the underlying concept of the architecture shall be expressive as more than mere utilitarian architecture. The architecture as a whole or certain architectural features shall express ideas or meaning and have cultural significance or conceptual complexity in relation to the totality of the object.

C. In the alternative, architecture can be considered art if it is created as a collaborative effort with an artist, the artist does a majority of the work, the artist has major design control of the portions of the architecture to be considered art, and the artist has been brought in early in the process. The artist shall have experience and knowledge of monumental scale sculpture.

D. The architecture must meet all the general criteria regarding placement of artwork on private property as defined in Section 23.16.070, Procedures for Placing Art Work on Private Property.
23.16.130 Procedure For Approving Architecture As Art

The following procedure must be followed by the developer to fill the public art requirement with the building's architecture.

A. A developer must make two presentations to the City Arts Committee:
   1. The first presentation shall be made prior to the development application being deemed complete. The developer must submit a maquette and other materials which satisfactorily illustrate the proposed conceptual development. The developer and architect must submit a conceptual statement expressing why the architecture should be considered art, including an explanation of the ideas, meaning, cultural significance or conceptual complexity expressed in the architecture.
   2. The second presentation shall be made at the completion of the City approval process. The developer must then submit a maquette and other materials which satisfactorily illustrate the to-be-built development.

B. The developer and architect shall demonstrate that there will be high quality materials and craftsmanship used in the execution of the construction.

C. If all of the foregoing criteria are met, the City Arts Committee shall make the recommendation to accept the architecture as art, only if, in its judgment, the architectural work is of extremely high artistic merit and would make a substantial cultural contribution to the City.

D. The developer and/or architect shall have the responsibility to demonstrate that all of the foregoing criteria are met.
Chapter 23.17 Landscaping

23.17.010 Purpose

The purposes of the landscaping regulations are to:

A. Improve the appearance of the community by requiring permanently maintained landscaping;
B. Enhance the appearance of development and minimize or eliminate conflicts between potentially incompatible uses through landscaping;
C. Aid in energy conservation by providing shade from the sun and shelter from the wind;
D. Provide areas on site to absorb rainfall and assist in reducing storm water runoff;
E. Assist in erosion control;
F. Promote conservation and efficient use of water; and

23.17.020 Applicability

The provisions of this Chapter shall apply to the following:

A. All new development.
B. Additions to single-family residential developments that expand existing floor area by 50 percent or more.
C. Additions to multi-unit residential and non-residential development that expand existing floor area by 10 percent or more.
D. All new and rehabilitated landscaping projects that include new irrigated landscaping over 2,500 square feet.
E. Exceptions. The provisions of this Chapter do not apply to the following:
   1. Farming, agriculture, and crop production including vegetable gardens, vineyards, and small orchards.
   2. Public recreational areas (designated for active play, recreation or public assembly).
   3. Registered local, state or federal historical sites.
   4. Habitat restoration projects that do not require a permanent irrigation system.
   5. Mined-land reclamation projects that do not require a permanent irrigation system.
   6. Existing plant collections, as part of botanical gardens and arboretums open to the public.
23.17.030 Areas to be Landscaped

In addition to areas required to be landscaped pursuant to other sections of this Title, the following areas shall be landscaped, and may count toward the total area of a site required to be landscaped. All landscaping shall comply the requirements of Section 23.17.050.

A. **Required Street-Facing Yards** All required street-facing yards shall be landscaped except for the following areas used for exit and entry:
   1. **Residential.** Up to 25 percent of the required yard area.
   2. **Nonresidential.** Up to 75 percent of the yard area.

B. **Sloped Areas.** All areas with 3:1 or greater slope.

C. **Parkways.** A minimum of 75 percent of parkway areas.

D. **Interior Property Lines Abutting Residential Zoning Districts.** Whenever a non-residential use is located adjacent to a Residential Zoning District and no screening wall is provided, a six foot wide landscape buffer planted with a mix of trees and shrubs shall be provided along interior property lines. A minimum of one tree of at least 15-gallon size shall be planted per 20 linear feet or as appropriate to create a tree canopy over the buffer yard. In addition, at least three shrubs shall be planted per 20 linear feet.

E. **Building Perimeters.** The portions of a non-residential building that front a public street shall have one or more landscape planters installed along a minimum 20 percent of that building face. The minimum width of the planter shall be three feet. This standard does not apply where a building is located on the front or corner side property line.

F. **Parking Areas.** Parking areas as required by Chapter 23.20, Parking and Loading.

G. **Unused Areas.** All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be landscaped, hydrosedeed, or left in a natural state.

23.17.040 Landscape Plan

A landscape plan showing compliance with the standards of this Chapter shall be submitted with the permit application for all projects for which landscaping is required.

A. **Information Required.** Landscape plans shall be drawn to scale and shall include the following:
   1. Proposed plant locations, species, sizes, and plant factor. Plants with similar water needs shall be grouped together on the landscape plan. The plant factor, established in the California Department of Water Resources study, Water Use Classification of Landscape Species (WUCOLS), shall be identified for all landscaped areas on a site. All water features shall be identified as high water use, and temporarily irrigated areas shall be identified as low water use.
2. Locations of any existing trees over six inches in diameter or over two inches in diameter for oak trees, as measured at 48 inches above natural grade, and whether each such tree is proposed for retention or removal.

3. Details and location of proposed fencing, entries, refuse collectors and free-standing or monument signs.

4. Areas to be covered by non-decorative hardscape features (e.g., concrete, asphalt, driveways, sidewalks, etc.)

5. Areas to be covered by decorative permeable hardscape features (e.g., brick, stone, mulch, gravel, water feature, etc.)

6. Walkways, plazas and sitting areas, play areas, street furniture and other existing or proposed permanent outdoor equipment or decorative landscape features, if any.

7. Proposed method and location of irrigation.

B. Alternative Landscape Plan. An applicant may demonstrate that the intent of the landscape requirements of this Chapter can be achieved through an Alternative Landscape Plan. The Alternative Landscape Plan shall be prepared in accordance with the purposes set forth in this Chapter and shall clearly detail the modifications being requested from the provision of this Chapter and how they reflect the evaluation criteria listed below.

1. Innovative use of plant materials and design techniques in response to unique characteristics of the site or the proposed use.

2. Preservation or incorporation of existing native vegetation.

3. Incorporation of naturalistic design principles, such as variations in topography, meandering or curvilinear plantings, and grouping of dominant plant materials (trees, large shrubs) in a manner consistent with existing native vegetation.

4. Integration of landscaping and pedestrian facilities in a manner that improves access or incorporates pedestrian-friendly design.

5. Use of additional shade trees to create a greater canopy effect.

6. A greater degree of compatibility with surrounding uses than a standard landscape plan would offer.

23.17.050 General Requirements

A. Materials.

1. General.

   a. Required landscaped areas shall be planted with a combination of ground covers, shrubs, vines, and trees. A minimum of one different plant type per 1,000 square feet of lot area shall be provided, up to a maximum of 10 different plant types.
b. Landscaping may include decorative materials such as brick, bark, timber, decorative rock, structural features, or other decorative features, provided they do not cover more than 25 percent of the area required to be landscaped.

2. **Required Water Efficient Plants.** One of the following options of types of plants shall be chosen to ensure that the landscape project meets water efficiency requirements.
   
a. *Option A: All Low Water Plants.* Exclusive of garden areas dedicated to edible plants, all plants and trees shall be low or very low water use (average California Department of Water Resources study, Water Use Classification of Landscape Species (WUCOLS) plant factor of 0.3). Option A is available for all residential and non-residential areas.

b. *Option B: Primarily Low Water Plants.* Exclusive of garden areas dedicated to edible plants, at least 75 percent of the landscape area shall contain low or very low water use plants (average WUCOLS plant factor of 0.3). Option B is only available for residential areas.

c. *Option C: Water Use Calculation.* The estimated total water use (ETWU) of the landscaping shall not exceed the maximum applied water allowance (MAWA), calculated pursuant to the State Model Water Efficient Landscape Ordinance (MWELO). Option C is available for all residential and non-residential areas.
   
i. *Department of Water Resources Model Water Efficient Landscape Ordinance Compliance Required.* Where Option C: Water Use Calculation is selected, all requirements of the Department of Water Resources Model Water Efficient Landscape Ordinance shall apply.

3. **Size and Spacing.** Plant materials shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun and light), and maintenance needs. Plants shall be of the following size and spacing at the time of installation:

a. *Ground Covers.* Ground cover plants other than grasses shall be at least the four-inch pot size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of one per 12 inches on center.

b. *Shrubs.* Shrubs shall be a minimum size of one gallon. When planted to serve as a hedge or screen, shrubs shall be planted with two to four feet of spacing, depending on the plant species.

c. *Trees.*
   
i. *Residential Development.* A minimum of one 24-inch box tree per 50 feet of street frontage shall be provided within the yard fronting the street, with a minimum requirement of at least one tree.
ii. **Mixed-Use and Nonresidential Development.** A minimum of one 36-inch box tree per 50 feet of street frontage shall be provided within the yard fronting the street.

4. **Artificial Turf.**

a. **Material.** Artificial turf must meet minimum material standards, including the following:

i. The turf shall have a minimum eight-year no-fade warranty as issued by the manufacturer.

ii. The turf shall be cut-pile infill, minimum pile height one and two-thirds inches and a maximum of one and three-quarter inches, with parallel long slit blades.

iii. The synthetic turf blades (not including the thatch layer) shall be required to contain at least two natural green colors.

iv. The turf must contain a beige or tan thatch layer.

v. Be affixed to a permeable triple-layer backing and allow water to percolate through the synthetic grass at a drain rate of at least 30 inches per hour, to an adequate drainage system installed underneath the artificial turf to prevent run-off, pooling and flooding.

vi. The synthetic turf shall comply with all federal and state standards related to lead and heavy metal content.

vii. The fill material shall be of silica sand or zeolite material that is brushed in to keep the blades upright and achieve a natural grass look. Any replacement fill shall be the same. The use of rubber crumb infill is prohibited.

viii. Must be constructed to maximize dimensional stability, resist damage during normal use and minimize UV degradation with a tear grab strength of at least 200 pounds. It must be resistant to staining, weather, insects, rot, mildew, and fungus and shall be non-allergenic and non-toxic and able to pass the pill burn test for flammability.

ix. The use of indoor/outdoor carpeting, and artificial shrubs, flowers, trees, and vines instead of natural plantings is prohibited.

b. **Installation.** Artificial turf must be installed pursuant to manufacturers requirements by a licensed professional with experience in the installation of artificial turf. In addition:

i. Installation must include removal of all existing plant material and three inches of a compacted aggregate base that provides adequate drainage and ensure stability.
ii. The area must be sloped and graded to prevent excessive pooling, runoff, or flooding onto adjacent property. Artificial turf areas must be sufficiently drained to live planting areas to provide complete infiltration of runoff.

iii. Artificial turf must be permanently anchored over the entire coverage area with nails and glue, and all seams must be nailed, or sewn and glued so as to conceal the edges, with the grain pointing a single direction.

iv. All existing irrigation infrastructure in the covered area, including piping and sprinkler heads that are no longer used must be capped or removed and shall not be visible.

v. Artificial turf must be separated from live planting areas by a barrier such as a mow strip or bender board to prevent mixing of natural plant materials and artificial turf.

vi. All efforts shall be made to protect existing trees and tree roots from damage during installation.

vii. Artificial turf may not be installed within a five-foot diameter of the trunk of any tree.

viii. Artificial turf is prohibited in all parkways.

c. **Maintenance:** Artificial turf must be maintained in an attractive and clean, unfaded condition free of weeds, stains, debris, tears, holes, depressions, ruts, odors and looseness at edges and seams. Damaged or worn areas in the artificial turf surface must be repaired or removed and replaced in a manner that results in consistent appearance with the existing artificial turf. The artificial turf surface must be replaced once it is unable to be maintained as required. Vehicle parking on artificial turf is prohibited.

5. **Natural Turf:** Natural turf is subject to the following limitations.

   a. No more than 25 percent of the landscaped area may be natural turf.

   b. The installation of natural turf on slopes greater than 25 percent is prohibited.

   c. Natural turf is prohibited in locations that are less than 10 feet wide.

6. **Mulch.** A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas. Mulch shall not be required in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch would be detrimental to the health of the planted materials.

7. **Compost.** Compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test) shall be incorporated.

B. **Water Features.** Recirculating water shall be used for all decorative water features.
C. **Dimension of Landscaped Areas.** No landscaped area smaller than three feet in any horizontal dimension shall count toward required landscaping.

D. **Prescribed Heights.** The prescribed heights of landscaping shall indicate the height to be attained within three years after planting.

E. **Intersection Visibility.** All landscaping shall comply with Section 23.12.170, Visibility at Intersections.

F. **Maintenance.** All planting and other landscape elements shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Inert matter, such as gravel, decorative stone, or other acceptable materials not consisting of live vegetation shall be kept neat, well-ordered, and clear of the public right-of-way. Wherever necessary, plantings shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements.

### 23.17.060 Irrigation Specifications

All landscaped areas shall be provided with an automatic irrigation system capable of complete coverage of the landscaped areas.

A. **General Requirements.**

1. All irrigation equipment must meet American National Standards Institute (ANSI), American Society of Agricultural and Biological Engineers/ International Code Council (ASABE/ICC)802-2014, “Landscape Irrigation Sprinkler and Emitter Standard”.

2. The following areas shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
   a. Slopes exceeding 25 percent.
   b. Areas less than 10 feet wide in any direction.

3. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas such as adjacent property or hardscapes.
   a. Irrigation systems shall be designed for zero run-off onto paved surfaces unless that surface drains to another landscape area.
   b. Spray irrigation must be placed two-feet away from impervious surfaces unless that surface drains to another landscape area.
   c. Proper irrigation equipment and schedules, including features such as repeated cycles, shall be used to closely match application rates to infiltration rates therefore minimizing runoff.
d. Slopes greater than 25 percent shall not be irrigated with an irrigation system with an application rate exceeding 0.75 inches per hour, and check valves shall be utilized.

B. Sprinkler Heads. Where used, sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.
   1. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer’s recommendations.

C. Water Meters. A dedicated meter for irrigation is required for non-residential projects with landscape areas of 1,000 square feet or more.

D. Backflow Prevention Devices. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system.

E. Pressure Regulating Equipment. Pressure regulating valves or assemblies shall be installed to ensure that the dynamic pressure at each emission device is within the manufacturer’s recommended pressure range for optimal performance.

F. Flow Sensors. Flow sensors are required to detect high flow conditions created by system damage on all non-residential projects 1,000 square feet and greater and residential projects 5,000 square feet and greater.

G. Controllers. Automatic control systems shall be required for all irrigation systems and must be able to accommodate all aspects of the design.
   1. Automatic irrigation controllers shall utilize either evapotranspiration or soil moisture sensor data, or rain sensing override devices.
   2. Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.

H. Check Valves. Where required on steep slopes, check valves shall be installed to prevent low-head drainage.

I. Shut-Off Valves. Locate shut-off valves as close as possible to the point of connection of the water supply, and place where needed to minimize water loss in case of an emergency (such as a main line break) or routine repair.

23.17.070 Installation and Completion

A. Consistency with Approved Plans. All landscaping shall be installed consistent with approved plans and specifications, in a manner designed to promote and maintain healthy plant growth.

B. Timing of Installation. Required landscaping shall be installed prior to the issuance of a certificate of occupancy for the project.
C. **Certification of Completion.** Where Required Water Efficient Plant Option C: Water Use Calculation, was installed, the applicant shall submit a Certificate of Completion pursuant to the Department of Water Resources Model Water Efficient Landscape Ordinance.
Chapter 23.18 Mapped Streets

23.18.010 Purpose

The regulations contained in this Chapter are intended to provide for the future development of new streets and for the widening of existing streets in the City.

23.18.020 Establishment of Future Streets

A. The City Council may designate mapped streets by adoption of an amendment to the General Plan or by adoption of a specific plan.

B. When such a mapped street has been so established, no person shall construct, install or maintain any building or structure in the area of such mapped street or in a required setback area or any lot or panel abutting such mapped street, except as specifically provided.

23.18.030 Partially Dedicated Streets

A. With regard to lots or parcels abutting a street or streets upon which there has been a determination by the City Council that only a portion of the required street width has been acquired, the City Council shall determine the precise required street width and shall adopt the same as a mapped street by amendment to the General Plan, or by adoption of a special plan and thereafter such alignment shall be the basis for the establishment of a required setback area.

B. When such mapped street has been so established, no person shall construct, install or maintain any structure or building in the area of such mapped street or in the required setback area of any lot or parcel abutting such mapped street, except as specifically provided.

23.18.040 Manner of Designation of Mapped Street

If the City Council elects to designate any such mapped street by an amendment to the General Plan or by the adoption of a specific plan, it shall do so by ordinance.

A. Each such ordinance shall have attached thereto a copy of a map upon which the boundaries and extent of the mapped street shall be clearly delineated.

B. The Director of Public Works shall maintain a file of all such designations of mapped streets.
Chapter 23.19 Nonconforming Uses, Structures, and Lots

23.19.010 Purpose

This Chapter is intended to permit continuation of uses and continued occupancy and maintenance of structures that were legally established but do not comply with all of the standards and requirements of this Title in a manner that does not conflict with the General Plan. To that end, this Chapter establishes the circumstances under which a nonconforming use or structure may be continued or changed and provides for the removal of nonconforming uses and structures when their continuation conflicts with the General Plan and public health, safety, and general welfare.

23.19.020 Applicability

The provisions of this Chapter apply to structures, land, and uses that have become nonconforming by adoption of this Title as well as structures, land, and uses that become nonconforming due to subsequent amendments to its text or to the Zoning Map.

23.19.030 General Provisions

A. Nonconformities, Generally. Any lawfully established use, structure, or lot that is in existence on the effective date of this Title or any subsequent amendment but does not comply with all of the standards and requirements of this Title shall be considered nonconforming.

B. Right to Continue. Any nonconforming use or structure may be continued and maintained provided there is no alteration, enlargement, addition, intensification or other change to the nonconforming use or structure except as otherwise provided in this Chapter.

1. The right to continue a nonconforming use or structure shall attach to the land and shall not be affected by a change in ownership.

2. The right to continue a nonconforming use or structure shall not apply to uses or structures deemed to be a public nuisance because of health or safety conditions.

3. The right to continue a nonconforming use or structure shall not apply if the nonconforming use has been abandoned or vacated as described in Section 23.19.070, Abandonment of Use.

23.19.040 Nonconforming Sites

Any lot or parcel of land that was legally created through a recorded deed may be used as a building site even when consisting of an area, width, or depth less than that required by zoning district regulations.

A. Vacant Sites. Two or more vacant nonconforming sites that are contiguous and of single ownership shall be treated as a single parcel of real property.
B. Development Standards. Nonconforming sites shall be subject to the same development standards as a standard lot within the same zoning classification.

C. Reductions Prohibited. No nonconforming site shall be further reduced in area, width, or depth, unless such reduction is required as part of a public improvement.

23.19.050 Nonconforming Structures

Lawful nonconforming structures may be continued and maintained in compliance with the requirements of this Section unless deemed by the Building Official to be a public nuisance because of health or safety conditions.

A. Maintenance and Repairs. Nonstructural maintenance, repair, and interior alterations to a nonconforming structure are permitted if the changes and improvements do not enlarge the structure, change the building footprint, or increase building height or roof pitch.

B. Structural Repairs. Structural repairs that do not enlarge or extend the structure, including modification or repair of building walls, columns, beams, or girders may be permitted only when the Chief Building Official determines that such modification or repair is immediately necessary to protect public health and safety, occupants of the nonconforming structure, or occupants of adjacent property, and when the cost of such work does not exceed 50 percent of the replacement cost of the structure.

C. Alterations and Additions. Alterations and additions to nonconforming structures are allowed if the alteration or addition complies with all applicable laws and requirements of this Title, the use of the property is conforming, and there is no increase in the discrepancy between existing conditions and the requirements of this Title, except as provided below.

1. Expansion of Nonconforming Dwellings. An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does not encroach any further into the setback and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of this Title.

D. Restoration of a Damaged Structure. A nonconforming structure that is damaged or partially destroyed by fire, explosion, earthquake, or natural disaster which is not caused by an act or deliberate omission of a property owner, their agent, or person acting on their behalf or in concert with, may be restored or rebuilt subject to the following provisions.

1. Restoration When Damage is 50 Percent or Less of Replacement Value. If the structure is damaged or partially destroyed to the extent of 50 percent or less of its replacement value, as determined by the Chief Building Official, the structure may be restored and any nonconforming use resumed, provided that the restoration is started within two years from the date of destruction and diligently pursued to completion. Restoration of the structure shall not increase the discrepancy between pre-existing conditions and the existing applicable standards for the zoning district in which it is located.
2. Restoration When Damage Exceeds 50 Percent of Replacement Value. If the structure is damaged or partially destroyed to an extent greater than 50 percent of its replacement value, as determined by the Chief Building Official, or is voluntarily razed or required by law to be razed, the structure shall not be restored except in full conformity with the standards for the zoning district in which the structure is located, and the non-conforming use shall not be resumed, except as provided below.

a. Residential Structures. Any nonconforming residential structure may be reconstructed, restored, or rebuilt up to the size and number of dwelling units prior to the damage and the nonconforming use, if any, may be resumed, provided the rebuilt development complies with all current design and property development standards, except off-street parking may be restored to the amounts prior to the damage or destruction. Restoration or reconstruction shall be started within two years from the date of destruction and diligently pursued to completion.

E. Nonconforming Signs. Lawfully established signs that do not conform to the requirements of this Title may only be maintained in compliance with the requirements of Chapter 23.21, Signs.

23.19.060 Nonconforming Uses

Nonconforming uses shall not be expanded or changed except as provided below.

A. Expansion. Nonconforming uses may only be expanded as follows.

1. Residential Uses. A nonconforming residential use may expand the portion of a structure that it occupies, and may expand into an expansion or enlargement of a structure that it occupies, provided the number of dwelling units does not increase and no conforming use is displaced.

2. Nonresidential Uses. Nonresidential nonconforming uses may be allowed to expand with approval of a Conditional Use Permit where the Planning Commission makes all of the following findings:

   a. The expanded use is located within an existing, completely enclosed structure;
   b. The proposed expansion of the nonconforming use would not be detrimental to public health, safety, or general welfare; and
   c. With the exception of the nonconforming use, the proposed expansion would not be inconsistent with the General Plan and would not preclude or interfere with implementation of any applicable Specific Plan.

B. Change in Tenancy, Ownership, or Management. Any nonconforming use may change ownership, tenancy, or management where the new use is of the same use classification as the previous use, as defined in Chapter 23.35, Use Classifications.
C. Change from Nonconforming to Permitted Use. Any nonconforming use may be changed to a use that is allowed by right in the zoning district in which it is located and complies with all applicable standards for such use.

D. Absence of Permit. Any use that is nonconforming solely by reason of the absence of a permit or approval may be changed to a conforming use by obtaining the appropriate permit or approval.

23.19.070 Abandonment of Use

No nonconforming use may be resumed, reestablished, reopened or replaced by any other nonconforming use after it has been abandoned or vacated for a period of six months. The six-month period shall commence when the use ceases and any one of the following occurs:

A. The site is vacated;
B. The business license lapses;
C. Utilities are terminated; or
D. The lease is terminated.
Chapter 23.20 Parking and Loading

23.20.010 Purpose

The purposes of the parking and loading regulations are to:
A. Require parking spaces and loading spaces for all land uses that are sufficient in number, size, and arrangement;
B. Minimize the negative environmental and urban design impacts that can result from parking lots, driveways, and drive aisles within parking lots;
C. Ensure that adequate off-street bicycle parking facilities are provided;
D. Establish standards and regulations for safe and well-designed parking, unloading, and vehicle circulation areas that minimize conflicts between pedestrian and vehicles within parking lots and, where appropriate, create buffers from surrounding land uses; and
E. Offer flexible means of minimizing the amount of area devoted to parking by allowing reductions in the number of required spaces in transit-served locations, shared parking facilities, and other situations expected to have lower vehicle parking demand.

23.20.020 Applicability

The requirements of this Chapter apply to the establishment, alteration, expansion, or change in any use or structure, as provided in this Section.
A. New Buildings and Land Uses. Parking and loading in accordance with this Chapter shall be provided at the time any main building or structure is erected or any new land use is established.
B. Existing Non-Residential Buildings.
   1. When a change in use, expansion of a use, or expansion of floor area creates an increase of 30 percent or more in the number of required parking or loading spaces, additional parking and loading shall be provided for such addition, enlargement, or change in use and not for the entire building or site.
      a. Exception, Commercial Uses. Additional parking and loading spaces are not required for the change of use from one Commercial Use to another Commercial Use.
      b. Exception, Change in Occupancy. A change in occupancy is not considered a change in use unless the new occupant is in a different use classification than the former occupant.
   2. The existing parking and loading not in excess of the minimum requirements shall be maintained.
3. If the number of existing parking or loading spaces is greater than the requirements for such use, the number of spaces in excess of the prescribed minimum may be counted toward meeting the parking and loading requirements for the addition, enlargement, or change in use.

4. Additional parking and loading spaces are not required for the partial reconstruction of an existing building that conforms to all applicable requirements of this Title (except for off-street parking) when the use of the building remains the same and there is no increase in floor area.

C. **Existing Residential Buildings.** Parking in accordance with this Chapter shall be provided where additional dwelling units are created through the alteration of an existing building or construction of an additional structure or structures.

D. **When Constructed.** Parking and loading facilities required by this Chapter shall be constructed or installed prior to the issuance of a Certificate of Occupancy by the Building Official for the uses that they serve.

### 23.20.030 General Provisions

A. **Existing Parking and Loading to be Maintained.** No existing parking and/or loading serving any use may be reduced in amount or changed in design, location or maintenance below the requirements for such use, unless equivalent substitute facilities are provided.

B. **Nonconforming Parking or Loading.** An existing use of land or structure shall not be deemed to be nonconforming solely because of a lack of parking and/or loading facilities required by this Chapter, provided that facilities used for parking and/or loading are not reduced in number to less than the existing number of parking and loading facilities as of the date of adoption of this Title.

C. **Accessibility.** Parking and loading areas must be accessible for its intended purpose during all hours of operation.

D. **Valet Parking.** Valet parking is allowed if an attendant is present or an automated system is in place to move vehicles. Valet parking may be permitted and may count towards the required parking subject to a parking plan approved by the Director.

### 23.20.040 Required Parking Spaces

A. **Minimum Number of Spaces Required.** Each land use shall be provided at least the number of parking spaces stated in Table 23.20.040, Required Parking Spaces. The parking requirement for any use not listed in Table 23.20.040 shall be determined by the Director based upon the requirements for the most similar comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand.
<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td>As specified for each land use classification below</td>
</tr>
<tr>
<td>Residential Housing Types</td>
<td></td>
</tr>
<tr>
<td>Single-Unit Dwelling, Detached</td>
<td>2 spaces within an enclosed garage.</td>
</tr>
<tr>
<td>Single-Unit Dwelling, Attached</td>
<td>2 spaces within an enclosed garage.</td>
</tr>
<tr>
<td>Multi-Unit Dwelling</td>
<td>Units up to 3 bedrooms: 2 spaces within an enclosed garage; plus 1 additional space.</td>
</tr>
<tr>
<td></td>
<td>Units of 4 bedrooms or more: 2 spaces within an enclosed garage; plus 1 additional space</td>
</tr>
<tr>
<td></td>
<td>for each bedroom in excess of 3 bedrooms.</td>
</tr>
<tr>
<td></td>
<td>0.5 guest parking space per unit.</td>
</tr>
<tr>
<td></td>
<td>Additional and guest parking spaces may be uncovered.</td>
</tr>
<tr>
<td>Family Day Care</td>
<td></td>
</tr>
<tr>
<td>Small</td>
<td>None beyond what is required for the Residential Housing Type</td>
</tr>
<tr>
<td>Large</td>
<td>None beyond what is required for the Residential Housing Type</td>
</tr>
<tr>
<td>Group Residential</td>
<td>1 space per sleeping room</td>
</tr>
<tr>
<td>Mobile Home Park</td>
<td>2 spaces per unit (covered or uncovered)</td>
</tr>
<tr>
<td></td>
<td>Guest parking: 0.5 spaces per unit</td>
</tr>
<tr>
<td>Residential Care Facilities</td>
<td></td>
</tr>
<tr>
<td>Small</td>
<td>None beyond what is required for the Residential Housing Type</td>
</tr>
<tr>
<td>Large</td>
<td>1 space for every 3 beds</td>
</tr>
<tr>
<td>Residential Facility, Assisted Living</td>
<td>1 space for every 3 beds</td>
</tr>
<tr>
<td>Single Room Occupancy (SRO)</td>
<td>1 space per sleeping room</td>
</tr>
<tr>
<td>Supportive Housing</td>
<td>None beyond what is required for the Residential Housing Type</td>
</tr>
<tr>
<td>Transitional Housing</td>
<td>None beyond what is required for the Residential Housing Type</td>
</tr>
<tr>
<td>Public/Semi Public Uses</td>
<td>1 per 250 square feet of floor area except as specified below</td>
</tr>
<tr>
<td>Collection Box</td>
<td>None</td>
</tr>
<tr>
<td>Community Assembly</td>
<td>1 space for each 6 permanent seats plus 1 for every 75 square feet of assembly area where</td>
</tr>
<tr>
<td></td>
<td>no seats or where temporary or moveable seats are provided</td>
</tr>
<tr>
<td>Community Garden</td>
<td>None</td>
</tr>
</tbody>
</table>
### TABLE 23.20.040: REQUIRED NUMBER OF PARKING SPACES

<table>
<thead>
<tr>
<th>Land Use Classification</th>
<th>Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Shelter</td>
<td>1 space for every 5 beds and/or 1 space per bedroom intended for families plus 1 space per employee</td>
</tr>
<tr>
<td>Hospitals</td>
<td>2 spaces for every bed</td>
</tr>
<tr>
<td>Skilled Nursing Facility</td>
<td>1 space for every bed</td>
</tr>
<tr>
<td>Park and Recreation Facilities</td>
<td>As determined by the Director in consultation with a parking analysis</td>
</tr>
<tr>
<td>Schools (non-public)</td>
<td>High School: 4 spaces per classroom plus 1 space for every 250 square feet of office</td>
</tr>
<tr>
<td></td>
<td>Other schools (K-8): 2 spaces per classroom plus 1 space for every 250 square feet of office</td>
</tr>
<tr>
<td>Commercial Uses</td>
<td>1 space per 250 square feet of floor area plus 1 space per 2,000 square feet of outdoor display and outdoor storage area except as specified below</td>
</tr>
<tr>
<td>Commercial Entertainment and Recreation</td>
<td>Cinema/Theaters: 1 for each 6 permanent seats</td>
</tr>
<tr>
<td></td>
<td>Other Commercial Entertainment and Recreation uses: As determined by the Director in consultation with a parking analysis</td>
</tr>
<tr>
<td>Eating and Drinking Establishments</td>
<td>1 space per 120 square feet of dining area, including outdoor seating; all other areas 1 space per 250 square feet</td>
</tr>
<tr>
<td>Funeral Parlors and Interment Services</td>
<td>1 space for each 6 permanent seats or 1 space for every 75 square feet of assembly area where no seats or where temporary or moveable seats are provided</td>
</tr>
<tr>
<td>Hotels</td>
<td>1 space for each guest room</td>
</tr>
<tr>
<td>Industrial Uses</td>
<td>1 space per 500 square feet of floor area for the first 20,000 square feet plus 1 space for each 1,000 square feet of floor area after, plus 1 space per 2,000 square feet of outdoor use area, except Self Storage uses.</td>
</tr>
<tr>
<td>Self Storage</td>
<td>1 space per on-site residential use, plus 1 space per 20,000 square feet of floor area, plus 1 customer space for every 10 vehicle, RV, or boat storage spaces. A minimum of 3 customer spaces shall be provided.</td>
</tr>
<tr>
<td>Transportation, Communication, and Utility Uses</td>
<td>1 space per 250 square feet of office floor area plus 1 employee space for every fleet vehicle</td>
</tr>
</tbody>
</table>

B. **Calculation of Required Spaces.** The number of required parking spaces shall be calculated according to the following rules:

1. **Floor Area.** Where a parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated.
2. **Bedrooms.** Where a parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom and meeting the standards of the Building Code as a sleeping room shall be counted as a bedroom.

3. **Students.** Where a parking or loading requirement is stated as a ratio of parking spaces to students (including children in day care), the number is assumed to be the number of students at the state-certified capacity or at Building Code Occupancy where no state-certification is required.

4. **Seats.** Where parking requirements are stated as a ratio of parking spaces to seats, each 80 inches of bench-type seating at maximum seating capacity is counted as one seat.

5. **Sites with Multiple Uses.** If more than one use is located on a site, the number of required parking spaces and loading spaces shall be equal to the sum of the requirements calculated separately for each use unless a reduction is approved pursuant to Section 23.20.050, Parking Reductions.

### 23.20.050 Parking Reductions

The number of parking spaces required by Section 23.20.040, Required Parking Spaces, may be reduced as follows. Parking reductions are cumulative; all applicable parking reductions may be applied in determining the number of required parking spaces.

**A. Proximate Public Parking Facilities.** Where a nonresidential or ground floor commercial of a mixed use project is located within 400 feet of a City-owned public parking facility, the number of required parking spaces may be:

1. Waived all or in part when the subject property is located within the CBD zone; or
2. Waived all or in part when the subject property is located outside the CBD zone with approval of a Minor Use Permit.

**B. Carsharing Programs.** Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces, pursuant to the following:

1. Up to 20 percent of the required automobile parking spaces may be designated as Carshare Vehicle parking spaces.
2. Carshare Vehicles shall be maintained for active use by Carshare Service and not for other purposes. No sales, servicing, storage, repair, administrative or similar functions shall occur and no personnel shall be employed on the site except for occasional short-term maintenance of vehicles unless otherwise permitted by the land use regulations in the zoning district.
3. Carshare Vehicles shall be made available to members of the Carsharing Service through an unattended, self-service operation 24 hours a day, seven days a week.
C. **Shared Parking.** Where a shared parking facility serving more than one use will be provided, the total number of required parking spaces may be reduced with approval of a Minor Use Permit, with the following findings:

1. The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces; and
2. The proposed number of parking spaces to be provided will be adequate to serve each use,

D. **Other Parking Reductions.** Required parking for any use may be reduced subject to the following criteria.

1. **Criteria for Approval.** The Applicant for a parking reduction shall submit a Parking Demand Study that substantiates the basis for granting a reduced number of spaces. The Parking Demand Study shall consider conditions including but not limited to, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site.

### 23.20.060 Location of Required Parking

A. **On-Site Parking Required.** Required parking shall be located on the same lot as the use it serves except as allowed below.

1. **Allowance for Off-Site Parking.** Required nonresidential parking spaces may be located off-site provided the off-site parking facility is located within 600 feet, along a pedestrian route, of the principal entrance containing the use(s) for which the parking is required. Required residential parking spaces as part of a mixed-use development may be located off-site provided the off-site parking facility is located within 300 feet, along a pedestrian route, of the principal entrance containing the use(s) for which the parking is required.
   
   a. **Evidence of Access and Right to Use.** Such property shall be subject to a recorded agreement of a design by the City which shall provide that for a period of not less than the expected life of the building or use on the development site, the property shall be used solely for parking for the related use. The recorded agreement shall be signed by the Applicant and Owner or Manager, as determined by the City.

B. **Front and Corner-Side Setbacks.** Parking spaces required pursuant to this Chapter shall not be located within a required front or corner-side setback.

### 23.20.070 Bicycle Parking

A. **Short-Term Bicycle Parking.** Short-term bicycle parking intended to serve shoppers, customers, messengers, guests and other visitors to a site who generally stay for a short time, shall be provided as specified below.
1. **Parking Spaces Required.** For the following uses, the number of short-term bicycle parking spaces shall be at least 2 percent of the number of required automobile parking spaces, with a minimum of four parking spaces provided per establishment.
   a. Multi-unit Residential, Group Residential, and Single Room Occupancy with five or more units.
   b. All uses in the Public and Semi-Public Use Classification.
   c. All uses in the Commercial Use Classification.

2. **Location.** Short-term bicycle parking must be located within 50 feet of a main entrance to the building it serves. Where the bicycle parking area is not visible from the main entrance of the building, signs located at the main entrance of the building shall identify the location of bicycle parking.

3. **Anchoring and Security.** For each short-term bicycle parking space required, a stationary, securely anchored object shall be provided to which a bicycle frame and one wheel (two points of contact) can be secured. One such object may serve multiple bicycle parking spaces.

4. **Size and Accessibility.** Each short-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces.

B. **Long-Term Bicycle Parking.** Long-term bicycle parking shall be provided in order to serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.

1. **Parking Spaces Required.**
   a. **Residential Uses.** A minimum of one long-term bicycle parking space shall be provided for every five units for Multi-Unit Residential, Group Residential, and Single Room Occupancy.
   b. **Other Uses.** Any establishment with 25 or more full time equivalent employees shall provide long-term bicycle parking at a minimum ratio of one space per 25 vehicle spaces.
   c. **Parking Structures.** Long-term bicycle parking shall be provided at a minimum ratio of one space per 50 vehicle spaces.

2. **Location.** Long-term bicycle parking must be located on the same lot as the use it serves and near the facility entrance. In parking garages, long-term bicycle parking must be located near an entrance to the facility. Where the bicycle parking area is not visible from
the entrance of the building, signs located at the entrance or in an entry lobby of the
building shall identify the location of bicycle parking.

3. **Covered Spaces.** At least 50 percent of required long-term bicycle parking must be
covered. Covered parking can be provided inside buildings, under roof overhangs or
awnings, in bicycle lockers, or within or under other structures.

4. **Security.** Long-term bicycle parking must be in:
   a. An enclosed bicycle locker;
   b. A fenced, covered, locked or guarded bicycle storage area;
   c. A rack or stand inside a building that is within view of an attendant or security
guard or visible from employee work areas or within secure/restricted bicycle
storage room; or
   d. Other secure area approved by the Director.

5. **Size and Accessibility.** Each bicycle parking space shall be a minimum of two feet in width
   and six feet in length and shall be accessible without moving another bicycle. Two feet of
   clearance shall be provided between bicycle parking spaces and adjacent walls, poles,
   landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from
   vehicle parking spaces.

6. **Bicycle Parking Reductions and Modifications.** A Modification for a reduction in the
   number of required bicycle parking spaces or to other standards of this Section may be
   granted pursuant to Chapter 23.29, Modifications, if the review authority finds that:
   a. Adequate site space is not available on an existing development to provide bicycle
      parking; or
   b. Reduced bicycle parking is justified by reasonably anticipated demand; or
   c. Other criteria based on unusual or specific circumstances of the particular case
      as deemed appropriate by the review authority.

23.20.080 Loading

A. **Loading Spaces Required.** Every new building, and every building enlarged by more than 10,000
square feet of gross floor area that is to be occupied by a nonresidential use other than office uses
shall provide one off-street loading space per 20,000 square feet of gross floor area.

1. **Multi-Tenant Buildings.** The gross floor area of the entire building shall be used in
determining spaces for multi-tenant buildings. A common loading area may be provided, if
each tenant space is not provided a loading area.

2. **Reduction in Number of Loading Spaces Required.** The loading space requirement may
be waived if the Director finds that the applicant has satisfactorily demonstrated that due
to the nature of the proposed use and/or location, such loading space will not be needed or is not practical.

3. **Additional Loading Spaces Required.** The required number of loading spaces may be increased to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement shall be based on the anticipated frequency of truck pickups and deliveries and of the truck storage requirements of the use for which the on-site loading spaces are required.

B. **Location.** All required loading spaces shall be located immediately adjacent to the exterior wall of the building and a minimum of 25 feet from any Residential Zoning District or use. Loading areas shall not be located within the required front or corner side yard setback.

C. **Minimum Size.** Each on-site loading space required by this Chapter shall have an unobstructed minimum dimension of 12 feet in width, 40 feet in length, and 15 feet in height, exclusive of driveways for ingress and egress, maneuvering areas and setbacks. The minimum size requirement may be modified if the Director finds that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such size will not be needed.

D. **Access.** Loading spaces shall be designed and located such that trucks shall not be required to back into or from an arterial or collector street or alley within 50 feet of any such street for ingress or egress.

E. **Surfacing.** All loading areas shall be surfaced with a minimum thickness of two inches of asphaltic concrete over a minimum thickness of four inches of a base material, to be approved by the Director of Public Works, or with a minimum thickness of four inches of portland cement concrete.

F. **Screening.** Loading areas adjoining a street or required front yard, or located directly across an alley from a Residential Zoning District or use shall be screened with a solid wall or other method that is approved by the Director.

### 23.20.090 Parking Area Design and Development Standards

A. **Access.** Parking access areas shall be designed to ensure vehicular access to parking spaces.

1. **Curtis and Electric Lanes.** Only properties which have their sole frontage on Curtis or Electric Lanes shall take vehicular access from the lanes. Developments on properties which have frontage on other streets in addition to Curtis or Electric Lanes shall not utilize the lanes for vehicular access.

2. **Maneuvering.**
   a. **Forward Entry.**
      i. Any commercial or industrial parking area containing space for three or more vehicles shall be provided with suitable maneuvering room so that all vehicles therein may enter an abutting street in a forward direction. In addition, there shall be no backing into alleys within 50 feet of any street.
ii. Any multiple-family residential parking area containing space for six or more vehicles shall be provided with suitable maneuvering room so that all vehicles therein may enter an abutting street in a forward direction. In addition, there shall be suitable maneuvering room so that no cars in a residential parking area are required to back into a collector or arterial street, as identified in the General Plan, or into an alley or street that is within 50 feet of a collector or arterial street.

b. Use of a required parking space shall not require more than four vehicle maneuvers.

c. No parking space shall be located so that a vehicle is required to maneuver within five feet of a vehicular entrance to the property.

d. No parking space shall be located so as to require the moving of another vehicle in order to access the space.

3. **Curb Cuts.** Curb cuts on Major Arterial streets are limited to one curb cut per 100 feet of frontage.

4. **Exits.** Exits from parking lots shall be clearly posted or painted with stop signs and a six-inch wide painted limit line. The minimum letter size for painted stop signs is 24 inches. Such markings shall be maintained in a clear and visible manner.

5. **Marking.** All non-residential drive aisles and driveways shall be clearly marked with arrows indicating the direction of travel. Such marking shall be maintained in a clear and visible manner.

6. **Driveways.** Driveways providing ingress and egress to off-street parking areas shall comply with Chapter 13.24, Driveways, of the Municipal Code and the following.

   a. **Driveway Length.**

      i. **Residential Zoning Districts.** In Residential Zoning Districts, driveways providing direct access from a public street to a garage or carport shall be a minimum of 20 feet in depth.

      ii. **Nonresidential Zoning Districts.** In Nonresidential Zoning Districts driveways providing direct access from a public street to a garage or carport shall be less than 10 feet or a minimum of 20 feet in depth.

   b. **Driveway Width.** The minimum width of a driveway is as provided in Table 23.20.090.A, Driveway Width.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>One-way</th>
<th>Two-way</th>
</tr>
</thead>
<tbody>
<tr>
<td>RL</td>
<td>10 feet</td>
<td>10 feet</td>
</tr>
</tbody>
</table>
TABLE 23.20.090.A: DRIVEWAY WIDTH

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>One-way</th>
<th>Two-way</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 or 2 units</td>
<td>10 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>3 or more units</td>
<td>12 feet</td>
<td>16 feet</td>
</tr>
<tr>
<td>RH</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 or 2 units</td>
<td>10 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>3 or more units</td>
<td>12 feet</td>
<td>16 feet</td>
</tr>
<tr>
<td>All Other Zones</td>
<td>12 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Within a parking garage</td>
<td>12</td>
<td>20 feet</td>
</tr>
</tbody>
</table>

B. Size of Parking Spaces and Maneuvering Aisles. Parking spaces and maneuvering aisles shall meet the minimum dimensions required by this Subsection. Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces.

1. Parking Spaces and Drive Aisle Dimensions. All residential parking spaces located within an enclosed garage shall have a minimum width of nine feet and a minimum depth of 20 feet. All other parking spaces shall have minimum dimensions as indicated in Table 23.20.090.B, Minimum Parking Space and Drive Aisle Dimensions. Up to 30 percent of required parking spaces may be designed as compact spaces. All compact spaces shall be clearly marked “compact”.

2. Parking Spaces Abutting Wall or Fence. Each parking space adjoining a wall, fence, column, or other obstruction higher than 30 inches in the vicinity of where a vehicle door may be located shall be increased by two feet.

C. Parking Lot Striping. All parking stalls except in a garage or carport containing two or fewer parking spaces shall be clearly outlined with striping.
D. **Wheel Stops.** Concrete bumper guards or wheel stops shall be provided for all parking spaces except those located within a two-car garage. A six-inch high concrete curb surrounding a landscape area at least six feet wide may be used as a wheel stop, provided that the overhang will not damage or interfere with plant growth or its irrigation. A concrete sidewalk may be used as a wheel stop if the overhang will not reduce the minimum required walkway width.

E. **Surfacing.** All parking areas shall be paved and improved subject to the approval of the Public Works Director. No unpaved area shall be used for parking.

1. **Pavement Standards.** Parking areas shall be paved consistent with the following materials or comparable material approved by the Public Works Director.
   a. **Asphalt.** Two inches of asphaltic concrete on four inches of aggregate base material.
   b. **Concrete.** Four inches of portland cement concrete on three inches of aggregate base material.
   c. **Pavers or Permeable Pavement Systems.** Pavers or permeable pavement systems with strength equivalent to a. or b. above.

2. **Landscaping Alternative.** Up to two feet of the front of a parking space as measured from a line parallel to the direction of the bumper of a vehicle using the space may be landscaped with ground cover plants instead of paving.

F. **Slope.**

1. Parking areas used exclusively for parking and vehicle maneuvering shall be designed and improved with grades not to exceed a five percent slope.

2. Driveways used exclusively for ingress and egress or interior parking lot circulation shall be designed and improved with grades not to exceed 15 percent slope, except for driveways within the RL Zone.

G. **Drainage.** All parking areas shall be drained consistent with applicable stormwater runoff regulations. Parking areas with three or more parking spaces and all loading facilities shall be designed such that surface water will not drain over any sidewalk.

H. **Perimeter Curbing.** Parking areas designed to accommodate 10 or more vehicles shall provide a six-inch wide and six-inch high concrete curb along the outer edge of the parking facility pavement, except where said pavement abuts a fence or wall. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.

I. **Heat Island Reduction.** In order to reduce ambient surface temperatures in parking areas, at least 50 percent of the areas not landscaped shall be: shaded, of light colored materials with a Solar Reflectance Index of at least 29, or a combination of shading and light colored materials.
1. Shade may be provided by canopies, shade structures, trees, or other equivalent mechanism. If shade is provided by trees, the amount of required shading is to be reached within 15 years.

J. **Lighting.** Parking areas designed to accommodate three or more vehicles shall be provided with a minimum of one foot-candle and a maximum of 3.0 foot-candles of light over the hours of use from one-half hour before dusk until one-half hour after dawn. All lighting shall comply with the standards of Section 23.12.080, Lighting and Illumination.

K. **Landscaping and Screening.** Parking areas designed to accommodate three or more vehicles must be landscaped according to the general standards of Chapter 23.17, Landscaping, as well as the standards of this Subsection.

1. **Landscape Area Required.**
   a. *Parking Areas Designed to Accommodate 10 to 19 Vehicles.* A minimum of eight percent of the parking lot area, including all driveways and maneuvering areas shall be landscaped.
   b. *Parking Areas Designed to Accommodate 20 or More Vehicles.* A minimum of 12 percent of the parking lot area, including all driveways and maneuvering areas shall be landscaped.

2. **Minimum Planter Dimension.** No landscape planter that is to be counted toward the required landscape area shall be smaller than 25 square feet in area, or four feet in any horizontal dimension, excluding curbing.

3. **Layout.** Landscaped areas shall be well-distributed throughout the parking lot area. A minimum of 10 percent of the required landscaping shall be located within 15 feet of a building on the site.

4. **Landscaping and Screening Adjacent to Streets and Alleys.** Landscaping and screening shall be provided between any surface parking area and any adjacent public or private street or alley in compliance with the following:
   a. A landscaped area at least seven feet wide shall be provided.
   b. Screening a minimum 30 inches in height and consisting of one or any combination of the following methods.
      i. **Walls.** Low-profile walls located a minimum of four feet from the property line consisting of brick, stone, stucco, or other quality durable material approved by the Director, and including a decorative cap or top finish as well as edge detail at wall ends.
      ii. **Planting.** Plant materials consisting of compact evergreen plants that form an opaque screen.
iii. **Berms.** Berms a minimum of two feet in height and planted with appropriate shrubs and ground cover.

5. **Landscaping and Screening Abutting Interior Lot Lines (Nonresidential Lots)**

a. **Adjacent to a Residential Zone or Use.** Landscaping and screening shall be provided between any surface parking area and any adjacent lot to a Residential zone or use in compliance with the following:

i. A landscaped area at least five feet wide shall be provided.

ii. A six-foot high solid masonry wall shall be located between the landscaped area and the property line of the Residential zone or use.

b. **Adjacent to Any Other Zone or Use.** A landscaped area at least three feet wide shall be provided between any surface parking area and any adjacent lot in any district other than Residential for the length of the parking area.

6. **Trees.** One 24-inch box size tree shall be provided for each ten parking spaces provided.

7. **Protection of Vegetation.**

a. **Clearance from Vehicles.** All required landscaped areas shall be designed so that plant materials, at maturity, are protected from vehicle damage by providing a minimum two-foot clearance of low-growing plants where a vehicle overhang is permitted, or by wheel stops set a minimum of two feet from the back of the curb.

b. **Planters.** All required parking lot landscaping shall be within planters bounded by a concrete curb at least six inches wide and six inches high. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.

8. **Visibility and Clearance.** Landscaping in planters at the end of parking aisles shall not obstruct driver's vision of vehicular and pedestrian cross-traffic. Mature trees shall have a foliage clearance maintained at eight feet from the surface of the parking area. Other plant materials located in the interior of a parking lot shall not exceed 30 inches in height.

L. **Alternative Parking Area Designs.** Where an applicant can demonstrate to the satisfaction of the Director that variations in the requirements of this Section are warranted in order to achieve environmental design and green building objectives, including but not limited to achieving certification under the LEED™ Green Building Rating System or equivalent, an alternative parking area design may be approved.

M. **Maintenance.** Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
Chapter 23.21 Signs

23.21.010 Purpose

The purpose of this Chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. More specifically, this Chapter is intended to:

A. Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
B. Encourage signs as an effective channel of communication while preventing visual clutter that will detract from the aesthetic character of the City;
C. Protect and improve the local economy and quality of life by preserving and enhancing the appearance of the streetscape;
D. Maintain and enhance the City's appearance by regulating the location, number, type, quality of materials, size, illumination, and maintenance of signs on private properties;
E. Restrict signs that may create a nuisance to nearby properties, violate privacy, or create hazards or unreasonable distractions for pedestrians or drivers;
F. Provide clear and unambiguous sign standards that enable fair and consistent enforcement; and
G. Ensure that the constitutionally guaranteed right of free speech is protected.

23.21.020 Definitions

As used in this Chapter, the following terms shall have the following meanings:

A. **Animated Sign.** A sign with messages that visually change, or images that move or appear to move, flash on or off, wink or blink with varying light intensity, show motion or create the illusion of motion, or revolve to create an illusion of being on or off.
B. **Awning Sign.** A sign placed on an awning.
C. **Balloon.** Any air- or gas-filled device used for the purposes of signage or advertising.

D. **Billboard.** A sign used for general advertising for hire, that is, some or all of the display area is customarily used to display the messages of advertisers or sponsors other than the owner of the sign.

E. **Building Identification Sign.** A sign on a building indicating the name of the building or building sponsor.

F. **Canopy Sign.** A sign placed on a canopy.

G. **Commercial Message.** A message on a sign, or portion of a sign, that promotes, informs, or proposes an economic transaction, primarily concerns the economic interests of the sign sponsor and/or audience, or is intended to further discussion in the marketplace of goods and services.

H. **Copy.** Also called "sign copy." The visually communicative elements mounted on a sign.
I. **Damaged Sign.** Any sign with cracked or broken panels, peeling paint, missing letters, or any sign that has been partially destroyed by any cause.

J. **Directional Sign.** A sign that directs or guides pedestrian or vehicular traffic and which is non-advertising in nature (e.g., handicapped parking, one-way, exit, and entrance).

K. **Electronic Copy.** A sign having the capability of presenting variable message displays by projecting an electronically controlled pattern, and which can be programmed to periodically change the message display.

L. **Flag Sign.** Any fabric or banner containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

M. **Freestanding Sign.** A sign supported by structures or supports that are placed on or anchored in the ground, and which are structurally independent from any building.

![Freestanding Sign]

**FIGURE 23.21.020.M: FREESTANDING SIGNS**

N. **General Advertising for Hire.** The advertising or promoting of other businesses, establishments or causes using methods of advertising, typically for a fee or other consideration, in contrast to self-promotion or on-site advertising.

O. **Government Sign.** A governmental sign for control of traffic and other regulatory purposes, including street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety.

P. **Graffiti.** Marks, such as inscriptions, drawings, or designs, which are placed, scratched, etched, painted, or sprayed on public or private property without the owner’s consent.

Q. **Illuminated Sign.** A sign with an artificial source of light incorporated internally or externally for illuminating the sign.

R. **Inflatable Sign.** A form of inflatable device (e.g., shaped as an animal, blimp, or other object) that is displayed, printed, or painted on the surface of an inflatable background, and is primarily installed...
outside a building to attract attention to or to advertise a business, a business location, a service, a product, or an event.

S. **Internally Illuminated Sign.** A sign that is illuminated by a light source that is contained inside the sign where the message area is luminous, including channel-letter signs.

T. **Master Sign Program.** A coordinated sign plan which includes details of all signs (not including exempt or temporary signs) which are or will be placed on a site.

U. **Moving Sign.** A sign or any portion thereof that rotates, moves, or appears to move in some manner by mechanical, electrical, natural, or other means.

V. **Non-Commercial Message.** A message or image on a sign that directs public attention to or advocates an idea or issue of public interest or concern that does not serve to advertise or promote any business, product, activity, service, interest, or entertainment.

W. **Nonconforming Sign.** A sign lawfully erected and legally existing on the effective date of this Code, but which does not conform to the provisions of this Code.

X. **Pennant.** A device made of flexible materials, (e.g., cloth, paper, or plastic) that may or may not contain copy, and which is installed for attracting attention.

Y. **Permanent Sign.** A sign that is intended to be and is so constructed as to be of a lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear) and position, and in a permanent manner affixed to the ground, wall, or building.

Z. **Portable Sign.** A moveable sign that rests on the ground and is not designed to be permanently attached to a building or permanently anchored to the ground, including but not limited to A-frame and H-frame signs.


AA. **Projecting Sign.** A sign that projects horizontally from the face of a building.
BB. Roof Sign. Any sign located on a roof of a building or having its major structural supports attached to a roof that extend above the roofline or parapet.

CC. Shingle Sign. A sign that is suspended beneath a marquee, covered walkway, canopy, or awning.

DD. Sign. Any identification, description, illustration, or device illuminated or non-illuminated, and directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, or placard designed to advertise, identify, or convey information on private property. A display, device, or thing need not contain lettering to be a sign.

EE. Sign Area. The area contained within a single continuous perimeter enclosing all parts of such sign copy, excluding any structural elements outside the limits of the sign required to support the sign.
FF. **Sign Face.** An exterior display surface of a sign, including non-structural trim, exclusive of the supporting structure. The area of a sign which is available for mounting and public display of the visually communicative image.

GG. **Traffic Sign.** A sign for traffic direction, warning, and roadway identification.

HH. **Wall Sign.** A sign affixed to and wholly supported by a building in such a manner that its exposed face is approximately parallel to the plane of such building.

II. **Window Sign.** A temporary or permanent sign with a single face of copy that is painted or installed on a glass window or door, or located within 12 inches from inside the window, in a manner that it can be viewed from the exterior of a structure.

### FIGURE 23.21.020.HH: WALL SIGN

### FIGURE 23.21.020.II: WINDOW SIGN

#### 23.21.030 Applicability

A. The provisions of this Chapter apply to all signs in all zones, constructed or physically altered on or after the effective date of this Title, unless otherwise specified.

1. The provisions of this Chapter shall not be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, so long as the person holding the sign does not block ingress and egress from buildings; create a safety hazard by impeding travel on
sidewalks, bike lanes, or vehicle lanes; or violate any other reasonable time, place, and manner restrictions adopted by the City.

2. The provisions of this Chapter shall not require alteration of the display of any registered mark, trademark, service mark, trade name, or corporate name that may be associated with or incorporated into a registered mark, where such alteration would require the registered mark to be displayed in a manner differing from the mark as exhibited in the certificate of registration issued by the United States Patent and Trademark Office. It is the responsibility of the applicant to establish that a proposed sign includes a registered mark.

B. Regulatory Interpretations. The provisions of this Chapter shall be applied in a content-neutral manner. Non-communicative aspects of all signs, not related to the content of the sign, shall comply with the provisions of this Chapter. “Non-communicative aspects” include the time, place, manner, location, size, height, illumination, spacing, and orientation of signs.

23.21.040 Exemptions

The following signs are exempt from the permit requirements of this Chapter, provided that they conform to the specified standards.

A. Directional and/or informational signs not more than four square feet in area.

B. Governmental signs.

C. Political signs removed within 14 days after the election to which it pertains if election related.

D. Real estate signs not exceeding 15 square feet in area.

E. Signs that are in the interior areas of a building and not visible from the exterior of the building.

F. Warning signs.

G. Window signs advertising community events sponsored by civic, charitable or nonprofit organizations.

H. Flag signs erected and located in accordance with the following standards:

1. Maximum Aggregate Flag Sign Area. The total combined area of all flag signs shall not exceed a maximum of 1½ square feet per linear foot of primary building frontage.

2. Individual Flag Sign Size. Each individual flag sign shall be at least four square feet in area, but shall be no more than 20 square feet in area.

3. Height. Flag signs shall be located not lower than eight feet above grade and not higher than 25 feet above grade or the cornice line of the building, whichever is lower.

I. Construction signs and development project signs not exceeding 40 square feet in size or ten feet in height on parcels less than one acre or 60 square feet in size or 15 feet in height for parcels one acre or larger. A maximum of one non-illuminated sign is allowed per street frontage.
J. **Additional Exemptions for Residential Zoning Districts.** In addition to the signs listed above, the following signs are exempt from the permit requirements of this Chapter when located in Residential Zoning Districts.

1. Wall signs of a non-advertising nature for residential building identification purposes with a maximum area of six square feet and maximum height of 15 feet.

2. Off-site portable open house signs and directional signs to open houses. Notwithstanding any other provision contained in this Section, open house and directional signs to real estate "open houses" in any Residential Zone may be placed upon the public parkway provided that all of the following restrictions are met:
   a. Permission of the adjacent property owner must be attained before placing any such signage.
   b. Signage shall be limited to one sign per corner, two signs per intersection, per home or property being advertised.
   c. No sign may be closer than 25 feet to another sign (except governmental signs and on-site real estate signs) regardless of whether it is a real estate or other permitted private sign. No sign may be closer than 15 feet from a driveway approach.
   d. Signage display hours shall be limited to Saturdays, Sundays, and Holidays from 10 a.m. to dusk, or 7 p.m., whichever is earlier.
   e. Open house directional signs shall only be posted on the same day of the open house.
   f. Open house signs shall contain the following information:
      i. Directional arrow(s) to, or address of, the subject property.
      ii. The name of the real estate professional's name and phone number (for identification purposes only, a business card taped to the sign is acceptable).
   g. The message content on the sign shall only relate to an activity actually in progress during the allowable display period.
   h. No sign shall obstruct the safe and convenient use by the public of adjoining sidewalk, curbside parkway, or roadway area.
   i. All signage must be freestanding on stakes in the ground or stand on their own base. Signs may not be placed on utility poles, stop signs, parkway fixtures, fences, walls, trees or other landscaping.
   j. No sign shall exceed three feet in height as measured from the ground to the top of the sign.
k. No other advertising, flag, pennant, streamer, banner, balloon, or direction sign shall be displayed on public property, except as expressly allowed by this Section.

l. The real estate professional placing a sign(s) described in this Section shall assume all liability associated with the placement of such sign.

m. Each sign as permitted in this Section shall be in a neat, clean and safe condition.

23.21.050 Prohibitions

Unless otherwise permitted by a specific provision of this Chapter, the following sign types are prohibited:

A. Animated or Moving Signs. Animated, flashing, blinking, reflecting, revolving, or other similar sign with visibly moving or rotating parts or visible mechanical movement of any kind, except Automatic Changeable Copy and Electronic Message Center Signs.

B. Flags, Balloons, Inflatable Signs, Streamers, Pennants and Other Attention-Getting Devices. Flags, balloons, inflatable signs, streamers, pennants, and other attention-getting devices, made of light-weight fabric or similar material, designed to rotate or move with the wind, that direct, promote, or that are otherwise designed to attract attention except flags and bunting associated with outdoor auto sales when located on light standards and not exceeding a maximum vertical dimension of 10 feet and a maximum horizontal dimension of nine feet.

C. Portable Signs.

D. Window Writing. Any sign applied directly on the interior or exterior of a translucent or transparent surface including windows and doors by the use of chalk, felt pen, tempera, grease pencil or similar medium (seasonal holiday displays of a non-advertising nature excepted).

E. Box, Cabinet, Can Signs. Wall signs in which the sign face is contained within a box constructed of metal, wood, plastic, or other similar material.

F. Fence Signs.

G. Painted Signs.

H. Roof Signs.

I. Signs Located in the Public Right-of-Way or on Public Property. Other than official government signs, warning signs required by law, or off-site portable open house signs, no inanimate sign can be placed in or project into the public right-of-way or on public property unless authorized by an encroachment permit.

J. Signs Creating Traffic or Pedestrian Safety Hazards. Signs placed, located, or displayed in such a manner as to constitute a traffic or pedestrian safety hazard shall be prohibited.

1. Signs that obstruct use of any door, window, or fire escape.

2. Signs that impede normal pedestrian use of public sidewalks. A minimum unobstructed width of four feet must always be maintained.
3. Signs that constitute a traffic hazard or obstruct the view of traffic, any authorized traffic sign, or signal device.

4. Signs that create confusion or conflict with any authorized traffic sign or signal device due to color, location, wording, or use of specific phrases, symbols, or characters.

K. **Signs for Prohibited Uses.** A sign displaying a commercial message promoting a business that is a prohibited use and has not been established as a legal nonconforming use.

L. **Unauthorized Signs.** Signs shall not be placed on private or public property without the permission of the property owner.

**23.21.060 Sign Measurement**

A. **Measuring Sign Area.** Building painting, striping, and supporting structures are not included in sign area. The sign area is the total area contained within the smallest rectangular perimeter encompassing the sign, structures, and any background embellishments. The sign area for individual channel letter signs is the area contained by the smallest rectangular perimeter that will encompass each word. The area of an individual sign shall be calculated as follows:

![Sign Measurement Diagram](image)

**FIGURE 23.21.060.A: MEASURING SIGN AREA**

1. **Single-Faced Signs.** The sign area is the area of the sign face.

2. **Double-Faced Signs.** Where two faces of a double-faced sign are located two feet or less from one another at all points or located at an interior angle of 45 degrees or less from one another, the sign area of double-faced signs is computed as the area of one face. Where
the two faces are not equal in size, the larger sign face will be used. Where two faces of a
double-faced sign are located more than two feet or greater than 45 degrees from one
another, both sign faces are counted toward sign area.

FIGURE 23.21.060.A.2: MEASURING DOUBLE-FACED SIGNS

3. **Multi-Faced Signs.** On a three-faced sign, where at least one interior angle is 45 degrees
or less, the area of two faces (the largest and smallest face) must be summed to determine
sign area. In all other situations involving a sign with three or more sides, sign area will be
calculated as the sum of all faces.

FIGURE 23.21.060.A.3: MEASURING MULTI-FACED SIGNS

4. **Three-Dimensional Signs.** Three-dimensional signs include those that consist of, or have
attached to them, one or more three dimensional objects such as balls, cubes, clusters,
sculpture, or statue-like trademarks. The sign area is the sum of all areas using the four
vertical sides of the smallest rectangular prism that will encompass the sign.
FIGURE 23.21.060.A.4: MEASURING THREE-DIMENSIONAL SIGNS

B. Measuring Sign Height. The height of a sign is the vertical distance from the uppermost point used to measure sign area to the existing grade immediately below the sign.

1. Freestanding Signs. The height of freestanding signs shall be measured as the vertical distance from grade at the edge of the right-of-way along which a sign is placed, to the highest point of the sign, including any structural or architectural component of the sign. When the grade at the edge of the right-of-way is higher than the site on which the sign is placed, that portion of the sign below the grade at the edge of the right-of-way shall not be included in determining the sign’s overall height.

FIGURE 23.21.060.B: MEASURING SIGN HEIGHT

C. Measuring Sign Clearance. Sign clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or background embellishments.
FIGURE 23.21.060.C: MEASURING SIGN CLEARANCE

D. **Building Frontage.** Building frontage shall be measured as the widest lineal dimension, parallel to the ground, of a continuous frontage. A building’s frontage is considered continuous if projections or recesses in a building wall do not exceed 10 feet in any direction. For buildings with two or more frontages, the length of the frontage and allowable sign area shall be calculated separately for each building frontage.

FIGURE 23.21.060.D: BUILDING FRONTAGE

E. **Street Frontage.** The length of street frontage is measured along the property line adjacent to the public right-of-way.
23.21.070 General Provisions for All Sign Types

A. **Applicable Codes.** In addition to complying with the provisions of this Section, all signs must be constructed in accordance with the Uniform Building Code, the Uniform Sign Code, the Electrical Code, and all other applicable laws, rules, regulations, and policies.

B. **Changes to Copy of Approved Signs.** Changes to the copy of approved signs that were legally established and have not been modified to become illegal are exempt from permitting pursuant to this Title. Changes to copy do not include changes to the type or level of illumination of an approved sign.

C. **Noncommercial Signs.** Non-commercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this Chapter. For purposes of this Chapter, all non-commercial speech messages will be deemed to be “on-site,” regardless of location.

D. **Sign Materials.** All signs shall be made of sturdy, durable materials.
   1. **Paper, Cardboard, and Similar Materials.** Paper, cardboard, and similar materials subject to rapid deterioration shall be limited to temporary signs.
   2. **Fabric.** Fabric materials shall be limited to awnings, canopies, flags, and temporary signs.

E. **Changeable Copy.**
   1. **Manual Changeable Copy.** Manually changeable copy shall represent no more than 50 percent of the sign area.
   2. **Automatic Changeable Copy and Electronic Message Center Signs.** Electronic Message Center (EMC) signs and automatic changeable copy in which copy can be changed or altered by electric, electro-mechanical, electronic, or any other artificial energy means, are allowed subject to the following standards.
      a. **Permit Required.** All automatic changeable copy and electronic message center signs require Minor Use Permit approval, except service and gas station price signs and time and temperature signs.
      b. **Display Duration.** The display shall change no more frequently than once every eight seconds and must have an unlighted interval between copy displays of 0.3 second or more.
      c. **Static Message.** Displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination, or the flashing, scintillating or varying of light intensity.
d. **Automatic Controls.** All electronic message displays shall be equipped with automatic controls to allow for adjustment of brightness based on ambient lighting conditions.

F. **Encroachment.** Signs mounted on private property shall not project into or above public property or the public right-of-way unless an encroachment permit is granted by the Public Works Department.

### 23.21.080 Signage Allowances by Zone District

This Section establishes the types of signs allowed per Zone District. These signs are also subject to the regulations in Section 23.21.070, General Provisions for All Sign Types, and Section 23.21.090, Standards for Specific Sign Types.

<table>
<thead>
<tr>
<th>TABLE 23.21.080: ALLOWED SIGNS BY ZONE DISTRICT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Zoning Districts</td>
</tr>
<tr>
<td>RL</td>
</tr>
<tr>
<td>RM</td>
</tr>
<tr>
<td>RH</td>
</tr>
<tr>
<td>Commercial and Mixed-Use Zoning Districts</td>
</tr>
<tr>
<td>CBD</td>
</tr>
<tr>
<td>EMC</td>
</tr>
<tr>
<td>CMU</td>
</tr>
<tr>
<td>AC</td>
</tr>
<tr>
<td>Employment Zoning Districts</td>
</tr>
<tr>
<td>PO</td>
</tr>
<tr>
<td>I</td>
</tr>
<tr>
<td>Public and Semi-Public Zoning Districts</td>
</tr>
<tr>
<td>PF</td>
</tr>
<tr>
<td>OS</td>
</tr>
</tbody>
</table>
1. Permitted for Conditionally Permitted Uses only
2. Monuments signs allowed only
3. Temporary Auto Commercial Sign TBD

23.21.090 Standards for Specific Sign Types

This Section establishes standards for specific sign types that apply to all zones where such signs are allowed.

A. Wall Signs. Wall signs include any sign attached to or erected against the wall of a building or structure. Wall signs are subject to the following standards.
   1. Maximum Allowable Sign Area. In all cases, wall sign signage shall not occupy more than 20 percent of the total area of the wall to which the sign(s) is attached.
      a. Residential Zone Districts. 20 square feet.
      b. Commercial and Mixed Use Zone Districts, Employment Zone Districts
         i. Primary Building Frontage. Two square feet per linear foot of primary building frontage.
         ii. Other Building Frontage. ½ square foot per linear foot of building frontage other than the primary building frontage.
   2. Maximum Sign Height/Placement.
      a. Residential Zone Districts. Signs shall be located on the ground floor not to exceed 15 feet. Conditionally permitted uses shall locate signs on the second floor or below.
      b. Commercial and Mixed Use, Employment, and Public and Semi-Public Zone Districts. 30 feet.
   3. Location of Sign.
      a. Wall signs shall not cover or interrupt major architectural features, including such features as doors, windows, or tile embellishments.
      b. Wall signs shall not extend higher than the building wall upon which they are attached.
      c. Wall signs for a business shall be placed only on the frontage it pertains to, except Directory signs.

B. Freestanding Signs. Freestanding signs are subject to the following standards.
### TABLE 23.21.090.B: FREESTANDING SIGN STANDARDS

<table>
<thead>
<tr>
<th>Zone District</th>
<th>Maximum Number of Signs</th>
<th>Maximum Sign Area (per side)</th>
<th>Maximum Sign Height</th>
<th>Minimum Distance from Other Freestanding Sign</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential OS</td>
<td>One per street frontage</td>
<td>25 square feet</td>
<td>5 feet</td>
<td>n/a</td>
</tr>
</tbody>
</table>
| Commercial and Mixed Use I PF  | • Lots with less than 100 lineal feet of street frontage: not allowed  
• Lots with 100 lineal feet of street frontage or more: One per 100 lineal feet of street frontage | One square foot per linear foot of the street frontage on which the sign will be installed | • 100-150 lineal feet of street frontage: 15 feet  
• 150 or more lineal feet of street frontage: 20 feet | 50 feet whether located on the same property or not |
| PO                             | One per street frontage                                      | One square foot per linear foot of the street frontage on which the sign will be installed | 5 feet              | 15 feet whether located on the same property or not |
| Central Business District      | One freestanding sign per establishment within a structure located at least 30 feet from a public right-of-way other than an alley | 20 square feet               | 5 feet              | n/a                                           |

1. **Support Structure.** For all freestanding signs less than 10 feet in height, the width of the support structure of freestanding signs shall be least the width of the sign face.

2. **Location of Sign.** All freestanding signs shall meet visibility requirements pursuant to Section 23.12.170, Visibility at Intersections.

C. **Awning and Canopy Signs.** Signs painted or printed on awnings, canopies, arcades, or similar attachments or structures are subject to the following standards.

1. **Maximum Allowable Sign Area.** Awning and canopy signs shall have a maximum allowable sign area of 30 percent of the total awning or canopy area.

2. **Maximum Sign Height.** Awning and canopy signs shall have a maximum height of 14 feet.

3. **Minimum Sign Clearance.** Awning and canopy signs shall have a minimum sign clearance of eight feet.

4. **Illumination.** Awning and canopy signs shall not be illuminated.
D. **Projecting and Shingle Signs.** Signs that project horizontally from the exterior wall of a building or are suspended beneath a marquee, covered walkway, canopy, or awning, are subject to the following standards.

1. **Maximum Allowable Sign Area.** Twelve square feet.
2. **Maximum Sign Height.** 15 feet above finished grade.
3. **Minimum Sign Clearance.** Eight feet above finished grade.
4. **Maximum Number of Signs.** One for each building frontage or tenant space.
5. **Location of Sign.** Shall be located at least 15 feet from any other projecting or shingle sign whether located on the same property or not, and five feet from any common wall or other point common to two separate business establishments on the same property.
6. **Projection Allowed.**
   a. **Projecting Sign.** A projecting sign cannot extend more than five feet from the building to which it is attached and must be designed and located so as to cause no harm to street trees. Signs projecting into the public right-of-way are subject to an encroachment permit.
   b. **Shingle Sign.** A shingle sign cannot extend further than the outer edge of the supporting structure from which it is suspended.
7. **Illumination.** Projecting and shingle signs shall not be illuminated.
FIGURE 23.21.090.D: PROJECTING AND SHINGLE SIGNS

E. **Window Signs.** Signs painted on or otherwise adhered directly onto a window and signs that block a window in any way are subject to the following standards.

   1. **Maximum Allowable Sign Area.**
      
      a. **Ground Level.** 25 percent of the window area.
      
      b. **Second Level.** 10 percent of the window area.

   2. **Maximum Sign Height.** Window signs shall not be placed on windows higher than the second story.

F. **Building Identification Signs.** Building identification signs are allowed on buildings of at least two stories, subject to the following standards.

   1. **Maximum Allowable Sign Area.** Building identification signs shall have a maximum allowable sign area pursuant to Table 23.21.090.F, Maximum Building Identification Sign Area.

<table>
<thead>
<tr>
<th>Number of Stories</th>
<th>Maximum Letter Height</th>
<th>Maximum Logo Height</th>
<th>Maximum Sign Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2'8&quot;</td>
<td>4'2&quot;</td>
<td>150 square feet</td>
</tr>
<tr>
<td>3</td>
<td>2'10&quot;</td>
<td>4'6&quot;</td>
<td>175 square feet</td>
</tr>
<tr>
<td>4</td>
<td>3'0&quot;</td>
<td>4'10&quot;</td>
<td>200 square feet</td>
</tr>
<tr>
<td>5</td>
<td>3'4&quot;</td>
<td>5'4&quot;</td>
<td>225 square feet</td>
</tr>
<tr>
<td>6</td>
<td>3'9&quot;</td>
<td>6'0&quot;</td>
<td>250 square feet</td>
</tr>
</tbody>
</table>
TABLE 23.21.090.F: MAXIMUM BUILDING IDENTIFICATION SIGN AREA

<table>
<thead>
<tr>
<th>Number of Stories</th>
<th>Maximum Letter Height</th>
<th>Maximum Logo Height</th>
<th>Maximum Sign Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>4'2&quot;</td>
<td>6'8&quot;</td>
<td>275 square feet</td>
</tr>
<tr>
<td>8-9</td>
<td>5'0&quot;</td>
<td>8'0&quot;</td>
<td>300 square feet</td>
</tr>
<tr>
<td>10 or more</td>
<td>6'0&quot;</td>
<td>9'0&quot;</td>
<td>350 square feet</td>
</tr>
</tbody>
</table>

2. **Location of Sign.** Building identification signs shall be located on the upper-most story of the building.

3. **Maximum Number of Signs.** One per street frontage.

G. **Temporary Signs.** Any temporary sign, banner, balloon, pennant, valance or advertising display that are not otherwise exempt pursuant to Section 23.21.040, Exemptions, may be erected and located in accordance with the following standards.

1. **Temporary Event Association Required.** Temporary signs shall be associated with an event of limited duration including, but not limited to, opening of a new business, new services, new ownership, promotional sales, construction, limited time offers, entertainment, and special events.

2. **Time Limits, Display Duration and Frequency.**
   a. Temporary signs may be displayed for a maximum display period of 60 consecutive days, with a minimum of 30 days between the time temporary signage associated with an event is removed and any other temporary sign may be displayed.
   b. Temporary signs shall be removed within 14 days after the conclusion of the event served by the sign.

3. **Maximum Number of Temporary Sign Types.** No more than two different types of temporary signs may be displayed on any one site at any one time.

4. **Temporary Sign Types.** Only the following temporary sign types are allowed, provided that they conform to the standards of this Section and the following.
   a. **Banner Signs.**
      i. **Maximum Allowable Sign Area.** Two square feet per linear foot of primary building frontage. **Maximum Number.** One banner sign per building frontage not to exceed two banner signs per site.
      ii. **Materials.** Banner signs must be made of pliable, weather-resistant, and durable material.
      iii. **Location.**
Shall be located on private property and attached to the building facade or under-canopy where the applicant’s business is located.

Shall not be displayed on the roof, obstruct the visibility of any other building sign and may not extend above the parapet line of the building.

Shall not be displayed in the landscape area, parking lot or fence, unless the applicant’s business site is under active construction or site features renders sign placement on the building physically infeasible, subject to discretionary approval by the Director.

iv. **Attachment.** Banner signs shall be secured to the building facade so as not to cause any safety hazards, obstructions or constitute a nuisance.

b. **Portable signs.**

i. **Maximum Allowable Sign Area.** 20 square feet.

ii. **Maximum Height.** Five feet above grade.

iii. **Maximum Number.** One per business.

iv. **Location.** Not to be located on or project over public right-of-way or public property and must be placed immediately adjacent to the business to which it pertains.

c. **Window Signs.** Any sign applied directly on the interior or exterior of a transparent window by use of tempera or similar paint medium or professionally printed signs or posters constructed on or of paper or similar material and displayed in or on a window or door area.

i. **Maximum Allowable Sign Area.** 10 percent of the total translucent or transparent window and door area visible from the exterior of the building.

ii. **Location.** Shall not be placed above the second level.

d. **Fin Signs.** Fin signs may only be displayed in association with new construction or as part of a major modification of an existing building’s major architectural elements.

e. **Promotional Balloons.** Large-scale promotional balloons are subject to the following additional standards.

i. **Maximum Duration.** Shall not be displayed for more than seven consecutive days.

ii. **Frequency.** Limited to four display periods in any 12-month time period.
23.21.100 Signs of Special Significance

A. Signs in the City may be inventoried for their architectural or historic significance whether local, state, or national. Upon application by the owner, any sign properly included in such a significance inventory may be considered by the Design Review Board for designation as a special significance sign.

B. The Design Review Board shall review such applications. Signs meeting the following criteria may be designated signs of special significance: Signs of special significance are those of historical and/or architectural significance which directly contribute to the distinctive character of the City. Such signs shall consist of:

1. Signs constructed at least 30 years ago;
2. Signs whose design, material(s) and color(s) are consistent with the architectural styles and building-types to which they relate;
3. Signs which are integral to a building and/or storefront whose design, material(s) and color(s) have not been compromised, to the point that the integrity of the original sign/building/storefront relationship no longer exists; and
4. Signs which have been properly maintained and repaired, if necessary, by the original owner; or faithfully restored, if there is a new owner.

C. Designated signs of special significance shall not be removed or abated as provided in Section 23.21.140, Nonconforming Signs, unless upon a finding after a hearing the Design Review Board determines that such exemption will have a significant adverse effect on the achievement of the purposes of this Chapter.

23.21.110 Approval Required

A. Approval Required. Except as otherwise provided in this Chapter, it is unlawful for any person to affix, place, erect, suspend, attach, construct, structurally or electrically alter (not including a face change of sign copy), move, or display any temporary or permanent sign within the City without first obtaining approval from the Director. No approval is required for exempt signs or normal maintenance of a previously approved sign, unless a structural or electrical change is made.

B. Application. Application for sign approval shall be made upon forms provided by the Planning Division and accompanied by the required fee and application materials showing the following:

1. Site plan showing the location and dimensions of existing structures and the relationship of the proposed sign to the existing structures;
2. Location, dimension, and design of all existing and proposed signs; and

C. Any additional application materials necessary as determined by the Director. Review and Decision.

1. Upon acceptance of a sign application, the Director shall review the request for compliance with the standards and requirements of this Chapter, and with any standards established
in a Master Sign Program pursuant to Section 23.21.120, Master Sign Program, if applicable.

2. The Director’s decision shall clearly state any conditions of approval or reasons for disapproval and applicable appeal provisions.

23.21.120 Master Sign Program

A. **Purpose.** The purpose of a Master Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a project with the overall development design to achieve a more unified appearance.

B. **Applicability.** A Master Sign Program shall be required for projects with four or more non-residential lease spaces.

C. **Application.** A Master Sign Program application shall contain all written and graphic information needed to fully describe the proposed sign program, including the proposed location and dimension of each sign, as well as proposed color schemes, font types, materials, methods of attachment or support, and methods of illumination. A Master Sign Program application shall also include calculation of maximum allowable sign area, and total proposed sign area, for the site, and any additional application materials necessary as determined by the Director.

D. **Review Authority.** All Master Sign Programs are subject to review and approval of the Design Review Board for the project with which the signs are associated. A Master Sign Program may be submitted separately or as part of the permit application for the project.

E. **Design Standards.** The Design Review Board shall approve an application for a Master Sign Program if the Master Sign Program is in compliance with the provisions of this Chapter and if the Master Sign Program complies with the following design standards:

   1. The proposed signs are compatible in style and character with any building to which the signs are to be attached, any surrounding structures and any adjoining signage on the site;

   2. Future tenants will be provided with adequate opportunities to construct, erect, or maintain a sign for identification; and

   3. Directional signage and building addressing are adequate for pedestrian and vehicular circulation and emergency vehicle access.

23.21.130 Sign Maintenance

Each sign displayed within the City, including exempt signs, shall be maintained to comply with the following standards:

A. Any sign or sign structure shall be maintained in good condition, free of graffiti, without rips, tears, broken elements, and similar damage.
B. All parts, portions, units and materials composing a sign, together with the frame, background, surface, support or enclosure therefore shall be maintained in a safe condition, painted, and adequately protected from weathering with all braces, bolts and structural parts and supporting frames and fastenings reasonably free from deterioration, rot, rust, and loosening so that they do not create a hazard to persons or property or constitute an attractive nuisance.

C. Any sign or sign structure that is sagging, leaning, fallen, decayed, broken, deteriorated, or other dilapidated condition shall be promptly repaired, to the satisfaction of the City, or removed.

D. Whenever any sign, by virtue of its physical nature and condition, poses an immediate and serious threat to the public safety, the sign may be removed by City personnel, or its physical deficiency cured, to the extent necessary to protect the public safety. The cost of such removal or repair shall be assessed against the business or property owner.

23.21.140 Nonconforming Signs

A. Signs which are lawfully in existence at the time of the adoption of these regulations and which are neither specifically permitted nor exempted from these regulations are nonconforming signs and shall be removed or brought into conformity with the regulations within five years, except as noted below in Subsections B and E below.

B. Billboard signs which are lawfully in existence at the time of the adoption of these regulations are exempt from the provisions of this Section. Such signs, if not in accordance with the regulation of this Chapter, need not be removed or brought into conformity with the regulations; provided they are continuously maintained and operated and are not expanded, enlarged, or otherwise altered in any manner with the exception of facial copy change or replacement.

C. Signs which become nonconforming as a result of a zone change, annexation or code amendment shall also be subject to the provisions of this Chapter, with the abatement period commencing from the effective date of the zone change, annexation or amendment.

D. Immediately upon any change, modification or alteration in the building to which any existing nonconforming signs relate, all such signs shall become unlawful and shall be removed or abated as provided in this Code.

E. The Community Development Director shall have the authority to grant an exemption to the requirements of this Chapter. Approval of any such exemption shall be based upon a determination there is a strong possibility that displacement of businesses will result.

F. Removal and disposition of abandoned, nonmaintained or illegally installed signs.

1. Every sign shall be maintained in a safe presentable and good structural material condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. If the sign is not made to comply with safety standards, the Director of Community Development shall require its removal in accordance with this Section.
2. The Director shall remove or cause the removal of any fixed permanent sign constructed, placed or maintained in violation of this Section after 30 days, following the date of mailing of registered or certified written notice to the owner of the sign, if known, at their last-known address or to the owner of the property as shown on the latest assessment roll, or to the occupant of the property at the property address, which notice shall describe the sign and specify the violations involved, giving notice that said sign will be removed if the violation is not corrected within 30 days.

3. Signs removed by the Director of Community Development pursuant to this Section shall be stored for a period of 30 days, during which time they may be recovered by the owner upon payment to the City for costs of removal and storage. If not recovered prior to expiration of the 30-day period, the sign and supporting structure shall be declared abandoned and title thereto shall vest in the City and the cost of removal shall be billed to the owner. If not paid by the owner, said costs will be imposed as a tax lien against the property.

4. Any person having an interest in the sign or the property may appeal the determination of the Director of Community Development ordering removal or compliance by filing a written notice of appeal with the Planning Commission.

23.21.150 Nonconforming Signs a Public Nuisance

The City Council hereby declares that any sign which is in violation of this Chapter shall constitute a public nuisance.

23.21.160 Imposition of Assessment and Lien

A. After the expiration of the applicable amortization period detailed in Section 23.21.140, Nonconforming Signs, the Director of Community Development or such other City official as may be designated by the City Manager, may order the abatement of the offending sign. The City shall cause notice to be sent to the business or property owner of this determination. The sign shall be abated within ten days of this notice.

B. If the owner of the sign not in conformance fails to abate the sign by the time specified, the City shall cause notice to be given in the manner provided in Section 23.21.170, Hearing; Notice, for the holding of a public hearing to ascertain whether the sign remains nonconforming and a public nuisance and shall constitute a lien upon the property on which the sign rests.

23.21.170 Hearing; Notice

A. Notice of hearing shall be served upon the owner of each of the nonconforming signs and the owner of the property on which the sign is located (in accordance with the provisions of Section 23.21.180, Form of Notice of Hearing) and shall cause a copy thereof to be conspicuously posted on the property on which rests the sign.
B. The notice shall be posted and served at least ten days before the time fixed for the hearing. Proof of posting and service of such notice shall be made by declaration under penalty of perjury filed with the Community Development Department records.

23.21.180 Form of Notice of Hearing

Notice of the time and place of hearing before the City Manager shall be substantially in the following form:

NOTICE OF HEARING TO DETERMINE MAINTENANCE OF PUBLIC NUISANCE DUE TO NON-COMPLIANCE WITH SIGN STANDARDS AND CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that on the day of 20 , at the hour of said day, the City Manager of the City of Alhambra shall hold a public hearing in the Council Chambers of the Alhambra City Hall, located at 111 South First Street, Alhambra, California, to ascertain whether the sign(s) situated on that certain property located in the City of Alhambra and more particularly described as: ________________________________

____________________________________________________________________________________

____________________________________________________________________________________

constitutes a Public Nuisance due to not being in conformance with the sign standards as defined in Chapter 23.21 of the Alhambra Municipal Code, and whether the late charge authorized by § 23.21.160 of said Code is unpaid and shall constitute a lien to be placed upon the property on which rests said non-conforming sign(s). Said violations of the sign standards contained in Chapter 23.21 consist of the following:

____________________________________________________________________________________

____________________________________________________________________________________

All persons having any interest in or objection to the aforementioned matters are hereby notified to attend the public hearing when their testimony and evidence will be heard and given due consideration.

DATED: CITY OF ALHAMBRA

by

Title

23.21.190 Hearing; Conduct

A. The hearing to determine whether there is a public nuisance due to noncompliance with the sign standards contained in this Chapter and whether non-payment of the late charge authorized by Section 23.21.160, Imposition of Assessment and Lien, constitutes a lien shall be conducted by the City Manager, or his duly authorized representative, who shall act as the hearing officer. At the hearing, the hearing officer shall consider all relevant evidence including, but not limited to, applicable staff reports. He shall give any interested person a reasonable opportunity to be heard. Based upon the evidence presented, the hearing officer shall determine whether the sign or signs
are nonconforming and whether to place a lien upon the property on which rests the nonconforming sign(s) in accordance with this Chapter and other applicable law.

B. The hearing officer within five working days of the hearing shall give written notice of his decision to the owner of the sign(s) and the owner of the property upon which the sign is located (if different) and to any other person requesting the same.

C. If no appeal is filed pursuant to Section 23.21.200, Appeal, the decision to abate the sign as a public nuisance and to place a lien on the affected property is final five working days following the issuance of the written notice of the decision.

23.21.200 Appeal

A. The sign owner/property owner or any person in possession of the property or claiming any legal or equitable interest therein shall have the right of appeal to the Board of Appeals as established by Chapter 2.22 of the Alhambra Municipal Code.

B. The appeal shall be filed with the City Clerk within five working days following issuance of the decision of the hearing officer. The appeal shall be in writing and shall state the grounds for the appeal.

C. The City Clerk shall set the matter for a de novo hearing before the Board of Appeals at a date and time not less than ten nor more than 30 days following the filing of an appeal. The City Clerk shall then notify the appellant by mail of the date and time of the hearing. The Board of Appeals may continue the hearing where necessary.

D. The City Council may, by resolution, establish a fee for the processing of an appeal.

23.21.210 Board of Appeals; Conduct

A. At the time and place set for an appeal, the Board of Appeals shall review the decision of the hearing officer and shall afford the appellant a reasonable opportunity to be heard in connection therewith.

B. The Board of Appeals may, by resolution, establish rules of procedure for the conduct of hearing appeals.

C. The decision of the Board of Appeals shall be final and conclusive. Pursuant to Cal. Civ. Proc. Code § 1094.6, any action to review the decision of the Board of Appeals shall be commenced not later than 90 days after the date the Board of Appeals’ decision is adopted. A copy of the Board of Appeals’ decision shall be mailed to the owner, and to any other person requesting same, within five working days after the adoption thereof.
23.21.220 Notice and Recordation of Lien

A. If no appeal of the decision of the hearing officer is timely filed as provided in this Chapter, or if the final decision of the Board of Appeals has been mailed to the owner of the affected property, the City Manager or his designated representative shall claim a lien on the property in the amount of the late charge as provided in this Chapter and shall record a notice of the lien (in the manner provided below) in the office of the County Recorder.

B. Such notice of lien for recordation shall be in a form substantially as follows:

NOTICE OF LIEN

(Claim of City of Alhambra)

Pursuant to § 23.21.160 et seq. of the Alhambra Municipal Code, the City Manager of the City of Alhambra (or his designated agent) did on or about the day of ___, 20__, find and determine that the late charge of Two Hundred Seventy-Five Dollars ($275.00) imposed for noncompliance with the sign standards contained in Chapter 23.21 of said Code has not been paid and that said City of Alhambra does hereby claim a lien on such late charge in the amount of Two Hundred Seventy-Five Dollars ($275.00); and the same shall be a lien upon said real property until it has been paid in full and discharged of record.

The real property on which rests the non-conforming sign and upon which a lien is claimed is that certain property located in the City of Alhambra and more particularly described as:

DATED: CITY OF ALHAMBRA

by

(Title)

(C) The notice of lien shall be sent to the affected property owner and to any other person requesting the same, and shall also be sent to the tax division of the County Auditor-Controller's Office. It shall be the duty of the Auditor-Controller to add the amount of the respective lien to the next regular tax bill or bills levied against the respective property, and thereafter the lien amount shall be collected at the same time and the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under fore-closure and sale in case of delinquencies provided for ordinary municipal taxes. Alternatively, after recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.

23.21.230 Alternate Remedies

Nothing in the foregoing chapter shall be deemed to prevent the City of availing itself of any other remedy as allowed by law, including, without limitation, the abatement of any nonconforming sign pursuant to Cal. Bus. & Prof. Code §§ 5499.1 et seq., the abatement of a public nuisance under Chapter 6.26 of the Alhambra Municipal Code and/or the abatement of a public nuisance under applicable civil or penal code provisions.
23.21.240 Attorney’s Fees

In addition to the other fees imposed herein the City shall be entitled to recover the cost of attorney’s fees incurred in abating any sign which constitutes a nuisance hereunder.
Chapter 23.22 Standards for Specific Uses

23.22.010 Purpose

The purpose of this Chapter is to establish standards for specific uses and activities that are permitted or conditionally permitted in several or all zoning districts. These provisions are supplemental standards and requirements to minimize the impacts of these uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the general public.

23.22.020 Applicability

A. Each land use and activity covered by this Chapter shall comply with the requirements of the Section applicable to the specific use or activity, in addition to any applicable standard this Title requires in the zoning district where the use or activity is proposed and all other applicable provisions of this Title.

B. The uses that are subject to the standards in this Chapter shall be located only where allowed by base zoning district, specific plan, and overlay district use regulations.

C. The uses that are subject to the standards in this Chapter are allowed only when authorized by the planning permit required by district regulations, such as a Conditional Use Permit, except where this Chapter establishes a different planning permit requirement for a specific use.

23.22.030 Accessory Uses

Accessory uses that are clearly incidental and subordinate to a principal use on the site may be allowed in conjunction with the principal use to which it relates. Accessory uses shall be subject to the same regulations as the principal use and any standards applicable to specific uses and activities found in this Chapter. The following uses shall always be considered accessory to a principal use:

A. Accessory Dwelling Units
B. Collection Boxes
C. Computer Game and Internet Access Centers
D. Drive Through Facilities
E. Family Day Care
F. Home Occupations
G. On-Sale Alcohol Beverage Establishments
H. Outdoor Dining and Seating
I. Outdoor Display and Sales
23.22.040 Accessory Dwelling Units

A. Definitions. The following terms when used in this chapter will have the meanings provided in this section.

1. **Accessory Dwelling Unit or ADU.** Will have the meaning set forth in Government Code § 65852.2(j), which is: an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, and includes permanent provisions for living, sleeping, eating, cooking (i.e., stove, refrigerator, and sink), and sanitation (i.e., bathroom with shower or bathtub) on the same parcel as the single-family dwelling is situated. An Accessory Dwelling Unit also includes the following: (a) an efficiency unit, as defined in Health & Safety Code § 17958.1, and (b) a manufactured home, as defined in Health and Safety Code § 18007.

2. **Accessory Structure.** A structure that is accessory and incidental to a dwelling unit located on the same lot.

3. **Attached ADU.** An ADU that is attached to the existing single-family dwelling unit.

4. **Car Share Vehicle Operation.** A subscription or membership service that provides automobile reservations for an additional fee to its members on an hourly and/or daily basis.

5. **Conversion ADU.** An ADU that is located within the living area of the existing single-family dwelling unit or is a conversion of an accessory structure. For an ADU in the living area of an existing dwelling unit, the entry to the ADU shall be off of a shared foyer or from the outside, not from the main living portion of the existing dwelling unit.

6. **Detached ADU.** An ADU that is detached from the existing single-family dwelling unit.

7. **Junior Accessory Dwelling Unit.** A unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family residence. A junior accessory dwelling may include separate sanitation facilities, or may share sanitation facilities with the existing dwelling.

8. **Public Transit.** A location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

B. Permitted Zones and Lots.

1. ADUs are permitted on lots zoned to allow single-family or multi-family dwelling residential uses.

2. ADUs are permitted only on lots with an existing or proposed dwelling.

3. One accessory dwelling unit and junior accessory dwelling unit per lot with a proposed or existing single-family dwelling may be permitted.

4. For lots with multi-family dwellings, the following may be permitted:
a. One attached, detached, or conversion ADU as permitted on lots with single-family dwellings; or

b. Up to two detached ADUs which shall be subject to a height limit of 16 feet, four-foot rear and side yard setbacks, and a maximum square footage of 800 square feet, and at least one interior ADU and up to 25% of the number of units in the proposed or existing multi-family dwelling which shall be converted from non-livable space only.

5. An ADU shall not be counted as a “unit” for density purposes but shall be counted as a “unit” for purposes of compliance with state laws and requirements.

C. **Review Process.**

1. Applications for ADUs or JADUs shall be reviewed and approved ministerially and filed through a building permit application. The application shall be reviewed and approved based on compliance with this chapter and applicable state laws.

2. The ADU must be designed to be compatible with the main dwelling unit, including, as applicable, the use of the same general architecture, same exterior materials, same or similar roof covering, same or complementary exterior colors, and the same or similar architectural details and other features as the main dwelling unit. The ADU must otherwise meet the design standards set forth in Chapter 23.44 of this code.

D. **Unit Size and Property Development Standards.**

1. The following size limits apply:
   a. A detached ADU may not exceed 1,200 square feet in area.
   b. An attached ADU shall not exceed 50% of the existing primary dwelling, or 800 square feet, whichever is greater.

2. The following property development standards apply:
   a. An ADU may be placed anywhere on a residential lot as long as the placement of the ADU meets all development standards of the underlying zone, except as specifically set forth in this chapter.
   b. There shall be at least a four-foot side and rear yard setback for a new attached or detached ADU. No setback shall be required for ADUs created within existing living area, within an accessory structure, or in a new structure created in the same location and within the same dimensions as an existing structure.
   c. A detached ADU must maintain the required minimum distance between buildings of 6 feet.

E. **Off-Street Parking.** Notwithstanding Chapter 23.20, the following parking regulations govern additional parking requirements for ADUs.
1. **Number.** The parking requirement for an attached or detached ADU is one open or enclosed parking space.

2. **Location.** Required parking spaces may be provided as tandem parking on an existing driveway. Off-street parking is permitted in setback areas in locations determined by the city or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

3. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, the applicant shall not have to replace those off-street parking spaces for the primary dwelling.

4. **Exemption.** No parking is required for an ADU in any of the following instances:
   a. The ADU is located within one-half mile of a public transit stop or station.
   b. The ADU is located on a parcel that has been designated on a local, state, or national register of historic places or districts.
   c. The ADU is a conversion ADU.
   d. When on-street parking permits are required, but not offered to the occupant of the ADU.
   e. When there is a car share vehicle operation parking hub or station located within one block of the ADU.

F. **Owner-Occupancy Requirement.**
   1. There shall be no owner-occupancy requirements for ADUs.
   2. Should a lot have a JADU, the applicant for the JADU must be an owner-occupant of either the newly created JADU or the single-family residence.
   3. Upon approval of an ADU application, a deed restriction that provides the following must be recorded with the County of Los Angeles before occupancy and the declaration will be binding on all future owners of the parcel:
      a. Either the main dwelling unit or the JADU will be occupied by the property owner:
      b. The JADU may not be sold separately from the main dwelling unit and underlying parcel.

G. **Building Height.** Notwithstanding any other provisions of this code, an ADU must comply with the height requirements of the underlying zone.

H. **Code Compliance.** The ADU must comply with all currently-applicable building, health and fire codes, except that an attached or conversion ADU is not required to provide fire sprinklers if sprinklers are not required for the main dwelling unit.
I. **Common Entrance.** An attached or conversion ADU may be served either by a common entrance with the main dwelling unit or a separate entrance to the ADU, which must be located on the side or at the rear of the main dwelling unit. No ADU will be required to provide a new passageway from the ADU to the street.

J. **Utilities.** An ADU shall be served either by separate meters for water, electric, and gas service or by the main dwelling unit’s meters. An ADU’s sewer service may be provided through the main dwelling unit’s sewer line, provided that the applicant makes a showing that the existing sewer line has sufficient capacity and slope to ensure proper flow strength for the ADU’s sewer output. If sufficient capacity and slope cannot be ensured, an ADU may utilize a separate sewer line.

### 23.22.050 Adult Businesses

Adult businesses shall be located, developed and operated in compliance with the standards of this Section and Chapter 5.50, Adult Businesses, of the Municipal Code.

A. **Locational Requirements.** Adult businesses shall not be located:

1. Within 500 feet of any property zoned RL, RM, or RH, or any lot where there is an actual residential use, whether inside or outside the City limits.

2. Within 500 feet of any publicly recognized place of religious worship, whether inside or outside the City limits.

3. Within 500 feet of any public or private school (grades K-12) or child care establishment, whether inside or outside the City limits.

4. Within 500 feet of any public park or playground, or any City facility, including but not limited to, City hall, the City library, and any police or fire station.

5. Within 500 feet of any property upon which is located a business with a Type 40, 42, 48 or 61 on-site alcoholic beverage license.

6. Within 1,000 feet of any other adult business, whether inside or outside the City limits.

### 23.22.060 Affordable Housing on Religious Facility Sites

A. **Applicability.** Where allowed by the applicable zoning district, a site owned and operated by a religious assembly may develop affordable housing units, subject to the following standards and consistent with Chapter 23.14, Affordable Housing, Density Bonuses and Incentives, and State law. Where the development standards of the zoning district conflict with this Section, the standards outlined in this Section shall control.

B. **Eligible Sites.** The religious facility shall be a nonprofit organization that has owned and operated all parcels proposed for development for a minimum of five years prior to the application date for a proposed affordable housing project. Eligible sites include:

1. Parcels developed with an existing religious facility use on-site, or
2. Parcels in nonresidential or RM zones that are adjacent to or contiguous with a parcel developed with an existing religious facility use.

C. **Density.** The maximum residential density is 32 dwelling units per acre.
   1. Affordable housing projects proposing no more than 75 total dwelling units are permitted.
   2. Projects exceeding 75 total dwelling units may be permitted with approval of a Minor Use Permit, consistent with Chapter 23.27, Use Permits.

D. **Development Standards.** The development standards of the zoning district shall apply.

E. **Required Daylight Plane.** Structures shall not intercept a 30 degree daylight plane inclined inward from a height of six feet above existing grade at the property line when abutting an RL or RM-zoned parcel.

F. **Parking.**
   1. The number of existing parking spaces on-site for religious assembly use may be reduced by up to 50 percent to accommodate residential development. The remaining parking may be shared by the religious assembly use and residential use.
   2. The required parking for residential uses shall be one vehicle space per unit, unless the parcel is located within one-half mile walking distance of public transit. "Public transit" means either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code.

G. **Affordability Requirements.**
   1. **Rental Housing Units.** Rental housing units developed under these provisions shall be subject to the following affordability requirements:
      a. A minimum of 80 percent of the units shall be rented to Low-Income households; the remaining units shall be rented to workforce income households (earning up to 150% of AMI); and
      b. Income-restricted units for rent shall be subject to an affordability covenant for the time limits described in Section 23.14.070, Continued Affordability.
   2. **For-Sale Housing Units.** For-sale housing units developed under these provisions shall be subject to the following affordability requirements:
      a. A minimum of 80 percent of the total number of units in the project shall be sold to moderate-income households; the remaining units shall be sold to workforce income households (earning up to 150% of AMI); or
      b. A minimum of 50 percent of the units shall be sold to low-income households; the remaining units shall be sold to workforce income households (earning up to 150 percent of AMI); and
c. Income-restricted units for sale shall be subject to an affordability covenant for the time limits described in Section 23.14.070, Continued Affordability.

H. **Historic Preservation.** Projects shall be reviewed to determine historic eligibility and contributing/noncontributing status (if applicable), consistent with any applicable local historic preservation ordinance and the Secretary of the Interior standards.

I. **Review Procedures.**
   
a. **Design Review.** Design review pursuant to Chapter 23.26, Design Review, is required.

b. **Existing Use Permits.** When a site has an existing Use Permit:
   
i. No modifications to existing Use Permits are required for the housing development.

   ii. Operational conditions related to non-residential uses remain in effect, such as hours of operation, occupancy limits, types of uses, and seats. Development standards for "religious facilities with affordable housing" will supersede conditions of approval regulating development standards, such as standards for FAR, parking, height, setbacks, and open space.

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**23.22.070 Automobile/Vehicle Sales and Services**

Automobile/vehicle sales and service establishments shall be located, developed and operated in compliance with following standards.

A. **Purpose.** The purpose of these standards is to preserve the integrity and character of the area in which an automotive/vehicle sales and service establishments located and to assure its compatibility with nearby uses.

B. **Application Review and Findings for Approval.** Where Use Permit approval is required for an automobile/vehicle sales and service establishment, the review authority shall only approve a Use Permit upon making the following findings:

1. The project is designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood.

2. The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation.

3. Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties.

4. Lighting is designed to be low-profile, indirect or diffused and to avoid adverse impacts on surrounding uses.
C. **Conditions of Approval.** Conditions of approval may include limitations on operational characteristics of the use; restrictions on outdoor storage and display, location of pump islands, canopies and service bay openings; and/or requirements for buffering, screening, lighting, planting areas, or other site elements, in order to avoid adverse impacts on adjacent lots or the surrounding area.

D. **Vehicle Sales and Leasing.** Automotive servicing or repair is permitted as an accessory use for vehicle sales and leasing establishments that offer maintenance and servicing of the type of vehicles sold on site.

E. **Vehicle Service and Repair, Major and Minor.** Major and minor vehicle service and repair uses, as well as any other uses, such as auto dealerships or service stations, that perform auto servicing as an accessory activity, are subject to the following standards:

   1. **Service Bays.** Openings of service bays shall not face abutting rights-of-way and shall be designed to minimize visual intrusion onto abutting properties.
   2. **Work Areas.** All work shall be conducted within an enclosed building except: pumping motor vehicle fluids, checking and supplementing various fluids, and mechanical inspection and adjustments not involving any disassembly.
   3. **Vehicle Storage.** Vehicles being worked on or awaiting service or pick-up shall be stored within an enclosed building or in a parking lot on the property that is screened in compliance with Section TBD .M, Screening. Unattended vehicles may not be parked or stored on the sidewalk adjoining the property, in the street, or in any portion of the public right-of-way within the City.
   4. **Litter.** The premises shall be kept in an orderly condition at all times. No used or discarded automotive parts or equipment or permanently disabled, junked, or wrecked vehicles may be stored outside a building.

F. **Service Stations.** Service stations and any other commercial use that includes fuel pumps for retail sales of gasoline are subject to the following standards

   1. Location and Site Requirements.
      a. **Arterial Street Intersection.** New service stations shall be located on an intersection where at least one of the streets is classified as an Arterial Street in the General Plan.
      b. **Maximum Number.** A maximum of two service stations per intersection is allowed.
      c. **Minimum Parcel Size and Frontage.** New service stations shall be located on a site at least 20,000 square feet in size and with at least 150 feet of frontage.
      d. **Residential Zoning District Adjacency.** New service stations shall not be located on a site adjacent to a Residential Zoning District.
   2. **Setbacks.**
a. Structures shall be located a minimum of 10 feet from any Residential Zoning District boundary.

b. Pump islands shall be located a minimum of 20 feet from a street property line. A canopy or roof structure over a pump island may encroach up to 10 feet within this distance.

3. **Access.**
   a. There shall not be more than two vehicular access points to any one street.
   b. There shall be a minimum distance of 30 feet between curb cuts along a street frontage.
   c. No driveway may be located closer than five feet to the end of a curb return, or closer than 20 feet to a common property line.
   d. The width of a driveway other than a common driveway may not exceed 35 feet at the sidewalk. A common driveway may not exceed 50 feet in width at the sidewalk.

4. **Number of Pumps.** Each new service station shall have at least four fueling dispensers to allow a minimum of eight individual vehicles to be refueled at the same time.

5. **Parking and Storage of Vehicles.**
   a. No vehicle may be parked in an unenclosed area of the service station for longer than 24 hours, unless the vehicle is in the process of being serviced, in which case it may be parked for a period of not more than 72 hours.
   b. No vehicles may be parked on public property.
   c. No vehicle may be parked on the premises for the purpose of offering same for sale.

6. **Landscaping.** A minimum of 10 percent of the site shall be landscaped in compliance with Chapter 23.17, Landscaping, and the following.
   a. A landscaped planter with a minimum inside width of six feet and enclosed with a six inch high curb shall be provided along interior property lines, except for openings to facilitate vehicular circulation to adjacent properties. Where adjacent to a periphery wall, trees shall be planted within the planter a maximum of 16 feet apar.
   b. A minimum 200-square-foot planter area shall be provided at the corner of intersecting streets unless a building is located at the corner.
   c. A minimum 50 square-foot planter area shall be located along the building perimeter of the main building fronting on a public street.
   d. Landscaping shall not exceed a height of 30 inches, except for landscaping located next to main structures and along interior property lines.
e. Additional landscaping may be required to screen the service station from adjacent properties.

7. **Peripheral Wall.** A decorative masonry wall at least five feet in height shall be provided along all lot lines adjacent to a Residential Zoning District. The wall shall decrease to a height of 30 inches within the required front yard setback of each adjacent residentially zoned property.

8. **Restrooms.** Restrooms shall be provided, available for customer use during all hours of business, and maintained in a clean and safe manner. All restrooms shall be accessible only from the inside of a building and shall not have independent access to the exterior. Restroom locations shall be identified by appropriate signage.

9. **Lighting.** All light sources, including canopy, perimeter and flood, shall be shielded or recessed so that light is deflected away from adjacent properties and rights-of-way. A photometric study shall be provided to demonstrate compliance with this Section. Lighting shall not be of such a high intensity as to cause a traffic hazard or adversely affect adjoining properties. No luminaire shall be higher than 15 feet above finished grade.

10. **Location of Activities.** All activities and operations shall be conducted entirely within enclosed buildings, except as follows:
   a. The dispensing of petroleum products from pump islands, water, and air; and
   b. The provision of emergency service of a minor nature.

11. **Site Maintenance.**
   a. No used or discarded automotive parts or equipment, or permanently disabled, junked or wrecked vehicles may be located outside the main building except within an enclosed refuse storage area.
   b. A refuse storage area, completely enclosed with a masonry wall not less than five feet high and a solid opaque gated opening shall be provided. The enclosure shall be large enough to accommodate standard sized commercial trash bins and shall be located on the rear portion of the property in such a manner as to be accessible to refuse collection vehicles.

12. **Noise.** Noise from bells or loudspeakers shall not be audible from residentially zoned properties or existing residences between the hours of 7 p.m. and 7 a.m. on weekdays and Saturdays, and before 10 a.m. and after 7 p.m. on Sundays.

13. **Retail Food Facility and Convenience Store Standards.** The following regulations shall only apply to retail food facilities and convenience stores operated in conjunction with service stations:
   a. The minimum gross floor area of a retail food facility or convenience store shall be 1,000 square feet.
b. Goods and services available for sale shall be limited to those commonly available in restaurants and/or convenience stores, including prepared foods, packaged goods and beverages, dairy products, household soaps and cleaners, tobacco products, health and beauty aids, books, magazines and newspapers.

c. Arcade and video game machines shall be prohibited.

d. The sale of alcoholic beverages shall be prohibited.

23.22.080 Cannabis Facilities, Cultivation, and Deliveries

A. Definitions. The following words used in this Section are defined as follows:

1. **Cannabis.** The meaning set forth in Cal. Bus. & Prof. Code § 26001(f) and includes all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. **CANNABIS** also means the separated resin, whether crude or purified, obtained from cannabis. **CANNABIS** does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. **CANNABIS** does not mean “industrial hemp” as defined by § 11018.5 of the Cal. Health & Safety Code.

2. **Commercial Cannabis Activity.** The meaning set forth in Cal. Bus. & Prof. Code § 26001(k), and as that provision may be amended subsequently.

3. **Commercial Cannabis Facility.** Any building, facility, use, establishment, property, or location where any person or entity establishes, commences, engages in, conducts, or carries on, or permits another person or entity to establish, commence, engage in, conduct, or carry on, any commercial cannabis activity that requires a state license or nonprofit license under Cal. Bus. & Prof. Code §§ 26000 and following, including but not limited to cannabis cultivation, cannabis distribution, cannabis transportation, cannabis storage, manufacturing of cannabis products, cannabis processing, cannabis deliveries, the sale of any cannabis or cannabis products, and the operation of a cannabis microbusiness.

4. **Cultivation.** The meaning set forth in Cal. Bus. & Prof. Code § 26001(l) and includes any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

5. **Medicinal Cannabis or Medical Cannabis.** Cannabis used for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person’s health would benefit from the use of cannabis in the treatment of acquired immune deficiency syndrome (“AIDS”), anorexia, arthritis, cancer, chronic pain, glaucoma, migraine, spasticity, or any other serious medical condition for
which cannabis is deemed to provide relief as defined in subsection (h) of Cal. Health & Safety Code § 11362.7.

6. **MAUCRSA.** The Medicinal and Adult-Use Cannabis Regulation and Safety Act as codified in Division 10 of the Cal. Bus. & Prof. Code, as the same may be amended from time to time.

7. **Primary Caregiver.** The meaning set forth in Cal. Health & Safety Code §§ 11362.5(e) and 11362.7(d).

8. **Private Residence.** A house, an apartment unit, condominium, or other similar dwelling.


B. **Purpose and Intent.** The purpose and intent of this Section is to prohibit commercial cannabis facilities and to regulate cannabis cultivation, as defined above, within the city limits. It is recognized that it is a federal violation under the Controlled Substances Act to possess or distribute cannabis even if for medical purposes. Additionally, there is evidence of an increased incidence of crime-related secondary impacts in locations associated with a cannabis facility, which is contrary to policies that are intended to promote and maintain the public’s health, safety, and welfare.

C. **Commercial Cannabis Facilities and Cannabis Deliveries.**

1. Commercial cannabis facilities are prohibited in all zones in the city. No person or entity may establish or operate a commercial cannabis facility within city limits.

2. No property owner may allow its property to be used by any person or entity as a commercial cannabis facility.

3. The delivery of cannabis to any person within the city limits is prohibited, except for deliveries of medicinal cannabis by a primary caregiver to one of the primary caregiver’s qualified patients and these deliveries by the primary caregiver are subject to the following requirements:
   a. Deliveries are only permitted to occur from the hours of 7:00 a.m. to 8:00 p.m.;
   b. The delivery must be in an unmarked vehicle; and
   c. Deliveries are only permitted to a private home, apartment or residential condominium.

4. This Section is not intended to prohibit any commercial or non-commercial cannabis activity that the city is required by state law to permit within its jurisdiction pursuant to MAUCRSA.

D. **Cannabis Cultivation.** No person may cultivate cannabis at any location within the city, except that a person may cultivate no more than six living cannabis plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of that private residence, provided that such cannabis cultivation is in compliance with all of the following requirements and restrictions:
1. The cultivation occurs in residences and/or accessory structures that are fully enclosed and secured against unauthorized entry. If the accessory structure is a garage, the person cultivating inside that garage must not do so in a way that reduces the garage’s ability to provide covered parking as otherwise required by this Code.

2. The owner of the private residence has provided written consent allowing cannabis cultivation to occur at the private residence.

3. The cultivation complies with all applicable building code requirements set forth in the Alhambra Municipal Code.

4. There is no use of gas products (CO2, butane, propane, natural gas, etc.) on the property for purposes of cannabis cultivation.

5. Pursuant to Cal. Health & Safety Code § 11362.2(a)(3), no more than six living plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time.

6. Indoor grow lights used for cannabis cultivation do not exceed 1,000 watts per light.

7. Adverse impacts of cannabis cultivation are mitigated so that a public nuisance, as defined by Cal. Civ. Code § 3480, does not exist, including but not limited to adverse impacts of odors or the use or storage of hazardous materials, processes, products, or wastes.

8. A portable, working, fire extinguisher must be kept in the same room or structure where cannabis cultivation is occurring.

9. Cannabis and cannabis infused products must be disposed in a secure waste receptacle located on the residential property. Disposed cannabis plants and products must be rendered unusable and unrecognizable by grinding and incorporating cannabis waste with any non-consumable solid waste with a resulting mixture of at least 50% non-cannabis waste.

E. **Violation.** Violation of any provision of this Section is subject to enforcement remedies and penalties as set forth in Alhambra Municipal Code or applicable law.

F. **Civil Penalties.** Any violation of this section is declared to be a public nuisance per se and contrary to the public interest and will at the discretion of the city, be subject to a cause of action for injunctive relief. In addition to any other method of enforcement, the City Attorney may bring a civil action for injunctive relief and civil penalties against any person or entity that violates this Section. In any civil action brought pursuant to this section, a court of competent jurisdiction may award reasonable attorneys’ fees and costs to the prevailing party as provided in Alhambra Municipal Code § 1.12.090.

### 23.22.090 Collection Boxes

Collection boxes located outside of enclosed buildings shall be located, developed, and operated in compliance with the standards of this Section.
A. **Intent.** The intent of this Section is to impose restrictions and conditions on all collection boxes in the City so that they are, and remain, clean, safe and do not create hazards to pedestrians and to vehicular traffic.

B. **Collection Box Permit.** No person shall place, operate, maintain or allow any collection box on any real property within the City without first obtaining an annual permit issued by the Community Development Department. Placement, operation, maintenance, or use of a collection box without a valid permit, or in a manner not consistent with the requirements for such permit, shall be a violation of this Section, shall constitute a public nuisance, and shall be subject to the penalties and remedies provided for in this Code.

C. **Application for a Permit.**

1. Any person desiring to secure a permit shall make an application to the Community Development Department.

2. A permit shall be obtained for each collection box proposed to be located within the City.

3. The application for a permit shall be upon a form provided by the Department and be signed by an individual who is an officer, director, member or manager of an entity applicant. The applicant shall submit the following:
   a. The name, address, email and telephone number of a contact person for all matters relating to the collection box.
   b. The physical address of the real property where the collection box is proposed to be located.
   c. A scaled drawing sufficient to illustrate the proposed location of the collection box on the real property, the dimensions of the proposed collection box and that the location complies with the requirements of this Section.
   d. If not the owner of the real property, an affidavit from the property owner or property manager providing written permission to place the collection box on the property, as well as an acknowledgement from the property owner or property manager of receipt of a copy of Ordinance 4678 shall be provided on a form provided by the Director. For purposes of this Section, the affidavit and acknowledgement may be executed by an individual who is an officer, director, member or manager of an entity owning the property.
   e. A nonrefundable fee in an amount established by resolution of City Council.
   f. Proof of general liability insurance no less than $1 million per occurrence.

4. Within 20 days of receiving an application for a permit, the Director shall notify the applicant whether the permit is granted or denied. The Director shall grant a permit if the application is complete and contains no false information, the fee has been paid and the collection box and its proposed location as described in the application meets the
requirements of this Section. If the Director denies an application, the Director shall state in writing the specific reasons for denial.

5. No person to whom a permit has been issued shall transfer, assign or convey such permit to another person or legal entity.

D. Requirements for a Permit. A permittee shall operate and maintain, or cause to be operated and maintained, all collection boxes located in the City for which the permittee has been granted a permit as follows:

1. Collection boxes shall be metal and be maintained in good condition and appearance with no structural damage, holes, peeling paint, or visible rust and shall be free of graffiti.

2. Collection boxes shall be locked or otherwise secured in such a manner that the contents cannot be accessed by anyone other than those responsible for the retrieval of the contents.

3. Collection boxes shall be equipped with a safety chute to limit the publics’ access to the box.

4. Collection boxes shall display the name, address, email, website, and phone number of the operator and any other information as required by applicable law, including but not limited to the California Welfare and Institutions Code in a minimum one-half inch type viewable on the front of the collection box and a valid annual permit sticker issued by the City shall be displayed adjacent to such information.

5. Collection boxes shall be serviced and emptied as needed, but no less frequently than once per week.

6. The permittee and property owner shall maintain, or cause to be maintained, the area surrounding the collection boxes, free from any junk, debris or other material. The property owner shall be responsible to the extent provided by law for the City’s cost to abate any nuisance, in accordance with Chapter 6.27, Recovery of Nuisance Abatement Expenses, of the Municipal Code.

7. Collection boxes shall:
   a. Not be permitted on any land zoned or used for residential purposes;
   b. Not be permitted on any unimproved parcel, nor where the principal use of the land has been closed or unoccupied for more than 30 days;
   c. Not be less than 1,000 feet from another collection box as measured along a straight line from one box to the other. No more than two collection boxes may be located within the same shopping center from the same collection box owner or operator.
   d. Not exceed seven feet in height, six feet in width and six feet in depth;
   e. Not cause a visual obstruction to vehicular or pedestrian traffic;
f. Not be placed closer than 10 feet from:
   i. A public or private sidewalk except that this provision does not apply to a private sidewalk as long as the private sidewalk maintains a five-foot clearance;
   ii. A public right-of-way;
   iii. A driveway; or
   iv. A side or rear property line of adjacent property zoned or used for residential purposes;

g. Not cause safety hazards with regard to a designated fire lane or building exit;

h. Not interfere with an access drive, off-street parking lot maneuvering lane and/or required off-street parking space to an extent which would cause safety hazards and/or unnecessary inconvenience to vehicular or pedestrian traffic or encroach upon an access drive, off-street parking lot maneuvering lane and/or required off-street parking space; and

i. Be placed on a level, hard (asphalt or concrete pavers) paved, dust-free surface.

E. Term of Permit and Renewal of Permit.

1. The permit year shall begin on February 1 in each year and shall terminate on January 31 of the following calendar year. A biennial permit issued between January 1 and January 31 of any year shall expire on January 31 of the calendar year two years following issuance thereof.

2. A collection box permit shall be renewed biennially. The application for renewal must be filed not later than 30 days before the permit expires, otherwise a new permit application must be submitted. The application for renewal shall be upon a form provided by the Director.

3. The Director shall either approve or deny the renewal of a permit within 20 days of receipt of the complete renewal application and payment of the renewal fee. The Director shall grant a permit if the application is complete and contains no false information, the fee has been paid and the collection box and its proposed location as described in the application meets the requirements of this Section; provided, however, that the Director may also deny an application for renewal if the applicant is in violation of this Section. If the Director denies an application, the Director shall state in writing the specific reasons for denial. Failure of the Director to act upon a permit application within 20 days shall be deemed approval of the permit renewal.

4. A permit renewal fee set by resolution of the City Council shall be submitted with the application for renewal.
5. Prior to expiration of the permit, the permittee may voluntarily cancel the permit by notifying the Director in writing of the intent to cancel the permit. The permit shall become void upon the Director’s receipt of a written notice of intent to cancel the permit.

6. The Director shall approve the renewal of a permit if the Director finds that no circumstances existed during the term of the permit which would cause a violation of this Section to exist, and that at the time of submission of the application for renewal, or at any time during the renewal of the application for renewal, there were not circumstances inconsistent with any finding required for approval of a new permit. Any permittee whose permit has been revoked shall be denied renewal of the permit for the subsequent calendar year.

7. If the permit expires and is not renewed, the collection box must be removed from the real property within a maximum of 10 days after expiration of the permit.

F. Revocation of Permit, Removal of Collection Boxes, and Liability.

1. The Director shall have the right to revoke any permit issued hereunder for a violation of this Section. Any of the grounds upon which the Director may refuse to issue an initial permit shall also constitute grounds for such revocation. In addition, the failure of the permittee to comply with the provisions of this Section or other provisions of this Code or other law shall also constitute grounds for revocation of the permit. The Director shall provide a written notification to the permittee and property owner stating the specific grounds for a revocation and a demand for correction and abatement. The notice shall allow a maximum of 10 days from mailing of the notice to correct or abate the violation. Upon failure to make the correction or abatement, the permit shall be revoked by the Director and, thereafter, the permittee shall not be eligible for a permit on the property for the subsequent calendar year.

a. A permit for a collection box may be revoked if any governmental authority or agency determines that the collection box has violated the California Consumer Protection Act and/or the Charitable Organizations and Solicitations Act.

2. Upon revocation, or if appealed, at the conclusion of the appeal, the collection box shall be removed from the real property within 10 days and, if not so removed within the time period, the City may remove, store or dispose of the collection box at the expense of the permittee and/or real property owner. All costs associated with the removal of the collection box incurred by the City, or the City’s contractor, shall be the responsibility of the property owner. Costs may be pursued by the City pursuant to Chapter 6.27, Recovery of Nuisance Abatement Expenses, of the Municipal Code.

G. Penalty and Remedies.

1. In addition to revocation of permit, any person violating the provisions of this Section may be subject to the issuance of administrative citations, criminal prosecution, or nuisance abatement, as described in this Code.
2. In addition to the penalty provided above, any condition caused or permitted to exist in violation of the provisions of this Section, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.

3. Nothing in this Section shall prevent the City from pursuing any other remedy provided by law in conjunction with or in lieu of prosecuting persons under this Section.

4. The real property owner and permittee shall be jointly and severally liable for each violation and for payment of any fine and costs of abatement.

5. All collection boxes existing at the effective date of Ordinance 4678 and in compliance with prior existing ordinances shall be deemed legal nonconforming uses, but shall nevertheless a Collection Box Permit and shall conform to all requirements of this Section to the extent possible in their present location. Any collection boxes without a Collection Box Permit shall be subject to all remedies for violation as provided in this Section.

23.22.100 Community Gardens

Community gardens shall be located, developed, and operated in compliance with the following.

A. Management. A manager shall be designated for each garden who shall serve as liaison between gardeners, property owner(s), and the City.

B. Hours of Operation. Gardens shall only be tended between dawn and dusk unless additional hours are approved pursuant to a Minor Use Permit.

C. Buildings and Structures. Accessory buildings, such as sheds, greenhouses, and hoophouses are allowed and shall comply with the property development standards of the zoning district.

D. Equipment. Use of mechanized farm equipment is prohibited except as provided below or approved pursuant to a Minor Use Permit.

1. Heavy equipment may be used initially to prepare the land for gardening.

2. Landscaping equipment designed for household use is permitted.

E. Maintenance.

1. The operator shall be responsible for the overall maintenance of the site and shall remove weeds, debris, etc. in a timely manner.

2. Soil amendments, composting, and waste material shall be managed and shall not attract nuisance flies or support growth of flies.

F. Composting.

1. Compost and compost receptacles shall be located so as not to be visible from a public right-of-way.

2. Compost and compost receptacles shall be set back a minimum of 20 feet from residential structures.
3. In Residential Zoning Districts, composting is limited to the materials generated on-site and shall be used on-site.

G. **Utilities.** The land shall be served by a water supply sufficient to support the cultivation practices used on the site.

H. **Produce Stands.** Produce stands are permitted on the site of a community garden use subject to the following regulations:
   1. **Maximum Size.** Limited to 120 square feet unless a larger size is approved pursuant to a Minor Use Permit.
   2. **Removal.** Produce stands shall be dismantled and removed during non-operating hours.
   3. **Sales.** Product sales are limited to produce grown on-site.
   4. **Hours of Operation.** Operating hours for produce stand are limited to 8:00 a.m. to 7:00 p.m.

**23.22.110 Condominium Conversions**

The conversion of apartments to condominiums shall comply with the following.

A. **Purpose.** The purpose of these provisions regarding the conversion of apartments to condominiums is:
   1. To reduce the impact on conversions on displaced tenants by providing for relocation assistance and adequate notification;
   2. To promote the safety of conversion projects and correction of Building Code violations;
   3. To upgrade existing residential uses to current Building and Zoning Code standards; and
   4. To provide for purchaser protection.

B. **Application Requirements.** In addition to filing a tentative map pursuant to Title 22, Subdivisions, of the Municipal Code, the following plans and reports shall be submitted to the Community Development Department at the time of filing for a conversion project:
   1. A site plan, to scale, showing all structures, common and private spaces, accessory storage areas, trash areas, laundry facilities, landscaped areas, walls (including heights and materials), and number of dwelling units;
   2. Floor plans, indicating the square footage and number of bedrooms per unit;
   3. Elevation drawings of all structures, showing architectural features, building heights and colors and materials of construction;
   4. A parking plan, showing the number of spaces provided and required, number of covered and uncovered spaces, dimensioned stalls and driveways, and type of surfacing;
   5. A physical elements report, describing the condition of the project’s plumbing, electrical, heating, and air-conditioning systems, roof foundation, appliances (including but not
limited to dishwashers, garbage disposals, stoves, ovens, refrigerators, compactors, hot water heaters, and tanks, air conditioners and fans), and recreational facilities. The report shall also include the date each such item was built or replaced, its estimated remaining useful life, deviation from existing codes, defective or unsafe elements and proposed corrective measures. The report shall be prepared by a registered civil or structural engineer, or by a licensed general building contractor, engineering contractor or architect;

6. A statement of reports and improvements proposed for the project and expected time of completion;

7. A structural pest-control report, indicating the absence or presence of wood-destroying pests or organisms, prepared by a licensed operator;

8. An acoustical report, prepared by a licensed acoustical engineer, evaluating the noise attenuation characteristics of existing party walls and ceilings. This report shall be based on a sampling of at least 10 percent of the units, but not fewer than two units, and shall indicate conformance with performance criteria required for new construction;

9. A utility metering report, submitted if units are not individually metered, including the feasibility thereof. The report shall be prepared by a registered civil or structural engineer or by a licensed general building contractor, engineering contractor or architect;

10. A report on any soil and geological conditions regarding soil deposits, rock formations, faults, groundwater and landslides affecting the project and a statement regarding any known evidence of soil problems relating to structures. Reference shall be made to any previous soils reports for the site and a copy submitted with the report;

11. A copy of the covenants, conditions and restrictions that will apply to the proposed development;

12. The name and address of each tenant at the time of application submittal;

13. Evidence that tenants have been notified of the intent to convert 60 days prior to filing of the tentative map and have received a copy of the City's tenant information sheet regarding conversions.

C. Tenant Notification. Subdividers shall serve each tenant living in a building proposed for conversion to a condominium, community apartment or stock cooperative with those notices required by the laws of the State, a copy of the City's tenant information sheet regarding conversions, a notice of issuance of the public report, and a copy of the conditions imposed upon the project.

D. Relocation Assistance.

1. The subdivider shall provide relocation assistance to any tenant who was a resident of a building to be converted at least 60 days prior to the filing date of the tentative map as well as on the date of final map approval, and who does not intend to purchase a unit. Such assistance shall include the following:
a. The subdivider shall provide each tenant with a complete and current list of available rental units within a three mile radius of the building being converted, which are comparable in size, price and amenities. This list shall be provided with the 180-day notice of tenancy termination as required in Government Code § 66427.1.

b. The subdivider shall provide transportation to locate available rental units for 30 consecutive days for those without transportation, including ambulance service, if necessary.

c. Any tenant over the age of 62, handicapped as defined in Cal. Health & Safety Code § 50072, disabled as defined in Section 223 of the United States Social Security Act or residing with one or more minor dependent children, shall be given an additional 30 days to relocate beyond the 180-day provision of the Government Code.

d. A relocation fee equaling twice the monthly rent shall be paid by the subdivider to each rental household at the time the 180-day notice of tenancy termination is given.

2. The provisions of this Section shall not apply to any tenant who has rented a unit in the apartment complex to be converted less than 60 days prior to filing of the tentative map and has been apprised of the intent to convert, pursuant to Cal. Gov't Code § 66452.8(a).

E. **Conditions of Approval.** In addition to the requirements of State law and other provisions of this Title, conversion projects shall be subject to the following regulations:

1. The project shall comply with all Building and Zoning Codes applicable to new residential condominium construction existing at the time of conversion project approval.

2. No conversion work shall be performed on a unit until all of its tenants have been relocated or unless one of the tenants of a unit has executed an agreement to purchase.

3. No rent increases may be assessed to tenants who were residents of the proposed conversion project from the time the tentative map is filed, until the unit is sold, or the subdivision is denied or withdrawn.

4. Gas and electricity shall be separately metered for each unit and provided with a shutoff valve.

5. A separate water heater shall be provided for each condominium unit.

6. A warranty, commencing from the date the first unit is sold and terminating one year after the last unit is sold, shall be given to the homeowners association by the subdivider against all defects in the common areas.

7. The subdivider shall execute and record a covenant and agreement, subject to the approval of the Director, binding the subdivider and any successor in interest, to provide relocation assistance in a manner consistent with Subsection 23.22.110.D, Relocation Assistance.
The covenants and agreements shall be executed and recorded within 10 days after expiration of the appeal period for the tentative map approval.

8. Permanent mechanical equipment, including domestic appliances shall be shock-mounted.

9. Appliances (including but not limited to dishwashers, garbage disposals, stoves, ovens, refrigerators, compactors, hot water heaters, and tanks, air conditioners and fans) with less than two years of useful life, shall be replaced. A warranty, commencing with the close of escrow and terminating after two years, shall be given to the purchaser of a converted unit against all defects in the appliances for a period of two years.

10. A Certificate of Occupancy shall be required prior to occupation of any converted unit.

11. Building plan checks for any conversion projects shall be billed to the subdivider on a time and material basis.

12. Additional conditions may be imposed which, in the opinion of the review authority, are reasonably related to the purpose of this Section.

F. Compliance with Conditions. In the event of any noncompliance with any requirements of this Section, the California Government Code, or conditions made a part of the tentative or final subdivision maps, the tentative map and conversion approval may be revoked, the final map may be denied or certificates of occupancy may be withheld.

23.22.120 Drive Through Facilities

Drive-through facilities shall be located, developed, and operated in compliance with the following standards.

A. Required Permit. Drive-through facilities are allowed as accessory uses subject to approval of a Conditional Use Permit pursuant to Chapter 23.27, Use Permits.

B. Circulation Plan and Queue Analysis. A pedestrian and vehicular circulation plan and queue analysis shall be submitted for approval by the review authority. The plan and analysis shall evaluate the trip generation characteristics of the proposed operation and indicate how vehicle queuing will be accommodated on site and drive-through, pedestrian, and vehicular circulation will be designed to allow safe, unimpeded movement of vehicles at street access points and within the travel aisles and parking space areas and provide for pedestrian safety. The plan shall also indicate how vehicles will circulate to and through the drive-through or use drive-up facilities in manner that will not impede traffic flow on any public right-of-way.

C. Drive Aisles. Drive aisles shall be developed in accordance with the following except where modified by the review authority.

1. A minimum 15-foot interior radius at curves and a minimum 12-foot width is required.
2. Each drive-in and drive-through entrance and exit shall be at least 100 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the nearest curb cut on an adjacent property.

3. Each entrance to an aisle and the direction of flow shall be clearly designated by signs and/or pavement markings or raised curbs outside of the public right-of-way.

4. There shall be a minimum waiting lane length of 150 feet from the center of a pick-up area to the point of entry or beginning of the drive aisle.

D. **Landscaping.** Each drive-through aisle shall be screened with a combination of decorative walls and landscape to a minimum height of 20 inches to prevent headlight glare and direct visibility of vehicles from adjacent streets and parking lots.

E. **Pedestrian Walkways.** Pedestrian walkways shall not intersect drive-through aisles, unless no alternative exists. In such cases, pedestrian walkways shall have clear visibility, emphasized by enhanced paving or markings.

### 23.22.130 Emergency Shelters

Emergency shelters shall be located, developed, and operated in compliance with the following.

A. **Purpose.** These regulations are intended to establish procedures and standards for emergency shelters in compliance with State law and are not obtrusive or interfering to the general public or adjacent uses for emergency shelters pursuant to Cal. Gov't Code §§ 65583 and 65589.5.

B. **Location Requirements.** Emergency shelters shall be located in compliance with the following.

1. Emergency shelters shall be located a minimum of 300 feet from any other emergency shelter and 1,000 feet from any residential care facility, public park, or school.

2. Emergency shelters shall be located within one-quarter mile of a designated public transportation stop.

C. **Development Standards.**

1. **Maximum Stay.** No person shall stay within an emergency shelter for more than six months from the date of their acceptance into the emergency shelter. In addition, no person shall be re-admitted to the same emergency shelter within five calendar days of being discharged.

2. **Maximum Number of Beds.** No more than 12 beds shall be provided on the entire property where the emergency shelter is to be located. Beds shall be provided for men and women in separate and secured areas. No such separation shall be required when beds are located in a bedroom intended for a single family.

3. **Maximum Density.** The maximum resident density shall be one resident per 150 square feet, up to a maximum of 12 residents.
4. **Waiting Area.** If the intake of clients occurs on-site there shall be provided an on-site client intake and waiting area in a location not adjacent to the public right-of-way, that is fully screened from public view, and provides consideration for weather events including shade and rain cover. The intake and waiting area shall be suitably sized to prevent queuing in the public right-of-way or within any parking lot, but shall occupy a maximum area of 400 square feet.

5. **Operating Hours.** Each emergency shelter shall establish and maintain set hours of operation for client intake and discharge. These hours shall be clearly displayed at the entrance to the emergency shelter at all times. In the event an emergency shelter client is socially disruptive, a threat to the safety of others or in violation of the emergency shelter facility rules during non-business hours of operation, the emergency shelter management may proceed with discharging that client immediately.

6. **Personal Storage.** A private storage area or closet shall be provided with each on-site bed.

7. **Personal Space.** A minimum of 30 square feet of personal space shall be allocated for each client bed.

8. **Restroom and Shower Facilities.** A communal restroom facility with at least two toilets, one shower, and one sink shall be provided for every 12 clients residing at an emergency shelter.

9. **Common Space.** Interior and/or exterior common space for the on-site clients to congregate shall be provided on the property at a ratio of not less than 15 square feet per occupant or a minimum overall area of four hundred square feet, whichever is greater.

10. **Outdoor Activities.** For the purposes of noise abatement, outdoor activities may only be conducted between the hours of 8:00 a.m. to 8:00 p.m.

11. **Telephones.** Each emergency shelter shall provide telephone(s) for the use of the on-site clients.

12. **Laundry Facilities.** The emergency shelter shall provide laundry facilities adequate for the number of clients.

13. **Outdoor Storage.** Any provision of on-site outdoor storage shall be fully screened from all public rights-of-way and on-site parking lots.

14. **Lighting.** Each emergency shelter shall provide exterior lighting on pedestrian pathways and parking lots on the property for safety.

15. **Refuse.** There shall be provided a refuse storage area that is completely enclosed with masonry walls not less than five feet high with a solid-gated opening and that is large enough to accommodate a standard sized trash bin adequate for the parcel. The refuse enclosure shall be accessible to refuse collection vehicles.
D. Management and Security Plan. The emergency shelter operator shall submit a management and security plan for review and approval of the Director and the Alhambra Chief of Police. At minimum, the management and security plan shall address the following:

1. Staffing plans, including the qualification and responsibilities of all staff members and the number and positions of employees on each shift.
   a. On-site personnel shall be provided during all hours of operation when clients are present.
   b. Service providers shall educate on-site staff to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income, including referrals to outside assistance agencies.

2. Provisions for fencing, lighting, video cameras, and any other physical improvements intended to provide or enhance security for residents and staff.

3. Screening processes of potential clients for admittance eligibility and daily admittance and discharge procedures.
   a. Procedures and policies for screening of potential residents to identify individuals who should be referred to medical facilities, residential care facilities, other service agencies, or law enforcement.
   b. A designated area for on-site personnel shall be located near the main entry to the facility for the purpose of controlling admittance into the facility and providing security.
   c. The emergency shelter operator shall not intake any person as a client of the emergency shelter that the operator knows is wanted by the police or knows has been convicted of committing any violent offense.
   d. The emergency shelter operator shall also conduct a background check on all prospective clients using the Megan’s Law database and restrict client intake in accordance with state and local registered sex offender residency restrictions.

4. Service providers shall maintain up-to-date information and referral sheets to give clients and other persons who cannot be served by the establishment.

5. Service providers shall continuously monitor waiting areas to inform prospective clients whether they can be served within a reasonable time. If they cannot be served by the provider because of time or resource constraints, staff shall make information available to the client of alternative programs and locations where they may seek similar service.

6. Service providers shall provide for the timely removal of litter attributable to clients on the property and adjacent property under the control of the service provider.

7. At no time shall any client of an emergency shelter be allowed to keep on-site any alcoholic beverages or store any type of illegal substances, illegal drugs, and/or weapons of any kind. The manager of the emergency shelter shall conduct routine inspections of each on-
site client’s personal space to verify compliance and report to the Alhambra Police Department any client that is found in possession of illegal substances, illegal drugs, and/or weapons of any kind.

8. Service providers shall provide the City with the contact information for an individual with the authority to address operational issues.

E. Compliance with Other Applicable Codes and Regulations. Each emergency shelter shall comply with all applicable local and state health and safety codes such as, but not limited to, the California Building Code, California Fire Code, and California Health and Safety Code.

23.22.140 Family Day Care

Family day cares shall be located, developed, and operated in compliance with the following.

A. Permitted Use. Small and large family day cares are permitted in all zoning districts where residential uses are allowed and are considered residential uses of a property.

B. Location, Large Family Day Care. Large family day cares are limited to lots located a minimum of 200 feet from any other lot with a large family day care use unless approved by the Planning Commission.

23.22.150 Farmer’s Markets

Farmer’s markets shall be located, developed, and operated in compliance with the following.

A. Required Permits. The market operator and vendors shall obtain any permits required pursuant to this Title and secure all necessary licenses, certificates and health permits, including permits for street closure, if applicable. All permits (or copies of them) shall be in the possession of the farmer’s market manager or the vendor, as applicable, on the site of the farmer’s market during all hours of operation.

B. Management Plan. A management plan shall be prepared and provided to the Director. The management plan shall include the following:

1. Identification of a market manager or managers, who shall be present during all hours of operation.

2. A set of operating rules addressing the governance structure of the market; the method of assigning booths and registering vendors; hours of operation; maintenance; security; refuse collection; and parking.

C. Hours of Operation. Market activities may be conducted between the hours of 7:00 a.m. and 10:00 p.m. with specific hours and duration to be approved by the City. Set-up of market operations cannot begin more than two hours prior to the operational hours of the market and take-down shall be completed within two hours of the close of the market.
D. **Waste Disposal.** Adequate composting, recycling, and trash containers shall be provided during hours of operation, and shall be removed from site for appropriate disposal. The site shall be cleaned at the end of each day of operations, including the removal of all stalls and debris.

### 23.22.160 Home Occupations

Home occupations shall be located, developed, and operated in compliance with the following.

A. **Purpose.** The provisions of this Section are intended to allow the conduct of home enterprises which are incidental to and compatible with surrounding residential uses.

B. **Applicability.** This Section applies to home occupations in any residential unit in the City regardless of the zoning designation. It does not apply to family day care, which is regulated separately.

C. **Business License Required.** Where applicable, a separate City of Alhambra business license is required for each home occupation.

D. **Operational Standards.** Home occupations shall comply with the following operating standards:

1. **Residential Appearance.** The residential appearance of the unit within which the home occupation is conducted shall be maintained, and no exterior indication of a home occupation is permitted.

2. **Location.** All home occupation activities shall be conducted entirely within the residential unit except the assembly of small craft items or limited storage of materials may occur within a garage or accessory building. Storage shall not interfere with nor reduce the number of available parking spaces.

3. **Floor Area Limitation.** The home occupation shall be confined completely to one room located within the dwelling which space shall not occupy an area equivalent to more than 25 percent of the gross area of one floor thereof, or 100 square feet, whichever is less.

4. **Storage.** There shall be no exterior storage of materials, supplies, and/or equipment for the home occupation.

5. **Employees.** No employees or independent contractors other than residents of the dwelling unit shall be permitted to work at the location of a home occupation except as otherwise allowed for cottage food operations.

6. **Client Visits.**
   
   a. Clients or customers shall not visit the home occupation between the hours of 10:00 p.m. and 7:00 a.m.
   
   b. There shall be no more than three clients or customers on the premises at any one time.

7. **Direct Sales Prohibition.** Home occupations involving the display or sale of products or merchandise are not permitted from the site except by mail, telephone, internet, or other
mode of electronic communication or except as otherwise allowed for cottage food operations.

8. **Hazardous Materials.** Activities conducted and equipment or materials used shall not change the fire safety or occupancy classifications of the premises, nor use utilities different from those normally provided for residential use. There shall be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit.

9. **Nuisances.** A home occupation shall be conducted such that no offensive or objectionable noise, dust, vibration, smell, smoke, heat, humidity, glare, refuse, radiation, electrical disturbance, interference with the transmission of communications, interference with radio or television reception, or other hazard or nuisance is perceptible at or beyond any lot line of the unit or structure within which the home occupation is conducted, or outside the dwelling unit if conducted in other than a detached single-unit dwelling.

10. **Vehicles.** No vehicle larger than a ¾-ton truck may be used in connection with a home occupation.

11. **Traffic and Parking Generation.** Home occupations shall not generate a volume of pedestrian, automobile, or truck traffic that is inconsistent with the normal level of traffic in the vicinity or on the street on which the dwelling is located or which creates the need for additional parking spaces, or involve deliveries to or from the premises in excess of that which is customary for a dwelling unit.

12. **Equipment.** There shall be no use of material or mechanical equipment not recognized as being part of the normal household or hobby use.

13. **Signs.** No signs shall be permitted for a home occupation.

E. **Cottage Food Operations.** A cottage food operation is allowed as a home occupation and an accessory use to any legally established residential unit subject to the following standards:

1. **Registration.** Cottage food operations shall be registered as “Class A” or “Class B” cottage food operations and shall meet the respective health and safety standards set forth in Section 114365 et seq. of the California Health and Safety Code.

2. **Sales.** Sales directly from a cottage food operation are limited to the sale of cottage food products. A cottage food operation shall not have more than $50,000 in gross annual sales in each calendar year.

3. **Operator and Employee Allowed.** Only the cottage food operator and members of his or her household living in the unit, as well as one full-time equivalent cottage food employee, may participate in a cottage food operation.

4. **Equipment.** Cottage food operations may employ kitchen equipment as needed to produce products for which the operation has received registration, provided that equipment would not change the residential character of the unit, result in safety hazards, or create smoke.
or steam noticeable at the lot line of an adjoining residential property. Venting of kitchen equipment shall not be directed toward neighboring residential uses.

F. **Prohibited Home Occupations.** The following specific uses, either by operation or nature, are not incidental to or compatible with residential activities and shall therefore not be permitted as home occupations:

1. Automobile/vehicle sales and services;
2. Eating and drinking establishments;
3. Hotels and motels;
4. Hospitals and clinics; and
5. Personal services.

**23.22.170 Live Entertainment**

Live entertainment, such as a musical act (including karaoke); theatrical act (including stand-up comedy); play; revue; dance; magical act; disc jockey; or similar activity, performed live by one or more persons for the enjoyment of others, whether or not done for compensation and whether or not admission is charged, is allowed as accessory to a primary use in compliance with the following standards.

A. Live entertainment activities shall be conducted indoors, with doors and windows closed, during normal business hours.

B. No noise created by the live entertainment shall be audible on the exterior of the building.

C. Live entertainment that is not in compliance with A and B above requires approval of a Conditional Use Permit.

**23.22.180 Neighborhood Commercial Uses in Residential Zones**

A neighborhood commercial use is a commercial use of neighborhood-scale, with low-intensity retail and service commercial uses, located on a Residentially zoned parcel, that provides conveniences to neighborhood residents.

A. **Applicability.** This Section applies to residentially zoned properties with existing commercial uses operating within the confines of a permitted commercial building or structure.

B. **General Requirements.**

1. **Permitted Uses.** Table 23.22.180 identifies the permitted neighborhood commercial uses within an established neighborhood commercial property.

2. **Conditional Uses.** Certain uses may be subject to special conditions regarding the location, operation, design or special permitting requirements of the use. References to these provisions are made in Table 23.22.180.
3. **Prohibited Uses.** If a use is not specifically listed in Table 23.22.180, that use is prohibited. However, the Director of Community Development shall have the authority to determine whether the proposed use shall be permitted or conditionally permitted (deferred to Planning Commission) based on the finding that the use is similar to and no more detrimental than a particular use indicated in the table below. The Director of Community Development shall not consider parking as a factor of detriment when making a determination.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>P – Permitted Use Allowed By-Right</th>
<th>CUP – Conditional Use Permit Required</th>
<th>TUP – Temporary Use Permit Required</th>
<th>A – Accessory Use</th>
<th>N – Not Allowed/Expressly Prohibited</th>
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<td>Alcohol Sales</td>
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<tr>
<td>a. On-Sale Outlets (except Bar/Lounge)</td>
<td>CUP – except that bars/lounges shall be prohibited</td>
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<td>b. Off-Sale Outlets</td>
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<tr>
<td>Automotive Parts Store</td>
<td>N</td>
<td></td>
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<tr>
<td>Churches/Places of Assembly</td>
<td>N</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Common Workspaces</td>
<td>P – (Includes office and meeting rooms and other similar uses at the opinion of the Community Development Director, but excludes training centers, presentation and conference halls, food halls, and other similar uses at the opinion of the Community Development Director)</td>
<td></td>
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<tr>
<td>Convenience Stores</td>
<td>P</td>
<td></td>
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<td></td>
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<tr>
<td>Drive-Thru (any kind)</td>
<td>N</td>
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<tr>
<td>Drug Stores and Pharmacies</td>
<td>P</td>
<td></td>
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<td></td>
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<tr>
<td>Office (business, professional, medical, dental)</td>
<td>P</td>
<td></td>
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<tr>
<td>Personal Service (barber, beauty salon/spa, tailor, dry cleaning, self-service laundry, etc.)</td>
<td>P – except that dry cleaners shall have no plant on premises</td>
<td></td>
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<tr>
<td>Food Sales (retail sale of food and beverages for home and/or on-premise consumption)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. With No Alcohol Sales</td>
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<tr>
<td>b. With Alcohol Sales</td>
<td>CUP</td>
<td></td>
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<td></td>
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<tr>
<td>Retail Shops</td>
<td>P</td>
<td></td>
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</tr>
<tr>
<td>Seasonal Sales/Temporary Outdoor Display of Merchandise</td>
<td>TUP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tobacco/Smoke Shops and Tobacco Sales</td>
<td>N</td>
<td></td>
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<tr>
<td>Vending Machines</td>
<td>A (only within the confines of a building)</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>a. Regular Kiosks</td>
<td>N</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Reverse Vending</td>
<td>N</td>
<td></td>
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</tr>
</tbody>
</table>
C. **Review Process.** The Director of Community Development or his/her designee shall have the authority to determine, based on prior building permits, Certificates of Occupancy, business license records, or other evidence if a property improved with commercial facilities and structures in a residential zone may be classified as Neighborhood Commercial for the purposes of applying this section.

1. **Ministerial Reviews.** A ministerial review by means of a Zoning Clearance followed by issuance of a Business License shall be required for all uses listed as "P – Permitted" and "A – Accessory" in the table above. A ministerial review by means of a Temporary Use Permit pursuant to Chapter 23.28 of this Title shall be required for all uses listed as “TUP – Temporary Use Permit” in the table above.

2. **Discretionary Review.** A Conditional Use Permit approved by the Planning Commission pursuant to Chapter 23.27 of this Title shall be required for those uses listed as "CUP – Conditional Use Permit" in the table above. Following approval of the Conditional Use Permit, a Business License shall be required.

D. **Applicable Regulations.** A neighborhood commercial use located on a property with permitted commercial improvements that is located in any residential zone shall be subject to all requirements.

### 23.22.190 On-Sale Alcohol Beverage Establishments

On-sale alcohol beverage establishments shall be located, developed, and operated in compliance with the following standards.

A. **Restaurants with Beer and Wine.** On-sale alcohol beverage establishments operating under an On-Sale Beer and Wine – Eating Place license from the California Department of Alcohol Beverage Control are permitted as accessory to an eating and drinking establishment. The on-sale alcohol beverage establishment must operate and maintain the licensed premises as a bona fide eating place, must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises.

B. **Other On-Sale Alcohol Beverage Establishments.** All other on-sale alcohol beverage establishments require Conditional Use Permit approval.

### 23.22.200 Outdoor Dining and Seating

A. **Outdoor Dining and Seating on Private Property.**

1. **Applicability.** The standards of this Section apply to outdoor dining and seating located on private property. Outdoor dining and seating located in the public-right-of-way is subject to an outdoor dining permit issued by the Public Works Department and the provisions of Subsection 23.22.200.B, Outdoor Dining and Seating in the Public Right of Way.
2. **Accessory Use.** Outdoor dining and seating shall be conducted as an accessory use to a legally established use that is located on the same lot.

3. **Hours of Operation.** The hours of operation are limited to the hours of operation of the associated use.

4. **Maintenance.** Outdoor dining and seating areas shall remain clear of litter at all times.

B. **Outdoor Dining and Seating in the Public Right of Way.**

1. **Purpose.**
   a. The purpose of this Subsection is to establish standards for outdoor dining in conjunction with permanent eating establishments, to accommodate pedestrian circulation and create well-designed and attractive outdoor dining areas.
   
   b. For the purposes of this Subsection, outdoor dining refers to dining areas located on the public sidewalk.

2. **General Regulations and Design and Operating Standards.** An outdoor dining permit may be issued upon approval of the Public Works Director and the Community Development Director, subject to the approval of the City Manager or his or her designee, for outdoor dining areas.
   a. **General Regulations.**
      i. Only establishments that provide full menu service, take out food service and/or specialty food services (e.g., bakeries, ice cream, cookies, yogurt) are permitted to have outdoor dining. Any outdoor dining area must be accessory to an established restaurant or food service establishment.
      
      ii. Bars, cocktail lounges, temporary or mobile food service providers or vendors are not eligible.
      
      iii. Each applicant for outdoor dining shall provide a certificate of insurance of general commercial liability insurance for an amount as required by the City Risk Manager, naming the City as an additional insured.
      
      iv. An application fee shall be paid in the amount as established by resolution of the City Council.
      
      v. The term of the permit shall be determined by the Community Development Director, subject to the approval of the City Manager or his or her designee to provide periodic review of compliance with the provisions of this Subsection. The maximum term of an outdoor dining permit shall not exceed 12 months.
   
   b. **Design and Operating Standards.**
      i. Any outdoor dining area shall not extend beyond the boundaries of the street frontage of the business.
ii. A minimum five foot wide continuous walkway is required, generally parallel and adjacent to the curb line, and entirely outside of the outdoor dining area. Such path shall also have a minimum vertical clearance of eight feet.

iii. If alcoholic beverages are served, the outdoor dining area must be designated for combined food and beverage service. Food must be purchased in order to purchase alcohol.

iv. All items placed on the public right-of-way shall be removed each evening when the business closes, except as specifically exempted in the outdoor dining permit.

v. All outdoor dining areas shall be continuously supervised by management or employees of the business to which they are associated.

vi. All outside dining areas shall be maintained in a clean and safe manner.

vii. All items placed on the public right-of-way shall be maintained in good repair and no item may be hazardous to pedestrian or vehicular traffic, or interfere with safe line-of-sight distances as determined by the Public Works Director.

viii. All entrances and emergency exits shall be kept clear.

ix. No items may be placed on turf or other planted areas.

x. There shall be no outdoor storage permitted in conjunction with any outdoor dining area.

xi. **Barriers and Partitions.**

(1) The dining area shall be clearly delineated by either potted plants or planters, or other partitioning material. The height of any partitions shall not exceed 42 inches above the grade and the materials of construction are subject to City approval.

(2) No barrier is required if the outdoor dining area is limited to one row of tables and chairs adjacent to the building and if no alcoholic beverages are served outdoors.

xii. No additional signage is permitted in the outdoor dining area. Umbrellas may not display signage or advertisements and must not obstruct the view of pedestrians or the motoring public in such a way as to create a safety hazard.

xiii. Table lamps or candles are encouraged. Wired electrical facilities are permitted outside the face of the building subject to review and approval of the Building Division. Lighting on the building shall not be glaring to pedestrians on the sidewalk or to vehicular traffic.
xiv. The design, materials and colors used for chairs, tables, lighting and other fixtures including umbrellas and awnings shall be generally consistent both with the architectural style and colors used on the building facade.

xv. No table, chair, umbrella, awning, planter or other item shall extend or project out from the designated dining area.

xvi. The outdoor dining area shall be kept clear of litter and food scraps at all times. At the end of the business day, establishments are required to clean (sweep and mop) the area in and around the outdoor dining area.

xvii. The hours of operation for the outdoor dining area shall not exceed the hours of the associated food service establishment.

xviii. Outdoor dining areas shall meet all applicable requirements of the Los Angeles County Health Department.

xix. All outdoor dining areas shall be fully accessible to the handicapped, in compliance with the state disability access regulations.

3. **Permit Procedure and Requirements.** Applicants for outdoor dining areas shall submit the following information for review by the Community Development Director and the Public Works Director:

a. A site plan, drawn to scale, indicating the following:

i. The address of the site, the name of the associated business, the name(s) of the fronting street(s), the dimensions of the sidewalk area and a north arrow;

ii. The location, layout and size of the proposed dining area;

iii. The layout of any tables, chairs, benches and any other items that will be placed in the outdoor dining area;

iv. The number, size and location of existing trees, tree wells, newspaper racks, poles, signs, bus benches, trash receptacles and any other items on the sidewalk between the building and the curb;

v. All curb markings, bus loading zones, driveways, wheelchair ramps, meter boxes and utility boxes;

vi. The location and floor plan of the building, including all doors and windows and any fixtures or building features which project from the face of the building;

vii. The five foot wide continuous walkway as required in § 23.22.200(B)(2) above.

b. The hours of operation.
c. The method of delineation of the dining area.
d. Name(s) and telephone numbers of the person(s) responsible for the operation of the outdoor dining area.

4. **Findings.** The City Manager, the Community Development Director, and the Public Works Director may approve an outdoor dining permit application only when all of the following findings of facts can be made in a positive manner:
   a. That the proposed outdoor dining area is conducted by an existing food service establishment and is accessory thereto.
   b. That the proposed area to be designated for outdoor dining is adequate in size and shape to accommodate the proposed use.
   c. That the proposed use will not adversely affect pedestrian or vehicular traffic or the public health, safety or general welfare.
   d. That the proposed use would not have an adverse effect on adjacent property or the permitted use thereof.
   e. The proposed use is compatible with the quality and character of surrounding development and will visually enhance the appearance of the community.

5. **Conditions of Approval.** Conditions of approval may be imposed on any outdoor dining permit to ensure that the proposed use will be in accord with the required standards and findings of this Subsection and to ensure the protection of the public health, safety and welfare of the community. The permit shall not become effective until all applicable conditions of approval have been met. All conditions of approval shall be observed throughout the duration of the permit.

**23.22.210 Outdoor Display and Sales**

Outdoor display and sales shall be located, developed, and operated in compliance with the following.

A. **Temporary Outdoor Display and Sales.** The temporary outdoor display and sale of merchandise shall comply with Section 23.22.250, Temporary Uses, and Chapter 23.28, Temporary Use Permits.

B. **Size.** There is no limit on the size of outdoor display areas for vehicle sales and leasing, nursery and garden centers, and building materials sales. For other uses, outdoor display areas 500 square feet or less in size are permitted. Outdoor display areas more than 500 square feet in size require Minor Use Permit approval.

C. **Relationship to Main Use.** The outdoor display and sales area shall be directly related to a business occupying a primary structure on the subject parcel.

D. **Allowable Merchandise.** Only merchandise sold at the business is permitted to be displayed outdoors.
E. **Location.** The displayed merchandise shall occupy a fixed, specifically approved and defined location and shall not disrupt the normal function of the site or its circulation and shall not encroach upon parking spaces, driveways, pedestrian walkways, or required landscaped areas.

### 23.22.220 Recycling Facilities

Recycling facilities shall be located, developed, and operated in compliance with the following.

A. **Purpose.** These regulations are intended to encourage the recycling of reusable materials and provide convenient service locations for the general public as mandated by State law. It is also the intent of this Section to establish minimum standards of development in order to ensure compatibility of recycling facilities with the surrounding land uses to protect surrounding property values, and to maintain the health, safety and general welfare of the community.

B. **General Regulations.**

1. **Regulations Applicable to All Recycling Facilities.**
   a. **Location.**
      i. There shall be no more than one facility for each site.
      ii. Recycling facilities shall be located a minimum of 150 feet from a Residential Zoning District.
      iii. Recycling facilities shall be located a minimum of 10 feet from any property line or public right-of-way.
      iv. Recycling facilities shall not be located within any required landscape area, driveway, or parking space.
      v. Recycling facilities shall not obstruct pedestrian or vehicular circulation.
      vi. Recycling facilities shall not be within 10 feet of a driveway aisle providing vehicle access in a parking lot.
      vii. Recycling facilities shall be located a minimum of 50 feet from an entrance or operable window of any building, whether on the same property or not.
   b. **Screening.** Recycling facilities shall be screened from view of the public right-of-way by a minimum six-foot high solid screen or an enclosure.
   c. **Registration.** Recycling facilities shall be clearly marked with the name and telephone number of the operator. No person shall install or maintain a recycling facility without first registering the facility with the City. Such registration shall be in writing by the owner of the recycling facility or his or her authorized agent, shall be filed with the Community Development Director and shall contain the name, address and telephone number of the owner of the facility and the name and
address of the person to whom any notice should be given pursuant to this Section.

d. **Materials.**

i. Recycling facilities shall use receptacles that are constructed and maintained with durable waterproof and rustproof material, covered when not attended, and secure from unauthorized entry.

ii. No materials shall be stored or placed in a manner so as to cause a public nuisance. All recyclable materials shall be stored in receptacles or in the mobile recycling unit vehicle, and shall not be left outside of receptacles when attendant is not present.

iii. Recycling facilities shall accept only glass, metals, plastic containers, papers and reusable items. Items shall be presorted and shall include non-hazardous materials.

e. **Trash Container.** There shall be a minimum of one trash container (separate from the trash container required for the principal use) located near the facility.

f. **Noise.** Noise levels shall not exceed 55 dBA as measured at the property line of a residentially zoned or occupied site or at the property line of any site zoned or used for open space purposes. Noise levels shall not exceed 65 dBA as measured at the property line of commercially designated properties, and 70 dBA as measured at the property line of industrially designated properties.

2. **Additional Regulations Applicable to Reverse Vending Machines.**

a. **Accessory Use.** In the I Zone, reverse vending machines shall be accessory to a principal use that is in compliance with City Zoning, Building, and Fire Codes. In the CMU Zone, reverse vending machines shall be accessory to a food and beverage retail sales establishment.

b. **Illumination.** Reverse vending machines shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

c. **Hours of Operation.** Hours of operation shall be consistent with the business hours of the principal use but in no event shall the hours be longer than between 8:00 a.m. to 7:00 p.m., Monday through Saturday, and 10:00 a.m. to 6:00 p.m., Sunday.

3. **Additional Regulations Applicable to Small Collection Facilities.**

a. **Accessory Use.** In the I Zone, small collection facilities shall be accessory to a principal use that is in compliance with City Zoning, Building, and Fire Codes. In the CMU Zone, small collection facilities shall be accessory to a food and beverage retail sales establishment.

b. **Equipment.** Power-driven processing equipment except for reverse vending machines is prohibited.
c. **Parking.** One on-site parking space shall be provided for each attendant and/or employee. One on-site parking space shall be provided for each vehicle operated by the facility. The available on-site parking spaces shall not be reduced below the minimum required number of parking spaces required for the principal use.

d. **Hours of Operation.** Hours of operation shall be consistent with the business hours of the principal use, but in no event shall the hours be longer than between 8:00 a.m. to 7:00 p.m., Monday through Saturday, and 10:00 a.m. to 6:00 p.m., Sunday.

4. **Additional Regulation Applicable to Large Collection Facilities.** Customer and employee parking shall be provided at the rate of one parking space per 250 square feet of gross floor area, with a minimum of five parking spaces per business. In addition to these requirements, there shall also be provided one parking space for each vehicle operated by the facility.

C. **Nonconforming Facilities.** Recycling facilities which are lawfully in existence at the time of adoption of these regulations and which are not in compliance are considered nonconforming and shall be removed or brought into conformance within six months.

D. **Abatement of Facilities.**

1. Whenever the Community Development Director is advised that a recycling facility has been installed or is being maintained in violation of this Section, the Director shall so notify the operator, or in the absence of such information, the property owner. Such notice shall be served either personally or by mail, postage prepaid, certified, return receipt requested, to the person in. Such notice shall state the nature of the violation, the Director’s intention to impound the facility if the violation is not corrected or a hearing is not requested before the Director within 14 days after the giving of such notice, and provide the procedure for requesting such a hearing. A timely request for a hearing shall stay any impounding pending a decision by a hearing officer.

2. Whenever a recycling facility is impounded pursuant, the recycling facility shall be removed by the Director or his or her designee, and stored in any convenient place. The Director shall notify in writing the registered operator, or in the absence of such registration the property owner, regarding the removal. Such notice shall be served either personally or by mail, postage prepaid, certified, return receipt requested. Such notice shall state the date the facility was removed, the reasons for the removal, the location and procedure for claiming the facility and the procedure for obtaining a post-removal hearing before the Director if desired. Any such recycling facility removed and stored pursuant to these provisions shall be released to the owner thereof if claimed within 45 days after such removal and upon the payment of reasonable charges of removal and storage therefore. Upon failure of the owner to claim such recycling facility and pay the reasonable charges within 45 days after the mailing of written notice of removal, such recycling facility shall be deemed to be unclaimed property in possession of the City and may be disposed of.
3. Any recycling facility in violation of the provisions of this Section, which violation creates an immediate danger to the health or safety of the public, and which violation cannot be corrected by moving or otherwise repositioning the recycling facility, may be summarily removed and stored in a convenient location so as to eliminate the danger to the health or safety of the public. The Director shall notify in writing the registered operator, or in the absence of such registration the property owner, regarding the removal. Such notice shall state the date the facility was removed, the reasons for the removal, the location and procedure for claiming the facility and the procedure for obtaining a post-removal hearing before the Director, if desired. Any such facility removed and stored pursuant to this Section shall be released to the owner thereof if claimed within 45 days after the mailing of written notice of removal and upon the payment of reasonable charges of removal and storage. Upon failure of the owner to claim such facility and pay the reasonable charges within said 45-day period, such facility shall be deemed to be unclaimed property in possession of the City and may be disposed of.

4. Within 14 days of the notice of violation, or notice of removal of a facility summarily impounded, the registered operator or other person who provides satisfactory proof of ownership, may request a hearing. The request shall be in writing, shall state the basis thereof, and shall be filed with the Director.

5. Upon receipt of a written request for a hearing, the Director shall schedule the hearing before a hearing officer. The hearing officer shall be the Risk Manager or their designee.

6. The Director shall provide written notice of the date, time, and place of the hearing, and the identity of the hearing officer. Such notice of hearing shall be served either personally or by mail, postage prepaid, certified, return receipt requested, to the registered owner, or in the absence of such registration the property owner. The hearing shall be held no sooner than 15 days following service of the notice of hearing. The hearing officer may continue the hearing for good cause.

7. At the hearing any person may present evidence or argument as to whether the facility has violated this Section. Within seven working days after the close of the hearing, the hearing officer shall render a decision in writing. Notice of the decision shall forthwith be given to the person who requested the hearing. The hearing officer may order the termination of the abatement proceedings or may order abatement of the recycling facility within a reasonable amount of time (not less than 30 days). The order issued by the hearing officer will be deemed a final order and may be judicially reviewed pursuant to Cal. Code of Civil Proc. § 1094.6. There is no right to a City Council appeal. If the responsible party does not timely abate a recycling facility found to be in violation of this Section and does not seek timely judicial review pursuant to Cal. Code of Civil Proc. § 1094.6, the Director may proceed the impoundment of the offending recycling facility.

8. Unless otherwise specified, all notices shall be sent by registered mail to the registered owner at the address shown on the registration, if such registration has been completed, and at his or her last-known address.

10. The remedies set forth in this Section are not exclusive and do not prevent the City Attorney from commencing a civil or criminal proceeding to abate a public nuisance under applicable Civil or Penal Code provisions as an alternative to the proceedings set forth herein.

23.22.230 Single Room Occupancy

Single Room Occupancy (SRO) units shall be located, developed, and operated in compliance with the following standards:

A. **Minimum Size.** Each unit shall have at least 150 square feet of floor area. No individual unit may exceed 400 square feet.

B. **Maximum Occupancy.** Each unit shall accommodate a maximum of two persons.

C. **Lighting.** Exterior lighting shall be provided for the entire outdoor and parking area of the property and shall comply with the requirements of Section 23.10.080, Lighting and Illumination.

D. **Laundry Facilities.** Laundry facilities must be provided in a separate enclosed room at the ratio of one washer and one dryer for every 20 units or fractional number thereof, with at least one washer and dryer per floor.

E. **Cleaning Facilities.** A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor.

F. **Bathroom.** Each unit shall require a separate bathroom containing a water closet, lavatory and bathtub or shower.

G. **Cooking Facilities.** Each unit shall require a kitchen sink, functioning cooking appliance and a refrigerator, each having a clear working space of not less than 30 inches in front.

H. **Closet.** Each unit shall have a separate closet.

I. **Tenancy.** Tenancy of units shall not be less than 30 days or more than 12 months.

J. **Facility Management.** An SRO facility with 10 or more units shall provide full-time on-site management. An SRO facility with less than 10 units may provide a management office off-site.

23.22.240 Telecommunication Facilities

A. **Purpose.** To provide a uniform and comprehensive set of standards for the development and installation of facilities related to telecommunication facilities in order to accommodate the needs of residents and businesses while protecting the public health, safety, and welfare, and the aesthetic quality of the community, consistent with the goals, objectives, and policies of the
General Plan, while providing for managed development of telecommunication infrastructure in compliance with the Federal Telecommunications Act of 1996 and related requirements in State law. The specific objectives of this Section are to:

1. Prevent the emergence and proliferation of visual blight along visually significant or visually sensitive corridors within the City of Alhambra;
2. Recognize the rights of wireless facilities operators and wireless transmission devices under federal law and state law, and harmonize those with the City’s interest;
3. Encourage users of wireless facilities and wireless transmission devices to locate such equipment in areas where any adverse impacts on the community are optimally mitigated and, where possible, encourage users of wireless facilities to collocate those facilities with existing wireless facilities;
4. Encourage users of wireless facilities, which include accessory equipment, to configure such equipment in a manner that minimizes their adverse visual impact;
5. Encourage the managed and aesthetically sensitive development of wireless facilities in the City; and
6. Ensure that approved wireless facilities, wireless transmission devices and related accessory equipment and support structures are constructed and operated in a safe and legally compliant manner.

B. **Definitions.** All words and phrases defined below and found in this Section shall be used in the context of the definitions of this Section. Other general terms, unless otherwise defined, shall have the meanings assigned to them in Chapter 23.36, Definitions.

1. **Antenna.** Any system of wires, poles, rods, horizontal or vertical elements, panels, reflecting discs, or similar devices used for the transmission and/or reception of electromagnetic waves.

2. **Co-Location.** The location of two or more wireless communications facilities owned or used by more than one public or private entity on a single support structure, or otherwise sharing a common location. Co-location also includes the location of wireless communications facilities with other facilities, such as buildings, water tanks, light standards, and other utility facilities and structures.

3. **Mast.** A pole of wood or metal or a tower fabricated of metal that is used to support an antenna and maintain it at the proper elevation.

4. **Personal Communications Services (PCS).** Digital wireless telephone technology such as portable phones, pagers, faxes, and computers. PCS is also sometimes known as Personal Communication Network (PCN).

5. **Satellite Dish.** A device (also known as a parabolic antenna) incorporating a reflective surface that is solid, open, or mesh or bar-configured, and is in the shape of a shallow dish, cone, horn cornucopia, or flat plate that is used to receive or transmit radio or
electromagnetic waves between terrestrially and/or orbitally based units. This term includes satellite earth stations, satellite receivers, satellite discs, direct broadcast systems, television-reception-only systems, and satellite microwave antennas.

6. **Support Equipment.** The physical, electrical, and/or electronic equipment included within a telecom facility used to house, power, transport, and/or process signals from or to the facility’s antenna or antennas.

7. **Multi-User Telecommunication Facility.** A telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned or used by more than one public or private entity, excluding research and development industries with antennas serving internal company uses only.

8. **Tower.** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas.

9. **Tower, Lattice.** A multiple-sided, open, metal frame support structure that supports antennas and related equipment, typically with three or four support legs.

C. **Applicability and Exemptions.** The requirements of this Section apply to all telecommunication facilities that transmit and/or receive electromagnetic signals, including but not limited to personal communications services (cellular and paging) and radio and television broadcast facilities. The requirements apply to telecommunication facilities that are the primary use of a property and those that are accessory facilities, except that the following facilities are exempt:

1. Licensed amateur (ham) radio and citizen band operations.
2. Hand-held, mobile, marine, and portable radio transmitters and/or receivers.
3. Emergency services radio.
4. Radio and television mobile broadcast facilities.
5. Antennas and equipment cabinets or rooms completely located inside of permitted structures.
6. A single ground- or building-mounted receive-only radio or television antenna not exceeding the maximum height permitted by this Code, including any mast, or a receive-only radio or television satellite dish antenna, subject to the following restrictions:
   a. **Residential Districts.**
      i. **Satellite Dish One Meter or Less.** A satellite dish that does not exceed one meter in diameter, is not located within a required front or street side setback or in front of the primary structure, and for the sole use of a resident occupying the same residential parcel is permitted so long as it does not exceed the height of the ridgeline of the primary structure on the same parcel.
ii. **Satellite Dish Greater than One Meter.** A satellite dish that is greater than one meter in diameter, is not located within a required setback, and is screened from view from any public right-of-way and adjoining property.

iii. **Antennas.** An antenna that is mounted on any existing building or other structure that does not exceed 25 feet in height. The antenna shall be for the sole use of a resident occupying the same residential parcel on which the antenna is located.

b. **Nonresidential Districts.**

i. **Satellite Dish Two Meters or Less.** A satellite dish that does not exceed two meters in diameter is permitted on a lot in a nonresidential district so long as it is not located within a required front or street side setback or in front of the primary structure.

ii. **Satellite Dish Greater than Two Meters.** A satellite dish that is greater than two meters in diameter that is not located within a required setback and is screened from view from any public right-of-way and adjoining property.

iii. **Mounted Antennas.** An antenna that is mounted on any existing building or other structure when the overall height of the antenna and its supporting tower, pole or mast does not exceed a height of 25 feet or is completely screened by the parapet or other roof elements of the building.

iv. **Freestanding Antennas.** A freestanding antenna and its supporting tower, pole, or mast that complies with all applicable setback requirements when the overall height of the antenna and its supporting structure does not exceed a height of 25 feet.

c. **Undergrounding Required.** All wires and/or cables necessary for operation of an antenna shall be placed underground or attached flush with the surface of the building or the structure of the antenna.

7. Any antenna or wireless communications facility that is exempt from local regulation pursuant to the rules and regulations of the Federal Communications Commission (FCC) or a permit issued by the California Public Utilities Commission (CPUC). The owner or operator of such facility shall provide the Community Development Director with a copy of a current FCC or CPUC permit or a copy of applicable FCC regulations prior to its installation.

8. Minor modifications to existing wireless facilities, including replacement in-kind or with smaller or less visible equipment, that meet the standards set forth in this Section and will have little or no change in the visual appearance of the facility.

D. **Permit Requirements.**

1. **Replacement, Removal, or Co-location of Transmission Equipment (Eligible Facilities Request, Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012).** The
co-location of new transmission equipment, removal of transmission equipment, or the replacement of transmission equipment is permitted by right provided the modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base structure, including an electric utility pole erected to replace an existing electric utility pole, if the replacement pole will serve both electric and wireless communications functions, and if the replacement pole is substantially equivalent to the predecessor pole in placement, height, diameter, and profile.

2. **Stealth Facilities.** Stealth facilities in which the antenna and the support equipment are hidden from view in a structure or concealed as an architectural feature, are permitted in all nonresidential zoning districts. Stealth facilities in Residential Zoning Districts are subject to Conditional Use Permit approval.

3. **Co-located Facilities.** Permitted by right when proposed to be co-located on a facility that was subject to a discretionary permit issued on or after January 1, 2007 and an environmental impact report was certified, or a negative declaration or mitigated negative declaration was adopted for the wireless telecommunication collocation facility in compliance with the California Environmental Quality Act and the collocation facility incorporates required mitigation measures specified in that environmental impact report, negative declaration, or mitigated negative declaration.

4. **Non-stealth Facilities.** Permitted in nonresidential zoning districts subject to Conditional Use Permit approval.

E. **Standards.** Telecommunication facilities shall be located, developed, and operated in compliance with all of the following standards and with applicable standards of the zoning district in which they are located.

1. **Location and Siting:**
   a. No new freestanding facility, including a tower, lattice tower, or monopole, shall be located within 1,000 feet of another freestanding facility, unless mounting on a building or co-location on an existing pole or tower is not feasible and appropriate camouflage techniques have been used to minimize the visual impact of the facility to the extent feasible.
   b. Telecommunication facilities shall meet the setback requirements of the zoning district which they are located.
   c. When feasible, providers of personal wireless services shall co-locate facilities in order to reduce adverse visual impacts. The Community Development Director may require co-location or multiple-user wireless telecommunication facilities based on a determination that it is feasible and consistent with the purposes and requirements of this Section.
   d. When determined to be feasible and consistent with the purposes and requirements of this Section, the Community Development Director shall require
the applicant to make unused space available for future co-location of other telecommunication facilities, including space for different operators providing similar, competing services.

2. **Support Structures.** Support structures for telecommunication facilities may be any of the following:
   a. An existing nonresidential building.
   b. An existing structure other than a building, including, but not limited to, light poles, electric utility poles, water towers, smokestacks, billboards, lattice towers, and flag poles.
   c. An alternative tower structure such as a clock tower, steeple, functioning security light pole, functioning recreational light pole, or any similar alternative-design support structure that conceals or camouflages the telecommunication facility. The term “functioning” as used herein means the light pole serves a useful and appropriate lighting function as well as a wireless communications function.
   d. Existing publicly-owned and operated monopole or a lattice tower exceeding the maximum height limit.
   e. A single pole (monopole) sunk into the ground and/or attached to a foundation. Any new monopole shall be constructed to allow for co-location of at least one other similar communications provider.
   f. A monopole mounted on a trailer or a portable foundation if the use is for a temporary communications facility.

3. **Height Requirements.**
   a. **Freestanding Antenna or Monopole.** All free-standing antennas, monopoles, and lattice towers shall be designed to be the minimum functional height and width required to support the proposed antenna installation, unless it can be demonstrated that a higher antenna, monopole, or tower will facilitate co-location. A freestanding antenna or monopole shall not exceed the height limit of the zoning district in which it is located or 60 feet, whichever is less.
   b. **Building-Mounted Facilities.** Telecommunication facilities mounted on buildings shall not exceed a height of 10 feet above the height limit of the district or 10 feet above the existing height of a legally established building, whichever is lower, measured from the top of the facility to the point of attachment to the building.
   c. **Facilities Mounted on Structures.** Telecommunication facilities mounted on an existing structure shall not exceed the height of the existing structure unless camouflaged as part of the structure design, except antennas may extend up to 10 feet above the height of an electric utility pole.
d. **Facilities Mounted on Light Poles.** A functioning security light pole or functioning recreational light pole shall have a height consistent with existing poles in the surrounding area or height usually allowed for such light poles.

4. **Design and Screening.** Telecommunication facility structures and equipment shall be located, designed, and screened to blend with the existing natural or built surroundings, as well as any existing support structures, so as to reduce visual impacts to the extent feasible.

a. **Stealth Facilities.** State of the art stealth design technology shall be utilized as appropriate to the site and type of facility. Where no stealth design technology is proposed for the site, a detailed analysis as to why stealth design technology is physically and technically infeasible for the project shall be submitted with the application.

b. **Other Facility Types.** If a stealth facility is not feasible, the order of preference for facility type is, based on their potential aesthetic impact: façade-mounted, roof-mounted, ground-mounted, and free-standing tower or monopole. A proposal for a new ground-mounted or free-standing tower shall include factual information to explain why other facility types are not feasible.

c. **Camouflage Design.** Telecommunication facilities that are mounted on buildings or structures shall be designed to match existing architectural features, incorporated in building design elements, camouflaged, or otherwise screened to minimize their appearance in a manner that is compatible with the architectural design of the building or structure.

d. **Equipment Cabinets.** Equipment cabinets shall be located within the building upon which antennae are placed, if technically feasible. Otherwise, equipment cabinets, buildings, and associated equipment such as air conditioning units and emergency generators, shall be screened from view by a wall or landscaping, as approved by the City. Any wall shall be architecturally compatible with the building or immediate surrounding area.

e. **Landscaping.** Landscaping shall be provided for and maintained to screen any ground structures or equipment visible from a public right-of-way.

f. **Lighting.** Artificial lighting of a telecommunication facility, including its components, is prohibited, unless required by the Federal Aviation Administration. A motion-sensor light may be used for security purposes if the beam is directed downwards, shielded from adjacent properties, and kept off except when personnel are present at night.

g. **Advertising.** No advertising shall be placed on telecommunication facilities, equipment cabinets, or associated structures.
5. **Security Features.** All facilities shall be designed to minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or attractive nuisances.
   a. **Fencing.** Security fencing, if any, shall not exceed the fence height limit of the base district. Fencing shall be effectively screened from view through the use of landscaping. No chain link fences shall be visible from public view.
   b. **Maintenance.** The permittee shall be responsible for maintaining the site and facilities free from graffiti.

   a. **Radio Frequency.** Telecommunication facilities shall comply with federal standards for radio frequency emissions and interference. Failure to meet federal standards may result in termination or modification of the permit.
   b. **Interference.** Telecommunications facilities shall not interfere with public safety radio communications.
   c. **Noise.** Telecommunication facilities and any related equipment, including backup generators and air conditioning units, shall not generate noise in excess of the limits established in Chapter 18.02, Noise and Vibration Control Regulations, of the Municipal Code. Backup generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance shall be scheduled and conducted in such a manner that is the least disruptive to surrounding land uses.

7. **Co-location.** The applicant and owner of any site on which a telecommunication facility is located shall cooperate and exercise good faith in co-locating telecommunication facilities on the same support structures or site. Good faith shall include sharing technical information to evaluate the feasibility of co-location, and may include negotiations for erection of a replacement support structure to accommodate co-location. A competitive conflict to co-location or financial burden caused by sharing information normally will not be considered as an excuse to the duty of good faith.
   a. All facilities shall make available unused space for co-location of other telecommunication facilities, including space for these entities providing similar, competing services. Co-location is not required if the host facility can demonstrate that the addition of the new service or facilities would impair existing service or cause the host to go offline for a significant period of time. In the event a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the City may require the applicant to obtain a third party technical study at applicant’s expense. The City may review any information submitted by applicant and permittee(s) in determining whether good faith has been exercised.
b. All co-located and multiple-user telecommunication facilities shall be designed to promote facility and site sharing. Telecommunication towers and necessary appurtenances, including but not limited to parking areas, access roads, utilities, and equipment buildings, shall be shared by site users whenever possible.

c. No co-location may be required where it can be shown that the shared use would or does result in significant interference in the broadcast or reception capabilities of the existing telecommunication facilities or failure of the existing facilities to meet federal standards for emissions.

d. Failure to comply with co-location requirements when feasible or cooperate in good faith as provided for in this Section is grounds for denial of a permit request or revocation of an existing permit.

8. Fire Prevention and Emergency Response. All telecommunication facilities shall be designed and operated in a manner that will minimize the risk of igniting a fire or intensifying one that otherwise occurs.

a. At least one-hour fire resistant interior surfaces shall be used in the construction of all buildings.

b. The exterior walls and roof covering of all above-ground equipment shelters and cabinets shall be constructed of materials rated as non-flammable in the Building Code.

c. Monitored automatic fire extinguishing systems shall be installed in all equipment buildings and enclosures.

d. Openings in all above-ground equipment shelters and cabinets shall be protected against penetration by fire and wind-blown embers to the extent feasible.

e. Address signs shall be installed in conformance with Fire Chief’s requirements at the entrance off the public way, where needed to provide direction along the access road, and at the facility itself.

f. A permanent, weather-proof, facility identification sign shall be placed on the gate in the fence or wall around the equipment building, or if there is no fence or wall, next to the door to the equipment shed itself. Said sign shall identify the facility operator and specify a 24-hour telephone number at which the operator can be reached.

9. Surety Bond. As a condition of approval, an applicant for a building permit to erect or install a telecommunication facility shall be required to post a cash or surety bond in a form and amount acceptable to the City Attorney to cover removal costs of the facility in the event that its use is abandoned or the approval is otherwise terminated.

F. Required Findings.
1. **General Findings.** In approving a telecommunication facility, the review authority shall make the following findings:

   a. The proposed use conforms with the specific purposes of this Section and any special standards applicable to the proposed facility;
   
   b. The applicant has made good faith and reasonable efforts to locate the proposed facility on a support structure other than a new ground-mounted antenna, monopole, or lattice tower or to accomplish co-location;
   
   c. The proposed site results in fewer or less severe environmental impacts than any feasible alternative site; and
   
   d. The proposed facility will not be readily visible or it is not feasible to incorporate additional measures that would make the facility not readily visible.

2. **Additional Findings for Facilities Not Co-Located.** To approve a telecommunication facility that is not co-located with other existing or proposed facilities or a new ground-mounted antenna, monopole, or lattice tower, the review authority shall find that co-location or siting on an existing structure is not feasible because of technical, aesthetic, or legal consideration including that such siting:

   a. Would have more significant adverse effects on views or other environmental considerations;
   
   b. Is not permitted by the property-owner;
   
   c. Would impair the quality of service to the existing facility; or
   
   d. Would require existing facilities at the same location to go off-line for a significant period of time.

3. **Additional Findings for Setback Reductions.** To approve a reduction in setback, the review authority shall make one or more of the following findings:

   a. The facility will be co-located onto or clustered with an existing, legally established telecommunication facility; and/or
   
   b. The reduced setback enables further mitigation of adverse visual and other environmental impacts than would otherwise be possible.

4. **Additional Findings for Any Other Exception to Standards.** The Planning Commission may waive or modify requirements of this Section upon finding that strict compliance would result in noncompliance with applicable federal or State law.

G. **Vacation and Removal of Facilities.**

1. A carrier using facilities within the City shall provide the City with a copy of the notice to the FCC or California Public Utilities Commission of intent to cease operations at the time such notice is filed.
2. The operator of a telecommunications facility shall remove all unused or abandoned equipment, antennas, poles, or towers within one year of discontinuation of the use and, if there are no active providers on the facility, the site shall be restored to its original, pre-construction condition.

3. If the facilities are not removed within one year, or other period of time as determined in writing by the City, the City may have the facilities removed at the owner’s or carrier’s expense, provided, however, that recovery of expenses shall be limited to the reasonable and documented costs of removal.

4. All costs incurred by the City to undertake any work required to be performed pursuant to this Section shall be borne solely by the applicant.

23.22.250 Temporary Uses

This Section establishes standards for certain uses that are intended to be of limited duration of time and that will not permanently alter the character or physical facilities of the site where they occur.

A. Temporary Uses Not Requiring a Use Permit. The following types of temporary uses may be conducted without a Use Permit. Other permits, such as building permits or business licenses, may be required.

1. **Yard/Garage Sales.** Sales of personal property conducted by a resident of the premises with a maximum term of three consecutive days occurring no more than four times a year.

2. **Non-Profit Fund Raising.** Fund raising activities by tax exempt organizations pursuant to 501(C) of the Federal Revenue and Taxation Code are allowed in non-residential zones with no limitation on the number of occasions and duration.

3. **Events in Assembly Venues.** A permit shall not be required for events which occur in theaters, meeting halls or other permanent public assembly facilities.

B. Temporary Uses Requiring a Temporary Use Permit. Other temporary uses may be permitted pursuant to Chapter 23.28, Temporary Use Permits, subject to the following standards. Additional or more stringent requirements may be established through the Temporary Use Permit process to prevent the use from becoming a nuisance with regard to the surrounding neighborhood or the City as a whole.

1. **Real Estate Offices.** Real estate offices within approved development projects.

2. **Seasonal Sales.** The annual sales of holiday related items such as Christmas trees, pumpkins and similar items may be permitted in accordance with the following standards. This Subsection is only applicable to temporary seasonal sales that are not in conjunction with an existing business and are not applicable to farmers’ markets. A business license is required.
   a. **Time Period.**
Seasonal sales associated with holidays are allowed up to a month preceding and one week following the holiday. Christmas tree sales are allowed from Thanksgiving Day through December 31st.

The subject lot shall not be used for seasonal sales more than two times within the calendar year.

The sale of fireworks shall be in compliance with Chapter 19.01, Sale of Safe and Sane Fireworks, of the Municipal Code.

All items for sale, as well as signs and temporary structures, shall be removed within 10 days after the end of sales, and the appearance of the site shall be returned to its original state.

The property shall not be used in such a manner as to create a nuisance due to noise, dust, litter, or other factors.

The City reserves the right to shut down a temporary seasonal sales operation if the operation is posing safety concerns, has become a nuisance, or has violated any requirements of this Section. All costs associated with the removal and/or abatement shall be paid for by the property owner.

Circuses and carnivals in compliance with Chapter 5.80, Circuses and Carnivals, of the Municipal Code.

Short-term special events and sales, including mobile vendors, may be permitted in accordance with the following standards:

Events and sales are limited to non-residential zones.

No more than six events or sales at one site shall be allowed within any 12-month period.

The maximum duration of a single event or sale is four consecutive days with a minimum of 14 days between each event.

Temporary outdoor sales, including, but not limited to, grand opening events, and other special sales events, are also subject to the following standards:

Temporary outdoor sales shall be part of an existing business on the same site.

Outdoor display and sales areas shall be located on a paved or other approved hard surfaced area on the same lot as the structure(s) containing the business with which the temporary sale is associated.

Location of the displayed merchandise shall not disrupt the normal circulation of the site, nor encroach upon driveways, pedestrian walkways,
or required landscaped areas, or obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.

C. **Temporary Uses Requiring a Minor Use Permit.** Other temporary events and special events, outdoor sales, and displays may be allowed with the approval of a Minor Use Permit so long as they are not intended to extend longer than one month and they are determined to not impact neighboring uses or otherwise create significant impacts.
Article IV: Administration and Permits

Chapter 23.23 Planning Authorities

23.23.010 Purpose

This Chapter lays out the basic roles, responsibilities, and functions of all planning authorities under this Title, including the City Council, Planning Commission, and Community Development Director.

23.23.020 City Council

The powers and responsibilities of the City Council include, but are not limited to the following:

A. Adopt design guidelines pursuant to Chapter 23.26, Design Review.
B. Consider and adopt, reject, or modify Planned Developments, following a public hearing and recommended action by the Planning Commission, pursuant to Chapter 23.32, Planned Development.
C. Consider and adopt, reject, or modify Development Agreements, following a public hearing and recommended action by the Planning Commission, pursuant to Chapter 23.33, Development Agreements.
D. Consider and adopt, reject or modify proposed amendments to the General Plan, Zoning Code, Zoning Map, specific plans, and environmental documents related to any of the foregoing, pursuant to Chapter 23.34, Amendments to the General Plan, Zoning Code, and Zoning Map.
E. Hear and decide appeals from decisions of the Planning Commission pursuant to Section 23.24.120, Appeals.
F. Establish, by resolution, a Municipal Fee Schedule listing fees, charges, and deposits for various applications and services provided, pursuant to this Title.
G. Make environmental determinations on any approvals within to the City Council’s jurisdiction that are subject to environmental review under the California Environmental Quality Act, pursuant to State law.
23.23.030 Planning Commission

The powers and responsibilities of the Planning Commission include, but are not limited to the following:

A. Approve, modify, or deny Conditional Use Permits and Variances, pursuant to Chapter 23.27, Use Permits, and Chapter 23.30, Variances.

B. Make recommendations to the City Council on planned developments, pursuant to Chapter 23.32, Planned Development.

C. Make recommendations to the City Council on development agreements, pursuant to Chapter 23.33, Development Agreements.

D. Make recommendations to City Council on proposed amendments to the General Plan, Zoning Code, and Zoning Map, specific plans, and environmental documents, pursuant to Chapter 23.34, Amendments to the General Plan, Zoning Code, and Zoning Map.

E. Hear and decide appeals from decisions of the Community Development Director, Design Review Board, and the City Art in Public Places Committee, pursuant to Section 23.24.120, Appeals.

F. Hear and decide proposals to revoke permits, pursuant to Section 23.24.110, Revocation of Permits.

G. Make environmental determinations on any approvals within the Planning Commission’s jurisdiction that are subject to environmental review under the California Environmental Quality Act, pursuant to State law.

H. Such other powers and responsibilities as assigned or directed by the City Council.

23.23.040 Design Review Board

The powers and responsibilities of the Design Review Board, include, but are not limited to the following:

A. Conduct Design Review and approve, modify, or deny land use projects pursuant to Chapter 23.26, Design Review.

23.23.050 Community Development Director

The powers and responsibilities of the Community Development Director (“the Director”), or their designee, include, but are not limited to the following:

A. Maintain and administer the Zoning Code, including the processing of applications, abatements, and other enforcement actions.

B. Interpret the Zoning Code as needed for members of the public and other City Departments.

C. Prepare rules and procedures necessary for conducting the Director’s business. They may include the administrative details of hearings officiated by the Director (e.g., scheduling, rules of procedure,
and recordkeeping). These rules and procedures must be approved by City Council resolution, following review and recommendation by the Planning Commission.

D. Issue administrative regulations for the submission and review of applications subject to the requirements of Government Code Section 65950, Deadlines for Project Approval Conformance; Extensions.

E. Conduct Minor Administrative Review pursuant to Chapter 23.25, Minor Administrative Review.

F. Approve, modify, or deny Minor Use Permits, pursuant to Chapter 23.27, Use Permits.

G. Approve, modify, or deny Temporary Use Permits, pursuant to Chapter 23.28, Temporary Use Permits.

H. Approve, modify, or deny a Modification, pursuant to Chapter 23.29, Modifications.

I. Approve, modify, or deny requests for Reasonable Accommodation for land use projects, pursuant to Chapter 23.31, Reasonable Accommodation.

J. Approve, modify, or deny requests for Extensions for land use projects, pursuant to Section 23.24.090, Effect, Expiration and Extension.

K. Decide requests for Minor Revisions to Approved Permits, pursuant to Section 23.24.100, Revisions to an Approved Permit.

L. Refer items to the Planning Commission where, in their opinion, the public interest would be better served by a Planning Commission public hearing and action.

M. Determine whether a project is subject to review under the California Environmental Quality Act and notify the applicant if any additional information is necessary to conduct the review.

N. Make recommendations to the Planning Commission and City Council on all applications, appeals, and other matters upon which they have the authority and the responsibility to act under this Title.

O. Investigate and report to the Planning Commission on permit violations when the City has initiated revocation procedures, pursuant to Section 23.24.110, Revocation of Permits.

P. Delegate administrative functions to members of the Planning Division.

Q. Such other powers and responsibilities as assigned or directed by the City Council.

23.23.060 Summary of Review Authorities for Decisions and Appeals

This table summarizes the powers and duties that each review authority has under this Title. Where a land use project requires more than one type of application, all permit requests shall be reviewed and decided on by the highest review authority established for any of the applications.

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Chapter 23.24 Common Procedures

23.24.010 Purpose

This Chapter establishes uniform procedures for the preparation, filing, and processing of all land use permits and approvals provided for in this Title, unless superseded by a specific requirement of this Title or State law.

23.24.020 Application Forms and Fees

A. Applicant. The owner of property or the owner’s authorized agent. If the application is made by someone other than the owner or the owner’s agent, proof of the right to use and possess the property as applied for, satisfactory to the Community Development Director, shall accompany the application.

B. Application Materials.

1. Application Forms. The Director shall prepare and issue application forms and lists that specify the information that will be required from applicants for projects subject to the provisions of this Title.

2. Supporting Materials. The Director may require the submission of supporting materials as part of the application, including but not limited to: statements, photographs, plans, drawings, renderings, models, material samples and other items necessary to describe existing conditions and the proposed project and to determine the level of environmental review pursuant to the California Environmental Quality Act (CEQA).

3. Availability of Materials. All submitted material becomes the property of the City, may be distributed to the public, and shall be made available for public inspection. At any time, upon reasonable request, and during normal business hours, any person may examine application materials in support of or in opposition at the Planning Division offices. Unless prohibited by law or superseded by specific permit confidentiality requirements, copies of such materials shall be made available at a reasonable cost.

C. Multiple Applications.

1. Concurrent Filing. An applicant for a project which requires more than one permit (e.g., Tree Permit, Conditional Use Permit, and Design Review, etc.), shall file all related applications concurrently, together with all application fees. The concurrent filing requirements may be waived by the Director.

2. Concurrent Processing. Multiple applications for the same project shall be processed concurrently and shall be reviewed and decided on by the highest review authority designated for any of the applications.

D. Application Fees.
1. **Fee Schedule.** The Council shall adopt by resolution a Municipal Fee Schedule that that establishes fees for each application, informational materials, penalties, copying, and other such items.

2. **Fee Payment.** No application shall be deemed complete, and processing shall not commence on any application until all required fees or deposits have been paid.

3. **Fee Waiver.** No fee shall be required when the applicant is the City, or if it is waived under any other provision of the Alhambra Municipal Code.

4. **Refund of Fees.** Application fees are non-refundable unless otherwise provided for in the Alhambra Municipal Code or by policy of the Council.

### 23.24.030 Review of Applications

**A. Initial Completeness Review.** The Director, or designee, shall determine whether an application is complete within 30 days of the date the application is filed and required fee received.

1. **Incomplete Application.** If an application is deemed incomplete, the Director or designee shall provide written notification to the applicant listing the applications for permit(s), forms, information, and any additional fees that are necessary to complete the application.

   a. **Zoning Code Violations.** An application shall not be found complete if conditions exist on the site in violation of this Title or any permit or other approval granted in compliance with this Title, unless the proposed project includes the correction of the violations.

   b. **Submittal of Additional Information.** The applicant shall provide the additional information within the time limit specified by the Director, or designee, which shall be no sooner than 30 days.

   c. **Appeal of Determination.** Determinations of incompleteness are subject to the provisions of Section 23.24.120, Appeals, except there shall be a final written determination on the appeal no later than 60 days after receipt of the appeal.

   d. **Expiration of Application.** If an applicant fails to correct the specified deficiencies within the specific time limit, the application shall expire and be deemed withdrawn, unless an extension is granted by the Director. After the expiration of an application, review shall require the submittal of a new, complete application, along with all required fees.

2. **Complete Application.** When an application is deemed complete, the Director or designee shall make a written record of that date. If an application requires a public hearing, the Director shall schedule it and notify the applicant of the date and time, pursuant to Section 23.24.050, Public Notice.

**B. Referral of Application.** At the discretion of the Director, or where otherwise required by this Title, State or Federal law, any application filed in compliance with this Title may be referred to any City...
department, public agency, or interest group that may be affected by or have an interest in the proposed land use project.

C. **Extensions.** The Director may, upon written request from the applicant and for good cause, grant extensions of any time limit for review of applications imposed by this Title.

### 23.24.040 Environmental Review

All projects shall be reviewed for compliance or exemption with the California Environmental Quality Act (CEQA). Environmental review will be conducted pursuant to Title 14 of the California Code of Regulations (CEQA Guidelines). If Title 14 of the California Code of Regulations is amended, such amendments will govern City procedures.

### 23.24.050 Public Notice

Unless otherwise specified, whenever the provisions of this Title require public notice, the City shall provide notice in compliance with State law and as follows.

A. **Mailed Notice.** At least 10 days before the date of the public hearing, or the date of action when no public hearing is required, the Director (or the City Clerk for City Council hearings) shall provide notice by First Class mail delivery to the following:

1. The applicant, the property owner, and any occupant of the subject property;
2. All property owners of record within a minimum 300-foot radius of the subject property as shown on the latest available assessment role or a larger radius or geographical boundary if deemed necessary by the Director to provide adequate public notification; and
3. Any person or group who has filed a written request for notice.

B. **Alternative Method for Large Mailings.** If the number of owners to whom notice would be mailed or delivered is greater than 1,000, instead of a mailed notice, notice may, at the discretion of the Director, be provided by either of the following methods.

1. Placing two display advertisements of at least one-fourth page in the newspaper having the greatest circulation within the affected area by the proposed action and in at least one additional newspaper having general circulation within such area at least 10 days prior to the hearing, or
2. By placing an insert within any generalized mailing sent by the City to property owners in the area affected by the proposed action, such as billings for City services, at least 10 days prior to the hearing.

C. **Posted Notice.** At least 10 days before the date of the hearing, the project site shall be posted by the applicant, to the satisfaction of the Community Development Director, with one or more signs describing the project and advertising the public hearing. The sign(s) shall be visible from an
adjacent street or other public right-of-way and placed on the site in a location(s) determined by the Director. Signs shall be removed within 30 days of final action on the project.

D. **Newspaper Notice.** At least 10 days before the date of the public hearing notice shall be published in at least one newspaper of general circulation in the City.

E. **Contents of Notice.** Each notice shall include the following information:

1. The location of the real property, if any, that is the subject of the application;
2. A general description of the proposed project or action;
3. The date, time, location, and purpose of the public hearing or the date of action when no public hearing is required;
4. The identity of the hearing body or officer; and
5. The location and times at which the complete application and project file, including any environmental review documentation prepared in connection with the application, may be viewed by the public.

F. **Failure to Notify Individual Properties.** The validity of the proceedings shall not be affected by the failure of any property owner, resident, or community organization to receive a mailed notice.

**23.24.060 Conduct of Public Hearings**

Whenever the provisions of this Title require a public hearing, the hearing shall be conducted in compliance with the requirements of State law as follows.

A. **Generally.** Hearings shall be conducted pursuant to procedures adopted by the hearing body. Hearings are not required to be conducted according to technical rules relating to evidence and witnesses.

B. **Scheduling.** Hearings before the City Council shall be scheduled by the City Clerk. All other hearings shall be scheduled by the Director.

C. **Presentation.** An applicant or an applicant’s representative may make a presentation of a proposed project prior to public testimony. The applicant or applicant’s representative is also provided rebuttal time at the end of the public testimony.

D. **Public Hearing Testimony.** Any person may appear at a public hearing and submit oral or written evidence, either individually or as a representative of a person or an organization. Each person who appears at a public hearing representing an organization shall identify the organization being represented.

E. **Time Limits.** The presiding officer may establish time limits for individual testimony and require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.
F. **Continuance of Public Hearing.** The hearing body may by motion continue the public hearing to a fixed date, time and place, or may continue the item to an undetermined date.

G. **Decision.** The public hearing shall be closed before a vote is taken.

### 23.24.070 Findings and Decision

When deciding to approve, approve with conditions, modify, revoke or deny any discretionary permit under this Title, the review authority shall issue a Notice of Action and make findings of fact as required by this Title.

A. **Date of Action.** The review authority shall decide to approve, modify, revoke, or deny any discretionary permit following the close of the public hearing, or if no public hearing is required, within the time period set forth below. These deadlines do not apply to any action that has been appealed to the City Council in accordance with Section 23.24.120, Appeals. Time extensions may be granted pursuant to Section 23.24.090, Effect, Expiration and Extension.

1. **Project Exempt from Environmental Review.** Within 30 days of the date the City has determined an application to be complete, a determination must be made whether the project is exempt from Environmental Review per State CEQA requirements.

2. **Project for which a Negative Declaration or Mitigated Negative Declaration is Prepared.** Within 60 days of the date a Negative Declaration or Mitigated Negative Declaration has been completed and adopted for project approval, the City shall act on the accompanying discretionary project.

3. **Project for which an EIR is Prepared.** Within 180 days from the date the review authority certifies a Final EIR, the City shall act on the accompanying discretionary project.

B. **Notice of Action.** After the Director or Planning Commission takes any action to approve, modify, or deny an application that is subject to appeal under the terms of this Title, the Director shall issue a Notice of Action. The Notice shall describe the action taken, including any applicable conditions, and shall list the findings that were the basis for the decisions. The Director shall mail the Notice to the applicant and to any other person or entity that has filed a written request for such notification with the Planning Division within five days of the decision being made.

C. **Findings.** Findings, when required by State law or this Title, shall be based upon consideration of the application, plans, testimony, reports, and other materials that constitute the administrative record and shall be stated in writing in the resolution or record of the action on the permit.

### 23.24.080 Conditions of Approval

A. **Scope.** The scope of approvals includes only those uses and activities proposed in the application, excluding other uses and activities. Unless otherwise specified, the approval of a new use shall terminate all rights and approvals for previous uses no longer occupying the same site or location.
B. **Conditions.** The site plan, floor plans, building elevations, and/or any additional information or representation, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or submitted during the approval process shall be deemed conditions of approval. Any approval may be subject to requirements that the applicant guarantees, warranties, or ensures compliance with submitted plans and conditions in all respects.

### 23.24.090 Effect, Expiration, and Extension

**A. Effective Dates.** A decision shall be effective on the date of action except as provided below.

1. **Decisions Subject to Appeal.** A final decision on an application for any approval subject to appeal shall become effective after the expiration of the 10-calendar day appeal period following the date of action, unless an appeal is filed. In the event an appeal period ends on a Saturday, Sunday, or any other day the City Hall is closed, the appeal period shall end at the close of business on the next business day. No building permit or business license shall be issued until the day following the date of the end of the appeal period.

2. **Amendments to the Zoning Code or Zoning Map.** Amendments to the Zoning Ordinance or Zoning Map shall take effect 40 calendar days after the second reading of the ordinance. In the event an effective date lands on a Saturday, Sunday, or any other day the City is closed, the appeal period shall end at the close of business on the next business day.

**B. Expiration.** The review authority, in the granting of any permit, may specify a time, consistent with the purposes of the use and necessary to safeguard the public safety, health and welfare, within which the proposed use must be undertaken and actively and continuously pursued. If no time period is specified, any permit granted under this Title shall automatically expire when no project or use has been initiated within two years after the date of the approval and become null and void.

**C. Exercise of Permit.**

1. **Exercise of Planning Approval or Permit.** A permit for the use of a building or property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the site.

2. **Exercise of Building Permit.** A permit for the construction of a building or structure is exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.

**D. Extensions.** The Community Development Director may approve a one-year extension of any permit or approval granted under this Title upon receipt of a written application with the required fee within the time period specified by the review authority, or two years of the date of the approval.

**E. Lapse.** When a permit has been exercised, it shall remain valid and in force unless the use or structure authorized by the permit is removed from the site for a period greater than 12 consecutive months, or is abandoned or discontinued for a period greater than 12 consecutive months. No use of land or structure, the permit for which has lapsed in compliance with this Section, shall be reactivated, re-established, or used unless a new permit is first obtained.
23.24.100 Revisions to an Approved Permit

No revision in the use or structure for which a permit or other approval has been issued is permitted unless the permit is revised as provided for in this Title. For this Section, the revision of a permit may include revision of a Design Review approval.

A. **Minor Revisions.** The Community Development Director may approve minor revisions to approved plans and permits that are consistent with the original findings and conditions approved by the Review Authority, do not expand the approved floor area by more than 10 percent, and would not intensify any potentially detrimental effects of the project.

B. **Major Revisions.** A request for revisions to conditions of approval of a discretionary permit, a revision to an approved site plan or building plan that would affect a condition of approval, or a revision that would intensify a potential impact of the project shall be treated as a new application and shall be decided on by the same Review Authority as the approved permit.

23.24.110 Revocation of Permits

Any permit granted under this Title may be revoked or revised for cause if any of the conditions or terms of the permit are violated or if any law or ordinance is violated.

A. **Initiation of Proceeding.** Revocation proceedings may be initiated by Director.

B. **Public Notice, Hearings, and Action.** After conducting a duly-noticed public hearing, the Planning Commission shall act on the proposed revocation, pursuant to Chapter 23.24, Common Procedures.

C. **Required Findings.** The Planning Commission may revoke or modify the permit if it makes any of the following findings:

1. The approval was obtained by means of fraud or misrepresentation of a material fact;
2. The use, building, or structure has been substantially expanded beyond what is set forth in the permit or substantially changed in character;
3. The use in question has ceased to exist or has been suspended for 12 months or more;
4. There is or has been a violation of or failure to observe the terms or conditions of approval, or the use has been conducted in violation of the provisions of this Title, or any applicable local or State law or regulation; or
5. The use has been conducted in a manner detrimental to the public safety, health and welfare, or to be a nuisance.

D. **Notice of Action.** Following Planning Commission action to revoke or modify a permit, the Director shall issue a Notice of Action within five days. The Notice shall describe the Commission’s action with its findings. The Director shall mail notice to the permit holder and to any person or entity who requested the revocation proceeding.
23.24.120 Appeals

A. **Applicability.** Any action by the Planning Commission or Community Development Director in the administration or enforcement of the provisions of the Zoning Ordinance may be appealed in accordance with this Section.

1. **Appeals of City Art in Public Places Committee.** Decisions of the City Art in Public Places Committee regarding development obligations may be appealed to the Planning Commission by filing a written appeal with the Planning Division.

2. **Appeals of Community Development Director Decisions.** Decisions of the Community Development Director may be appealed to the Planning Commission by filing a written appeal with the Planning Division.

3. **Appeals of Design Review Board Decisions.** Decisions of the Design Review Board may be appealed to the Planning Commission by filing a written appeal with the Planning Division.

4. **Appeals of Planning Commission Decisions.** Decisions of the Planning Commission may be appealed to the City Council by filing a written appeal with the City Clerk.

B. **Rights of Appeal.** Appeals may be filed by the applicant, the owner of the subject property, or any other person aggrieved by a decision that is subject to appeal under the provisions of the Zoning Code.

C. **Time Limits.** Unless otherwise specified in State or federal law, all appeals shall be filed in writing within 10 calendar days of the date which the action was taken. In the event an appeal period ends on a Saturday, Sunday, or any other day the City is closed, the appeal period shall end at the close of business on the next business day.

D. **Procedures.**

1. **Filing.**
   a. An appeal shall be filed on a form specified by the Community Development Director and accompanied by the applicable fees. Each appeal shall be accompanied by a filing fee, as established in the Municipal Fee Schedule;
   b. The appeal shall state specifically why a determination or interpretation is not in accordance with the purposes of this Zoning Code, where there was an error or abuse of discretion, where the record includes inaccurate information, or how a decision is not supported by evidence in the record;

2. **Proceedings Stayed by Appeal.** The timely filing of an appeal shall stay all proceedings in the matter appealed, including the issuance of City building permits and business licenses.

3. **Transmission of Record.** The Community Development Director, or in the case of appeals to the City Council, City Clerk, shall schedule the appeal for consideration by the authorized hearing body on the next available agenda. The Director shall forward the appeal, the Notice of Action, and all other documents that constitute the record to the hearing body.
4. **Public Notice and Hearing.** Public notice shall be provided pursuant to Section 23.24.050, Public Notice, and a public hearing shall be provided pursuant to Section 23.24.060, Conduct of Public Hearings. Notice of the hearing shall also be given to the applicant, the party filing the appeal, and any other interested party who has filed with the City a written request for such notice.

5. **Discussion.** The discussion of the appeal shall be limited during the public hearing to only those items raised on the appeal application, except as follows:
   a. New items, not identified on the appeal application form, may only be discussed if the appellant demonstrates to the satisfaction of the review authority on the appeal, that:
      i. The new items are based on information that was not known or readily available at the time the appeal was filed; and
      ii. The items do not involve issues that could have been, but were not raised at the original hearing.
   b. The determination of whether the new items will be discussed during the hearing shall be made by the review authority on the appeal and shall be final and binding.

6. **Action.** An action to grant an appeal shall require a majority vote of the appeal body members. A tie vote shall have the effect of rejecting the appeal.

**23.24.130 Interpretations and Determinations**

Requests for interpretations of this Title and verifications relating to prior approvals or permits may be made to the Director. Requests shall be in writing. The decision of the Director on such requests may be appealed under Section 23.24.120, Appeals.

**23.24.140 Duty to Indemnify and Defend the City**

Except as otherwise provided by law, any applicant who receives a permit, entitlement, or approval pursuant to this Title shall defend, indemnify, and hold harmless the City and its agents, employees, and officers from any action, claim, challenge, or proceeding brought against the City and its agents, employees, and offices which arises from or is in any way related to the permit, entitlement, or approval issued by the City.

**23.24.150 Enforcement**

A. **Purpose.** This Section establishes the responsibilities of various departments, officials and public employees of the City to enforce the requirements of this Title and establishes uniform procedures the City will use to identify, abate, remove, and enjoin uses, buildings, or structures that are deemed to be in violation of this Title.
B. **Enforcement.** All departments, officials, and public employees of the City vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Title, and shall issue no permit or license for uses, buildings or purposes in conflict with the provisions of this Title, and any such permit or license issued in conflict with the provisions of this Title shall be null and void to the extent allowed by law.

1. The Department of Community Development shall be responsible for monitoring and enforcing the conditions of approval and standards imposed on all land use entitlements granted by the City and this Title. Any use which is established, operated, erected moved, altered, enlarged, or maintained, contrary to the provisions of this Title or any condition of approval, is hereby declared to be unlawful and shall be subject to the remedies and penalties set forth in Chapter 1.12 of the Alhambra Municipal Code, and/or revocation procedures initiated pursuant to the following chapters contained in this Title.

C. **Public Nuisance.** Any building, structure, or planting set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this Title, any use of any land, building, or premises established, conducted, operated, or maintained contrary to the provisions of this Title, and failure to comply with any of the conditions of a permit granted under this Title is declared to be unlawful and a public nuisance, and shall, at the discretion of the City, in addition to or in lieu of taking any other action permitted by law, commence an action or actions, proceeding or proceedings in the superior court of Los Angeles County, seeking an injunction and/or any other remedy available at law, including but not limited to fines, attorneys’ fees and costs.
Chapter 23.25 Minor Administrative Review

23.25.010 Purpose

This Chapter establishes procedure to verify that each new or expanded use, activity, or structure complies with all of the applicable requirements of this Title and conditions of any previously granted discretionary approval.

23.25.020 Applicability

Minor Administrative Review is required for buildings or structures erected, constructed, altered, repaired or moved, the use of vacant land, changes in the character of the use of land or building, or for substantial expansions in the use of land or building, which are allowed as a matter of right by this Title.

A. Exceptions. Minor Administrative Review is not required for the continuation of previously approved or permitted uses and structures or uses and structures that are not subject to any building or zoning regulations.

23.25.030 Review Authority

The Community Development Director shall act as the review authority for Minor Administrative Review applications based on consideration of the requirements of this Chapter.

23.25.040 Application

Applications and fees for a Minor Administrative Review shall be submitted in accordance with the provisions set forth in Section 23.24.020, Application Forms and Fees. The Director may request that the Minor Administrative Review application be accompanied by a written narrative, plans, and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all provisions of this Title and the requirements and conditions of any applicable existing Design Review, Use Permit, or other discretionary land use approval.

23.25.050 Determination

Within 30 days after a Minor Administrative Review application is accepted as complete for processing, the Director shall consider the application and approve, disapprove or conditionally approve the Minor Administrative Review in accordance with this Chapter. If the Director determines that the proposed use or building is allowed as a matter of right by this Title, conform to the policies of the General Plan and conforms to all the applicable development and use standards, the Director shall issue a Minor Administrative Review. An approved Minor Administrative Review may include attachments of other written or graphic information, including but not limited to, statements, numeric data, site plans, floor plans, and building elevations and sections, as a record of the proposal’s conformity with the applicable regulations.
of this Title. Prior to issuing any building permit, subdivision approval, or lot line adjustment, the Director shall review the application to determine whether the use, building, or change in lot configuration complies with all provisions of this Title or any applicable existing Design Review, Use Permit, or other discretionary land use approval and that all conditions of such permits and approvals have been satisfied.
Chapter 23.26 Design Review

23.26.010 Purpose

This Chapter establishes the Design Review procedure to ensure that new development supports the goals and objectives of the General Plan and other adopted plans and guidelines. The specific purposes of the Design Review process are to:

A. Promote excellence in site planning and design and the harmonious appearance of buildings and sites;

B. Ensure that new and altered uses and development will be compatible with the existing and potential development of the surrounding area; and

C. Supplement other City regulations and standards in order to ensure control of aspects of design that are not otherwise addressed.

23.26.020 Applicability

Design Review in compliance with the provisions of this Chapter and Alhambra Municipal Code Chapter 2.27, Design Review Board, is required for the following:

A. Residential Zones. All new uses and structures within a Residential Zone, including all two-story, second-story or multi-story additions except as follow:
   1. An alteration or enlargement of an existing dwelling unit which increases the floor area of the dwelling by not more than 50 percent, except second story additions as noted above.
   2. An alteration or enlargement of a garage or carport.

B. Nonresidential Zones.
   1. New buildings or structures.
   2. Enlargement of an existing building or structure.
   4. Exterior alterations visible from a public street and requiring a Building Permit.
   5. Exterior color changes.

23.26.030 Review Authority

The Design Review Board shall act as the review authority for Design Review based on consideration of the requirements of this Chapter and Alhambra Municipal Code Chapter 2.27, Design Review Board.
23.26.040 Application and Processing

A. **Application.** Applications for Design Review shall be filed with the Planning Division on the prescribed application forms in accordance with the procedures in Section 23.24.020, Application Forms and Fees.

B. **Timing of Submittal.** When a development project requires a Use Permit, Variance, or any other discretionary approval, the Design Review application shall be submitted as a part of the application for the underlying permit, Use Permit, or Variance.

C. **Determination.** Within 30 days after a Design Review application is accepted as complete for processing, the Design Review Board shall consider the application and approve, disapprove or conditionally approve the plan in accordance with Alhambra Municipal Code Chapter 2.27, Design Review Board. The applicant may agree to waive the 30-day review period.

23.26.050 Public Hearing

All applications for Design Review require a public hearing before the Design Review Board pursuant to Chapter 23.24, Common Procedures.

23.26.060 Scope of Design Review

Design Review shall be based on consideration of the requirements of this Chapter as they apply to the design of the site plan, structures, landscaping, and other physical features of a proposed project, including:

A. Building proportions, massing, and architectural details;

B. Site design, orientation, location, and architectural design of buildings relative to existing structures on or adjacent to the property, topography, and other physical features of the natural and built environment;

C. Size, location, design, development, and arrangement of on-site parking and other paved areas;

D. Exterior materials and color as they relate to each other, to the overall appearance of the project, and to surrounding development;

E. Height, materials, design, fences, walls, and screen plantings;

F. Location, design, and type of landscaping, including selection and size of plant materials, and hardscape; and

G. Size, location, design, color, lighting, and materials of all signs.

23.26.070 Design Review Criteria

When conducting Design Review, the review authority shall evaluate applications to ensure that they satisfy the following criteria, conform to the policies of the General Plan and any applicable specific plan, any
applicable design guidelines, and are consistent with any other policies or guidelines the City Council may adopt for this purpose.

23.26.080 Appeals; Expiration, Extensions, and Revisions; Revocation

A. **Appeals.** Design Review decisions are subject to the appeal provisions of Section 23.24.120, Appeals.

B. **Expiration, Extensions and Revisions.** Design Review approval is effective and may only be extended or revised as provided for in Chapter 23.24, Common Procedures.

C. **Revocation.** Design Review approval may be revoked pursuant to Section 23.24.110, Revocation of Permits, if any of the conditions or terms of the approval are violated or if any law or ordinance is violated.
Chapter 23.27 Use Permits

23.27.010 Purpose

The Use Permit review and approval process is intended to apply to uses that are consistent with the goals, objectives, and policies of the General Plan and purposes of the zone where they are proposed but require special consideration to ensure that they can be designed, located, and operated in a manner that will be compatible with the surrounding area and uses.

23.27.020 Applicability

Approval of a Use Permit is required for uses or developments specifically identified in Article II, District Regulations, and/or any other section of this Title which requires a Use Permit.

23.27.030 Review Authority

A. **Conditional Use Permits.** The Planning Commission shall act as the review authority for Conditional Use Permits based on consideration of the requirements of this Chapter.

B. **Minor Use Permits.** The Community Development Director shall act as the review authority for Minor Use Permits based on consideration of the requirements of this Chapter. The Director may refer any application for a Minor Use Permit for a project that may generate substantial public interest or involve significant land use policy decisions to the Planning Commission for decision. In that case, the application shall be processed as a Conditional Use Permit.

23.27.040 Application

Applications for Use Permits shall be filed with the Planning Division on the prescribed application forms. In addition to any other application requirements, the application for a Use Permit shall include data or other evidence in support of the applicable findings required by Section 23.27.060, Required Findings.

23.27.050 Public Notice and Hearing

A. **Conditional Use Permits.** All applications for Conditional Use Permits require public notice and hearing before the Planning Commission pursuant to Chapter 23.24, Common Procedures.

B. **Minor Use Permits.** All applications for Minor Use Permits require public notice pursuant to Section 23.24.050, Public Notice. A hearing on a Minor Use Permit shall occur only when a hearing is requested by the applicant or other interested person(s) in writing and received by the Community Development Director within 10 days of the mailed notice. In the event a public hearing is requested, the Minor Use Permit shall be scheduled for a hearing before the Director pursuant to Chapter 23.24, Common Procedures.
23.27.060 Required Findings

The review authority must make all of the following findings to approve or conditionally approve a Use Permit application. The inability to make one or more of the findings is grounds for denial of an application.

A. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the Alhambra Municipal Code;

B. The proposed use is consistent with the General Plan and any applicable specific plan;

C. The proposed use will not be averse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;

D. The proposed use complies with any design or development standards applicable to the zone or the use in question, unless waived or modified pursuant to the provisions of this Title;

E. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses and circulation in the vicinity; and

F. The site is physically suitable for the type of the use being proposed, including access, utilities, and the absence of physical constraints.

23.27.070 Conditions of Approval

In approving a Use Permit, the review authority may impose reasonable conditions or restrictions to achieve the following outcomes. The review authority may also require reasonable guarantees and evidence that such conditions are being, or will be, complied with.

A. Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City Council;

B. Achieve the general purposes of this Title or the specific purpose of the zone in which the project is located;

C. Achieve the findings for a Use Permit listed in Section 23.27.060, Required Findings; or;

D. Mitigate any potentially significant impacts identified because of environmental review conducted in compliance with the California Environmental Quality Act.

23.27.080 Appeals, Expiration, Extensions, and Revisions; Revocation

A. Appeals. Use Permit decisions may be appealed as provided for in Section 23.24.120, Appeals.

B. Expiration, Extensions, and Revisions. Use Permit approvals may only be expired, extended, or modified as provided for in Chapter 23.24, Common Procedures.

C. Revocation. Use Permit approval may be revoked pursuant to Section 23.24.110, Revocation of Permits, if any of the conditions or terms of the approval are violated or if any law or ordinance is violated.
Chapter 23.28 Temporary Use Permits

23.28.010 Purpose

This Chapter establishes a process for review and approval of uses that are intended to be of limited duration of time and will not permanently alter the character or physical facilities of the site where they occur.

23.28.020 Review Authority

The Community Development Director shall act as the review authority for Temporary Use Permits based on consideration of the requirements of this Chapter and Section 23.22.250, Temporary Uses.

23.28.030 Application

An application for a Temporary Use Permit shall be submitted at least 60 days before the use is intended to begin, pursuant to Section 23.24.020, Application Forms and Fees.

23.28.040 Required Findings

The Community Development Director must make the following findings to approve or conditionally approve a Temporary Use Permit application. The inability to make one or more of the findings is grounds for denial of an application.

A. That the operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;

B. That the proposed site is adequate in size and shape to accommodate the temporary use;

C. That the proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that such temporary use will or could reasonably generate;

D. That adequate temporary parking to accommodate vehicular traffic to be generated by such use will be available either on-site or at alternate locations acceptable to the Director;

E. That the use would not jeopardize the public peace, safety or general welfare, or be injurious or detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.

23.28.050 Conditions of Approval

The Community Development Director may impose reasonable conditions deemed necessary to ensure compliance with the findings for a Temporary Use Permit listed in Section 23.28.040, Required Findings,
including the items below. The Director may require reasonable guarantees and evidence that such conditions are being, or will be, complied with.

A. Provision of temporary parking facilities, including vehicular access and egress.
B. Regulation of nuisance factors such as, but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat.
C. Regulation of temporary buildings, structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards.
D. Provision of sanitary and medical facilities.
E. Provision of solid waste collection and disposal.
F. Provision of security and safety measures.
G. Regulation of signs.
H. Regulation of operating hours and days, including limitation of the duration of the temporary use to a shorter time period than that requested.
I. Submission of a performance bond or other surety devices to ensure that any temporary facilities or structures used for such proposed temporary use will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition.
J. Submission of a site plan indicating any information required by this Chapter.
K. Requirement that the approval of the Temporary Use Permit is contingent upon compliance with applicable provisions of other ordinances.
L. Such other conditions which will ensure the operation of the proposed temporary use in an orderly and efficient manner and in accord with the intent and purpose of this Chapter.
Chapter 23.29 Modifications

23.29.010 Purpose

The purpose of this Chapter is to establish a means of granting relief from locational, developmental, and operational standards where doing so would be consistent with this Title and the General Plan, and where it is not possible or practical to approve a Variance.

23.29.020 Applicability

Modifications may be granted as specifically allowed in any other section of this Title and as follows:
A. Height, Yard, and Lot Area. Relief from height, yard, and lot area requirements, not to exceed 20 percent of the requirement.
B. Fence, wall or hedge height requirements.

23.29.030 Review Authority

Review Authority. The Community Development Director shall act as the review authority for Modification applications based on consideration of the requirements of this Chapter except in the case of concurrent processing pursuant to Subsection A, below.
A. Concurrent Processing. If a request for a Modification is being submitted in conjunction with an application for another approval, permit, or entitlement that requires Planning Commission action, it shall be heard and acted upon at the same time and in the same manner as that application.

23.29.040 Application

An application for a Modification shall be filed to the Planning Division in accordance with Section 23.24.020, Application Forms and Fees. The application shall state in writing the nature of the request and explain how the required findings are satisfied. The applicant shall also submit plans delineating the requested Modification.

23.29.050 Public Notice

Modifications do not require a hearing, but require ten-day written notice to all adjacent tenants and property owners within a 100-foot radius of the subject property so that their input may be received.
23.29.060 Required Findings

The Community Development Director must make all of the following findings in order to approve a Modification application. The inability to make one or more of the findings is grounds for denial of an application.

A. There are no alternatives to the requested modification that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the public; and

B. The granting of the requested modification would not be detrimental to the health or safety of the public or the occupants of the property or result in a change in land use or density that would be inconsistent with the requirements of this Title.

23.29.070 Conditions of Approval

In approving a Modification, the review authority may impose any conditions deemed necessary to:

A. Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City Council;

B. Achieve the general purposes of this Title or the specific purposes of the zone in which the project is located;

C. Achieve the findings for a Modification granted, or

D. Mitigate any potentially significant impacts identified because of review conducted in compliance with the California Environmental Quality Act (CEQA).

23.29.080 Appeals, Expiration, Extensions, and Revisions; Revocation

A. Appeals. Modification decisions may be appealed as provided for in Section 23.24.120, Appeals.

B. Expiration, Extensions, and Revisions. Modifications may only be expired, extended, or modified as provided for in Chapter 23.24, Common Procedures.

C. Revocation. Modification approval may be revoked pursuant to Section 23.24.110, Revocation of Permits, if any of the conditions or terms of the approval are violated or if any law or ordinance is violated.
Chapter 23.30 Variances

23.30.010 Purpose

This Chapter is intended to provide a mechanism for relief from the strict application of this Title where it would deprive the property owner of privileges enjoyed by similar properties because of the subject property's unique and special conditions.

23.30.020 Applicability

Variances may not be granted to allow uses or activities that this Title does not authorize for a specific lot or size.

23.30.030 Review Authority

The Planning Commission shall act as the review authority for Variance applications based on consideration of the requirements of this Chapter.

23.30.040 Application

Applications for a Variance shall be filed with the Planning Division on the prescribed application forms in accordance with the procedures in Section 23.24.020, Application Forms and Fees. In addition to any other application requirements, the application for a Variance shall include evidence showing that the requested Variance conforms to the required findings set forth in Section 23.30.060, Required Findings.

23.30.050 Public Notice and Hearing

A. Public Notice. An application for a Variance shall require a public notice prior to the Planning Commission decision, pursuant to Section 23.24.050, Public Notice.

B. Public Hearing. An application for a Variance shall require a public hearing before the Planning Commission, pursuant to Section 23.24.060, Conduct of Public Hearings.

23.30.060 Required Findings

After conducting a public hearing, the Planning Commission must make all of the following findings in order to approve or conditionally approve a Variance application. The Commission shall deny an application for a Variance if it is unable to make any of the required findings, in which case it shall state the reasons for that determination.

A. There are special circumstances or conditions applicable to the property, including size, shape, topography, location or surroundings, and the strict application of this Title to the property deprives
the property of privileges enjoyed by other property in the vicinity and identical zone, and that the
granting of a Variance will not constitute a granting of a special privilege inconsistent with the
limitations on the property in the vicinity and identical zone;

B. The granting of the application will not be detrimental or injurious to property or improvements in
the vicinity, and will not be detrimental to the public health, safety, general welfare or convenience;
and

C. The granting of the Variance will be consistent with the general purposes and objectives of this
Title, any applicable specific plans, and the General Plan.

23.30.070 Conditions of Approval

In approving a Variance, the Planning Commission may impose reasonable conditions deemed necessary
to ensure compliance with the findings required in Section 23.30.060, Required Findings, and may require
reasonable guarantees and evidence that such conditions are being, or will be, complied with.

23.30.080 Appeals, Expiration, Extensions, and Revisions; Revocation

A. **Appeals.** Variance decisions may be appealed as provided for in Section 23.24.120, Appeals.

B. **Expiration, Extensions, and Revisions.** Variances may only be expired, extended or revised as
provided for in Chapter 23.24, Common Procedures.

C. **Revocation.** Variance approval may be revoked pursuant to Section 23.24.110, Revocation of
Permits, if any of the conditions or terms of the approval are violated or if any law or ordinance is
violated.
Chapter 23.31 Reasonable Accommodation

23.31.010 Purpose

This Chapter establishes the procedures to request Reasonable Accommodation for persons with disabilities seeking equal access to housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (“the Acts”) in the application of zoning law and other land use regulations, policies, procedures, and conditions of approval.

23.31.020 Applicability

A. A request for Reasonable Accommodation may be made by any person with a disability, their representative, or any other entity, when the application of zoning law or other land use regulation, policy, or procedure acts as a barrier to fair housing opportunities.

B. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment, but not including an individual’s current, illegal use of a controlled substance.

C. A request for Reasonable Accommodation may include a change or exception to the practices, rules, and standards for the development, siting, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

23.31.030 Notice of Availability

The Department shall prominently display in the public areas of the Community Development Department at City Hall a notice advising those with disabilities or their representatives that they may request a reasonable accommodation in accordance with the procedures established in this Chapter. City employees shall direct individuals to the display whenever they are requested to do so or reasonably believe that individuals with disabilities or their representatives may be entitled to a reasonable accommodation.

23.31.040 Review Authority

The Director shall act as the review authority for Reasonable Accommodation applications based on consideration of the requirements of this Chapter. Requests submitted for concurrent review with another discretionary land use application may be reviewed by the review authority for the discretionary land use application if requested by the applicant.
**23.31.050 Application**

An application for a Reasonable Accommodation shall be prepared, filed, and processed in compliance with Section 23.24.020, Application Forms and Fees. In addition to any other information required under the Alhambra Municipal Code, an applicant submitting a request for Reasonable Accommodation must provide the following information:

A. A description of how the property will be used by the disabled individual(s);

B. The basis for the claim that the Fair Housing Laws apply to the individual(s) and evidence satisfactory to the Director supporting the claim, which may include a letter from a medical doctor or other licensed health care professional, a handicapped vehicle license plate, or other appropriate evidence which establishes that the individual(s) needing the reasonable accommodation is disabled/handicapped pursuant to the Fair Housing Laws;

C. The specific reason the requested accommodation is necessary to make particular housing available to the disabled individual(s); and

D. Verification by the applicant that the property is the primary residence of the person for whom reasonable accommodation is requested.

If an individual or representative needs assistance in making a request for reasonable accommodation, or appealing a determination regarding reasonable accommodation, the Department will endeavor to provide the assistance necessary to ensure that the process is accessible to the applicant or representative. The applicant may be represented at all stages of the proceeding by a person designated by the applicant as their representative.

**23.31.060 Procedures**

The Director shall make a written determination within 30 days of the application being deemed complete and either approve, modify, or deny a request for Reasonable Accommodation in compliance with Section 23.31.070, Required Findings.

**23.31.070 Required Findings**

The following findings must be made by the Director in order to approve a request for reasonable accommodation. The inability to make one or more of the findings is grounds for denial of an application.

A. The parcel and/or housing, which is the subject of the request for reasonable accommodation, will be used by an individual protected under the Fair Housing Laws.

B. The request for reasonable accommodation is necessary to make specific housing available to one or more individuals protected under the Fair Housing Laws.

C. The requested reasonable accommodation will not impose an undue financial or administrative burden on the City.
D. The requested accommodation will not require a fundamental alteration of the zoning or building laws, policies and/or other procedures of the City.

23.31.080 Conditions of Approval

In granting a request for Reasonable Accommodation, the review authority may impose any conditions of approval deemed reasonable and necessary to ensure that the Reasonable Accommodation would comply with the findings required herein. The conditions shall also state whether the accommodation granted shall terminate if the recipient of the accommodation was requested no longer resides on the property.

23.31.090 Appeals, Expiration, Extensions, and Revisions

A. **Appeals.** Reasonable Accommodation decisions may be appealed as provided for in Section 23.24.120, Appeals.

B. **Expiration, Extensions, and Revisions.** Reasonable Accommodations may only be expired, extended or revised as provided for in Chapter 23.24, Common Procedures. A Reasonable Accommodation shall terminate if the accommodation is no longer required, or if the recipient of the accommodation no longer resides at the property.
Chapter 23.32 Planned Development

23.32.010 Purpose

This chapter provides procedures for establishing a Planned Development (PD) Overlay Zone to facilitate orderly development of larger sites in the City consistent with the General Plan, especially where a particular mix of uses or character is desired that can best be achieved through an integrated development plan.

23.32.020 Applicability

The procedures in this Chapter shall apply to all proposals to establish a PD Overlay Zone.

23.32.030 Procedures

A. Review Authority. A PD Overlay District must be adopted by the City Council. A public hearing before the Planning Commission is required prior to City Council review; and the Planning Commission shall make a recommendation to the City Council.

B. Review Procedures.

1. PD Overlay District. An application for a PD Overlay District shall be processed as an amendment to the Zoning Map, according to the procedures of Chapter 23.34, Amendments to the General Plan, Zoning Code, and Zoning Map, and shall include a PD Plan.

2. PD Plan. The PD Plan shall be processed in the same manner as a Conditional Use Permit application, pursuant to Chapter 23.27, Use Permits, except the City Council shall be the review authority.

3. Tentative Subdivision Map. When a PD requires the submission of a tentative subdivision map, this map and all supporting documents shall be prepared and submitted concurrently with the application of the PD.

C. Initiation. An application for a PD Overlay District may be initiated by any qualified applicant identified in Section 23.24.020, Application Forms and Fees, the Community Development Director, or by a motion of the City Council or Planning Commission. If the property is not under a single ownership, all owners must join the application, and a map showing the extent of ownership shall be submitted with the application.

D. Application Contents. A qualified applicant shall apply for a PD Overlay District on a form prescribed by the Planning Division accompanied by the required fee. The Planning Division may require an applicant to submit additional information and supporting data as considered necessary to process the application.
23.32.040 Required Findings

A PD Plan and/or PD Overlay Zoning Amendment shall only be approved by the applicable Review Authority if all of the following findings are made. The inability to make one or more of the findings is grounds for denial:

A. The proposed development is consistent with the General Plan and any applicable specific plan, including the density and intensity limitations that apply;
B. The subject site is physically suitable for the type and intensity of the land use being proposed;
C. Adequate transportation facilities and public services exist or will be provided in accord with the conditions of development plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;
D. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;
E. The development generally complies with applicable adopted design guidelines; and
F. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base zoning district, and will achieve superior community design, environmental preservation and/or substantial public benefit.

23.32.050 Conditions

In approving a PD Overlay District and/or PD Plan, the Review Authority may impose reasonable conditions deemed necessary to:

A. Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies that the City has adopted;
B. Achieve the general purposes of this Title or the specific purpose of the zoning district in which the project is located;
C. Achieve the findings listed above; or
D. Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the requirements of the California Environmental Quality Act.

23.32.060 Expiration and Extension

A. Expiration.
   1. **PD Plan.** A PD Plan shall expire two years after the effective date unless actions specified in the conditions of approval have been taken, or a building permit has been issued and construction diligently pursued. An approved PD Plan may specify a development staging program exceeding two years.
2. **Tentative Subdivision Map.** Where a tentative subdivision map has been approved in conjunction with a PD Plan, the PD Plan shall expire upon the expiration of the tentative map.

3. **Phased Development.** If the applicant intends to develop the project in phases, and the Review Authority approves phased development, the PD Plan shall remain in effect so long as not more than one-year lapses between the end of one phase and the beginning of the next phase.

B. **Extension.** The Community Development Director may approve extensions of time for PD Plans, including those approved by the Planning Commission or City Council, in accordance with the following:

1. Such extensions shall be approved only when it is found that the circumstances under which the permits were granted have not substantially changed.

2. Such extensions shall be approved for not more than two years.

### 23.32.070 Amendments of Approved Plans

A. **Amended Plans.** Amendments to a PD Overlay District or PD Plan may be requested by the applicant or its successors. Amendments to the approved Plan shall be classified as major or minor amendments. Upon receipt of an amendment application, the Community Development Director shall determine if the proposed amendment constitutes a major or minor amendment.

B. **Major Amendments.** Major Amendments to an approved PD Overlay District or PD Plan shall be considered by the City Council at a duly noticed public hearing. An amendment will be deemed major if it involves one or more of the following changes.

1. A change in the boundary of the PD Overlay District;

2. An increase or decrease in the number of dwelling units for the PD Overlay District that is greater than the maximum or less than the minimum stated in the PD Plan;

3. An increase or decrease in the floor area for any non-residential land use that results in the floor area exceeding the minimum or maximum stated in the PD Plan;

4. Any change in land use or density that is likely to negatively impact or burden public facilities and utilities infrastructure;

5. Any change in land use or density that is likely to negatively impact or burden circulation adjacent to the PD Overlay District or to the overall major street system; or

6. Any other proposed change to the PD Plan or the conditions of approval that substantively alters one or more of its components as determined by the Community Development Director.

C. **Minor Amendments.** Amendments not meeting one or more of the criteria listed in 23.32.070.B above shall be considered minor if they are consistent with and would not change any original
condition of approval. Minor Amendments may be approved by the Community Development Director.
Chapter 23.33 Development Agreements

23.33.010 Purpose

This Chapter establishes procedures and requirements for considering and entering into legally binding agreements with applicants for development projects, as authorized in Government Code Sections 65864-65869.5.

23.33.020 Applicability

A. The City incorporates by reference the provisions of Government Code Sections 65864-65869.5. In the event of any conflict between those statutory provisions and this Chapter, the statutes shall control.

B. A Development Agreement may be considered for a proposed development that will require a developer to make a substantial investment at the early stages of the project for planning and engineering for the entire project and for public facilities and services.

23.33.030 Application

Applications for Development Agreements shall be filed with the Community Development Department in accordance with the provisions set forth in Section 23.24.020, Application Forms and Fees. In addition to any other application requirements, the application for a Development Agreement shall include data or other evidence in support of the applicable findings required by Section 23.33.050, Required Findings.

23.33.040 Public Notice and Hearing

A. Planning Commission.

1. Notice. Public notice of hearings by the Planning Commission for a Development Agreement shall be given as specified in Section 23.24.050, Public Notice. Notice of the hearing shall also be mailed or delivered to any other local agency expected to provide essential facilities or services to the property that is the subject of the Development Agreement.

2. Hearing. The Planning Commission shall conduct a public hearing for making recommendations to the City Council in conformance with the provisions of Section 23.24.060, Conduct of Public Hearings.

3. Recommendation to Council. Following the public hearing, the Planning Commission shall make a written recommendation on the proposed Development Agreement. The Director shall transmit the Planning Commission’s written recommendation and complete record of the application to the City Council.
B. City Council.

1. **Notice.** Public notice of hearings by the City Council for a Development Agreement shall be given as specified in Section 23.24.050, Public Notice. Notice of the hearing shall also be mailed or delivered to any other local agency expected to provide essential facilities or services to the property that is the subject of the Development Agreement.

2. **Hearing.** After receiving the report from the Planning Commission but no later than the time specified by Section 65943 of the Government Code, the City Council shall hold a public hearing in conformance with the provisions of Section 23.24.060, Conduct of Public Hearings.

3. **Decision.** After the City Council completes the public hearing, the City Council shall approve, modify, or deny the Development Agreement. Approval of a Development Agreement shall be by ordinance. The ordinance shall refer to and incorporate by reference the text of the Development Agreement.

**23.33.050 Required Findings**

The City Council must make the finding that a proposed Development Agreement and its provisions are consistent with the General Plan and any applicable specific plan to approve a Development Agreement. This requirement may be satisfied by a finding that the provisions of a proposed Development Agreement are consistent with proposed General Plan or specific plan provisions to be adopted concurrently with the approval of the proposed Development Agreement.
Chapter 23.34 Amendments to the General Plan, Zoning Text, and Zoning Map

23.34.010 Purpose

This Chapter establishes procedures for consideration and review of Amendments to the General Plan, Zoning Code, and/or Zoning Map, when there are compelling reasons to do so. More specifically, this Chapter addresses:

A. Amendments to the General Plan, to address changes in State or Federal law and problems and opportunities that were unanticipated at the time of adoption or the last amendment; and

B. Amendments to the Zoning Code and Zoning Map, whenever the public necessity, convenience, general welfare, or good practice justify such amendment, consistent with the General Plan.

23.34.020 Applicability

The procedures in this Chapter shall apply to:

A. All proposals to change the text of the General Plan and the maps that illustrate the application of its provisions; and

B. All proposals to change the text of this Zoning Code or to revise a zone or boundary line shown on the Zoning Map.

23.34.030 Review Authority

The Planning Commission shall act as the advisory body for all Amendments to the General Plan, Zoning Code, and Zoning Map and provide recommendations to the City Council. The City Council shall act as the review authority, and after receiving recommendations from the Planning Commission, may adopt, reject, or modify all Amendments to the General Plan, Zoning Code, and Zoning Map.

23.34.040 Initiation of Amendment

An Amendment to the General Plan, Zoning Code, or Zoning Map may be initiated by any qualified applicant identified in Section 23.24.020, Application Forms and Fees, the Community Development Director, or by a motion of the City Council or Planning Commission.

23.34.050 Procedures

A. Application. A qualified applicant shall submit an application accompanied by the required fee, pursuant to Chapter 23.24, Common Procedures. The Community Development Director may require an applicant to submit such additional information and supporting data as considered
necessary to process the application. The Director may allow Amendments to the General Plan, Zoning Code, and Zoning Map to be processed concurrently with other applications.

B. **Staff Report.** The Community Development Director shall prepare a report and recommendation to the Planning Commission on any amendment application. The report shall include, but is not limited to, a discussion of how the proposed amendment meets the criteria in Section 23.34.080, General Plan Consistency Required for Zoning Amendments (if applicable), as well as an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). Applications involving projects for which an environmental document is required shall not be heard until the environmental assessment procedures required by CEQA are satisfied.

C. **Public Hearing and Notice.** All Amendments to the General Plan, Zoning Code, and Zoning Map shall be referred to the Planning Commission, which shall conduct at least one public hearing on any proposed amendment. At least 10 days before the date of any public hearing, the Planning Division shall provide notice as provided for in Section 23.24.050, Public Notice. Notice of the hearing also shall be mailed or delivered to any local agency expected to provide essential facilities or services to the property that is the subject of the proposed amendment.

### 23.34.060 Planning Commission Hearing and Recommendation

A. **Planning Commission Hearing.** Before submitting a recommendation report to the City Council, the Planning Commission shall conduct at least one public hearing in accordance with Section 23.24.060, Conduct of Public Hearings.

B. **Recommendation to City Council.** Following the public hearing, the Planning Commission shall make a recommendation on the proposed amendment to the City Council. Such recommendation shall include the reasons for the recommendation, findings related to Section 23.34.080, General Plan Consistency Required for Zoning Amendments (if applicable), and the relationship of the proposed amendment to other adopted documents.

### 23.34.070 City Council Hearing and Action

A. **City Council Hearing.** After receiving the recommendation from the Planning Commission, the City Council shall hold a hearing in accordance with Section 23.24.060, Conduct of Public Hearings. The notice for the hearing shall include the Planning Commission’s recommendation.

B. **City Council Action.** After the conclusion of the hearing, the City Council may approve, modify, or deny the proposed amendment. If the Council proposes any substantial revision not previously considered by the Planning Commission during its hearings, the proposed revision shall first be referred to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing. The failure of the Planning Commission to report within 45 days after the referral shall be deemed a recommendation for approval and the amendment shall be returned to Council for adoption.
23.34.080 General Plan Consistency Required for Zoning Amendments

The Planning Commission shall not recommend and the City Council shall not approve a Zoning Amendment unless the proposed amendment is found to be consistent with the General Plan.
Article V: Terms and Definitions

Chapter 23.35 Use Classifications

23.35.010 Residential Uses

Residential Housing Types.

Single-Unit Dwelling, Detached. A dwelling unit that is designed for occupancy by one household with private yards on all sides and located on a separate lot from any other unit (except an accessory dwelling unit, where permitted). This subclassification includes individual manufactured housing units.

Single-Unit Dwelling, Attached. A dwelling unit that is designed for occupancy by one household located on a separate lot from any other unit (except an accessory dwelling unit, where permitted), and is attached through common walls to more than one dwelling on abutting lots.

Multi-Unit Dwelling. Two or more attached or detached dwelling units on a single lot. Types of multi-unit dwellings can include duplexes, townhouses, multiple detached residential units, and apartment buildings.

Accessory Dwelling Unit. See Section 23.22.040, Accessory Dwelling Units.

Family Day Care. A day care facility licensed by the State of California, located in a residential unit where the resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for eight or fewer children, including children who reside at the home and are under the age of 10 (California Health and Safety Code Section 1597.44).

Large. A facility that provides care for seven to 14 children, including children who reside at the home and are under the age of 10 (California Health and Safety Code Section 1597.465).

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, dormitories, other types of organizational housing, private residential clubs, and extended stay hotels intended for long-term occupancy (30 days or more) but excludes Hotels and Motels and Residential Care Facilities.
Live-Work Unit. A unit that combines a work space and residential occupancy occupied and used by a single household in a structure that has been constructed for such use or converted to accommodate residential occupancy and work activity in compliance with the California Building Code. The working space is reserved for and regularly used by one or more occupants of the unit.

Low Barrier Navigation Center. A Housing First, low barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

Residential Care Facilities. A facility licensed by the State of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance with daily tasks. Facilities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes both for- and not-for-profit institutions, but excludes Supportive Housing and Transitional Housing.

Small. A facility that is licensed by the State of California to provide care for six or fewer persons.

Large. A facility that is licensed by the State of California to provide care for more than six persons.

Residential Facility, Assisted Living. A facility that provides a combination of housing and supportive services for the elderly or functionally impaired, including personalized assistance, congregate dining, recreational, and social activities. These facilities may include medical services. Examples include assisted living facilities, retirement homes, and retirement communities. These facilities typically consist of individual units or apartments, sometimes containing kitchen facilities and common amenities. The residents in these facilities require varying levels of assistance.

Single Room Occupancy (SRO). A residential facility where living accommodations are individual secure rooms, with or without separate kitchen or bathroom facilities for each room, are rented to one- or two-person households. This use classification is distinct from a Hotel or Motel, which is a commercial use.

Supportive Housing. Dwelling units with no limit on length of stay that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code, and that are linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community.

Transitional Housing. Housing that has a predetermined end point in time for resident occupancy and is operated under a program that requires the termination of assistance, in order to provide another eligible program recipient to the service. The program length is usually no less than six months.

23.35.020 Public/Semi-Public Uses

Cemeteries and Columbariums. Establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains, including mausoleums, burial places, and memorial gardens.

Colleges and Trade Schools. Institutions of higher education primarily for adults providing curricula of a general, religious, or professional nature, granting degrees or professional certifications and including
junior colleges, business and computer schools, management training, and technical and trade schools. This classification excludes Instructional Services such as music lessons.

**Community Assembly.** A facility for public or private meetings and gatherings, including community centers, religious facilities, houses of worship, union halls, meeting halls, and membership organizations. This classification includes the use of functionally-related facilities for the use of members and attendees, such as kitchens, multi-purpose rooms, classrooms, and storage.

**Community Garden.** Use of land for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity, by several individuals or households.

**Collection Box.** Any metal container, receptacle, or similar device that is located on any real property within the City and that is used for soliciting and collecting clothing, household items, or other salvageable personal property.

**Cultural Institutions.** A public or private institution and/or associated facility engaged in activities to promote aesthetic and educational interest among the community that are open to the public on a regular basis. This classification includes performing arts centers, event and conference spaces, spaces for display or preservation of objects of interest in the arts or sciences, libraries, museums, historical sites, aquariums, zoos, and botanical gardens. This classification excludes schools or institutions of higher education providing curricula of a general nature (see Colleges and Trade Schools).

**Day Care Centers.** Establishments providing non-medical care for persons on a less than 24-hour basis other than Family Day Care. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California.

**Emergency Shelter.** Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less, as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.

**Government Offices.** Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, along with the storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that require maintenance and repair services and storage facilities for related vehicles and equipment.

**Hospitals and Clinics.** State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including substance-abused programs, as well as training, research, and administrative services for patients and employees. This classification excludes veterinaries and animal hospitals (see Animal Care, Sales, and Services).

**Clinic.** A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities offering substance abuse treatment, blood banks and plasma centers, and emergency medical services.
offered exclusively on an out-patient basis. This classification does not include private medical and
dental offices that typically require appointments and are usually smaller scale.

**Hospitals.** A facility providing medical, psychiatric, or surgical services for sick or injured persons,
primarily on an inpatient basis, and including supplementary facilities for outpatient and
emergency treatment, diagnostic services, training, research, administration, and services to
patients, employees, or visitors. The institutions are to be licensed by the State of California to
provide surgical and medical services.

**Skilled Nursing Facility.** A State-licensed facility or a distinct part of a hospital that provides
continuous skilled nursing and supportive care to patients whose primary need requires the
availability of skilled nursing care on an extended basis. The facility provides 24-hour inpatient care
and, at a minimum, includes physician, nursing, dietary, pharmaceutical services, and an activity
program. Intermediate care programs that provide skilled nursing and supportive care for patients
on a less-than-continuous basis are classified as skilled nursing facilities.

**Instructional Services.** Establishments that offer specialized programs in personal growth and
development such as music, martial arts, vocal, fitness, dancing, reading, and math instruction. Attendance
is typically limited to hourly classes rather than full-day instruction. The establishments do not grant
diplomas or degrees, though instruction could provide credits for diplomas or degrees granted by other
institutions. This classification also includes tutoring facilities which offer academic instruction to
individuals or groups.

**Park and Recreation Facilities.** Parks, playgrounds, recreation facilities, trails, wildlife preserves, and
related open spaces, all of which are noncommercial. This classification includes playing fields, courts,
gymnasiums, swimming pools, picnic facilities, tennis courts, and golf courses, as well as related food
concessions or community centers within the facilities.

**Parking Lots and Structures.** Surface lots and structures offering parking for a fee when such use is not
incidental to another on-site activity.

**Public Safety Facilities.** Facilities providing public-safety and emergency services, including police and fire
protection and emergency medical services, with incidental storage, training, and maintenance facilities.

**Schools.** Facilities for primary or secondary education, including public schools, charter schools, and
private and parochial schools having curricula comparable to that required in the public schools of the State
of California.

**Social Service Facilities.** Facilities providing a variety of supportive services for disabled and homeless
individuals and other targeted groups on a less than 24-hour basis. Examples of services provided are
counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms,
and meeting spaces. This classification is distinguished from licensed day care centers (see Day Care
Centers), clinics, and emergency shelters providing 24-hour care (see Emergency Shelter).

**23.35.030 Commercial Uses**

**Adult Business.** As defined in Chapter 5.50 of the Alhambra Municipal Code.
Animal Boarding and Veterinary Services. Services related to the medical care and boarding of household pets.

**Animal Shelter and Boarding.** A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding, or maintaining, generally overnight or in excess of 24 hours, dogs, cats, or other household pets not owned by the owner or operator of the facility.

**Pet Day Care.** Facilities providing non-medical care on a less than 24-hour basis for dogs, cats, or other household pets not owned by the facility operator.

**Veterinary Services.** Veterinary services for dogs, cats, or other household pets. This classification allows 24-hour accommodation of animals receiving medical services and treatment, including animal hospitals, and pet clinics.

Automobile/Vehicle Sales and Services. Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and/or motorcycles.

**Automobile Rental.** Establishment providing for the rental of automobiles. Typical uses include car rental agencies.

**Automobile/Vehicle Sales and Leasing.** Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers and recreational vehicle sales agencies.

**Automobile/Vehicle Service and Repair, Minor.** The service and repair of automobiles, light-duty trucks, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, and smog checks, tire sales and installation, auto radio/electronics installation, auto air conditioning/heater service, and quick-service oil, tune-up shops, and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight.

**Automobile/Vehicle Repair, Major.** Repair of automobiles, trucks, motorcycles, motor homes, boats, and recreational vehicles, generally on an overnight basis that may include disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles, automotive body and fender work, vehicle painting, or other operations that generate excessive noise, objectionable odors or hazardous materials, and towing services. This classification excludes vehicle dismantling or salvaging and tire retreading or recapping.

**Large Vehicle and Equipment Sales, Service, and Rental.** Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for construction, moving, agricultural, or landscape gardening activities.

**Service Stations.** Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services. These facilities may include “mini-marts” and/or convenience stores that sell
products, merchandise, or services that are ancillary to the primary use related to the operation of motor vehicles.

**Towing and Impound.** Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services (for automobile dismantling, see Salvage and Wrecking).

**Vehicle Washing.** Washing, waxing, or cleaning of automobiles or similar light vehicles.

**Banks and Financial Services.** Financial institutions providing retail banking services. This classification includes only those institutions serving walk-in customers or clients, including banks, savings, and loan institutions, check-cashing services, and credit unions.

**Business Services.** Establishments providing goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, office equipment rental and leasing, office security, custodial services, photofinishing, model building, and taxi services or delivery services with two or fewer fleet vehicles on-site.

**Commercial Cannabis Facility.** Any building, facility, use, establishment, property, or location where any person or entity establishes, commences, engages in, conducts, or carries on, or permits another person or entity to establish, commence, engage in, conduct, or carry on, any commercial cannabis activity that requires a state license or nonprofit license under Cal. Bus. & Prof. Code §§ 26000 and following, including but not limited to cannabis cultivation, cannabis distribution, cannabis transportation, cannabis storage, manufacturing of cannabis products, cannabis processing, cannabis deliveries, the sale of any cannabis or cannabis products, and the operation of a cannabis microbusiness.

**Commercial Entertainment and Recreation.** Provision of participant or spectator entertainment to the public. These classifications may include incidental restaurants, snack bars, and other related food and beverage services to patrons.

**Cinema/Theater.** Any facility for the indoor display of films and motion pictures on single or multiple screens. This subclassification may include incidental food and beverage service to patrons as well as auditoriums within buildings.

**Indoor.** Establishments providing predominantly participant sports, indoor amusement and entertainment services conducted within an enclosed building. Typical uses include arcades, bingo halls, bowling alleys, billiard parlors, card rooms, health clubs, ice- and roller-skating rinks, indoor racquetball courts, athletic clubs, indoor shooting ranges, and physical fitness centers.

**Outdoor.** Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and riding stables.

**Drive-Through Facility.** A motor vehicle drive-through facility which is a commercial building or structure or portion thereof which is designed or used to provide goods or services to the occupants of motor vehicles. This classification includes banks and other financial services, fast food establishments, drugstores, and film deposit/pick-up establishments, but excludes drive-in theaters (see Commercial DRAFT
Entertainment and Recreation), service stations, or car-wash operations (see Automobile/Vehicle Sales and Services).

**Eating and Drinking Establishments.** Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

  - **Bars/Night Clubs/Lounges.** Businesses serving alcoholic beverages for consumption on the premises as a primary use, including on-sale service of alcohol including beer, wine, and mixed drinks. This subclassification includes tasting rooms and micro-breweries where alcoholic beverages are sold and consumed on site and any beverage production or distilling, and food service is subordinate to the sale of alcoholic beverages.

  - **Restaurant.** Establishments where food and beverages are served to patrons on-site or off-site, including full-service, limited-service, and take-out/delivery businesses. This subclassification includes cafes, coffee shops, delicatessens, fast-food businesses, food halls, and bakeries that have tables for on-site consumption of products. It excludes catering services and commercial kitchens that do not sell food or beverages for on-site consumption.

**Farmer’s Markets.** Temporary but recurring outdoor retail sales of food, plants, flowers, and products such as jellies, breads, and meats that are predominantly grown or produced by vendors who sell them.

**Food Preparation.** Establishments preparing and/or packaging food primarily for off-site consumption, including catering kitchens, retail bakeries, and small-scale specialty food production. This classification excludes establishments with an industrial character in terms of processes employed, waste produced, water used, and traffic generation.

**Funeral Parlors and Interment Services.** An establishment primarily engaged in the provision of services, involving the care, preparation, or disposition of human remains and conducting memorial services. This subclassification includes funeral parlors, crematories, and mortuaries, but excludes cemeteries and burial parks (see Cemeteries and Columbariums).

**Hotels and Motels.** An establishment providing overnight lodging to transient patrons for payment periods of 30 consecutive calendar days or less. These establishments may provide additional services and amenities, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the public.

**Offices.** Offices of firms, organizations, or public agencies providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, real estate and mortgage brokers. This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings, but excludes clinics, independent research laboratory facilities (see Research and Development), and hospitals.

**Personal Services.**

  - **General Personal Services.** An establishment providing services of personal convenience to individuals as a primary use. Personal services include barber and beauty shops, permanent...
makeup studios, day spas, nail salons, tanning salons, electrolysis, and other cosmetic and appearance care services; shoe and luggage repair, photographers, self-serve laundry and dry cleaning pick-up, tattoo and body modification parlors, repair and fitting of clothes, and similar services.

**Fortunetelling.** Any place of business where any person allows or professes to carry on, engage in or practice the art or transaction of palmistry, fortunetelling, clairvoyance, crystal gazing, seancing, numerology, mediumship, tarot-card reading, past-life regression, prophecy, phrenology or divination for personal gain or other similar activity.

**Massage Establishments.** As defined in Alhambra Municipal Code Chapter 9.44, Massage Therapy, Massage Establishments, and Massage Therapists.

**Repair and Maintenance Services.** Establishments engaged in the maintenance or repair of consumer products, including office machines, household appliances, electronics, furniture, and similar items. This classification excludes repair and maintenance of motor vehicles (see Automobile/Vehicle Sales and Services) and personal apparel (see Personal Services).

**Retail Sales.**

**Building Materials Stores and Retail Garden Centers.** Retail establishments selling lumber and other large building materials and garden supplies, where the majority of storage, display, and sales occur indoors. Includes: paint, wallpaper, glass, fixtures, nursery stock, and lawn and garden supplies sold to the general public, even if contractor sales account for a major proportion of total sales. This subclassification does not include Construction and Material Yards, hardware stores less than 10,000 square feet in floor area, or outdoor plant nurseries.

**Food and Beverage Sales.** Retail sales of food and beverages primarily for off-site preparation and consumption. This subclassification includes uses such as food markets, grocery stores, liquor stores, and meat markets and butcher shops.

**General Retail.** The retail sale or rental of merchandise not specifically listed under another use classification. This subclassification includes retail establishments such as department stores, clothing stores, furniture stores, small hardware stores (with 10,000 square feet or less of floor area), and businesses retailing the following goods: household pets and pet supplies, toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs.

**Outdoor Retail Sales and Nurseries.** Permanent outdoor sales establishments including auction yards, flea markets, lumber and other material sales yards, and other retail uses where sales, storage, and/or display occurs primary outdoors. This subclassification does not include the sale
of automobiles, recreational vehicles, mobilehomes, or large vehicles and heavy equipment (See Automobile/Vehicle Sales and Leasing Large Vehicle and Equipment Sales, Service, and Rental).

23.35.040 Industrial Uses

**Construction and Material Yards.** Storage of construction materials or equipment on a site other than a construction site.

**Custom Manufacturing.** Any establishment primarily engaged in on-site production or fabrication of goods by small scale manufacturing or artistic endeavor, which involves the use of hand tools or small mechanical equipment, and which may include incidental instruction or direct sales for consumers. Typical uses include ceramic studios, fabric and needleworking, leather working, metalworking, glassworking, candle-making shops, woodworking, and custom jewelry manufacturers.

**Food and Beverage Manufacturing.** Establishments engaged in the production, processing, packaging, or manufacturing of food or beverage products and where any instruction, direct sales, or on-site consumption are incidental to the food or beverage production activity. This classification excludes the slaughtering of animals or fowl which is not allowed.

*Small Scale.* A small-scale food and beverage products manufacturing and distribution establishment located in facilities less than 10,000 square feet in size. Examples include coffee roasters, micro-breweries, micro-distilleries, wine manufacturing, cheese makers, wholesale bakeries, and produce-on-premises operations which provide ingredients and equipment for customers to manufacture their own product.

*Large Scale.* Large-scale production, packaging, processing, preparation, or manufacturing of a food, beverage, or ingredient used or intended for use for human digestion in a facility over 10,000 square feet.

**General Industrial.** Establishments engaged in manufacturing of non-edible products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. Production typically involves some transformation by way of heating, chilling, combining, or through a chemical or biochemical reaction or alteration. Toxic, hazardous, or explosive materials may be produced or used in large quantities as part of the manufacturing process. These industrial activities may produce impacts on nearby properties, such as noise, gas, odor, dust, or vibration. This classification includes manufacturing for biomass energy conversion, commercial cosmetics and perfumes, electrical appliances and explosives, film and photographic processing plants, apparel and textile mills, leather and allied products manufacturing, wood and paper, glass and glass products, chemical products, medical/pharmaceutical products, plastics and rubber, nonmetallic minerals, primary and fabricated metal products, and automotive and heavy equipment.

**Light Industrial.** Establishments engaged in manufacturing of non-edible products and finished parts primarily from previously-prepared materials by means of physical assembly or reshaping. These industrial activities produce limited impacts on nearby properties, such as noise, gas, odor, or vibration. This classification includes uses where retail sales are clearly incidental to an industrial or manufacturing use, commercial laundries and dry-cleaning plants, monument works, printing and engraving, publishing,
computer and electronic product manufacturing, furniture and related product manufacturing, and industrial services.

**Research and Development.** A facility for the scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. This classification includes assembly of related products from parts produced off site, where the manufacturing activity is secondary to the research and development activities, in addition to involving the production of experimental products.

**Salvage and Wrecking.** Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods including, but not limited to, any used building materials, used containers or steel drums, used tires, and similar or related articles or property.

**Storage, Warehousing, and Wholesaling.** Storage, warehousing, and wholesaling facilities that store and/or engage in wholesale sales of merchandise to retail establishments; industrial, commercial, institutional, agricultural, or professional businesses; or facilities acting as agents or brokers in buying or selling merchandise/commodities to such businesses. Wholesalers are primarily engaged in business-to-business sales but may sell to individual consumers through mail or internet orders. These establishments have little or no display of merchandise and are not designed to solicit walk-in traffic except for public storage in small individual space exclusively and directly accessible to a specific tenant.

- **Indoor.** Storage, warehousing, and wholesaling of goods and merchandise within an enclosed building.
- **Outdoor.** Storage, warehousing, and wholesaling of goods in open lots.
- **Personal Storage.** Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage, and records or inventory storage for businesses. This classification includes moving company businesses which offer storage and transporting services, but excludes workshops, hobby shops, manufacturing, or commercial activity.

**23.35.050 Transportation, Communication, and Utility Uses**

**Communication Facilities.** Facilities for the provision of broadcasting and other information-relay services using electronic and telephonic mechanisms.

- **Facilities Within Buildings.** Indoor facilities which include radio, television or recording studios, and telephone switching centers.
- **Telecommunication.** Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures and equipment cabinets designed to support one or more reception/transmission systems. This subclassification includes wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, cellular telephone transmission/personal communications systems towers, and associated equipment cabinets and enclosures.
Freight/Trucking Facilities. Property and improvements used for freight, courier, and postal services; freight transfer truck terminals; transfer, loading, and unloading points for trucks and automobiles carrying goods and produces; or for the operations of a "common carrier trucking company," including the parking, or servicing, or repairing, or storage of trucks, truck tractors, and/or truck trailers.

Light Fleet-Based Services. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses.

Public Works and Utilities. Generating plants, electric substations, recycling collection and processing facilities, solid waste collection, including transfer stations and materials recovery facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. This classification also includes facilities such as water reservoirs, wastewater collection or pumping facilities, water wells, stormwater detention basins, and similar utility uses.

Recycling Facility. A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. This use classification does not include waste transfer facilities that operate as materials recovery, recycling, and solid waste transfer operations and are classified as utilities.

Reverse Vending Machine. An automated mechanical device that accepts, sorts and processes recyclable materials and issues a cash refund or a redeemable credit slip.

Recycling Collection Facility. An incidental use that serves as a neighborhood drop off point for the temporary storage of recyclable or reusable materials but where the processing and sorting of such items is not conducted on-site.

Small Collection Facility. Small collection facilities occupy no more than 200 square feet and may include:

- A "mobile recycling unit," which means an automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, and used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans or trailers, and used for the collection of recyclable materials;
- Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;
- Booth-type units which may include permanent structures; and
- Unattended containers placed for the donation of recyclable materials.

Large Collection Facility. A recycling facility for the acceptance by donation, redemption or purchase of recyclable materials from the public. A large collection facility does not use power-driven processing equipment and occupies an area greater than 200 square feet.
Transit Stations and Terminals. Facilities for passenger transportation operations, including rail stations, bus terminals, taxi stands, and scenic and sightseeing facilities. This classification excludes terminals serving airports or heliports (see Airports and Heliports).
Chapter 23.36 Definitions

23.36.010 “A” Terms.

A. **Abutting.** Having a common boundary.

B. **Access.** The place or way through which pedestrians and/or vehicles must have safe, adequate, and usable ingress and egress to a property or use.

C. **Accessory Building.** See “Building, Accessory”.

D. **Accessory Structure.** See “Structure, Accessory”.

E. **Accessory Use.** See “Use, Accessory”.

F. **Adjacent.** Directly abutting, having a common boundary or property line, or contiguous to.

G. **Adjoining.** See “Abutting”.

H. **Agent or Authorized Agent.** Any person who can show certified written proof that they are representing and acting in the place of another person or individual.

I. **Aggrieved Person.** Any person who, in person or through a representative, appeared at a City public hearing in conjunction with a decision or action appealed or who, by other appropriate means prior to a hearing, informed the local government of the nature of his or her concerns or who, for good cause, was unable to do either.

J. **Alley.** A public or private way, other than a street, which is designated as an alley by the City, reserved primarily for secondary vehicular access to abutting lots.

K. **Alteration.** Any change, addition, or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

L. **Apartment Unit.** One or more rooms with private bath and kitchen facilities comprising an independent rental unit.

M. **Applicant.** The person, partnership, corporation, or state or local government agency applying for a permit, certificate, zoning approval, or other entitlement.

N. **Architectural Feature.** An exterior building feature, including a roof, walls, windows, doors, porches, posts, pillars, recesses or projections, and exterior articulation or walls, and other building surfaces.

O. **Assessed Value.** The value as shown on the current equalized assessment role in effect of the time of the making of the determination of the assessed value.

P. **Assessor.** The Tax Assessor of the County of Los Angeles.

Q. **Attached Building or Structure.** See “Building, Attached” and “Structure, Attached”.
R. **Awning.** A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

### 23.36.020 “B” Terms.

A. **Balcony.** A platform that projects from the wall of a building 30 inches or more above grade that is accessible from the building’s interior, is not accessible from the ground, and is not enclosed by walls on more than three sides.

B. **Basement.** The portion of building between the floor and ceiling which has more than 50 percent below the natural or finished grade of the exterior ground surface.

C. **Bedroom.** Any room having the potential of being a bedroom and meeting the standards of the Building Code as a sleeping room.

D. **Block.** All property fronting on one side of a street between an intersection and intercepting streets or between a street and a waterway, dead-end street, major easement or right-of-way, or unsubdivided land. An intercepting street shall only determine the boundary of a block on the side of the street which it intercepts.

E. **Breezeway.** A structure with two sides open which connects two buildings.

F. **Buffer.** An open area or barrier used to separate potentially incompatible activities and/or development features; for example, a required setback to separate an area of development from environmentally sensitive habitat, to reduce or eliminate the effects of the development on the habitat.

G. **Building.** Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals or property of any kind.
   1. **Building, Accessory.** A detached, subordinate building used only as incidental to the principal building, structure, or use on the same lot.
   2. **Building, Attached.** A building which has a common wall with another building or structure.
   3. **Building, Detached.** A building which does not have a common wall with another building or structure.
   4. **Building, Nonconforming.** A building, or portion thereof, which was lawfully erected or altered or maintained, but which, because of the application of this Code to it, no longer conforms to the regulations set forth in this Code.
   5. **Building, Principal.** A building in which a principal use of the parcel on which it is located is conducted.

H. **Building Code.** Any ordinance or regulations of the City governing the type and method of construction of buildings and structures, including sign structures and any amendments thereto and any substitute therefor including, but not limited to, the California Building Code and other State-adopted uniform codes.
I. **Building Face.** The general outer surface of the structure or walls of a building. Where bay windows or pillars project beyond the walls, the outer surface of the windows or pillars is considered to be the face of the building.

J. **Building Footprint.** See “Footprint”.

K. **Building Frontage.** See “Frontage, Building”.

L. **Building Height.** See “Height”.

M. **Building Site.** A lot or parcel of land occupied or to be occupied by a building or group of buildings.

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23.36.030 **“C” Terms.**

A. **California Environmental Quality Act (CEQA).** Public Resources Code §§21000, et seq. or any successor statute and regulations promulgated thereto (14 California Code of Regulations §§15000, et seq.) that require public agencies to document and consider the environmental effects of a proposed action before a decision.

B. **Camper.** As defined in the California Vehicle Code.

C. **Canopy.** A roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.

D. **Carport.** An accessible and usable covered space enclosed on not more than two sides, designed, constructed, and maintained for the parking or storage of one or more motor vehicles.

E. **Cellar.** See “Basement”.

F. **Change of Use.** The replacement of an existing use on a site, or any portion of a site, by a new use, or a change in the type of an existing use; does not include a change of ownership, tenancy, or management associated with a use for which the previous type of use will remain substantially unchanged.

G. **City.** The City of Alhambra.

H. **City Council.** The City Council of the City of Alhambra.

I. **Clerk.** The City Clerk of the City of Alhambra.

J. **Commercial Vehicle.** Defined in the California Vehicle Code. Pickup trucks and vans not exceeding one-ton rated capacity and which are used primarily for private noncommercial purposes are not considered commercial vehicles.

K. **Commission.** See “Planning Commission”.

L. **Common Area.** The entire project area, excepting all units or areas granted or reserved for the exclusive occupancy of a tenant and/or condominium unit owner.
M. **Community Apartment Project.** Development of real property in which an undivided interest in the land is coupled with the right to the exclusive occupancy of a designated apartment located thereon and which is legally defined by applicable State law.

N. **Community Development Director.** The Community Development Director of the City of Alhambra or their designee.

O. **Compatible.** That which is harmonious with and will not adversely affect surrounding buildings and/or uses.

P. **Condition of Approval.** A performance standard, required change in a project, environmental mitigation measure, or other requirement imposed by the decision-making body to alter or modify a project in any manner from the description in the application originally submitted for City approval.

Q. **Conditional Use.** A use that is generally compatible with other uses permitted in a zone, but that requires individual review of its location, design, configuration, and intensity and density of use and structures, and may require the imposition of conditions pertinent thereto to ensure the appropriateness of the use at that location.

R. **Conditionally Permitted.** Permitted subject to approval of a Use Permit.

S. **Condominium.** A building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis and which is legally defined by applicable State law.

T. **Condominium Association.** The association which administers and maintains the common property and common elements of a condominium and which is legally defined by applicable State law.

U. **Conversion Project.** The conversion of apartment units into condominiums, community apartments, or stock cooperatives.

V. **County.** The County of Los Angeles.

### 23.36.040 “D” Terms.

A. **Deck.** A platform, either freestanding or attached to a building that is supported by pillars or posts.

B. **Demolition.** The intentional destruction and removal of 50 percent or more of the enclosing exterior walls and 50 percent of the roof of any structure.

C. **Density.** The number of dwelling units per acre of land.

D. **Detached Building.** "See Building, Detached".

E. **Detached Structure.** "See Structure, Detached".

F. **Development.** Any manmade change to improved or unimproved real estate, including but not limited to the division of a parcel of land into two or more parcels; the construction, reconstruction,
conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; and any use or extension of the use of land.

G. **Development Agreement.** An agreement between the City and any person having a legal or equitable interest in real property for the development of such property, and which complies with the applicable provisions of the Government Code for such development agreements.

H. **Development Permit.** Any permit issued by the city for the construction of real property improvements. Development permits include grading permits, encroachment permits, use permits, tentative maps, planned development permits and building permits. Sign permits are excluded from this definition.

I. **Director.** The Community Development Director of the City of Alhambra or their designee.

J. **District.** See “Zone”.

K. **Driveway.** An accessway that provides direct vehicular access for vehicles between a street and the parking or loading facilities located on an adjacent property.

L. **Dwelling Unit.** One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with full cooking, sleeping, and bathroom facilities for the exclusive use of a single household.

### 23.36.050 “E” Terms.

A. **Easement.** A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege or interest which one party has in the land of another.

B. **Effective Date.** The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

C. **Electrical Code.** Any ordinance of the City regulating the alteration, repair, and the installation and use of electricity or electrical fixtures.

D. **Emergency.** A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

E. **Emergency Vehicle.** A self-propelled vehicle or trailer used in the discharge of duties of public districts, agencies or departments, or privately-owned public utilities responsible for fire prevention and control, policing, sanitation, sewerage, drainage, levee maintenance, flood control, public utility lines and all essential services.

F. **Environmental Impact Report (EIR).** An Environmental Impact Report as required under the California Environmental Quality Act (CEQA).

G. **Environmental Review.** An evaluation process pursuant to CEQA to determine whether a proposed project may have a significant impact on the environment.
H. **Equipment.** Non-vehicular items such as, but not limited to, boats, campers, camper shells, tents and related camping supplies, tools, machinery, aircraft, barrels, drums, large cans or containers and parts related to these items.

I. **Erect.** To build, construct, attach, hang, place, suspend, or affix to or upon any surface. Such term also includes the painting of wall signs.

J. **Explosives.** Any explosive substance as defined in Cal. Health & Safety Code §12000.

**23.36.060 “F” Terms.**

A. **Façade.** The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

B. **Family.** One or more persons living together in a single household unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities, and who maintain a single mortgage, lease, or rental agreement for all members of the household.

C. **Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

D. **Fence.** Any horizontal or vertical structural device forming a physical barrier intended to enclose areas, separate properties, retain soil materials, and provide security; or as defined by the Building Official. Fences may also be walls, hedges, and screen plantings, or constructed from wood, mesh, metal, chain, brick, stakes of plastic or similar materials.

E. **Firearms.** Any device designed to be used as a weapon or modified to be used as a weapon, from which a projectile is expelled through a barrel by the force of an explosion or other form of combustion.

F. **Floor Area.** The total horizontal area of all floors below the roof and within the outer surface of the walls of a building or other enclosed structure unless otherwise stipulated. See also Subsection 23.02.030.E, Determining Floor Area.

G. **Floor Area Ratio (FAR).** The ratio of the total floor area of all buildings on a lot to the lot area or building site area. See also Subsection 23.02.030.F, Determining Floor Area Ratio.

H. **Foot-Candle.** A quantitative unit of measure for luminance. One foot-candle is equal to the amount of light generated by one candle shining on one square foot surface located one foot away. It is equal to one lumen uniformly distributed over an area of one square foot.

I. **Footprint.** The horizontal area, as seen in plan view, of a building or structure, measured from the outside of exterior walls and supporting columns, and excluding eaves. See also Subsection 23.02.030.G, Determining Lot Coverage.
J.  
**Freeway.** A multilane State or Interstate highway for through traffic with full control of access and with grade separations at all intersections and railroad crossings, and to which highway the owners of abutting lands have no right of easement or access to or from their abutting lands.

K.  
**Frontage, Building.** The face of a building that is parallel to or is at a near parallel angle to a street.

L.  
**Frontage, Street.** That portion of a lot or parcel of land that borders a public street. Street frontage shall be measured along the common lot line separating said lot or parcel of land from the public street, highway, or parkway.

### 23.36.070 “G” Terms.

A.  
**Garage.** An accessory structure or portion of a principal structure, enclosed on three or more sides and containing accessible and usable enclosed space designed, constructed, and maintained for the parking and storage of one or more motor vehicles.

B.  
**General Plan.** The General Plan of the City of Alhambra.

C.  
**Glare.** The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort, or loss of visual performance and ability.

D.  

E.  
**Grade.** The location of the ground surface.

1.  
**Grade, Existing or Natural.** Ground elevation prior to any grading or other site preparation related to, or to be incorporated into, a proposed development or alteration of an existing development.

2.  
**Grade, Finished.** Final ground elevation after the completion of any grading or other site preparation related to, or to be incorporated into, a proposed development or alteration of an existing development.

F.  
**Grading.** Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition.

G.  
**Ground Floor.** The first floor of a building other than a basement that is closest to finished grade.

### 23.36.080 “H” Terms.

A.  
**Hazardous Materials.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

B.  
**Heat.** Thermal energy of a radioactive, conductive, or convective nature.
C. **Height.** The vertical distance from a point on the ground below a structure to a point directly above. See also Subsection 23.02.030.C, Measuring Height.

D. **Home Occupation.** A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling.

E. **Household.** See “Family.”

### 23.36.090 “I” Terms.

A. **Illegal Use.** Any use of land or building that does not have the currently required permits, and was originally constructed and/or established without permits or approvals required for the use at the time it was brought into existence.

B. **Improvement.** An object affixed to the ground other than a structure.

C. **Impervious Surface.** Any surface or natural material that does not allow for the passage of water through the material and into the underlying soil.

D. **Incidental Use.** See “Use, Incidental”.

E. **Income Levels.** Income levels for households whose gross incomes do not exceed the qualifying extremely low, very low, low, and moderate-income limits established in § 6932 of the California Code of Regulations, and amended periodically based on the U.S. Department of Housing and Urban Development (HUD) estimate based on the Yolo County median income levels by family size. These income limits are equivalent to the following:

1. **Extremely Low Income Household.** Under 30 percent of area median income, adjusted for household size appropriate for the unit.

2. **Very Low Income Household.** 30 to 50 percent of area median income, adjusted for household size appropriate for the unit.

3. **Low Income Household.** 50 to 80 percent of area median income, adjusted for household size appropriate for the unit.

4. **Moderate Income Household.** 80 to 120 percent of area median income, adjusted for household size appropriate for the unit.

F. **Intensity of Use.** The extent to which a use or the use in combination with other uses affects the natural and built environment in which it is located; the demand for services; and persons who live, work, and visit the area. Measures of intensity include, without limitation: requirements for water, gas, electricity, or public services; number of automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light, or glare generated; the number of persons attracted to the site, or in eating establishments, the number of seats.

G. **Intersection, Street.** The area common to two or more intersecting streets.
23.36.100 “J” Terms.

Reserved.

23.36.110 “K” Terms.

A. **Kitchen.** Any room or space within a building intended to be used for the cooking or preparation of food.

23.36.120 “L” Terms.

A. **Land Use.** The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained, including residential, commercial, industrial, etc.

B. **Landscaping.** The planting, configuration, and maintenance of trees, ground cover, shrubbery, and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth-patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

C. **Light Fixture.** The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.

D. **Liquor Sales.** The sale of liquor for offsite consumption.

E. **Living Area.** Area used for the exclusive occupancy of a tenant and/or condominium unit owner, which excludes common areas.

F. **Lot.** A parcel, tract, or area of land whose boundaries have been established by a legal instrument, such as a deed or recorded map recorded, and which is recognized as a separate legal entity for purposes of transfer of title, except public easements or rights-of-way. Lot types include the following:

1. **Abutting Lot.** A lot having a common property line or separated by a public path or lane, private street, or easement to the subject lot.

2. **Corner Lot.** A lot or parcel bounded by two or more adjacent street lines that have an angle of intersection of not more than 135 degrees.

3. **Flag Lot.** A lot so shaped that the main portion of the lot area does not have access to a street other than by means of a corridor having less than 20 feet of width.

4. **Interior Lot.** A lot bounded on one side by a street line and on all other sides by lot lines between adjacent lots or that is bounded by more than one street with an intersection greater than 135 degrees; a lot other than a corner lot.

5. **Key Lot.** An interior lot adjoining the rear lot line of a reversed corner lot.

6. **Reversed Corner Lot.** A corner lot, the rear of which abuts the side of another lot, whether across a lane or not.
7. **Through Lot.** A lot having frontage on two parallel or approximately parallel streets.

![Diagram of Zoning lot types](image)

**FIGURE 23.36.120.L: LOT TYPES**

G. **Lot Area.** The area of a lot measured horizontally between bounding lot lines.

H. **Lot Coverage.** The portion of a lot that is covered by structures, including principal and accessory buildings, garages, carports, and roofed porches, but not including unenclosed and unroofed decks, landings, or balconies. See also Subsection 23.02.030.G, Determining Lot Coverage.

I. **Lot Depth.** The horizontal distance between the front and rear property lines of a site. See also Subsection 23.02.030.D, Measuring Lot Width and Depth.

J. **Lot Frontage.** See “Frontage, Street.”

K. **Lot Line.** The boundary between a lot and other property or the public right-of-way.

1. **Front Lot Line.** On an interior lot, the line separating the lot from the street. On a corner lot, the shorter lot line abutting a street. On a through lot, the lot line abutting the street providing the primary access to the lot. On a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

2. **Corner Side Lot Line.** A side lot line of a corner lot that is adjacent to a street.

3. **Interior Lot Line.** Any lot line that is not adjacent to a street.

4. **Rear Lot Line.** The lot line that is opposite and most distant from the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for establishing the minimum rear yard.

5. **Side Lot Line.** Any lot line that is not a front or rear lot line.
Lot, Nonconforming. A legal parcel of land having less area, frontage, or dimensions than required in the zone in which it is located.

Lot Width. The average distance between the side lot lines measured at right angles to the lot depth. See also Subsection 23.02.030.D, Measuring Lot Width and Depth. When not applicable due
to irregularity of lot shape, lot width shall be determined by the Director, subject to appeal and review by the Planning Commission.

23.36.130 “M” Terms.
A. **Maintenance and Repair.** The repair or replacement of nonbearing walls, fixtures, wiring, roof, or plumbing that restores the character, scope, size, or design of a structure to its previously existing, authorized, and undamaged condition.
B. **Mapped Street.** A future street right-of-way which is laid out, surveyed, and delineated on a map of such size, scale, and detail that the precise alignment of the street can be ascertained.
C. **Mobile Home.** A structure transportable in one or more sections, and which is built on a permanent chassis, and designed to be used as a dwelling unit.

23.36.140 “N” Terms.
A. **Noise.** Any sound that annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.
B. **Nonconforming Building.** See “Building, Nonconforming”.
C. **Nonconforming Lot.** See “Lot, Nonconforming”.
D. **Nonconforming Structure.** See “Structure, Nonconforming”.
E. **Nonconforming Use.** See “Use, Nonconforming”.

23.36.150 “O” Terms.
A. **On-Site.** Located on the lot that is the subject of discussion.
B. **Outdoor Storage.** The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 72 hours, except for the keeping of building materials reasonably required for construction work on the premises pursuant to a valid and current Building Permit issued by the City.
C. **Owner.** A person or persons holding single or unified beneficial title to the property, including without limitation, the settlor of a grantor trust, a general partner, firm, or corporation.

23.36.160 “P” Terms.
A. **Parapet.** That part of a wall that extends above the roof line.
B. **Parking Area.** An area of a lot, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of operable motor vehicles.

C. **Parkway.** Portion of a street right-of-way, between the back of the curbline and the lot line, which is used or is available for use for landscaping, utilities, and/or sidewalks.

D. **Passenger Vehicle.** As defined in the California Vehicle Code.

E. **Permitted Use.** See "Use, Permitted".

F. **Person.** Any individual, firm, association, organization, partnership, business trust, company, or corporation.

G. **Planning Commission.** The Planning Commission of the City of Alhambra.

H. **Planning Division.** The Planning Division of the Community Development Department of the City of Alhambra.

I. **Pre-existing.** In existence prior to the effective date of this Code.

J. **Principal Use.** See "Use, Principal".

K. **Project.** Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this Code. This term includes, but is not limited to, any action that qualifies as a "project" as defined by the California Environmental Quality Act.

L. **Property Line.** The recorded boundary of a lot or parcel of land.


N. **Public Works Director.** The Public Works Director of the City of Alhambra.

23.36.170 “Q” Terms.

A. **Qualified Applicant.** The property owner, the owner’s agent, or any person, corporation, partnership, or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land, or otherwise has an enforceable proprietary interest in such land.

23.36.180 “R” Terms.

A. **Reasonable Accommodation.** Any deviation requested and/or granted from the strict application of the City’s zoning and land use laws, rules, policies, practices and/or procedures under provisions of federal or California law to make housing or other facilities readily accessible to and usable by persons with disabilities and thus enjoy equal employment or housing opportunities or other benefits guaranteed by law.

B. **Review Authority.** Body or entity responsible for making decisions on applications.
C. **Right-of-Way.** A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar use.

D. **Roofline.** The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

### 23.36.190 “S” Terms.

A. **Senior Citizen.** An individual 62 years of age or older.

B. **Setback.** The distance between a property line and a building or structure that must be kept clear or open.

C. **Sidewalk.** A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

D. **Sign Terms.** See Chapter 23.21, Signs.

E. **Site.** A lot, or group of contiguous lots, that is proposed for development in accordance with the provisions of this Code and is in a single ownership or under unified control.

F. **Soil.** Naturally occurring superficial deposits overlying bedrock.

G. **Solar Reflectance Index.** Measure of a surface’s ability to reflect solar heat, combining reflectance and emittance into one number. It is defined so that a standard black (reflectance 0.05, emittance 0.90) is zero and a standard white (reflectance 0.80, emittance 0.90) is 100.

H. **Specific Plan.** A plan for all or part of the area covered by the General Plan that is prepared to be consistent with and to implement the General Plan, pursuant to the provisions of Government Code, §§ 65450 et seq.

I. **State.** The State of California.

J. **Stock Cooperative.** Ownership of a building and the land on which it is located by a corporation in which the tenants of the building own shares of stock and by such ownership are entitled to an exclusive right to occupy a dwelling unit in the building.

K. **Story.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story is that portion of a building included between the upper surface of the topmost floor and the upper surface of the roof above.

L. **Street.** A public or private thoroughfare, which affords the principal means of access to a block and to abutting property. “Street” includes avenue, court, circle, crescent, place, way, drive, boulevard, highway, road, and any other thoroughfare, except an alley or walkway.

M. **Street Line.** The boundary between a street and a lot or parcel of land.

N. **Structure.** Anything constructed or erected which requires a location on the ground.
1. **Structure, Accessory.** A detached subordinate structure used only as incidental to a principal building, structure, or use on the same site or lot.

2. **Structure, Attached.** A structure which is affixed to another building or structure on the site.

3. **Structure, Detached.** A structure which is not affixed to another building or structure on the site.

4. **Structure, Nonconforming.** A building or structure, or portion thereof, which was lawfully erected or altered or maintained, but which, because of the application of this Code to it, no longer conforms to the regulations set forth in this Code.

5. **Structure, Principal.** A structure housing the primary or principal use of a site or functioning as the primary or principal use.

6. **Structure, Temporary.** A structure without any foundation or footings, and which is intended to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

**O. Swimming Pool.** A pool, pond, lake, or open tank capable of containing water to a depth greater than 18 inches at any point.

### 23.36.200 “T” Terms.

**A. Tandem Parking.** An arrangement of parking spaces such that one or more spaces must be driven across to access another space or spaces.

**B. Telecommunication Terms.**

1. **Antenna.** Any system of wires, poles, rods, horizontal or vertical elements, panels, reflecting discs, or similar devices used for the transmission and/or reception of electromagnetic waves.

2. **Co-Location.** The location of two or more wireless communications facilities owned or used by more than one public or private entity on a single support structure, or otherwise sharing a common location. Co-location also includes the location of wireless communications facilities with other facilities, such as buildings, water tanks, light standards, and other utility facilities and structures.

3. **Mast.** A pole of wood or metal or a tower fabricated of metal that is used to support an antenna and maintain it at the proper elevation.

4. **Personal Communications Services (PCS).** Digital wireless telephone technology such as portable phones, pagers, faxes, and computers. PCS is also sometimes known as Personal Communication Network (PCN).

5. **Multi-User Telecommunication Facility.** A telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned...
or used by more than one public or private entity, excluding research and development industries with antennas serving internal company uses only.

6. **Satellite Dish.** A device (also known as a parabolic antenna) incorporating a reflective surface that is solid, open, or mesh or bar-configured, and is in the shape of a shallow dish, cone, horn cornucopia, or flat plate that is used to receive or transmit radio or electromagnetic waves between terrestrially and/or orbitally based units. This term includes satellite earth stations, satellite receivers, satellite discs, direct broadcast systems, television-reception-only systems, and satellite microwave antennas.

7. **Support Equipment.** The physical, electrical, and/or electronic equipment included within a telecom facility used to house, power, transport, and/or process signals from or to the facility’s antenna or antennas.

8. **Telecommunication Facility.** A mobile cell site that consists of a cell antenna tower and electronic radio transceiver equipment on a truck or trailer, designed to be part of a cellular network.

9. **Tower.** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas.

10. **Tower, Lattice.** A multiple-sided, open, metal frame support structure that supports antennas and related equipment, typically with three or four support legs.

C. **Tenant.** A person renting or leasing a housing unit or non-residential space.

D. **Trailer.** A vehicle with or without motor power, which is designed or used for hauling materials or vehicles, or for human habitation, office, or storage including camper, recreational vehicle, travel trailer, and mobile home, but not including mobile homes on a permanent foundation.

E. **Tree Permit Terms.**

1. **California Native.** Those trees listed, maintained and organized by California regions by the California Native Plant Society (CNPS) as follows:

```markdown
<table>
<thead>
<tr>
<th>Species</th>
<th>Common Names</th>
<th>Plant Type</th>
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<tr>
<td>Abies concolor</td>
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<td>Abies grandis</td>
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<td>Acer negundo</td>
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<td>Aesculus californica</td>
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<td>Arbutus menziesii</td>
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<td>Betula occidentalis</td>
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### TABLE 23.36.200.E: CALIFORNIA NATIVE TREES

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<tr>
<th>Species</th>
<th>Common Names</th>
<th>Plant Type</th>
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<td>Quercus agrifolia</td>
<td>Coast Live Oak</td>
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</tr>
<tr>
<td>Quercus berberidifolia</td>
<td>Scrub Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus chrysolepis</td>
<td>Canyon Live Oak</td>
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</tr>
<tr>
<td>Quercus cornelius-mulleri</td>
<td>Muller Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus douglasii</td>
<td>Blue Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus dumosa</td>
<td>Nuttall’s Scrub Oak</td>
<td>Tree, Shrub</td>
</tr>
<tr>
<td>Quercus durata</td>
<td>Leather Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus durata var. durata</td>
<td>Leather Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus engelmannii</td>
<td>Engelmann Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus garryana</td>
<td>Garry’s Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus garryana var. breweri</td>
<td>Garry’s Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus kelloggii</td>
<td>Black Oak</td>
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</tr>
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<td>Quercus lobata</td>
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<td>Quercus parvula</td>
<td>Santa Cruz Island Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus parvula var. shrevei</td>
<td>Shreve Oak</td>
<td>Tree</td>
</tr>
<tr>
<td>Quercus tomentella</td>
<td>Island Oak</td>
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<td>Quercus vacciniifolia</td>
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<td>Quercus wislizeni</td>
<td>Interior Live Oak</td>
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<td>Salix exigua</td>
<td>Sandbar Willow</td>
<td>Tree, Shrub</td>
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<tr>
<td>Salix gooddingii</td>
<td>Goodding’s Black Willow</td>
<td>Tree</td>
</tr>
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<td>Salix laevigata</td>
<td>Red Willow</td>
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<td>Salix lasiandra</td>
<td>Shining Willow</td>
<td>Tree, Shrub</td>
</tr>
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<td>Salix lasiolepis</td>
<td>Arroyo Willow</td>
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<tr>
<td>Salix scouleriana</td>
<td>Scouler’s Willow</td>
<td>Tree, Shrub</td>
</tr>
<tr>
<td>Salix sitchensis</td>
<td>Sitka Willow</td>
<td>Tree, Shrub</td>
</tr>
<tr>
<td>Sequoia sempervirens</td>
<td>Coast Redwood</td>
<td>Tree</td>
</tr>
<tr>
<td>Sequoiadendron giganteum</td>
<td>Sierra Redwood</td>
<td>Tree</td>
</tr>
<tr>
<td>Thuja plicata</td>
<td>Western Red Cedar</td>
<td>Tree</td>
</tr>
</tbody>
</table>
### TABLE 23.36.200.E: CANIFORNIA NATIVE TREES

<table>
<thead>
<tr>
<th>Species</th>
<th>Common Names</th>
<th>Plant Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Torreya californica</td>
<td>California Torreya</td>
<td>Tree</td>
</tr>
<tr>
<td>Tsuga heterophylla</td>
<td>Western Hemlock</td>
<td>Tree</td>
</tr>
<tr>
<td>Tsuga mertensiana</td>
<td>Mountain Hemlock</td>
<td>Tree</td>
</tr>
<tr>
<td>Umbellularia californica</td>
<td>California Laurel</td>
<td>Tree</td>
</tr>
<tr>
<td>Washingtonia filifera</td>
<td>Fan Palm</td>
<td>Tree</td>
</tr>
</tbody>
</table>

2. **Damage.** Any action undertaken which causes injury, death, or disfigurement to a protected tree. This includes, but is not limited to, cutting, poisoning, overwatering, topping, trimming, relocating or transplanting a protected tree.

3. **Multi-Trunk.** Any tree with multiple trunks attributed to a single tree. For purposes of determining the diameter of a multi-trunk tree, the diameter of each trunk shall be measured at a point four and one-half feet above the root crown, and the sum of the diameters shall be the diameter of the tree.

4. **Pruning (also known as lacing).** The removal of selected branches that are dead, a hazard to public or property, or are otherwise selected for removal while preserving the overall form of the tree. Pruning can be done to give a tree a more balanced appearance, to reduce the weight on one side of a tree in order to prevent the tree from toppling, or to remove branches that are at risk of breaking and injuring people or damaging property. Utilities may use pruning to selectively remove branches that interfere with overhead lines. Pruning is distinct from topping or trimming a tree.

5. **Removal.** The uprooting, cutting, or severing of the main trunk, of a protected tree.

6. **Root Crown.** That portion of a protected tree trunk from which roots extend laterally into the ground.

7. **Topping.** The removal of the uppermost branches of a tree, or cutting the trunk, in order to reduce its height without regard to the overall form of the tree. Typically results in a horizontal cut across the trunk or a roughly spherical cut centered on the trunk.

8. **Trimming.** The alteration of the outward shape of a tree without regard to which branches are to be trimmed. Typically results in a geometric rather than natural shape. Hedges are trimmed to preserve a particular, frequently rectangular, shape. Topping a tree would be an extreme example of trimming.

F. **Turf.**

1. **Artificial Turf.** A synthetically derived, natural grass substitute that may be used in lieu of natural turf, and must simulate the appearance of natural live grass, in a single-family residence and in the landscape areas of multi-family and non-residential properties.
2. **Natural Turf.** A ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass. Red fescue, and Tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, Seashore Paspalum, St. Augustine grass. Zoysiagrass, and Buffalo grass are warm-season grasses.

23.36.210 “U” Terms.

A. **Use.** The purpose for which land or the premises of a building, structure or facility is arranged, designed, or intended, or for which it is or may be occupied or maintained.

1. **Use, Accessory.** A use that is customarily associated with, and is incidental and subordinate to, a principal use and located on the same lot as a principal use.

2. **Use, Incidental.** A secondary use of a lot and/or building that is located on the same lot, but is not customarily associated with the principal use.

3. **Use, Nonconforming.** The use of a building, structure, site, or portion thereof, which was lawfully established and maintained, but which, because of the adoption and application of this Code, no longer conforms to the specific regulations applicable to the zone in which it is located.

4. **Use, Permitted.** Any use or structure that is allowed in a zone without a requirement for approval of a Use Permit, but subject to any restrictions applicable to that zone.

5. **Use, Principal.** A primary, principal, or dominant use established, or proposed to be established, on a lot.

B. **Use Classification.** A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: residential, public and semi-public, commercial, industrial, and transportation, communication, and utilities. See Chapter 23.35, Use Classifications.

C. **Use Permit.** A discretionary permit which may be granted by the appropriate City of Alhambra authority to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, which are not permitted as of right, but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval. See Chapter 23.27, Use Permit.

D. **Use Type.** A category that classifies similar uses based on common functional, product, or compatibility characteristics.

E. **Utilities.** Equipment and associated features related to the mechanical functions of a building(s) and services such as water, electrical, telecommunications, and waste.
23.36.220 “V” Terms.

A. **Variance.** A discretionary grant of permission to depart from the specific requirements of this Code that is warranted when, due to special circumstances regarding the physical characteristics of the property, the strict application of standards would deprive the property of privileges available to other property in the same zone.

B. **Vehicle.** Any vehicle, as defined by the California Vehicle Code, including any automobile, camper, camp trailer, trailer, trailer coach, motorcycle, house car, boat, or similar conveyance.

C. **Vibration.** A periodic motion of the particles of an elastic body or medium in alternately opposite directions from the position of equilibrium.

D. **Visible.** Capable of being seen (whether legible) by a person of normal height and visual acuity walking or driving on a public road or in a public place.

23.36.230 “W” Terms.

A. **Wall.** Any vertical exterior surface of building or any part thereof, including windows.

23.36.240 “X” Terms.

Reserved.

23.36.250 “Y” Terms.

A. **Yard.** An open space on the same site as a structure, unoccupied and unobstructed from the ground upward, except as otherwise provided by this Code.

1. **Front Yard.** A yard extending across the front of a lot for the full width of the lot between the side lot lines. The depth of a front yard shall be a distance specified by this Code for the zone in which it is located and measured inward from the front lot line.

2. **Interior Side Yard.** A yard which does not abut a street.

3. **Rear Yard.** A yard extending across the rear of a lot for its full width between side lot lines, and to a depth specified by this Code for the zone in which it is located. If a lot has no rear lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for establishing the minimum rear yard.

4. **Required Yard.** A yard which complies with the minimum setback requirements for the zone in which the lot is located.

5. **Side Yard.** A yard extending from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the depth of which is the
minimum horizontal distance between the side property line and a line parallel thereto on the site.

6. **Street Side Yard.** A yard on a corner lot or reversed corner lot extending from the front yard to the rear lot line between the building setback line and the nearest side street lot line.

![Diagram of yard types]

**FIGURE 23.36.250.Y: YARD TYPES**

**23.36.260 “Z” Terms.**

A. **Zone.** A specifically delineated area in the City within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.
PRESENTATION GOAL

• To review specific comments from the Commission requesting certain changes to the draft standards and regulations

• To generate a resolution with recommendations of the changes to the draft Zoning Code and return the resolution on January 17, 2023.
PRESENTATION AGENDA

• Presentation Series Timeline

• Commissioner Comments

• Next Steps
PRESENTATION SERIES TIMELINE

• August 1, 2022  
  Presentation 1 – Administration

• August 15, 2022  
  Presentation 2 – Zoning Districts, Land Uses  
  (Residential Zoning Districts & Land Uses)

• September 6, 2022  
  Meeting cancelled.

• September 19, 2022  
  Continuation of Presentation 2 – Zoning Districts & Land Uses (Non-Residential)

• October 3, 2022  
  Continuation of Presentation 2 – Zoning Districts & Land Uses (Non-Residential)
TENTATIVE PRESENTATION SERIES TIMELINE

- October 17, 2022
  Presentation 3 – Property Development Standards

- November 21, 2022
  Presentation 4 – Parking Standards

- December 5, 2022
  Presentation 5 – Design Standards, Sign Standards, Nonconforming Uses

- December 19, 2022
  Presentation 6 – Wrap-up

- January 2, 2023
  Presentation 6 – Wrap-up (Continued)

- January 17, 2023
  Public Hearing for recommendation to City Council
TENTATIVE PRESENTATION SERIES TIMELINE

- City Council presentations, TBD
- City Council public hearings, TBD
COMMISSIONER COMMENTS

COMMENT 1

• **Draft Standard:**
  o Low Barrier Navigation Centers are permitted by-right in the RL, RM, and RH zones.

• **Comment:**
  o Low Barrier Navigation Centers are required by State law to be permitted by-right in non-residential zones that allow residential and mixed-use.

• **Recommendation:**
  o No Change.
  o Program 27 [REDUCE DEVELOPMENT CONSTRAINTS FOR AFFORDABLE HOUSING] of the City of Alhambra 2021-2029 Housing Element requires amending the Zoning Code to allow Low Barrier Navigation Centers by-right in all residential zones, areas zoned for mixed uses, and non-residential zones permitting multifamily uses.
COMMISSIONER COMMENTS

COMMENT 2

• **Draft Standard:**
  o Residential uses will be allowed on the ground floor, fronting onto Main Street (100% residential), with approval of a Minor Use Permit (MUP)

• **Comment:**
  o 100% residential projects are not the proper use in the Downtown. The ground floors should be reserved for retail and commercial uses.

• **Recommendation:**
  o No Change.
  o Program 27 of the Housing Element, in order to reduce development constraints for affordable housing, requires revising the Zoning Code to allow 100% residential projects in all commercial zones, including the Central Business District.
COMMISSIONER COMMENTS

COMMENT 3 / COMMENT 23

Comment 3

• Draft Standard:
  o Residential uses are allowed at a maximum density of 30 units per acre in the East Main Commercial (EMC) zone in parcels located west of Granada Avenue.
  o Not allowed in the EMC zone east of Granada Avenue.

• Comment:
  o Housing should not be allowed in the entirety of the EMC zone.

• Recommendation:
  o No Change.
  o Program 27 of the Housing Element requires revising the Zoning Code to allow 100% residential projects in all commercial zones, including the EMC zone.
  o Program 19 of the Housing Element requires revising the Zoning Code to allow a maximum residential density of 30 dwellings per acre on parcels located west of Granada Avenue.

Comment 23

• Draft Standard:
  o EMC zone properties located west of Granada Avenue shall have a maximum height limit of 5 stories and 75 feet.
  o 3 stories and 40 feet shall be required if located within 50 feet of Residential Zoning District.
  o Properties located east of Granada Avenue shall be limited to 2 stories and 25 feet.

• Comment:
  o The maximum height shall be 2 stories and 25 feet along all of the EMC zone.

• Recommendation:
  o No change to height limits east and west of Granada Avenue, except
    • 3 stories and 40 feet shall be required if located within 50 feet (less street or alley right-of-way) of Residential Zoning District.
COMMISSIONER COMMENTS
COMMENT 4

• Draft Standard:
  o Single-family attached uses are permitted by-right in the CBD (Central Business District), EMC (East Main Commercial), and CMU (Commercial Mixed-Use) zones.

• Comment:
  o Single-family attached is equivalent to low density residential development and should require a CUP.

• Recommendation:
  o Single-family attached uses should not be permitted in the CBD, EMC and CMU zones.
  o Such uses are low density uses and are not appropriate to be located in the commercial zones.
COMMISSIONER COMMENTS

COMMENT 5

- **Draft Standard:**
  - Multifamily residential uses are permitted by-right in the PO (Professional Office) and I (Industrial) zones.

- **Comment:**
  - Current Code requires a CUP for multifamily uses in the PO zone and now such uses will be allowed by-right.
  - There will be a loss of control.

- **Recommendation:**
  - No Change.
  - Consistent with streamlining provision of Goal 4, Policy 4.5 of Housing Element.
  - New residential development projects will still be subject to all applicable provisions of the Municipal Code, Building Code, and Fire Code, AND conditions of approvals.
COMMISSIONER COMMENTS

COMMENT 6

• Draft Standard:
  o Minimum residential side yard setback for all upper stories: 6 ft.

• Comment:
  o Additional setback should be required, but it was undecided if that be a flat number or handled on a case-by-case basis, more like a design standard.

• Recommendation:
  o 2nd floor: 6 feet
  o 3rd floor: 7 feet
  o 4th floor: 8 feet
  o 5th floor: 9 feet
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
**Commissioner Comments**

**Comment 7**

- **Draft Standard:**
  - RL zone will carry forward the current Floor Area Ratio (FAR) and Lot Coverage standards
  - Maximum FAR:
    - Lots less than 10,000: 0.35
    - Lots 10,000-19,999: 0.325
    - Lots 20,000 and greater: 0.30
  - Maximum Lot Coverage:
    - 50% if all buildings are 1-story, otherwise 40%

- **Comment:**
  - Eliminate the Lot Coverage requirement.
  - Implement only FAR but also include garages into the FAR calculations.
COMMISSIONER COMMENTS

COMMENT 7

• **Recommendation:**
  - No Change.
  - Will severely affect many of the single-family properties in that it will result in smaller homes.

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>FAR Allowance</th>
<th>Minus 2-Car Garage</th>
<th>Total Living Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,500 sf</td>
<td>1,925 sf</td>
<td>- 400 sf</td>
<td>1,525 sf</td>
</tr>
<tr>
<td>6,500 sf</td>
<td>2,275 sf</td>
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<td>1,875 sf</td>
</tr>
<tr>
<td>7,500 sf</td>
<td>2,625 sf</td>
<td>- 400 sf</td>
<td>2,225 sf</td>
</tr>
</tbody>
</table>
COMMISSIONER COMMENTS

COMMENT 8

• Draft Standard:
  o Maximum heights in RM zone and RH zones of 3 stories and 5 stories, respectively.

• Comment:
  o Height for RM and RH zones should be reduced when adjacent to RL zone

• Recommendation:
  o No Change.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS

COMMENT 9

• **Draft Standard:**
  o Residential uses that are legal nonconforming with respect to off-street parking can be expanded without having to provide additional off-street parking spaces.

• **Comment:**
  o May be problematic.
  o Where do cars park if a home has a 1-car garage or no garage?

• **Recommendation:**
  o No Change.
  o 50% threshold of current code is burdensome on smaller homes.
COMMISSIONER COMMENTS

COMMENT 10

• Draft Standard:
  o Parking requirement for Medium Density Residential Uses.
    Up to 3 bed:
    2 garage spaces, plus
    1 additional space
    4 bed or more:
    2 garage spaces, plus
    1 additional space for each bed over 3
    Guest: 0.5

• Comment:
  o This is a significant increase in required parking from current R-2 standard
COMMISSIONER COMMENTS

COMMENT 10

- **Recommendation:**
  - Staff recommends a revised parking standard as follows:
    - 2 garage spaces per unit, plus
      - 0.5 guest per unit
    - Similar to the Single-Family Residential parking requirement, but with the added requirement for guest parking spaces.
    - Will result in fewer parking spaces required as compared to current R-2 requirement.
    - Off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.
COMMISSIONER COMMENTS

COMMENT 11

- Draft Standard:
  - Parking requirement for High Density Residential Uses.
    - Up to 3 bed:
      2 garage spaces, plus
      1 additional space
    - 4 bed or more:
      2 garage spaces, plus
      1 additional space for each bed over 3
    - Guest: 0.5

- Comment:
  - Support for buildings to be forced to provide more parking over current code so it does not spill out into the street.
• **Recommendation:**
  o Staff recommends a revised parking standard as follows:
    
    2 garage spaces per unit, plus
    0.5 guest per unit
  
  o Identical to the recommended standard for Medium Density Residential uses.
  o Will result in fewer parking spaces required as compared to current R-3 requirement.
  o Off-street parking requirements are identified in the Housing Element as governmental constraint on housing production.
• **Draft Standard:**
  o Outdoor Entertainment not allowed in the CBD zone.

• **Comment:**
  o The CBD zone is ideal for outdoor entertainment.

• **Recommendation:**
  o No Change.
  o Predominantly participant sports conducted in open or partially enclosed or screened facilities that are not compatible with the CBD zone.
  o Driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and similar.
COMMISSIONER COMMENTS

COMMENT 13

- **Draft Standard:**
  - Custom Manufacturing is permitted by-right in the CBD zone.

- **Comment:**
  - Custom manufacturing uses should at least require a MUP due to noise impacts.
  - Would rather see in the Industrial zone.
  - Custom manufacturing as an example of a use that should not be allowed to leap from conditionally permitted to permitted by-right.

- **Recommendation:**
  - Require MUP for Custom Manufacturing uses in the CBD zone.
• **Draft Standard:**
  - Various uses are permitted by-right in the CMU zone.

• **Comment:**
  - Questioning potential issues for by-right uses in the CMU because it can possibly be located next to 100% high density residential.
  - Does it make sense to allow certain uses to be permitted by-right if there may be potentially large residential developments in the zone that could have many residents impacted by those by-right uses?
  - Concern with allowing so much residential and then permitting so many uses in the CMU Zone. Many uses may be next to residential uses and create impacts.

• **Recommendation:**
  - No Change.
COMMISSIONER COMMENTS

COMMISSIONER COMMENTS

Draft Standard:
- Hotels and Motel uses are permitted by MUP in the CBD and CMU zones.

Comment:
- There is a large/variety of hotels/motels and maybe for some larger sized hotels/motels this should remain a CUP rather than an MUP in CBD and CMU zones.
- State legislation allows conversion of hotels/motels into low barrier housing and MUP or CUP will allow for local control.

Recommendation:
- Change the permit level for Hotel and Motel uses from MUP to CUP.

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COMMISSIONER COMMENTS

COMMENT 16

- **Draft Standard:**
  - Car washes are prohibited on lots abutting a residential zoning district.

- **Comment:**
  - Should change “abutting” to “adjacent to”.

- **Recommendation:**
  - Staff recommends changing the standard to:
    - “Prohibited on lots within 50 feet (less street or alley right-of-way) of a Residential Zoning District.”
  - Term “adjacent to” vague and open to interpretation.
  - A public right-of-way such as a street or alley would not be counted in the 50-foot distance.
COMMISSIONER COMMENTS

COMMENT 17

• **Draft Standard:**
  o Indoor entertainment permitted by-right In the PO on sites 30 acres or more and by MUP if less. Outdoor entertainment not permitted.

• **Comment:**
  o In differentiating indoor versus outdoor entertainment, the definition should include that indoor entertainment cannot be heard from outside as it was in the commercial zoning district.

• **Recommendation:**
  o No Change.
  o Predominantly participant sports conducted in open or partially enclosed or screened facilities that are not compatible with the PO zone.
  o Driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and similar.
  o Sites subject to MUP will be subject to conditions of approval addressing concerns with noise, loitering, traffic, public safety, etc.
• **Draft Standard:**
  - Bars and Clubs are not permitted in the I (Industrial) zone.

• **Comment:**
  - Bars and Clubs permitted w/ CUP in the PO. Industrial zone may be more appropriate due to noise.

• **Recommendation:**
  - Staff recommends allowing Bars and Clubs in the I zone with a CUP.
COMMISSIONER COMMENTS

COMMENT 19

• Draft Standard:
  o Shelter shall have a maximum of 12 beds.
  o This is an existing standard being carried forward and not a new standard.

• Comment:
  o This may be too few beds considering costs required to establish a shelter. This may be a disincentive to potential providers.
  o May need to look into increasing the number of beds at some point.

• Recommendation:
  o No Change.
  o Existing code consistent with State laws.
COMMISSIONER COMMENTS
COMMENT 20

• **Draft Standard:**
  o There is no definition for Regional Use or any distinction between Regional Uses versus Local Uses for the RC (Regional Commercial) Overlay District.

• **Comment:**
  o Need definition of Regional Retail v. Local Servicing.

• **Recommendation:**
  o No Change.
COMMISSIONER COMMENTS

COMMENT 21

• Draft Standard:
  o Maximum FAR in the CMU zone: 2.0

• Comment:
  o Reduced height (5 stories to 3 stories) when adjacent to low density residential without related reduction in FAR can cause a different disparity in scale with the adjacent low density residential.

• Recommendation:
  o No Change.
  o CMU zone identified in Housing Element as a resource area to provide housing capacity pursuant to RHNA.
  o Reduced FAR in conjunction with reduced height will reduce the number of units that can be accommodated in the CUM zone.
COMMISSIONER COMMENTS

COMMENT 22

• Draft Standard:
  o Maximum height of all non-residential zones shall be reduced to 3 stories and 40 feet within 50 ft. of a Residential Zoning District.

• Comment:
  o Should apply only "when abutting RL and RM" because the RH zone will have larger height similar to CMU.

• Recommendation:
  o 3 stories and 40 feet within 50 ft (less street or alley right-of-way) of RL or RM Zoning District."
COMMISSIONER COMMENTS

COMMENT 24

• Draft Standard:
  o Maximum height in the I zone is currently 6 stories and 55 feet.
  o Maximum stories remains at 6 but the height is increased to 5 feet.

• Comment:
  o Shouldn't the stories be increased if the City wants to add more housing.

• Recommendation:
  o No change.
  o Stories is adequate for residential uses.
COMMISSIONER COMMENTS

COMMENT 25

• Draft Standard:
  - There shall be no minimum parcel size for existing legal parcels in the RC Overlay District.

• Comment:
  - If the 5-acre minimum requirement is no longer applicable, still need a minimum area requirement.
  - It should not be zero.

• Recommendation:
  - No change.
  - Was a viable standard when Redevelopment was an available tool.
• **Draft Standard:**
  o Additional off-street parking spaces shall be provided when a change in use, expansion of a use, or expansion of floor area creates an increase of 30 percent or more in the number of required parking.

• **Comment:**
  o Why is it not 25% or 10%?
  o potentially be generous depending on what the use is.
  o 30% could be equal to 3 spaces or 30 spaces.
  o A scalable number would be more palatable.
  o Will cause a spill over to more demand for street parking.

• **Recommendation:**
  o No change.
  o 30% threshold is broad enough without being overly broad to relieve city businesses and property owners of the burden to provide more parking.
• **Draft Standard:**
  o Minimum off-street parking requirements for Food Service business shall be 1 space for each 120 sf of dining area, plus 1 space for each 250 sf of all other areas.

• **Comment:**
  o Prefers the current code for food service uses.

• **Recommendation:**
  o No change.
COMMISSIONER COMMENTS

COMMENT 28

• **Draft Standard:**
  o Outdoor dining areas shall be provided with 1 parking space for each 120 square feet.
  o This is being carried forward from the existing code and is not a new requirement.

• **Comment:**
  o Favors exempting outdoor dining areas completely as it is an amenity that is not always used.

• **Recommendation:**
  o Staff recommends exempting outdoor dining areas from any off-street parking requirements.
COMMISSIONER COMMENTS

COMMENT 29

• **Draft Standard:**
  o Multifamily and residential dwellings in a mixed-use development in the CBD zone shall have the same off-street parking requirements as multifamily uses in the RH zone.
  o 2 garage spaces per unit, plus 0.5 guest per unit

• **Comment:**
  o The CBD should be our walkable area, and having increased parking for residential is less flexible.
  o Perhaps the code could provide flexibility for projects in this area or for certain areas where it makes sense to tailor parking requirements.
• **Recommendation:**
  o Staff recommends a revised parking standard as follows:
    ▪ Residential Parking: 1.5 spaces per unit, plus 0.3 guest per unit.
  o Based upon parking ratio of 88 at The Alhambra
    ▪ 1.6 spaces per unit, plus 0.3 guest per unit.
    ▪ 260 luxury residential apartments.
    ▪ Built in 2017.
COMMISSIONER COMMENTS

COMMENT 30

Draft Standard:
- AC (Automobile Commercial) zoning designation.

Comment:
- Recommend calling it 'Transportation Related' rather than 'Auto' since dominance of gas-powered vehicles is diminishing and future transportation types are currently undetermined.

Recommendation:
- No Change.
- District is focused on sales, service, maintenance of automobiles.
COMMISSIONER COMMENTS

COMMENT 31

• Draft Standard:
  o An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does not encroach any further into the setback and the enlargement is limited to the first floor.
  o Additions above the first floor shall conform with the requirements of the Code.

• Comment:
  o Continuing the nonconformity has to meet certain standards.
  o Allowing up to half of the required setback can be okay (allowing 3 feet to be continued for a 6 ft setback requirement) by-right, but more should have a discretionary process.
COMMISSIONER COMMENTS

COMMENT 31

• **Recommendation:**
  o Staff recommends a change to the standards as follows:

  ▪ “An existing legally established dwelling that no longer conforms to a setback standard may be enlarged provided that the enlargement does encroach any further into the setback or, up to a maximum of 50% of the required setback, whichever is the lesser encroachment, and the enlargement is limited to the first floor. Additions above the first floor shall conform with the requirements of the Code.”

  o Allows flexibility to extend an existing nonconforming side setback by-right, but only up to 50% of the required setback.
• **Draft Standard:**
  o All bicycle parking spaces shall be a minimum of two feet in width and six feet in length.

• **Comment:**
  o We have electric bikes for carrying families or groceries. Are we just planning for traditional 2-wheel bike?
  o Supports spaces for wider bicycles.

• **Recommendation:**
  o No Change.
  o A 2-foot x 6-foot bicycle space is the typical bicycle space.
  o Consistent with other cities.
COMMISSIONER COMMENTS

COMMENT 33

• Draft Standard:
  o 1 long-term bicycle space for each 5 units.

• Comment:
  o Bike parking requirements seem a little high. Maybe match up more realistically to our commuting patterns.

• Recommendation:
  o No Change.
  o Ratio is consistent with other cities.
COMMISSIONER COMMENTS

COMMENT 34

• Draft Standard:
  o Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces.

• Comment:
  o Prefers carshare through a Minor Use Permit.

• Recommendation:
  o Staff recommends a change to the standards as follows:

  ▪ “Required automobile parking spaces may be substituted with designated Carshare Vehicle parking spaces. A carsharing program shall be approved through a Minor Use Permit.”
COMMISSIONER COMMENTS

COMMENT 35

• Draft Standard:
  o Billboard standards are being carried forward from the exiting code.

• Comment:
  o Can we phase out billboards? Nuisance, annoying.

• Recommendation:
  o No Change.
  o A legal nonconforming signs.
  o May remain provided:
    ▪ Continuously maintained and operated.
    ▪ not expanded, enlarged, or otherwise altered in any manner with the exception of facial copy change or replacement.
• **Draft Standard:**
  o Painted Signs are prohibited.

• **Comment:**
  o Can there be an exception that addresses historic qualities (in reference to painted signs, murals).

• **Recommendation:**
  o Staff recommends Painted Signs be removed from the list of prohibited signs.
COMMISSIONER COMMENTS

COMMENT 37

- **Draft Standard:**
  - The Design Review Board responsibilities were proposed to be reduced and those responsibilities shifted to Planning Staff.

- **Comment:**
  - Design Review Board responsibilities should not be reduced.

- **Recommendation:**
  - Staff recommends there be no reductions in the responsibilities and duties of the Design Review Board.
• **Draft Standard:**
  o There are no draft standards proposed to regulate building scale.

• **Comment:**
  o Is there a way to specifically address buildings disproportionate to scale in adjacent buildings?

• **Recommendation:**
  o No Change.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS

COMMENT 39

• Draft Standard:
  o There are no draft standards proposed to regulate green space for multifamily developments.

• Comment:
  o There does not seem to be a specific requirement for green space for multi-family buildings as open space can be met by other amenities.

• Recommendation:
  o No Change.
COMMISSIONER COMMENTS

COMMENT 40

• Draft Standard:
  o No proposed draft Shade/Shadow standards.

• Comment:
  o It would be helpful to have shadow studies or require for the proposed project (Multifamily) to be consistent with the adjacent properties (single-family).
  o Staff should come up with a specific measurable threshold in order to be objective about that standard so that it can be verified.

• Recommendation:
  o No Change.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS
COMMENT 41

• **Draft Standard:**
  o No draft Architectural style or compatibility standards are proposed.

• **Comment:**
  o If there is an older property with an older architectural style and it is demolished for a new modern home, there should be some consideration and protection of the style of the home that will be lost and we should pay homage to what was there before.

• **Recommendation:**
  o No Change.
  o Existing Single-Family Residential Design Guidelines addresses this with single-family uses.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
COMMISSIONER COMMENTS

COMMENT 42

• **Draft Standard:**
  o No draft standard is proposed to landscaping of interior side and rear yards of residential properties.

• **Comment:**
  o Maybe we should consider requiring landscaping in the side and rear yard and not just in the front yard.

• **Recommendation:**
  o No Change.
  o Existing Single-Family Residential Design Guidelines addresses this with single-family uses.
  o Future Multifamily Residential Design Guidelines will address concerns with incompatible height, mass, scale, etc.
NEXT STEPS

• Public Hearing – January 17, 2023
• Resolution for Commission adoption
  o Recommendations based upon tonight’s discussion
  o Recommendations for related General Plan Amendments
• Recommendation to the City Council
RESOURCES

Presentations can be viewed from the City of Alhambra’s webpage

- https://www.cityofalhambra.org/AgendaCenter

Existing comments and feedback from previous Presentations are available at

- https://www.alhambracodeupdate.com/documents

Email comments to:

- Codealhambra@cityofalhambra.org

Submit through CODEALHAMBRA website

- https://www.alhambracodeupdate.com
ATTACHMENT 5

PowerPoint

Presentation

Housing Densities
WOODHAVEN (S. MARENGO AVE., S BENITO AVE., W. GLENDON WY.)
125 TOWNHOME UNITS

Density: 16.1 DU/Acre
Height: 3 Stories, 35’
Lot Size: 7.75 Acres
88 S. GARFIELD AVE.
260-UNIT MIXED-USE APARTMENTS

Density: 23.2 DU/Acre
Height: 4 stories, 51’–58’
Lot Size: 11.2 Acres
Density: 25.3 DU/Acre
Height: 2 Stories, 26’-5” – 30’
Lot Size: 3.12 Acres
800-810 N. GARFIELD AVE.
14 TOWNHOME UNITS

Density: 28 DU/Acre
Height: 2 Stories, 27’-9”
Lot Size: 0.50 Acres
500 W. MAIN ST.
80-UNIT MIXED-USE

Density: 36.9 DU/Acre
Height: 5 Stories, 28’ – 64’-4”
Lot Size: 2.17 Acres
225 S. ATLANTIC BLVD., 228 S. OLIVE AVE.
63 CONDOMINIUM UNITS

Density: 39.4 DU/Acre
Height: 3 Stories, 38’ – 47’-6”
Lot Size: 1.60 Acres
400 W. MAIN ST.  
88-UNIT MIXED-USE CONDOMINIUMS AND TOWNHOMES

Density: 41.9 DU/Acre  
Height: 4 Stories, 43’, 50’ – 60’  
Lot Size: 2.1 Acres
100 E. BAY STATE ST.
129 CONDOMINIUM UNITS

Density: 47.9 DU/Acre
Height: 3 & 4 Stories,
36’ – 42’
Lot Size: 2.69 Acres
300 W. MAIN ST.
120-UNIT MIXED-USE

Density: 70.6 DU/Acre
Height: 5 Stories
70'-0" – 76'-2"
Lot Size: 1.7 Acres
235 W. MAIN ST.
93-UNIT MIXED-USE

Density: 78.2 DU/Acre
Height: 5 Stories, 62’-3” – 74’-8”
Lot Size: 1.19 Acres
89 S. CHAPEL AVE.
67-UNIT SENIOR APARTMENTS

Density: 142.6 DU/Acre
Height: 4 Stories, 50’
Lot Size: 0.47 Acres
15 N. 3rd St.
75-Unit Senior Apartments

Density: 144.2 DU/Acre
Height: 6 Stories, 72’
Lot Size: 0.52 Acres
369 W. MAIN ST.
108-UNIT MIXED-USE SENIOR APARTMENTS

Density: 154.3 DU/Acre
Height: 5 Stories, 62’
Lot Size: 0.7 Acres
AGENDA REPORT
June 5, 2023
Planned Development Permit PD-22-37 and Variance VAR-22-09

TO: City of Alhambra Planning Commission

FROM: Andrew Ho, Director of Community Development
Vanessa Reynoso, Deputy Director of Community Development
Paul Lam, Principal Planner
By: Sophia Serafin, Planning Intern

SUBJECT: Planned Development Permit PD-22-37 and Variance VAR-22-09

1. LOCATION: 69 East Main Street
2. DATE FILED: December 8, 2022
3. APPLICANT: Steven Schechter on behalf of Dollar Tree
4. PROPERTY OWNER: Steven Schechter
5. APN: 5337-024-025
6. AREA OF PROPERTY: 15,000 square feet (approximately 0.34 acres)
7. ZONING: CBD Zone (Central Business District) and Downtown Revitalization Overlay District
8. GENERAL PLAN: Central Business District and Downtown Specific Plan Overlay
9. CEQA DETERMINATION: Categorically Exempt
10. STAFF RECOMMENDATION: Approval

PROPOSAL:
This is an application for a Planned Development Permit PD-22-37 and a Variance VAR-22-09 to establish a discount variety store, Dollar Tree, in an existing commercial lease space with less than the number of required parking spaces located at 69 East Main Street in the Central Business District (CBD) Zone and Downtown Revitalization Overlay District.
LOCATION:

The subject site is a 15,000 square foot, rectangular-shaped corner lot located at the northwest corner of East Main Street and North Stoneman Avenue. The site is developed with an existing one-story, commercial building constructed in 1986. The building, which consists of a 14,525 square foot main floor and 4,485 square foot mezzanine, was previously occupied by Rite Aid until June 2021 and before that was occupied by the retail drug store Thrifty. Similar to previous uses at the site, the proposed project would continue to utilize the building as a singular commercial retail space with Dollar Tree as the tenant. The proposed retailer would occupy a 19,010 square foot tenant space consisting of 10,691 square feet of sales floor area, 100 square feet of office space, 3,734 square feet of pre-sales area (cooler, storage, restrooms, employee area), and 4,485 square feet of mezzanine area. The site is located on a prominent section of Main Street featuring mixed uses, including commercial and office uses. The adjacent properties to the north, east, and west are located within the CBD Zone and Downtown Revitalization Overlay District, while the properties to the south are located within the Alhambra Place Specific Plan and Downtown Revitalization Overlay District.

Table 1

<table>
<thead>
<tr>
<th>Surrounding Properties</th>
<th>Existing Zoning &amp; General Plan Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property</td>
<td>CBD (Central Business District) and Downtown Revitalization District / Central Business District</td>
</tr>
<tr>
<td>North</td>
<td>CBD (Central Business District) and Downtown Revitalization District / Central Business District</td>
</tr>
<tr>
<td>South</td>
<td>Alhambra Place Specific Plan and Downtown Revitalization District / Specific Plan</td>
</tr>
<tr>
<td>East</td>
<td>CBD (Central Business District) and Downtown Revitalization District / Central Business District</td>
</tr>
<tr>
<td>West</td>
<td>CBD (Central Business District) and Downtown Revitalization District / Central Business District</td>
</tr>
</tbody>
</table>

ANALYSIS:

The Applicant is requesting approval of a Planned Development Permit and Variance to allow the establishment of a discount variety store. Dollar Tree is proposing to remodel the interior of the building, which has a gross floor area of 19,010 square feet between the ground floor and mezzanine areas, to include a retail sales floor, an office, an employee break area, general storage spaces, and four (4) restrooms. In addition to proposed new exterior signage, the project proposes two (2) minor exterior improvements consisting of the replacement of the storefront doors at the entrance along the Main Street frontage and a new overhead roll-up door along Stoneman Avenue to accommodate delivery (un)loading. The proposed signage was approved by the Design Review Board (DRB) on May 9, 2023, with the following conditions: (1) All signage shall be aligned with and fall symmetrically within the recessed CMU sign band area; (2) Channel letters without raceways shall be used as the assumed electrical supply; and (3) All documentation shall accurately reflect the aforementioned conditions. These conditions of approval will be verified by Staff during Building plan check. The proposed exterior building façade improvements, which consists of the
installation of a new roll-up loading door, is scheduled to be reviewed by the DRB at a later date once the application is deemed complete.

The business would operate as a full-service discount variety store offering items such as groceries, household goods and supplies, toys, crafts, and more. The proposed hours of operation are Monday through Saturday from 8:00 a.m. to 9:00 p.m. and Sunday from 9:00 a.m. to 9:00 p.m., with four (4) to five (5) employees present during each shift. Deliveries are anticipated to occur weekly on Thursday’s at 2:00 a.m., and as is standard for similar retail stores, unloading, stocking, and other store preparation activities will occur outside of the store hours of operation, including in the mornings starting as early as 2:00 a.m. and in the evenings ending as late as 11:30 p.m. Dollar Tree, which is a franchise discount variety store, currently has one (1) other location in Alhambra at 846 East Valley Boulevard.

Planned Development Permit

Pursuant to Alhambra Municipal Code (“AMC”) Section 23.62.020(B)(4), a Planned Development Permit is required for this project as the proposed tenant, Dollar Tree, is applying for a Certificate of Occupancy to utilize a building which has been vacant for more than six (6) months. The proposed retail use, which would be permitted by right but for the fact that the site has been vacant for more than six (6) months, will complement the many commercial, office, and residential uses in the vicinity of East Main Street. Employees, patrons, and residents of the surrounding commercial, office, and residential uses may be served by the proposed discount variety store, which offers an affordable and convenient shopping option for all of their everyday needs. Moreover, the addition of a Dollar Tree in what is currently a vacant space in the downtown area, will increase activity in the area and contribute to a more attractive and pedestrian-oriented corridor.

Variance

A Variance has been requested to allow for the reduction of the required on-site parking by utilizing City-owned public parking facilities within 400 feet of the project site. The AMC requires 77 on-site parking spaces for the site; however, the site has no parking spaces on-site. While there is a parking lot at the rear of the building which has historically been utilized by patrons of previous businesses located at the site, these parking spaces are not located on the subject property. Due to the size of the property and the existing built-out development on-site, it is not feasible to provide the on-site parking spaces required by the AMC.

The AMC’s parking requirements are based on uses and floor area. As presented in the parking table below, under the AMC Section 23.52.040 [Number of Parking Spaces Required], a retail store comprised of 19,010 square feet requires a minimum of 77 parking spaces at a 1:250 ratio. Although the building has not undergone any structural changes that would alter the square footage since its initial construction in 1986, the Planned Development Permit for the previous retail use only required a minimum of 58 parking spaces at a 1:250 ratio due to the fact that the mezzanine area was omitted from the building’s gross floor area thereby reducing the overall square footage used to calculate parking requirements. Furthermore, at the time of the building’s construction the City did not require any on-site parking as a surface parking lot containing 116 public spaces was sited directly to the rear of the property in the area that is currently developed with the Regal
Edwards Alhambra Renaissance Theater and accompanying public parking structure at 122 North Garfield Avenue. Based on information available to Staff, a Variance was not required at the time to support this exemption from on-site parking requirements. It can be concluded that an informal waiver of parking standards was provided at the time due to the direct access the project site had to the public parking lot, which was later replaced by the Regal Edwards Alhambra Renaissance Theater and accompanying public parking structure. In summary, the property is nonconforming with respect to on-site parking requirements, and has been for decades. Since the property is currently fully built-out and there is no available land area to accommodate additional on-site parking spaces, a Variance must be obtained.

The proposed business is a retail use which will utilize the same parking ratio as the previous retail use, though the calculated parking demand will increase from 58 to 77 spaces since it will now properly account for the building’s mezzanine area as part of the gross floor area calculation. Since there is no on-site parking, the site will be deficient by 77 spaces, consistent with the parking deficiencies of previous uses at the site. The deficient spaces may be served by the nearby public parking facilities with approval of a Variance, as allowed under AMC Section 23.52.060(F).

<table>
<thead>
<tr>
<th>USE</th>
<th>PARKING RATIO</th>
<th>REQUIRED PARKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Retail</td>
<td>1 space/250 sq. ft.</td>
<td>58 spaces</td>
</tr>
<tr>
<td>Proposed Retail</td>
<td>1 space/250 sq. ft.</td>
<td>77 spaces</td>
</tr>
<tr>
<td>Existing Vacant</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

TOTAL REQUIRED: 77 spaces
TOTAL PROVIDED: 0 spaces

In addition to six (6) public parking spaces directly adjacent to the north side of the building, there are four (4) City-owned public parking facilities within 400 feet of the site.

- The Chapel Avenue Parking Structure at 103 North Chapel Avenue (Lot 1) to the east of the project site provides 165 4-hour public parking spaces, seven (7) 3-hour public parking spaces, five (5) 2-hour public parking spaces, and 116 permit spaces. There are a total of 293 spaces in this lot, with 177 of the spaces being reserved for public use. This parking structure will see a reduction of public spaces in the near future due to the construction of a 44-unit affordable housing development at the surface parking lot adjacent to the parking structure. Of the 293 spaces, 26 public spaces will be rededicated to residential parking for the affordable housing development project. As a result, a total of 151 of the 293 parking spaces will be reserved for public parking.

- The Garfield Avenue Parking Structure at 122 North Garfield Avenue (Lot 5), to the north of the project site, provides 800 total parking spaces consisting of 400 4-hour public parking spaces and 400 permit parking spaces.

- The surface parking lot at 25 North Stoneman Avenue (Lot 6), provides 26 2-hour public parking spaces to the northeast of the project site.

- Lastly, the surface parking lot at 18 North Stoneman Avenue (Lot 17), directly east of the project site, provides 28 1-hour public parking spaces, 17 24-minute public parking spaces, and 16 permit parking spaces for a total of 61 stalls.
In total, the site is located within 400 feet of 1,180 City-owned parking spaces. Of the City-owned parking spaces, 648 parking spaces are public spaces which do not require a permit. Along with empirical Staff knowledge of these parking lots being underutilized, Staff conducted a parking count of these public parking facilities over two (2) days, counting the number of occupied spaces three (3) times a day. At most, Staff counted 221 of the public spaces were occupied, and on average less than 167 were occupied. This leaves 427 public spaces unoccupied at the busiest time observed, and 481 unoccupied on average of all times observed. The results are summarized in Table 3.

<table>
<thead>
<tr>
<th>TIME</th>
<th>Tuesday January 17, 2023</th>
<th>Thursday January 19, 2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1</td>
<td>10:00 a.m.: 27 occupied spaces</td>
<td>10:00 a.m.: 30 occupied spaces</td>
</tr>
<tr>
<td></td>
<td>2:00 p.m.: 54 occupied spaces</td>
<td>2:00 p.m.: 41 occupied spaces</td>
</tr>
<tr>
<td></td>
<td>5:00 p.m.: 47 occupied spaces</td>
<td>5:00 p.m.: 37 occupied spaces</td>
</tr>
<tr>
<td>Lot 5</td>
<td>10:00 a.m.: 54 occupied spaces</td>
<td>10:00 a.m.: 77 occupied spaces</td>
</tr>
<tr>
<td></td>
<td>2:00 p.m.: 129 occupied spaces</td>
<td>2:00 p.m.: 98 occupied spaces</td>
</tr>
<tr>
<td></td>
<td>5:00 p.m.: 103 occupied spaces</td>
<td>5:00 p.m.: 84 occupied spaces</td>
</tr>
<tr>
<td>Lot 6</td>
<td>10:00 a.m.: 2 occupied spaces</td>
<td>10:00 a.m.: 0 occupied spaces</td>
</tr>
<tr>
<td></td>
<td>2:00 p.m.: 2 occupied spaces</td>
<td>2:00 p.m.: 1 occupied space</td>
</tr>
<tr>
<td></td>
<td>5:00 p.m.: 2 occupied spaces</td>
<td>5:00 p.m.: 1 occupied space</td>
</tr>
<tr>
<td>Lot 17</td>
<td>10:00 a.m.: 23 occupied spaces</td>
<td>10:00 a.m.: 20 occupied spaces</td>
</tr>
<tr>
<td></td>
<td>2:00 p.m.: 36 occupied spaces</td>
<td>2:00 p.m.: 45 occupied spaces</td>
</tr>
<tr>
<td></td>
<td>5:00 p.m.: 41 occupied spaces</td>
<td>5:00 p.m.: 43 occupied spaces</td>
</tr>
</tbody>
</table>

**MOST OCCUPIED:** 221 public spaces  
**AVERAGE OCCUPIED:** 167 public spaces  
**TOTAL PUBLIC SPACES (NOT REQUIRING A PERMIT):** 648

The results of the parking count show that the 77 parking spaces the proposed use would require can be reasonably accommodated by these adjacent public parking facilities, which have ample parking to accommodate any additional parking demand generated by the proposed use.

**ENVIRONMENTAL STATUS:**

Planned Development Permit PD-22-37 and Variance VAR-22-09 are not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for this exemption because it consists of the operation, repair, maintenance, permitting, licensing,
leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use.

**PUBLIC NOTICE:**

On Tuesday, May 23, 2023, a Notice of Public Hearing was sent to 51 property owners and tenants who own or rent properties within a 300-foot radius of the project site. A legal notice advertising the public hearing was placed in the Pasadena Star News on Friday, May 26, 2023. A notice was also posted on the property on Monday, May 15, 2023. No comments have been received from any of the parties notified or residents of the area at the time this agenda report was finalized.

**PROJECT FINDINGS:**

The land use entitlements for Planning Commission consideration are a Planned Development Permit and a Variance. Pursuant to the Alhambra Municipal Code these entitlements shall be granted if the Planning Commission can make all of the following findings:

*Planned Development Permit Findings*

Following a public hearing on the Planned Development Permit application, the Planning Commission shall approve the application only if the findings of fact below can be made:

1. The proposed use is permitted under the Zoning Ordinance;
2. With appropriate conditioning, the proposed use complies with the purpose and intent of the Zoning Ordinance and the City’s General Plan;
3. With appropriate conditioning, the proposed development would be physically suitable for the lot or lots on which it is proposed;
4. With appropriate conditioning, the proposed development would be physically compatible with existing and future land uses within the general area in which the proposed use is located;
5. With appropriate conditioning, there would be adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety; and
6. With appropriate conditioning, there would be adequate provisions to public access to serve the site.

*Variance Findings*

Following a public hearing on the Variance application, the Planning Commission may approve an application for a Variance if the applicant shows, to the reasonable satisfaction of the Planning Commission, all of the following facts:

1. There are special circumstances or exceptional characteristics applicable to the property involved, including size, shape, topography, location or surroundings, such that strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification;
2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the vicinity and zone in which the property is located;

3. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of the Zoning Ordinance, nor to the goals and programs of the General Plan; and

4. The variance request is consistent with the purpose and intent of the zone in which the site is located.

CONCLUSION:

Since June of 2021, the property at 69 East Main Street has been vacant following the closing of retailer Rite Aid. Even though the proposed retail use is similar in scope to the previous retail use, since the building has been vacant for more than six (6) months, any applicant for a Certificate of Occupancy for use of the building must also obtain a Planned Development Permit. A Variance for parking is also required since the site is deficient in parking, even though the proposed retail use will utilize the same parking ratio applicable to the previous retail use. The Planned Development Permit will allow the building to be utilized for retail purposes once again, and the Variance will allow the Applicant to reduce the required on-site parking by utilizing four (4) City-owned public parking facilities within 400 feet of the site. This includes a total of 648 public parking spaces provided between two (2) City-owned surface parking lots and two (2) City-owned parking structures, in addition to six (6) public parking spaces directly to the north of the building. The total amount of public parking spaces will be reduced by 26 spaces once the 44 unit affordable housing development at 103 North Chapel is completed. As a result, the total amount of available public parking spaces would be 622. The Applicant’s request to entitle this retail establishment would provide convenience to customers of the subject retailer as they would be able to shop for a variety of products from groceries to household items at a discounted price and in one location. The proposed retail use is appropriate in the CBD Zone and Downtown Revitalization Overlay District, and therefore, Staff recommends approval of this project.

STAFF RECOMMENDED ACTION:

Staff recommends Planning Commission to:

1. **Adopt Resolution No. 23-10**, approving Planned Development Permit PD-22-37 and Variance VAR-22-09 to allow the proposed Dollar Tree retail use in an existing commercial lease space with less than the number of required parking spaces in the Central Business District (CBD) Zone and Downtown Revitalization Overlay District, subject to the attached Conditions of Approval (Attachment 4, Exhibit A), for the property located at 69 East Main Street in the City of Alhambra.

2. Find Planned Development Permit PD-22-37 and Variance VAR-22-09 exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Environmental Quality Act, Section 15301 of the CEQA Guidelines, Existing Facilities, Class 1.
3. Direct Staff to file and post a Notice of Exemption in accordance with Section 15062 of the California Code of Regulations.

ATTACHMENTS:

1. Location Map
2. Architectural Plans
3. Business Plan
4. Resolution No. 23-10
5. Notice of Exemption
Dollar Tree is a multi-priced point discount variety store. The store will carry and sell a variety of products, including national, regional, and private-label brands. The store will carry a broad, exciting mix of merchandise that includes many trusted national and regional brands. Some of the product departments you’ll find at Dollar Tree include housewares, glassware, dinnerware, cleaning supplies, candy, snacks, food, health and beauty, toys, gifts, gift bags and wrap, party supplies, stationery, craft supplies, teaching supplies, books, seasonal decor, and so much more. The store will also carry frozen foods and dairy items such as milk, eggs, pizza, ice cream, frozen dinners, and pre-made baked goods.

They hope to create a store where shopping is fun, a place where their customers can discover new treasures every week... a store where entire families can enjoy hunting for that special something. The store will be bright and well lit, clean and well organized, and stocked with endless hidden treasures. They will have everything you need for every day, every holiday, and every occasion — all at extreme values and with NEW items arriving every week!

The store will serve everyone in the community. Our customers will enjoy great items to purchase at a $1.25, which includes, snacks, beverages, cookies, crackers, candy, food items, party items, toys, candles, picture frames, balloons, healthcare items, laundry detergent, dish detergents, items used for cleaning, batteries, household items, houseware items, and seasonal items. In our frozen food area our customers will enjoy seeing our new $3.00, $4.00, and our $5.00 sections, which still includes our $1.25 items. We will provide a safe, clean, and friendly store for our Customers and Associates. Our company is based out of Chesapeake, Virginia.

Sunday
7:00am to 2:30pm Assistant Manager
12:30am to 4:30pm Assistant Manager
2:30pm to 9:30pm Assistant Manager
Stocker
7:00am to 11:00am
Cashiers
8:30am to 1:00pm
11:00am to 3:30pm
12:45pm to 5:15pm
3:15pm to 7:15pm
5:00 pm to 9:30pm
Recovery
5:00pm to 9:30pm
Monday
7:00am to 5:00pm Store Manager
2:00pm to 9:30pm Assistant Manager
Cashiers
7:00am to 11:30pm
11:15am to 3:45pm
12:00pm to 4:00pm
3:30pm to 7:30pm
5:00 pm to 9:30pm
Recovery
5:00pm to 9:30pm
Tuesday
7:00am to 2:30pm Assistant Manager
11:30pm to 9:30pm Store Manager
Cashiers
7:00am to 11:30pm
11:15am to 3:45pm
12:00pm to 4:00pm
3:30pm to 7:30pm
5:00 pm to 9:30pm
Recovery
5:00pm to 9:30pm
Wednesday
7:00am to 3:00pm Assistant Manager
2:00pm to 9:30pm Assistant Manager
Cashiers
7:00am to 11:30pm
11:15am to 3:45pm
12:00pm to 4:00pm
3:30pm to 7:30pm
5:00 pm to 9:30pm
Recovery
5:00pm to 9:30pm
Thursday
7:00am to 5:00pm Store Manager
2:00pm to 9:30pm Assistant Manager
*The Store will receive the Delivery on Thursdays at 2:00am, which we will have (4) Associates which includes an Assistant Manager.
Unload / Stockers
2:00am to 10:00am Merchandise Assistant Manager (Unload Truck)
2:00am to 6:30am Unload / Stockers
2:30am to 7:00am Unload / Stocker
3:00am to 7:00am Stocker
Cashiers
7:00am to 11:30pm
11:15am to 3:45pm
12:00pm to 4:00pm
3:30pm to 7:30pm
5:00 pm to 9:30pm
Recovery
5:00pm to 9:30pm

Friday
7:00am to 5:00pm Store Manager
1:00pm to 7:00pm Assistant Manager
5:00pm to 9:30pm Assistant Manager
Stockers
2:00am to 10:00am Merchandise Assistant Manager
2:00am to 8:00am Stockers
2:00am to 8:00am Stocker
3:00am to 7:00am Stocker
Cashiers
7:00am to 11:30pm
9:30am to 1:30pm
11:15am to 3:45pm
1:30 pm to 5:30pm
3:30pm to 7:30pm
5:30 pm to 9:30pm
Recovery
5:00pm to 9:30pm

Saturday
7:00am to 5:00pm Store Manager
11:00pm to 7:00pm Assistant Manager
5:00pm to 9:30pm Assistant Manager
Stockers
3:00am to 10:00am Merchandise Assistant Manager
3:00am to 7:00am Stockers
3:00am to 7:00am Stocker
BUSINESS PLAN

Cashiers
7:00am to 11:30pm
9:30am to 1:30pm
11:15am to 3:45pm
1:30pm to 5:30pm
3:30pm to 7:30pm
5:30 pm to 9:30pm
Recovery
5:00pm to 9:30pm

Members of Management (4)
Store Manager
(3) Assistant Managers

# of Associates - (28)

Anticipated # of customers  (510 per day)

Hours of operation
Monday through Saturday 8:00am to 9:00pm
Sunday 9:00am to 9:00pm

DELIVERY
This is a 2am firm delivery location since we are loading from the street
Deliveries are weekly on Thursday
RESOLUTION NO. 23-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA APPROVING PLANNED DEVELOPMENT PERMIT PD-22-37 AND VARIANCE VAR-22-09 TO ALLOW A RETAIL USE IN AN EXISTING COMMERCIAL LEASE SPACE WITH LESS THAN THE NUMBER OF REQUIRED PARKING SPACES LOCATED IN THE CBD (CENTRAL BUSINESS DISTRICT) ZONE AND DOWNTOWN REVITALIZATION OVERLAY DISTRICT FOR THE PROPERTY LOCATED AT 69 EAST MAIN STREET IN THE CITY OF ALHAMBRA.

THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Planning Commission does hereby make the following findings of fact:

A. On December 8, 2022, applications for a Planned Development Permit and Variance were submitted by the property owner, Steven Schechter, on behalf of Dollar Tree, to permit the use of a discount variety store within an existing building at 69 East Main Street;

B. The Planned Development Permit and Variance applications were deemed complete on May 10, 2023;

C. The General Plan land use designation for the subject property is Central Business District, and the Zoning designation is CBD (Central Business District) Zone and Downtown Revitalization Overlay District. The surrounding properties to the north, east, and west have identical General Plan and Zoning designations. The property to the south has a General Plan designation of Specific Plan and a Zoning Designation of Alhambra Place Specific Plan and Downtown Revitalization District;

D. The site is located at the east end of the block on the north side of East Main Street, between North Garfield Avenue and North Stoneman Avenue. The site consists of a 15,000 square foot lot, which is developed with an existing one-story, commercial building. The site fronts Main Street and is surrounded by mixed uses including residential, commercial, and office uses;

E. The project, Planned Development Permit PD-22-37 and Variance VAR-22-09, is not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use;

F. On May 9, 2023, a duly noticed meeting was held before the City of Alhambra Design Review Board at 7:30 p.m. at City Hall Conference Room A, 111 South First Street, Alhambra;
G. At this meeting, the Design Review Board considered project comments stated in the Agenda, Staff presentation, Applicant presentation, and public testimony. The Design Review Board approved the project signage with Conditions of Approval;

H. An additional Design Review Board meeting must be scheduled for the approval of the exterior façade improvements, which consist of the installation of a new roll-up loading door, once the application has been determined to be complete, as required by Planning Condition of Approval PL6;

I. On June 5, 2023, a duly noticed public hearing was held before the City of Alhambra Planning Commission at 7:00 p.m. at the City Hall Council Chambers, 111 South First Street, Alhambra; and

J. At this hearing, the Planning Commission considered the Staff report, Staff presentation, Applicant presentation, and public testimony.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS. Based upon the Notice of Exemption prepared for the project, the Planning Commission further finds and determines as follows:

A. A Notice of Exemption for this project was prepared in compliance with the California Environmental Quality Act (CEQA);

B. This project, Planned Development Permit PD-22-37 and Variance VAR-22-09, is not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for this exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use; and

C. The documents and other materials which constitute the record of proceedings of Planned Development Permit PD-22-37 and Variance VAR-22-09 upon which the decision of the Planning Commission is made are located within the Community Development Department.

SECTION 3. PLANNED DEVELOPMENT PERMIT FINDINGS. Based upon the foregoing facts and findings (Section 23.62.070 of the Alhambra Municipal Code) for Planned Development Permit PD-22-37, the Planning Commission hereby determines as follows:

A. The proposed use is permitted under the Zoning Ordinance.

The proposed discount variety store use (e.g. general retail) is permitted in the Central Business District (CBD) Zone and Downtown Revitalization Overlay District pursuant to Alhambra Municipal Code Sections 23.26.020 and 23.28.020. This application for a Planned Development Permit is required pursuant to Section 23.62.020(B)(4) for an application for a Certificate of Occupancy for the use of a building which has been vacant for more than six (6) months. Since the subject site where the proposed retail use would be located has been vacant since June 2021, a Planned Development Permit is required.
B. *With appropriate conditioning, the proposed use complies with the purpose and intent of the Zoning Ordinance and the City’s General Plan.*

The purpose and intent of the Zoning Ordinance and General Plan are to allow for the establishment of a mixture of commercial uses. The proposed discount variety store use will complement the many commercial, office, and residential uses in the near vicinity. The addition of the proposed retailer to this area of Main Street will provide the employees, patrons, and residents of the surrounding uses in the area with additional household, food, and other shopping opportunities at an affordable price. Furthermore, the retail activity generated by the proposed use will contribute toward making this area a more attractive and pedestrian oriented corridor. However, the property does not provide the required on-site parking required for the proposed use. For the use to be permitted under the Zoning Ordinance, the Applicant has requested a Variance to satisfy the parking requirement.

C. *With appropriate conditioning, the proposed development would be physically suitable for the lot or lots on which it is proposed.*

The subject site has an approximate lot area of 15,000 square feet (0.34 acres). The existing commercial tenant space is adequate to accommodate the commercial use in its entirety, and thus the proposed use is suitable for the lot in which it is being proposed. No additions are being proposed as part of this project. Due to the existing built-out development on-site, it is not feasible to provide any on-site parking spaces required by Alhambra Municipal Code. A Variance for parking has been requested which would allow the reduction of required on-site parking by utilizing the adjacent City-owned public parking facilities within a 400-foot radius.

D. *With appropriate conditioning, the proposed development would be physically compatible with existing and future land uses within the general area in which the proposed use is located.*

The proposed development is physically compatible with existing and future land uses within the general area in which the proposed use is located. The commercial building is located on a portion of East Main Street that consists of commercial, office, residential and mixed-use development. The proposed discount variety retailer will be occupying a commercial space that was previously a retail shop. There are no additions proposed as part of the scope of work and the new business will only be utilizing the existing building envelope.

E. *With appropriate conditioning, there would be adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.*

The proposed project has been reviewed by the City of Alhambra Utilities and Public Works Departments, who have determined that the subject site and proposed use will be adequately serviced with water, sanitation and public utilities. The Fire Department have also reviewed the proposal and have determined that the subject site and proposed use will be adequately serviced with emergency services to ensure that the proposed use would not be detrimental to the public health and safety.

F. *With appropriate conditioning, there would be adequate provisions to public access to serve the site.*
The existing development of the subject property prevents the Applicant from providing the minimum number of parking spaces as required by the Zoning Ordinance. Under the Zoning Ordinance (Alhambra Municipal Code Section 23.52.060(F)) businesses may be able to obtain a Variance from parking requirements if the property is within 400 feet of a City-owned public parking facility. There are four (4) City-owned public parking facilities within 400 feet of the site, in addition to six (6) public parking spaces directly adjacent to the north side of the building. There is a parking structure at 103 North Chapel Avenue directly east of the project site, which provides 165 4-hour public parking spaces, seven (7) 3-hour public parking spaces, and five (5) 2-hour public parking spaces. An additional 116 spaces are dedicated to permit parking for a total of 293 spaces, 177 of which are reserved for public use. This parking structure will see a reduction of public spaces in the near future due to the construction of a 44-unit housing development adjacent to the parking structure. Of the 293 spaces, 26 public spaces will be rededicated to residential parking for the housing development. As a result, the total amount of parking provided in Lot 1 will still be 293 spaces, with 151 of the spaces reserved for public parking. There is another parking structure north of the project site at 122 North Garfield Avenue, which provides a total of 800 parking spaces. Of these spaces, 400 of them permit 4-hour public parking while the other 400 are reserved for permit parking. A surface parking lot northeast of the project site at 25 North Stoneman Avenue also provides 26 2-hour public parking spaces. Lastly, the proposed site is within 400 feet of the surface parking lot at 18 North Stoneman Avenue, which provides 28 1-hour public parking spaces and 17 24-minute public parking spaces. 16 additional parking spaces are reserved for permit parking at this site, totaling 61 parking stalls with 45 of them being dedicated to public use. In total, the site is located within 400 feet of 1,180 City-owned parking spaces. Of these spaces, 648 are public spaces which require no permit. Staff conducted a parking count of these public parking facilities over two (2) days, counting the number of occupied spaces three (3) times a day. At most, Staff counted 221 of the 648 public spaces occupied and on average less than 167 public spaces were occupied. This leaves 427 public spaces unoccupied at the busiest time observed, and 481 public spaces unoccupied on average of all times observed. The results of the parking count show that the 77 parking spaces that the proposed use would require can be reasonably accommodated by these adjacent public parking facilities.

SECTION 4. VARIANCE FINDINGS. Based upon the foregoing facts and findings (Section 23.68.060 of the Alhambra Municipal Code) for Variance VAR-22-09, the Planning Commission hereby determines as follows:

A. There are special circumstances or exceptional characteristics applicable to the property involved, including size, shape, topography, location or surroundings, such that strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification:

The subject property was developed in 1986, at which time the City did not require off-street parking spaces for this property due to its direct access to a surface parking lot containing 116 public parking spaces directly behind the property in the area that is currently developed with the Regal Edwards Alhambra Renaissance Theater and accompanying public parking structure at 122 North Garfield Avenue. As such, the property was developed accordingly at the time without a requirement to obtain a Variance. Since the subject property does not comply with current off-street parking requirements and will be unable to due to the fully built-out nature of the property, a Variance to allow for a reduction of required parking must be obtained in conjunction with a new
Planned Development Permit for the proposed retail use, based on current Zoning Ordinance requirements. Pursuant to the Alhambra Municipal Code, retail uses for the subject building’s area would require a total of 77 off-street parking spaces; however, Alhambra Municipal Code Section 23.52.060(F) allows the Planning Commission to count City-owned public parking facilities within 400 feet of a use towards waiving all or part of a development’s on-site parking requirements. There are four (4) City-owned public parking facilities within 400 feet of the site. There is a parking structure at 103 North Chapel Avenue to the east of the project site, which provides 165 4-hour public parking spaces, seven (7) 3-hour public parking spaces, and five (5) 2-hour public parking spaces. An additional 116 spaces are dedicated to permit parking for a total of 293 spaces, 177 of which are reserved for public use. This parking structure will see a reduction of public spaces in the near future due to the construction of a 44-unit housing development adjacent to the parking structure. Of the 293 spaces, 26 public spaces will be rededicated to residential parking for the housing development. As a result, the total amount of parking provided in Lot 1 will still be 293 spaces, with 151 of the spaces reserved for public parking. There is another parking structure to the north of the project site at 122 North Garfield Avenue, which provides a total of 800 parking spaces. Of these spaces, 400 of them permit 4-hour public parking while the other 400 are reserved for permit parking. A surface parking lot northeast of the project site at 25 North Stoneman Avenue also provides 26 2-hour public parking spaces. Lastly, the proposed site is within 400 feet of the surface parking lot at 18 North Stoneman Avenue, directly east of the project site, which provides twenty-eight (28) 1-hour public parking spaces and seventeen (17) 24-minute public parking spaces. Sixteen (16) additional parking spaces are reserved for permit parking at this site, totaling 61 parking stalls with 45 of them being dedicated to public use. In total, the site is located within 400 feet of 1,180 City-owned parking spaces, in addition to six (6) public parking spaces directly adjacent to the north side of the building. Of these spaces, 648 are public parking spaces which require no permit. The Planning Commission finds that there will be adequate parking spaces in the City’s public parking facilities located within 400 feet of the site to accommodate the proposed retail use.

B. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the vicinity and zone in which the property is located:

There are adequate public parking opportunities within the immediate vicinity that will be adequate to accommodate the use. There are a total of 648 City-owned public parking spaces which can be accessed within 400 feet of the site and which can provide the required parking. The amount of public parking spaces will be reduced by 26 spaces once the 44-unit affordable housing development completes their construction. As a result, the total public parking space count would be 622 spaces. The applicant has proposed to utilize the existing building to accommodate the retail use and is not proposing to increase or expand the building area. Any additional increased demand in parking will be strictly related to the proposed and existing uses at the site, and not the result of an increase in building area. The granting of this Variance will not be detrimental to property or improvements in the vicinity and zone since patrons will be able to park in a nearby public parking facility and safely access the proposed business.

C. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of the Zoning Ordinance, nor to the goals and programs of the General Plan:

The granting of the Variance will not be contrary to or in conflict with the general purposes and intent of the Zoning Ordinance nor to the goals and programs of the General Plan. The subject site
Currently contains no on-site parking and is physically unable to provide the required number of parking spaces pursuant to Alhambra Municipal Code Chapter 23.52 [Off-Street Parking and Loading Standards]. The proposed use would require a total of 77 parking spaces, which will be accommodated by the public parking facilities within a 400-foot proximity that provides 1,180 City-owned parking spaces. Of these spaces, 648 are public spaces which require no permit. The amount of public parking spaces will be reduced by 26 spaces once the 44-unit affordable housing development completes their construction. As a result, the total public parking space count would be 622 spaces. Staff conducted a parking count of these public parking facilities over two (2) days, counting the number of occupied spaces three (3) times a day. At most, Staff counted 221 of the 648 public spaces occupied and on average less than 167 public spaces were occupied. This leaves 427 public spaces unoccupied at the busiest time observed, and 481 public spaces unoccupied on average of all times observed. The results of the parking count show that the 77 parking spaces the proposed use would require can be reasonably accommodated by these adjacent public parking facilities.

Utilization of public parking facilities to satisfy the parking requirements of a private business is authorized by AMC 23.52.060(F), which allows businesses within 400 feet of a City-owned public parking facility to count the public spaces toward meeting the business’ parking requirement, and is not contrary to or in conflict with the general purposes or intent of the Zoning Ordinance or to the goals and programs of the General Plan. The proposed discount value store will contribute to the broad range of services Main Street has to offer, which is consistent with the purpose and intent of the Zoning Ordinance and the General Plan.

D. The variance request is consistent with the purpose and intent of the zone in which the site is located:

The Central Business District (CBD) Zone and Downtown Revitalization Overlay District are intended to provide for a broad range of retail and service commercial activities and uses, operating under development standards designed to create a compatible, harmonious, and revitalized setting within the downtown business area. The proposed discount variety store will bring affordable shopping options that will contribute to the broad range of goods and services that Main Street has to offer. Developing a diverse, quality commercial base supports the purpose and intent of the Zoning Ordinance and General Plan.

SECTION 5. NOW THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Alhambra, California, as follows:

A. Approve Planned Development Permit PD-22-37 and Variance VAR-22-09 to allow a retail use in an existing commercial lease space with less than the number of required parking spaces located in the Central Business District (CBD) Zone and Downtown Revitalization Overlay District, subject to the attached Conditions of Approval (Exhibit A), for the property located at 69 East Main Street in the City of Alhambra.

B. Find Planned Development Permit PD-22-37 and Variance VAR-22-09 exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Environmental Quality Act, Section 15301 of the CEQA Guidelines, Existing Facilities, Class 1.
C. Direct Staff to file and post a Notice of Exemption in accordance with Section 15062 of the California Code of Regulations.

PASSED, APPROVED AND ADOPTED THIS 5TH DAY OF JUNE, 2023.

____________________________________
NOYA WANG, PRESIDENT
PLANNING COMMISSION
ATTEST:

__________________________________________
ANDREW HO, SECRETARY
PLANNING COMMISSION

STATE OF CALIFORNIA          )
COUNTY OF LOS ANGELES         )
CITY OF ALHAMBRA             )

I, Andrew Ho, Planning Commission Secretary of the City of Alhambra, do hereby certify that forgoing Resolution was duly adopted by the Planning Commission of the City of Alhambra at a regular meeting thereof, held on the 5th day of June, 2023, by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

__________________________________________
ANDREW HO, SECRETARY
PLANNING COMMISSION
CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-22-37 and VARIANCE VAR-22-09

JUNE 5, 2023

APPLICANT: STEVEN SCHECHTER

PLANNING DIVISION

PL1. This approval is for Planned Development Permit PD-22-37 and Variance VAR-22-09 to establish a discount variety store in an existing commercial lease space with less than the number of required parking spaces located in the Central Business District (CBD) Zone and Downtown Revitalization Overlay District for the property located at 69 East Main Street in the City of Alhambra.

PL2. The Planned Development and Variance shall be valid for a maximum period of one (1) year from the date of this approval. The Planning Commission may grant extensions to this time period not to exceed a total of one (1) year. The Planned Development Permit and Variance shall become null and void unless exercised within one (1) year of the date of final approval, or such extension of time as may be granted by the Planning Commission pursuant to a written request for extension submitted to the Department of Community Development a minimum of 90 days prior to such expiration date.

PL3. The Applicant shall submit an “Acceptance of Conditions of Approval” form and return it to the Community Development Department within 10 days of Planning Commission approval.

PL4. A modification/amendment of the Planned Development Permit or Variance shall be applied for if the establishment proposes to modify any of the Conditions of Approval.

PL5. Prior to the establishment or operation of the business, a Certificate of Occupancy application from the Planning Division shall be filed and a Business License from the Finance Department shall be issued for all tenants occupying the building.

PL6. Any future façade changes, including installation of the proposed new roll-up loading door, shall obtain approval from the Design Review Board per Chapter 23.64 of the Alhambra Municipal Code, prior to obtaining building permits from the Building Division.

PL7. The final tenant improvements and business operations shall be substantially in conformance with the submitted plans and information, but shall be modified as necessary to comply with the Conditions of Approval.

PL8. Per AMC Section 18.02.060 (C), construction on the site shall be permitted only between the hours of 7:00 AM and 7:00 PM Monday through Saturday. There shall be no construction before or after these hours, nor shall any construction be allowed on Sundays or federal holidays.

PL9. All temporary signs and banners shall be subject to Staff review and approval prior to
installation and shall comply with Chapter 23.51 of the Alhambra Municipal Code.

PL10. All permanent exterior signage, including window signage, shall be approved by the Design Review Board prior to installation.

PL11. Any surface or ground mounted mechanical equipment, including transformers, terminal boxes, pull boxes, air conditioner condensers, gas meters and electric meter cabinets shall be screened from public view and/or treated to match the materials and colors of the adjacent building and shall be shown on the plans at the time of plan check submittal. Prior approval of such screening/treatment is required by the Planning Division. The project design may not include the use of window or wall mounted air conditioning units.

PL12. All mechanical equipment, storage, trash areas, and utilities including duct systems shall be architecturally screened from view pursuant to AMC Section 23.44.030(A)(5) and (15).

PL13. The property shall be maintained in a safe and well-kept condition prior to, during and after construction, in accordance with AMC 6.26. If City standards are not met, the approval may be revoked or a lien placed on the property to pay for clean-up.

PL14. The Applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, and disbursements (collectively "Claims") arising out of or in any way relating to this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any Conditions of Approval, the Applicant shall pay for all costs of enforcement, including attorney's fees.

PL15. The Director of Community Development shall have the authority to modify and/or waive Conditions of Approval in the event issues of impossibility or performance arise or in the event that the timing or manner of construction of required improvements can be made more efficient. Notwithstanding the foregoing, the Director of Community Development may not modify or waive a Condition of Approval that is an environmental mitigation measure. Additionally, if a modification or waiver is requested, the Director of Community Development retains the discretion to refer such request to the original approving body for the Condition of Approval.
BUILDING DIVISION

B1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.

B2. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior to permit issuance.

B3. Floor slab leveling plan under a separate building permit shall be revised to reflect the latest layout for the corner storefront and egress stairs and submitted to plan check review.

B4. Architectural and structural plans under a separate building permit shall be revised to reflect the latest layout for the corner storefront, single-user toilet rooms, and employee area, and submitted for plan check review.

B5. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.

B6. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.

B7. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.

B8. All State of California disability access regulations for accessibility shall be complied with.

B9. Approval is required from the Los Angeles County Health Department for food handling and/or storage.

B10. Electrical plan check is required.

B11. Mechanical plan check is required.

B12. Plumbing plan check is required.

B13. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
EXHIBIT A

CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-22-37 and VARIANCE VAR-22-09

JUNE 5, 2023

APPLICANT: STEVEN SCHECHTER

B14. Project shall comply with the CalGreen Nonresidential mandatory requirements.

B15. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.

B16. Separate permit is required for fire sprinklers.

FIRE DEPARTMENT


FD3. NFPA 10: Portable fire extinguishers shall be provided.

FD4. Additional Exit signage and emergency egress lighting will be required to indicate and illuminate the path of egress travel.

FD5. Exit doors shall be openable from the inside without the use of a key tool special effort or knowledge. It appears that some exit doors may have improper hardware.

FD6. Fire lanes and access to the Fire Department connection shall be maintained and fire lane markings/signage shall be refreshed and/or provided.

FD7. High pile storage permits will be required if storage heights and layouts will exceed the maximum values in 2022 California Fire Code Chapter 32.

FD8. Additional Fire Department requirements may be set after reviewing a complete set of architecture plans.
PUBLIC WORKS DEPARTMENT

CITY ENGINEERING FEES

PW1. Prior to issuance of grading, building or other permits as appropriate, the Applicant shall pay all necessary fees to the City.

PW2. If a new sewer line/connection is installed, a fee will be required in addition to the fees paid to the County of Los Angeles Sanitation District, and shall be paid prior to building permit issuance. Contact the Utilities Department for further information.

PW3. A separate public works permit and payment of fees is required for all work in the public-right-of-way.

PUBLIC WORKS REQUIREMENTS

PW4. Separate plans for improvements within the public right-of-way are not required. However, prior to issuance of a building and/or grading permit, all necessary improvements within the public right-of-way shall be shown on building or grading plans in accordance with established City standards or as directed by the Director of Public Works and the City Engineer.

The following are required for the off-site improvements:

MAIN STREET & STONEMAN AVE

PW5. Should the proposed work generate a street cut into the street paving shall be according to Alhambra Standard Plan SR-2018-01.01, as directed by the Public Works Inspector.

PW6. Should the proposed work generate a cut into the alley, pavement shall be according to Alhambra Standard Plan SR-14, as directed by the Public Works Inspector.

PW7. Remove all construction graffiti. (Any underground utility identifying spray paint markings on the sidewalk and pavement related to excavation due to construction.)

PW8. A permit shall be obtained from the City of Alhambra Public Works Department prior to start of any work in the public right-of-way; including, but not limited to, public improvements and utility installations. All work shall be done in accordance with
established City standards or as directed by the Director of Public Works and/or the City Engineer.

The following are general requirements for off-site improvements:

PW9. Any existing improvements in the public right-of-way damaged or made off grade during construction, including but not limited to traffic signals, light standards, aprons, sidewalk, curb ramps, curb, and/or gutter shall be removed and replaced in accordance with the appropriate City Standard or as directed by the City Engineer.

PW10. All site drainage shall be collected and deposited in the adjacent gutter, alley, storm drain or similar structure or device. Site storm and/or nuisance water shall not flow across the City sidewalk.

PW11. All new and existing, non-complying driveway aprons shall be constructed in accordance with Alhambra Standard Plan SR-11 and shall provide a minimum 4' wide path of travel at not more than 2% cross-slope at the top of the apron. Where limited parkway width occurs, the sidewalk shall be depressed at the driveway apron to provide a disabled access complying path of travel across the driveway apron. Top of driveway apron X shall be 3' minimum from any trees, power poles, traffic signals controllers, electric services or similar improvements in the public way. Maximum width of SR-11 driveway apron in R-1 and R-2 zones is 20'.

PW12. All existing driveway aprons to be closed shall be removed and replaced with new curb, gutter and sidewalk constructed in accordance with Alhambra Standard Plans SR-01 and SR-07.

PW13. All existing damaged or off-grade sidewalks shall be removed and replaced in accordance with Alhambra Standard Plan SR-07.

PW14. All existing damaged or off-grade curb and gutter shall be removed and replaced in accordance with Alhambra Standard Plan SR-01.

PW15. All existing street trees off-site and on-site shall be protected in place. Street trees shall be replaced in kind; 60" box minimum, if damaged or killed.

PW16. Permittee/contractor shall submit a Solid Waste Management and Recycling Plan to the City Manager’s Office for review and approval prior to issuance of a demolition
EXHIBIT A

CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-22-37 and VARIANCE VAR-22-09

JUNE 5, 2023

APPLICANT: STEVEN SCHECHTER

permit and/or grading permit for the project. Said plan shall indicate that the permittee/contractor shall provide documentation such as receipts from landfills, salvage and recycling facilities upon completion of the demolition/construction. Said plan shall identify:

A. Types of materials for recycling, reuse or sorting
B. Estimated quantities
C. Separation requirements
D. On site storage
E. Transportation methods
F. Destinations
G. Plan manager (contractor’s representative)

PW17. Prior to issuance of a demolition and/or grading permit, the permittee/contractor shall contact the California Integrated Waste Management Board (recycling hotline 800-553-2962) to obtain an approved recycler (processor and/or receiver) for demolition and construction waste.

PW18. At the minimum, the permittee/contractor shall recycle each of the following demolition and construction waste materials:

- Asphalt paving: 75%
- Concrete and concrete masonry units: 75%
- Non-lead based painted wood wastes (dimensional lumber and broken crates and pallets): 50%
- Metals: 60%
- Toilets: 75%
- Appliances: 75%
- Copper cable/wire: 50%
- Transformers and ballast’s: 100%
- Fluorescent lamps: 100%
- Glass: 50%
- Unpainted gypsum board: 50%

A minimum of 50% of the total weight of the waste (demolition and construction wastes) shall be diverted from landfill.
UTILITIES DIVISION

U1. The owner/developer shall implement Structural and Source Best Management Practices to minimize pollutant discharges to the storm water system during construction and continue after occupancy.

U2. The owner/developer shall incorporate and comply with all regulations, policies and standards regarding water, sewer and storm water.

NO CONDITIONS/ NO FEES

FEES (Estimated)

*Fees are subject to change and actual fees to be paid will be based upon the adopted fee schedule in effect at the time that building permits are paid and issued.*

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>
NOTICE OF EXEMPTION

TO: County Clerk, County of Los Angeles
Environmental Filings
12400 East Imperial Highway, Room 1201
Norwalk, CA 90650

FROM: City of Alhambra
Community Development Department
111 South First Street
Alhambra, CA 91801

SUBJECT: Filing of Notice of Exemption

PROJECT TITLE/LOCATION:
Planned Development Permit PD-22-37 and Variance VAR-22-09
69 East Main Street
Alhambra, CA 91801

LEAD AGENCY:
City of Alhambra, Community Development Department
111 South First Street, Alhambra, CA 91801

PROJECT DESCRIPTION:
This is an application for a Planned Development Permit PD-22-37 and Variance VAR-22-09 to allow a new discount variety store, Dollar Tree, in an existing commercial lease space with less than the required number of parking spaces located at 69 East Main Street in the CBD (Central Business District) Zone and Downtown Revitalization Overlay District.

NAME OF PUBLIC AGENCY APPROVING THE PROJECT
City of Alhambra

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT
Steven Schechter

EXEMPT STATUS

[ ] Ministerial (Sec. 21080(b)(1)); 15268);
[ ] Declared Emergency (Sec. 21080(b)(3)); 15269(a);
[ ] Emergency Project (Sec. 21080(b)(4)); 15269(b)(c).
[X] Categorical Exemption (Sec. 15301)

REASONS WHY PROJECT IS EXEMPT

The project is exempt from the provisions of CEQA listed in Article 19: Categorical Exemptions, Section 15301: Existing Facilities, Class 1 consisting of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use.

Project Contact Person: Sophia Serafin
Phone: (626) 570-5034
Signature: Sophia Serafin
Date: June 6, 2023
Title: Planning Intern
TO: City of Alhambra Planning Commission

FROM: Andrew Ho, Director of Community Development
      Vanessa Reynoso, Deputy Director of Community Development
      Paul Lam, Principal Planner
      By: Jessica Vargas, Planning Technician

SUBJECT: Planned Development Permit PD-23-41 and Variance VAR-23-12

<table>
<thead>
<tr>
<th></th>
<th>LOCATION:</th>
<th>1117 East Main Street</th>
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<tbody>
<tr>
<td>2.</td>
<td>DATE FILED:</td>
<td>November 28, 2022</td>
</tr>
<tr>
<td>3.</td>
<td>APPLICANT:</td>
<td>Yuri Amsellem</td>
</tr>
<tr>
<td>4.</td>
<td>PROPERTY OWNER:</td>
<td>James Thorp</td>
</tr>
<tr>
<td>5.</td>
<td>APN:</td>
<td>5336-012-004</td>
</tr>
<tr>
<td>6.</td>
<td>AREA OF PROPERTY:</td>
<td>7,533 sf. (0.17 acres approximately)</td>
</tr>
<tr>
<td>7.</td>
<td>ZONING:</td>
<td>EMC (East Main Commercial)</td>
</tr>
<tr>
<td>8.</td>
<td>GENERAL PLAN:</td>
<td>General Commercial</td>
</tr>
<tr>
<td>9.</td>
<td>CEQA DETERMINATION:</td>
<td>Categorically Exempt</td>
</tr>
<tr>
<td>10.</td>
<td>STAFF RECOMMENDATION:</td>
<td>Approval</td>
</tr>
</tbody>
</table>

PROPOSAL:

The applicant is requesting approval of a Planned Development Permit PD-23-41 and a Variance VAR-23-12 to establish a remote commercial kitchen facility with less than the required number of parking spaces within an existing 4,450 square foot commercial building located at 1117 East Main Street in the East Main Commercial (EMC) zone.

LOCATION:

The site is located on the north side of East Main Street, mid-block between North El Molino Street and North Vega Street. The site is a 7,533 square foot, rectangular-shaped lot developed with a single 4,450 square foot commercial building along with a limited amount of on-site parking. The subject property is located along the East Main Street corridor and is surrounded by a variety of
commercial and residential uses. The adjacent properties to the east, south, and west of the site are located within the EMC zone, and the adjacent property to the north is within the Parking (P) zone.

Table 1

<table>
<thead>
<tr>
<th>Surrounding Parcels</th>
<th>Existing Zoning &amp; General Plan Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Parcel</td>
<td>East Main Commercial (EMC) / General Commercial</td>
</tr>
<tr>
<td>North</td>
<td>Parking (P) / Parking</td>
</tr>
<tr>
<td>South</td>
<td>East Main Commercial (EMC) / General Commercial</td>
</tr>
<tr>
<td>East</td>
<td>East Main Commercial (EMC) / General Commercial</td>
</tr>
<tr>
<td>West</td>
<td>East Main Commercial (EMC) / General Commercial</td>
</tr>
</tbody>
</table>

ANALYSIS:
The Applicant is requesting approval of a Planned Development Permit and a Variance to establish a new location for DTLA Kitchens, a remote commercial kitchen facility not associated with restaurants (also known as a “ghost kitchen”), in a vacant commercial building previously utilized by Alhambra Lock. The project includes interior tenant improvements, exterior façade changes, and restriping of existing parking. No additional square footage is being proposed. The existing building was constructed with structural block walls, which will provide sound attenuation for the proposed kitchen use. The Applicant is proposing to convert the existing 4,450 square foot retail floor area into nine (9) commercial kitchen areas of various sizes ranging from 198 square feet to 793 square feet, in addition to having a common wash area, walk-in freezer, walk-in cooler, two (2) restrooms, and two (2) employee changing rooms (Refer to plans in Attachment 2). Kitchen areas will be available for rent to delivery-only restaurants and food businesses selling on platforms like Uber Eats, DoorDash and more. Office hours, during which at least one (1) employee from DTLA Kitchens will be on-site to oversee management of the facility and to provide tours to potential kitchen lessees, would be Monday through Friday from 9:00 a.m. to 6:00 p.m. The facilities would be accessible to tenants 24 hours a day, seven (7) days a week; however, most delivery pick-ups associated with the kitchen facilities are anticipated to occur between the hours of 7:00 a.m. and 5:00 p.m. On-site dining will not be offered and customers would not be visiting the site. All customer orders will be placed online and will then be picked up and dropped off by delivery drivers.

DTLA Kitchens has an existing facility located in the Boyle Heights neighborhood of Los Angeles that has been operating since 2021. Kitchen rental plans offer small food businesses the opportunity to start or grow their business by providing access to fully equipped kitchens for their food production, delivery, wholesale, meal prep, farmers market and catering operations. There is no exact typology of kitchen use, but the businesses are usually locally owned and owner-operated. With Alhambra being increasingly recognized in recent years as a popular food destination in the San Gabriel Valley and the greater Los Angeles area, DTLA Kitchens would provide a unique offering that would encourage entrepreneurial food businesses to launch in the City.
Planned Development Permit

Pursuant to Alhambra Municipal Code ("AMC") Section 23.62.020(B)(4), a Planned Development Permit is required for this application as the proposed tenant, DTLA Kitchens, is applying for a Certificate of Occupancy to utilize a building which has been vacant for more than six (6) months. The proposed commercial kitchen is considered a general retail use, which would be permitted by right but for the fact that the site has been vacant for more than six (6) months. Because of the smaller scale of operations, the proposed use does not have an exact equivalent in the current Zoning Code’s use classifications. Unlike a restaurant, the ghost kitchen will not have any dine-in space or customers visiting. The kitchen will also not operate on the scale of a traditional catering business. As proposed, the use will complement the many commercial, office, and residential uses in the vicinity of East Main Street, by providing a greater variety of food choices to the community and high-quality kitchen facilities for small food businesses.

Variance

A Variance has been requested to allow for the reduction of the required on-site parking. The AMC’s parking requirements are based on uses and floor area. Based on the business’s proposed operations, the ghost kitchen is classified as a general retail use instead of a restaurant or catering use. As presented in the parking table below, under the AMC Section 23.52.040 [Number of Parking Spaces Required], a retail use with 4,450 square feet of gross floor area requires a minimum of 18 parking spaces at a 1:250 ratio. A previous Variance was approved in 1990 to allow a retail use with less than the required amount of parking. Based on historical aerial imagery, plans provided by the Applicant, and a previous Variance on file for this address, the existing site was able to accommodate 13 parking spaces – four (4) parking spaces at the ground floor parking lot and nine (9) parking spaces at the rooftop parking deck.

After accommodating for required ADA accessible paths of travel and parking stalls; installation of new rooftop mechanical equipment to serve the commercial kitchen operations; and minimum parking design standards, such as minimum back-up distance and stall dimensions, the site will provide eight (8) of the required 18 on-site parking spaces. The ground floor parking lot at the front of the property accessible from East Main Street will provide three (3) parking spaces and the rooftop parking deck accessible from the ground floor parking lot via a driveway ramp will provide five (5) parking spaces.

<table>
<thead>
<tr>
<th>USE</th>
<th>PARKING RATIO</th>
<th>REQUIRED PARKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous</td>
<td>Retail</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Proposed</td>
<td>Retail</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Existing</td>
<td>Vacant</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL REQUIRED:</strong> 18 spaces</td>
<td><strong>TOTAL PROVIDED:</strong> 8 spaces</td>
<td></td>
</tr>
</tbody>
</table>

Due to the size of the property, the existing built-out development on-site, and the proposed tenant improvements, it is not feasible to provide the on-site parking spaces required by the AMC, resulting in a total deficit of 10 parking spaces at the site. Since the proposed use would not have
sufficient parking at the site, approval of a Variance will be required in order to allow the use to operate with less than the required number of spaces. The circumstances of the site precludes the provision of sufficient parking spaces for the proposed use and many of the standard commercial uses permissible within the EMC zone, and thus, without substantial redevelopment the site will continue to require future applicants and proposed uses to obtain a Variance for parking.

The Applicant has provided a parking study in order to provide justification for the Variance and to demonstrate that the required findings can be made. The parking demand analysis for this specific proposed use was conducted on behalf of the Applicant by KOA, a professional traffic engineering consulting firm (Attachment 4). To determine the proposed project parking demand at the project site, empirical parking data were collected in January 2023 at three (3) similar ghost kitchen sites in Gardena, Los Angeles, and Canoga Park. Due to this type of business concept being relatively new, there are limited ghost kitchen-style facilities currently operating in Alhambra or in the surrounding Los Angeles region. The sites selected for data collection were chosen due to having similar operations as the proposed project use, as well as providing off-street parking at their facilities. Parking demand rates were analyzed and developed for both weekday and Saturday parking demand. Using a conservative analysis of peak parking conditions, the use of the local empirical parking rates determined that the proposed project would provide sufficient parking supply to accommodate demand during most times throughout the day. However, at periods of exceptionally high demand, limited spillover parking of one (1) vehicle may occur. It should be noted that of the three (3) sites studied, only one (1) of the sites experienced a period of exceptionally high demand, which was on a Thursday at 10:30 A.M. Thus, based on the survey of on-street parking, the adjacent segment of Main Street provides sufficient additional parking capacity to accommodate this level of spillover parking. In summary, the results of the parking demand analysis showed there would be sufficient parking at the site to accommodate the proposed use.

**Design Review**

On April 11, 2023, the proposed exterior alterations were presented to the Design Review Board (DRB) at their regularly scheduled meeting. The project was approved with the following conditions: (1) Signage (if any) shall be reviewed under a separate application; (2) The revised drawings shall include gate and fence design information; and (3) All revised drawings shall be reviewed and approved prior to plan check submittal. The revised plans were submitted to the City Architect for review and received approval on May 15, 2023.

**ENVIRONMENTAL STATUS:**

Planned Development Permit PD-23-41 and Variance VAR-23-12 are not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for this exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use.
PUBLIC NOTICE:

On Tuesday, May 23, 2023, a Notice of Public Hearing was sent to 133 property owners and tenants of properties within a 300-foot radius of the project site. A legal notice advertising the public hearing was placed in the Pasadena Star News on Friday, May 26, 2023. A notice was also posted on the property on Wednesday, May 24, 2023. No comments have been received from any of the parties notified or residents of the area at the time this agenda report was finalized.

PROJECT FINDINGS:

The land use entitlements for Planning Commission consideration are a Planned Development and Variance. Pursuant to the Alhambra Municipal Code these entitlements shall be approved if the Planning Commission can make all of the following findings:

*Planned Development Permit Findings*

Following a public hearing on the Planned Development Permit application, the Planning Commission shall approve the application only if the findings of fact below can be made:

1. The proposed use is permitted under the Zoning Ordinance;
2. With appropriate conditioning, the proposed use complies with the purpose and intent of the Zoning Ordinance and the City’s General Plan;
3. With appropriate conditioning, the proposed development would be physically suitable for the lot or lots on which it is proposed;
4. With appropriate conditioning, the proposed development would be physically compatible with existing and future land uses within the general area in which the proposed use is located;
5. With appropriate conditioning, there would be adequate provisions for water, sanitation and public utilities and services to insure that the proposed use would not be detrimental to public health and safety; and
6. With appropriate conditioning, there would be adequate provisions to public access to serve the site.

*Variance Findings*

Following a public hearing on the Variance application, the Planning Commission may approve an application for a Variance if the applicant shows, to the reasonable satisfaction of the Planning Commission, all of the following facts:

1. There are special circumstances or exceptional characteristics applicable to the property involved, including size, shape, topography, location or surroundings, such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification;
2. The granting of such Variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the vicinity and zone in which the property is located;

3. The granting of such Variance will not be contrary to or in conflict with the general purposes and intent of the Zoning Ordinance, nor to the goals and programs of the General Plan; and

4. The Variance request is consistent with the purpose and intent of the zone in which the site is located.

CONCLUSION:
The property at 1117 East Main Street has been vacant for more than one (1) year following the closing of Alhambra Lock. Even though the proposed new use is considered a retail use, which is permitted within the EMC zone, since the building has been vacant for more than six (6) months, any applicant for a Certificate of Occupancy for use of the building must also obtain a Planned Development Permit. A Variance for parking is also required since the site is deficient in parking, even though the proposed use will utilize the same parking ratio applicable to the previous retail use. The Planned Development Permit will allow the building to be utilized for retail purposes once again, and the Variance will allow the Applicant to reduce the required on-site parking based on the results of a parking demand analysis, which demonstrated sufficient parking on-site to accommodate the use. The Applicant’s request to establish a remote commercial kitchen (DTLA Kitchens) will benefit the community in that it will provide a unique opportunity for small food businesses to locate in Alhambra; expand take-out dining options for local residents and employees; and bring in new occupants to a long-vacant commercial building on Main Street. The proposed remote commercial kitchen use is appropriate in the EMC zone, and therefore, Staff recommends approval of this project.

STAFF RECOMMENDED ACTION:
Staff recommends Planning Commission to:

1. **Adopt Resolution No. 23-11** approving Planned Development Permit PD-23-41 and Variance VAR-23-12 to allow for the establishment of a remote commercial kitchen with less than the required number of parking spaces within an existing 4,450 square foot commercial building, located in the East Main Commercial (EMC) zone, subject to the attached Conditions of Approval (Attachment 5, Exhibit A) for the property located at 1117 East Main Street in the City of Alhambra.

2. Find Planned Development Permit PD-23-41 and Variance VAR-23-12 exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Environmental Quality Act, Section 15301 of the CEQA Guidelines, Existing Facilities, Class 1.

3. Direct Staff to file and post a Notice of Exemption in accordance with Section 15062 of the California Code of Regulations.
ATTACHMENTS:

1. Location Map
2. Project Plans
3. Business Plan
4. Parking Study
5. Resolution No. 23-11
6. Notice of Exemption
ATTACHMENT 3

BUSINESS PLAN

Full-time Kitchens  Part-time Kitchens  One-time rental & Events  Contact us / Book a tour

Health department approved chefs kitchens in Los Angeles for catering, delivery, wholesale, meal prep, farmers market, and more...

24/7
From the kitchens to the loading dock or the pick-up point, you can do business 24/7 when you lease our kitchens.
State-of-the-art access control ensures remote, secured, and monitored access to our facilities.

FULLY EQUIPPED
All kitchens come with cooking and refrigeration equipment. Ovens, Range, charbroiler, griddle and fryers. Specialty items like si and mixers and slicers can be rented out.
Shared spaces are fully furnished with countertops. Bring your pots and pans and start cooking!

LESS COSTS
Tenants get an average 10% discount on groceries and supplies by benefiting from our group purchases.
Get convenient deliveries to your kitchen before your shift.
Chef-driven, efficient, kitchens and facility ready for your food production, catering, delivery business, virtual kitchen, or ready for retail!

Available by the hour, the day, or monthly
Plans are starting at $20 per hour.
You get an entire kitchen to yourself with plenty of counter space.
Kitchens come with cooking and refrigeration equipment, as well as permanent storage.
We have prep kitchens and cooking kitchens.
Start, or grow your business with our flexible plans!

RENT BY THE HOUR

PD-23-41 & VAR-23-12
Page 13 of 49
PARKING DEMAND ANALYSIS
1117 E. MAIN STREET RESTAURANT PROJECT
CITY OF ALHAMBRA

The Catering of Paris, Inc. (the “Client”) proposes to develop a ghost kitchen restaurant at 1117 E. Main Street (the “Project”) in the City of Alhambra (the “City”). The proposed Project consists of 4,450 square feet of kitchen and ancillary refrigeration space. The Project is located along the north side of Main Street, between El Molino Street and Vega Street. The Project site location and surrounding area is shown in Figure 1. The Project proposes to provide eight parking spaces on-site. Based on comments received from the City, the Project is required to provide parking at the general commercial rate of one parking space per 250 square feet. Applying this rate to the Project square footage, the Project is required to provide eighteen parking spaces. However, as the proposed Project will not provide dining space for customers and all orders will be picked up and dropped off by delivery drivers, it is expected that the Project will not require the same number of parking spaces as a standard retail/restaurant establishment. Thus, to support the approval of a parking variance, a parking demand analysis is necessary. The included parking demand analysis has been conducted to determine if the proposed Project parking supply will accommodate the anticipated parking demand.

PROJECT DESCRIPTION
The conceptual floor plan for the Project is displayed in Figure 2. The proposed development would consist of nine kitchens and ancillary refrigeration space, measuring a total of 4,450 square feet. The site is currently developed with a vacant commercial building. The existing building will be renovated to provide the space for the proposed Project uses.

Project access/egress would be provided via a full-access driveway located along the north side of Main Street. The driveway would provide access to 8 parking spaces, including 1 Americans with Disabilities Act (ADA) complaint parking space. Parking for the Project will be provided within a surface parking lot adjacent to Main Street and on the rooftop of the Project building. A ramp will be provided near the southwest corner of the Project site which will provide access to the rooftop parking area. All Project parking is proposed to be provided on the Project site.

In addition to the on-site parking, on-street parking is provided in the vicinity of the Project. Parking is generally permitted along both the north and south side of Main Street between Valencia Street and Champion Place, with two-hour parking restrictions between 9:00 AM and 6:00 PM. On-street parking is also provided along the roadways intersecting this segment of Main Street, including Valencia Street, El Molino Street, Vega Street, and Hampton Court. Between 9:00 AM and 6:00 PM, parking along these roadways is restricted to one hour adjacent to the commercial properties fronting Main Street and to two hours adjacent to the residential uses.
PARKING ANALYSIS

The City Planning staff has determined that the Project requires a variance in order to allow for a reduced parking supply. To obtain this variance, the Project must demonstrate that the on-site parking supply will adequately accommodate the parking demand of the Project. To determine if the parking supply will meet the proposed Project peak parking demand, a parking demand analysis has been conducted for the Project. This analysis included the collection of empirical parking demand data at similar ghost kitchen sites to develop a parking demand rate for this type of land use. In addition, on-street parking surveys were conducted along the surrounding roadways to evaluate the utilization of on-street parking during the anticipated hours of operation of the Project.

EMPIRICAL PARKING DATA COLLECTION & PARKING DEMAND RATE CALCULATION

To determine the proposed Project parking demand at the Project site, empirical parking data were collected in January 2023 at three similar ghost kitchen sites. Due to this type of restaurant concept being relatively new, there are limited ghost kitchen-style restaurants currently operating in the City and the surrounding Los Angeles region. The sites selected for data collection were chosen due to having similar operations as the proposed Project uses, as well as providing off-street parking. The locations selected for data collection were:

- 182 Kitchens – 523 W. 184th Street, Gardena, CA 90248
- Crafted Kitchens – 650-664 Santa Fe Avenue, Los Angeles, CA 90021
- Kitchen Place – 9026-9030 Owensmouth Avenue, Canoga Park, CA 91304

Parking occupancy data was collected on one typical weekday (Tuesday through Thursday) and one Saturday between the hours of 8:00 AM and 10:00 PM. These time periods were selected in coordination with the City and the Client, as they cover the periods of highest parking demand for these types of sites. During these time periods, the number of parked vehicles parked at each site were counted twice an hour. The parking demand summary sheets are provided in Attachment A and summarized in Table 1. Overall, the highest parking demand rates for each location occurred on the weekday.

Table 1
Empirical Parking Demand Data Summary

<table>
<thead>
<tr>
<th>Building Square Footage (A)</th>
<th>Total Parking Spaces</th>
<th>Peak Parking Demand (B)</th>
<th>Hour of Peak Demand</th>
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</thead>
<tbody>
<tr>
<td>182 Kitchens</td>
<td>5.65 KSF</td>
<td>18 Spaces</td>
<td>11:00 AM</td>
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<tr>
<td>Crafted Kitchen</td>
<td>15.045 KSF</td>
<td>40 Spaces</td>
<td>10:00 AM</td>
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<tr>
<td>Kitchen Place</td>
<td>14.934 KSF</td>
<td>28 Spaces</td>
<td>10:30 AM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Square Footage (A)</th>
<th>Total Parking Spaces</th>
<th>Peak Parking Demand (B)</th>
<th>Hour of Peak Demand</th>
</tr>
</thead>
<tbody>
<tr>
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<td>5.65 KSF</td>
<td>2 Spaces</td>
<td>11:00 AM</td>
</tr>
<tr>
<td>Crafted Kitchen</td>
<td>15.045 KSF</td>
<td>16 Spaces</td>
<td>12:00 PM</td>
</tr>
<tr>
<td>Kitchen Place</td>
<td>14.934 KSF</td>
<td>19 Spaces</td>
<td>1:30 PM</td>
</tr>
</tbody>
</table>

Parking Demand Rates

KSF = 1,000 square feet
The empirical parking rates shown in Table 1 were used to calculate the Project’s weekday and weekend peak parking demand. These calculations are summarized in Table 2. As shown, based on the parking demand rates developed using data from the 182 Kitchens and Crafted Kitchen locations, the Project’s parking demand would be accommodated by the on-site parking supply during both a typical weekday and Saturday. Additionally, the Project parking supply would accommodate the Saturday parking demand based on the data collected at the Kitchen Place site.

Over the two count days, the highest peak parking demand rate was observed at the Kitchen Place site on a typical weekday at 10:30 AM. During this time, 27 of 28 parking spaces were occupied for the 14,934 square-foot site. This utilization equates to a parking demand of approximately 1.81 parking spaces per thousand square feet. Applying this rate to the proposed Project square footage results in a peak parking demand of 8.05 vehicles. Thus, based on these rates, the Project’s parking demand would exceed the on-site parking supply.

Table 2
Parking Supply and Demand Estimates based on Peak Empirical Parking Rates

<table>
<thead>
<tr>
<th>Based on 182 Kitchens Empirical Data</th>
<th></th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Empirical Parking Rate (A)</td>
<td>0.71</td>
<td>0.35</td>
</tr>
<tr>
<td>Project Square Footage (B)</td>
<td>4.45</td>
<td>4.45</td>
</tr>
<tr>
<td>Parking Demand (C = A x B)</td>
<td>3.16</td>
<td>1.56</td>
</tr>
<tr>
<td>Parking Supply (D)</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Based on Crafted Kitchen Empirical Data</th>
<th></th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Empirical Parking Rate (A)</td>
<td>1.26</td>
<td>1.06</td>
</tr>
<tr>
<td>Project Square Footage (B)</td>
<td>4.45</td>
<td>4.45</td>
</tr>
<tr>
<td>Parking Demand (C = A x B)</td>
<td>5.61</td>
<td>4.72</td>
</tr>
<tr>
<td>Parking Supply (D)</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Based on Kitchen Place Empirical Data</th>
<th></th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Empirical Parking Rate (A)</td>
<td>1.81</td>
<td>1.27</td>
</tr>
<tr>
<td>Project Square Footage (B)</td>
<td>4.45</td>
<td>4.45</td>
</tr>
<tr>
<td>Parking Demand (C = A x B)</td>
<td>8.05</td>
<td>5.65</td>
</tr>
<tr>
<td>Parking Supply (D)</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>

It should be noted that this level of parking demand was observed only once throughout the day, during the single data collection period occurring at 10:30 AM. As shown in Attachment A, the next highest weekday parking demand observed at the Kitchen Place site was 23 vehicles, which occurred at multiple times throughout the day (10:00 AM, 11:00 AM – 1:30 PM, and 2:00 PM). This indicates that the peak parking demand observed at 10:30 AM reflects a period of exceptionally high demand and is expected to occur infrequently throughout a typical day.

The Project parking demand was also calculated based on the second highest parking demand observed at the Kitchen Place site on a typical weekday. These calculations are summarized in Table 3. During the periods of next highest demand, 23 of 28 parking spaces were utilized for the 14,934 square-foot site. This
utilization equates to a parking demand of approximately 1.54 parking spaces per thousand square feet. Applying this rate to the proposed Project square footage results in a peak parking demand rate of 6.85 vehicles. Thus, based on the parking rates developed for periods of typical peak demand at the Kitchen Place site, the Project parking supply would accommodate the anticipated parking demand on-site.

**Table 3**  
Parking Supply and Demand Estimates based on Kitchen Place Typical Peak Demand Rates

<table>
<thead>
<tr>
<th>Based on Kitchen Place Empirical</th>
<th>Weekday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Empirical Parking Demand Rate (A)</td>
<td>1.54 Spaces per KSF</td>
</tr>
<tr>
<td>Project Square Footage (B)</td>
<td>4.45 KSF</td>
</tr>
<tr>
<td>Parking Demand (C = A x B)</td>
<td>6.85 Spaces</td>
</tr>
<tr>
<td>Parking Supply (D)</td>
<td>8 Spaces</td>
</tr>
</tbody>
</table>

ksf = 1,000 square feet

Although the Project parking supply would be able to accommodate the calculated peak parking demand during most periods throughout a typical weekday and a Saturday, for purposes of a conservative analysis, additional evaluation of on-street parking within the vicinity of the Project was conducted. This analysis determined whether the roadways surrounding the Project site exhibit sufficient additional capacity to accommodate short-term spillover parking from the Project uses.

**ON-STREET PARKING UTILIZATION SURVEYS**

On-street parking surveys were conducted to determine whether the roadways in the vicinity of the Project can accommodate additional short-term parking demand that may spillover from the Project site. The parking surveys of nearby roadways were conducted along the following roadways:

- East Main Street between Valencia Street and Champion Place (approximately 1000 feet)
- North Valencia Street from East Main Street to Alley (approximately 180 feet)
- South Valencia Street from East Main Street to Alley (approximately 150 feet)
- North El Molino Street from East Main Street to 201 El Molino Street (approximately 880 feet)
- South El Molino Street from East Main Street to Alley (approximately 150 feet)
- North Vega Street from East Main Street to Orienta Drive (approximately 630 feet)
- South Vega Street from East Main Street to Alley (approximately 150 feet)
- Hampton Court from East Main Street to Landmark Plaza Rear Driveway (approximately 150 feet)

The area for the on-street parking surveys is shown in Figure 3. Per direction from the City, the parking survey area was expanded to include on-street parking along North El Molino Street and North Vega Street adjacent to the residential uses. The parking data along these roadways was collected to identify potential spillover parking impacts to the residential neighborhood.

The on-street parking surveys consisted of two components: (1) a survey of the number of on-street parking spaces along Main Street and the intersecting roadways, and (2) hourly sweeps of the number of on-street parked vehicles along each roadway. The parking utilization surveys were collected on one typical weekday (Tuesday through Thursday) and one Saturday in January 2023. Parking sweeps were conducted every hour.
between 8:00 AM and 10:00 PM to coincide with the data collection periods for the empirical parking demand data collection at the similar ghost kitchen sites. The on-street parking survey summary sheets are provided in Attachment B.

As reflected in the empirical parking data collection sheets in Attachment A, the periods of highest parking demand for ghost kitchen restaurants typically occur between 9:00 AM and 5:00 PM on weekdays and 11:00 AM and 7:00 PM on Saturdays. Thus, these are the periods during which the Project is most likely to result in short-term spillover parking onto the surrounding roadways. Table 4 presents the on-street parking survey data during these times for the segment of Main Street adjacent to the Project site. As shown, during both these periods, two of the three of the on-street parking spaces along the north side of Main Street, adjacent to the Project site, are unoccupied at all times. Additionally, one to three of the spaces along the south side of the roadway are also available during this period.

**Table 4**

On-Street Parking Survey Data for Main Street Between El Molino Street and Vega Street

<table>
<thead>
<tr>
<th>Inventory</th>
<th>9:00 AM</th>
<th>10:00 AM</th>
<th>11:00 AM</th>
<th>12:00 PM</th>
<th>1:00 PM</th>
<th>2:00 PM</th>
<th>3:00 PM</th>
<th>4:00 PM</th>
<th>5:00 PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>North - 2 Hr</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>South - 2 Hr</td>
<td>7</td>
<td>5</td>
<td>4</td>
<td>6</td>
<td>5</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Subtotal</td>
<td>10</td>
<td>5</td>
<td>4</td>
<td>6</td>
<td>5</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Inventory</th>
<th>11:00 AM</th>
<th>12:00 PM</th>
<th>1:00 PM</th>
<th>2:00 PM</th>
<th>3:00 PM</th>
<th>4:00 PM</th>
<th>5:00 PM</th>
<th>6:00 PM</th>
<th>7:00 PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>North - 2 Hr</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>South - 2 Hr</td>
<td>7</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Subtotal</td>
<td>10</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

Thus, based on this parking data, the segment of Main Street adjacent to the Project site has sufficient additional capacity to accommodate the potential spillover parking demand that may occur during periods of exceptionally high parking demand. The on-street parking supply would be more than capable of accommodating the one additional parking space needed for the Project’s parking demand based on the peak empirical parking rate. As most of these parking demand occurring during these busy periods would be associated with delivery drivers picking up orders at the ghost kitchen, the parking duration for most vehicles would be short (5 to 15 minutes). The short-term nature of the peak parking demand periods further decreases the likelihood of the on-site parking being unable to accommodate the Project parking demand.

In addition, as shown in Attachment B, the other roadways surveyed as part of the on-street parking data collection provide additional capacity to accommodate excess parking. The on-street parking data along roadways in the survey area demonstrate that the north side of Main Street (west of El Molino Street and east of Vega Street) provides ample additional parking that can be used by Project visitors. These locations would be more attractive for use by delivery drivers traveling to and from the site, when compared to the residential portions of the neighborhood streets, as they provide ample parking options and more direct access to the Project site. In comparison, the residential portions of El Molino Street and Vega Street exhibit higher utilization throughout the day which could limit the availability of parking that is conveniently located to access the Project site. For these reasons, the Project is expected to have limited spillover parking impacts onto the nearby residential streets.
PARKING DEMAND ANALYSIS CONCLUSIONS
The future parking demanded by the proposed Project uses was calculated based on local empirical data collected at ghost kitchens throughout Los Angeles. Parking demand rates were analyzed and developed for both weekday and Saturday parking demand. Using a conservative analysis of peak parking conditions, the use of the local empirical parking rates determined that the Project would provide sufficient parking supply to accommodate demand during most times throughout the day. However, at periods of exceptionally high demand, limited spillover parking of one vehicle may occur. Thus, based on the survey of on-street parking, the adjacent segment of Main Street provides sufficient additional parking capacity to accommodate this level of spillover parking.

Based on the methodology discussed with the City, the empirically measured demand rates were utilized to gauge whether the Project would provide sufficient parking. On this basis of this analysis, it was determined that the parking supply on the Project lot and adjacent on-street parking will satisfy the parking demand of the proposed Project.
FIGURES
## Parking Lot

### Observed Parking Counts

**523 W. 184th St, Gardena, CA 90248**

**Thursday, January 12th, 2023**

| Inventory | 8:00 AM | 8:30 AM | 9:00 AM | 9:30 AM | 10:00 AM | 10:30 AM | 11:00 AM | 11:30 AM | 12:00 PM | 12:30 PM | 1:00 PM | 1:30 PM | 2:00 PM | 2:30 PM | 3:00 PM | 3:30 PM | 4:00 PM | 4:30 PM | 5:00 PM | 5:30 PM | 6:00 PM | 6:30 PM | 7:00 PM | 7:30 PM | 8:00 PM | 8:30 PM | 9:00 PM | 9:30 PM | 10:00 PM |
|-----------|---------|---------|---------|---------|----------|----------|----------|----------|----------|----------|---------|---------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Regular   | 18      | 2       | 1       | 0       | 0        | 1        | 2        | 4        | 1        | 1        | 3        | 1       | 1        | 2        | 0        | 0        | 0        | 1        | 0        | 0        | 0        | 0        | 0        | 0        | 1        | 0        | 0        | 0        | 2        |
| Handicap  | 1       | 0       | 0       | 0       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Subtotal  | 18      | 2       | 1       | 0       | 0        | 1        | 2        | 4        | 1        | 1        | 3        | 1       | 1        | 2        | 0        | 0        | 0        | 1        | 0        | 0        | 0        | 0        | 0        | 0        | 1        | 0        | 0        | 0        | 2        |
| Total Occupancy | 18 | 2 | 1 | 0 | 0 | 1 | 2 | 4 | 1 | 1 | 3 | 1 | 1 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 |

### Parking Rate

- **Max Rate**: 0.71
- **Average Rate**: 0.14
- **Average**: 0.79

### Total Percent

- **11%**
- **6%**
- **0%**
- **0%**
- **6%**
- **11%**
- **22%**
- **6%**
- **6%**
- **17%**
- **6%**
- **6%**
- **11%**
- **0%**
- **0%**
- **0%**
- **0%**
- **0%**
- **0%**
- **0%**
- **0%**
- **0%**
- **0%**
- **6%**
- **0%**
- **0%**
- **0%**
- **11%**

### Total (sq ft)

- **5,650.00**

---

**523 W. 184th St, Gardena, CA 90248**

**Saturday, January 21st, 2023**

| Inventory | 8:00 AM | 8:30 AM | 9:00 AM | 9:30 AM | 10:00 AM | 10:30 AM | 11:00 AM | 11:30 AM | 12:00 PM | 12:30 PM | 1:00 PM | 1:30 PM | 2:00 PM | 2:30 PM | 3:00 PM | 3:30 PM | 4:00 PM | 4:30 PM | 5:00 PM | 5:30 PM | 6:00 PM | 6:30 PM | 7:00 PM | 7:30 PM | 8:00 PM | 8:30 PM | 9:00 PM | 9:30 PM | 10:00 PM |
|-----------|---------|---------|---------|---------|----------|----------|----------|----------|----------|----------|---------|---------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Regular   | 17      | 0       | 0       | 0       | 1        | 1        | 1        | 0        | 1        | 1        | 1        | 1       | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        |
| Handicap  | 1       | 0       | 0       | 0       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0       | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Subtotal  | 18      | 0       | 0       | 0       | 1        | 1        | 1        | 0        | 1        | 1        | 1        | 1       | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        | 1        |
| Total Occupancy | 18 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |

### Parking Rate

- **Max Rate**: 0.35
- **Average Rate**: 0.16
- **Average**: 0.93

### Total Percent

- **11%**
- **0%**
- **0%**
- **0%**
- **6%**
- **6%**
- **6%**
- **0%**
- **6%**
- **6%**
- **6%**
- **6%**
- **6%**
- **6%**
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- **6%**
- **6%**
- **6%**
- **6%**
- **6%**
- **6%**
- **6%**

### Total (sq ft)

- **5,650.00**

---

### Parking Study

**Parking Lot Counts Unlimited, Inc.**

**PO Box 1178**

**Corona, CA 92878**

**951-268-6268**

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**PD-23-21 & VAR-23-12**

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### Parking Study

**Crafted Kitchen - Observed Parking Counts**

650 and 664 Santa Fe Ave, Los Angeles, CA 90021

**Thursday, January 12th, 2023**

| Time     | 8:00 AM | 8:30 AM | 9:00 AM | 9:30 AM | 10:00 AM | 10:30 AM | 11:00 AM | 11:30 AM | 12:00 PM | 12:30 PM | 1:00 PM | 1:30 PM | 2:00 PM | 2:30 PM | 3:00 PM | 3:30 PM | 4:00 PM | 4:30 PM | 5:00 PM | 5:30 PM | 6:00 PM | 6:30 PM | 7:00 PM | 7:30 PM | 8:00 PM | 8:30 PM | 9:00 PM |
|----------|---------|---------|---------|---------|----------|----------|----------|----------|----------|----------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| **Regular**<br>8:00 AM | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| **Handicap**<br>8:00 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Santa Fe Ave - Street Parking**<br>8:00 AM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Subtotal**<br>8:00 AM | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| **Total Occupancy** | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| **Total Percent** | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% | 0% |

**Max Rate**

- 1.26

**Average Rate**

- 0.83

**Average 12.45**

---

**Crafted Kitchen - Observed Parking Counts**

650 and 664 Santa Fe Ave, Los Angeles, CA 90021

**Saturday, January 21st, 2023**

| Time     | 8:00 AM | 8:30 AM | 9:00 AM | 9:30 AM | 10:00 AM | 10:30 AM | 11:00 AM | 11:30 AM | 12:00 PM | 12:30 PM | 1:00 PM | 1:30 PM | 2:00 PM | 2:30 PM | 3:00 PM | 3:30 PM | 4:00 PM | 4:30 PM | 5:00 PM | 5:30 PM | 6:00 PM | 6:30 PM | 7:00 PM | 7:30 PM | 8:00 PM | 8:30 PM | 9:00 PM |
|----------|---------|---------|---------|---------|----------|----------|----------|----------|----------|----------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| **Regular**<br>8:00 AM | 39 | 13 | 9 | 9 | 10 | 12 | 13 | 13 | 14 | 15 | 15 | 14 | 13 | 11 | 11 | 10 | 8 | 8 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| **Handicap**<br>8:00 AM | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Santa Fe Ave - Street Parking**<br>8:00 AM | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Subtotal**<br>8:00 AM | 40 | 13 | 10 | 9 | 10 | 12 | 13 | 13 | 14 | 15 | 15 | 14 | 13 | 11 | 11 | 10 | 8 | 8 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| **Total Occupancy** | 40 | 13 | 10 | 9 | 10 | 12 | 13 | 13 | 14 | 15 | 15 | 14 | 13 | 11 | 11 | 10 | 8 | 8 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| **Total Percent** | 33% | 25% | 23% | 25% | 30% | 33% | 35% | 38% | 40% | 38% | 35% | 38% | 28% | 33% | 33% | 23% | 23% | 20% | 18% | 18% | 18% | 20% | 25% | 25% | 23% | 25% | 25% | 23% | 23% |

**Max Rate**

- 1.06

**Average Rate**

- 0.72

**Average 10.86**

---

**Parking Lot**

Counts Unlimited, Inc.

PO Box 1178

Corona, CA 92878

951-268-6268

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**PD-23-21 & VAR-23-12**

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### Kitchen Place - Observed Parking Counts

9030 Owensmouth Ave, Canoga Park, CA 91304

**Parking Study**

<table>
<thead>
<tr>
<th>Time</th>
<th>Parking Rate</th>
<th>Max Rate</th>
<th>Average Rate</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 AM</td>
<td>0.27</td>
<td>1.00</td>
<td>0.40</td>
<td>0.74</td>
</tr>
<tr>
<td>10:00 AM</td>
<td>0.41</td>
<td>1.37</td>
<td>0.56</td>
<td>0.97</td>
</tr>
<tr>
<td>11:00 AM</td>
<td>0.51</td>
<td>1.67</td>
<td>0.86</td>
<td>1.34</td>
</tr>
<tr>
<td>12:00 PM</td>
<td>0.64</td>
<td>2.12</td>
<td>1.14</td>
<td>1.74</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>0.72</td>
<td>2.42</td>
<td>1.30</td>
<td>2.03</td>
</tr>
<tr>
<td>2:00 PM</td>
<td>0.80</td>
<td>2.74</td>
<td>1.53</td>
<td>2.34</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>0.88</td>
<td>3.04</td>
<td>1.76</td>
<td>2.63</td>
</tr>
<tr>
<td>4:00 PM</td>
<td>0.93</td>
<td>3.36</td>
<td>1.97</td>
<td>2.94</td>
</tr>
<tr>
<td>5:00 PM</td>
<td>0.97</td>
<td>3.54</td>
<td>2.17</td>
<td>3.17</td>
</tr>
<tr>
<td>6:00 PM</td>
<td>1.05</td>
<td>3.80</td>
<td>2.38</td>
<td>3.44</td>
</tr>
<tr>
<td>7:00 PM</td>
<td>1.09</td>
<td>4.01</td>
<td>2.48</td>
<td>3.59</td>
</tr>
<tr>
<td>8:00 PM</td>
<td>1.11</td>
<td>4.04</td>
<td>2.51</td>
<td>3.61</td>
</tr>
</tbody>
</table>

**Parking Rate**

- **South Parking Lot**
  - **Total Occupancy**
  - **Parking Count**
  - **Max Rate**
  - **Average Rate**

<table>
<thead>
<tr>
<th>Time</th>
<th>Parking Rate</th>
<th>Max Rate</th>
<th>Average Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 AM</td>
<td>0.27</td>
<td>1.00</td>
<td>0.40</td>
</tr>
<tr>
<td>10:00 AM</td>
<td>0.41</td>
<td>1.37</td>
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**Parking Study**

- **Parking Rate**
- **Max Rate**
- **Average Rate**

**Note:** Northerly gate in southerly lot is locked and area used for 3 additional parking spaces, included in inventory.
### PARKING STUDY

**Alhambra**
- Street Parking
- 1117 E Main St., Alhambra, CA 91801

**Thursday, January 12th, 2023**

#### Valencia St. (North of Main St.)
- **East - 1 Hr 9a-6p**
  - 8:00 AM: 6
  - 9:00 AM: 0
  - Total Occupancy: 6
- **West - 1 Hr 9a-6p**
  - 8:00 AM: 9
  - 9:00 AM: 0
  - Total Occupancy: 9
- **Subtotal**
  - Total Occupancy: 15
  - Total Percent: 8%

#### Valencia St. (South of Main St.)
- **East - 1 Hr 9a-6p**
  - 8:00 AM: 7
  - 9:00 AM: 2
  - Total Occupancy: 9
- **West - 1 Hr 9a-6p**
  - 8:00 AM: 9
  - 9:00 AM: 0
  - Total Occupancy: 9
- **Subtotal**
  - Total Occupancy: 18
  - Total Percent: 11%

#### Main St. (Valencia St. - El Molino St.)
- **North - 2 Hr**
  - 8:00 AM: 9
  - 9:00 AM: 1
  - Total Occupancy: 10
- **South - 2 Hr**
  - 8:00 AM: 11
  - 9:00 AM: 12
  - Total Occupancy: 23
- **Subtotal**
  - Total Occupancy: 33
  - Total Percent: 21%

#### El Molino St. (North of Main St.)
- **East - 2 Hr**
  - 8:00 AM: 15
  - 9:00 AM: 20
  - Total Occupancy: 35
- **West - 1 Hr**
  - 8:00 AM: 8
  - 9:00 AM: 10
  - Total Occupancy: 18
- **Subtotal**
  - Total Occupancy: 53
  - Total Percent: 35%

#### El Molino St. (South of Main St.)
- **East - Regular**
  - 8:00 AM: 5
  - 9:00 AM: 4
  - Total Occupancy: 9
- **West - No Parking**
  - 8:00 AM: 0
  - 9:00 AM: 0
  - Total Occupancy: 0
- **Subtotal**
  - Total Occupancy: 9
  - Total Percent: 0%

#### Main St. (El Molino St. - Vega St.)
- **North - 2 Hr**
  - 8:00 AM: 2
  - 9:00 AM: 1
  - Total Occupancy: 3
- **South - 2 Hr**
  - 8:00 AM: 2
  - 9:00 AM: 3
  - Total Occupancy: 5
- **Subtotal**
  - Total Occupancy: 8
  - Total Percent: 5%

#### Vega St. (North of Main St.)
- **East - 1 Hr**
  - 8:00 AM: 10
  - 9:00 AM: 6
  - Total Occupancy: 16
- **West - No Parking**
  - 8:00 AM: 0
  - 9:00 AM: 0
  - Total Occupancy: 0
- **Subtotal**
  - Total Occupancy: 16
  - Total Percent: 10%

#### Vega St. (South of Main St.)
- **East - 1 Hr**
  - 8:00 AM: 4
  - 9:00 AM: 0
  - Total Occupancy: 4
- **West - 2 Hr**
  - 8:00 AM: 0
  - 9:00 AM: 0
  - Total Occupancy: 0
- **Subtotal**
  - Total Occupancy: 4
  - Total Percent: 25%

#### Main St. (Vega St. - Champion Pl.)
- **North - No Parking**
  - 8:00 AM: 0
  - 9:00 AM: 0
  - Total Occupancy: 0
- **South - Regular**
  - 8:00 AM: 0
  - 9:00 AM: 0
  - Total Occupancy: 0
- **Subtotal**
  - Total Occupancy: 0
  - Total Percent: 0%

#### Hampton Ct. (South of Main St.)
- **East - 2 Hr**
  - 8:00 AM: 0
  - 9:00 AM: 0
  - Total Occupancy: 0
- **West - 2 Hr**
  - 8:00 AM: 0
  - 9:00 AM: 0
  - Total Occupancy: 0
- **Subtotal**
  - Total Occupancy: 0
  - Total Percent: 0%
## Parking Study

### Inventory

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<th>Time</th>
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<th>West - 1 Hr 9a-6p</th>
<th>Subtotal</th>
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### Total Occupancy

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### Total Percent

- East - 1 Hr 9a-6p: 100%
- West - 1 Hr 9a-6p: 100%
- Subtotal: 100%

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**Note:** For the purpose of this example, the table above is repeated to illustrate the consistency in data presentation. In a real scenario, each segment would be analyzed separately.
RESOLUTION NO. 23-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA APPROVING PLANNED DEVELOPMENT PERMIT PD-23-41 AND VARIANCE VAR-23-12 TO ALLOW FOR THE ESTABLISHMENT OF A REMOTE COMMERCIAL KITCHEN WITH LESS THAN THE REQUIRED NUMBER OF PARKING SPACES WITHIN AN EXISTING 4,450 SQUARE FOOT COMMERCIAL BUILDING, LOCATED IN THE EAST MAIN COMMERCIAL (EMC) ZONE FOR THE PROPERTY LOCATED AT 1117 EAST MAIN STREET IN THE CITY OF ALHAMBRA.

THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Planning Commission does hereby make the following findings of fact:

A. On November 28, 2022, applications for a Planned Development Permit and Variance were submitted by the applicant, Yuri Amsellem, to establish a remote commercial kitchen facility not associated with restaurants (also known as a “ghost kitchen”) within an existing commercial building, with less than the required number of parking spaces, at 1117 East Main Street;

B. The Planned Development Permit and Variance applications were deemed complete on February 8, 2023;

C. The General Plan land use designation of the subject property is General Commercial with a consistent Zoning designation of EMC (East Main Commercial). The surrounding properties to the east, south, and west have identical General Plan and Zoning designations, while the property to the north has a General Plan and Zoning designation of Parking (P). The proposed land use is consistent with the purpose and intent of the EMC zoning and General Plan designation;

D. The site is located on the north side of Main Street, mid-block between North El Molino Street and North Vega Street and consists of a 4,450 square foot single-story commercial building that is currently vacant. The area immediately surrounding the subject site is developed with a mix of commercial and residential uses.;

E. The project, Planned Development Permit PD-23-41 and Variance VAR-23-12, is not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use;

F. On April 11, 2023, a duly noticed meeting was held before the City of Alhambra Design Review Board at 7:30 p.m. at City Hall Conference Room A, 111 South First Street, Alhambra;
G. At this meeting, the Design Review Board considered project comments stated in the Agenda, Staff presentation, Applicant presentation, and public testimony. The Design Review Board approved the project’s proposed exterior alterations with Conditions of Approval: (1) Signage (if any) shall be reviewed under a separate application; (2) The revised drawings shall include gate and fence design information; and (3) All revised drawings shall be reviewed and approved prior to plan check submittal. The revised drawings were submitted to the City Architect for review and received approval on May 15, 2023;

H. On June 5, 2023, a duly noticed public hearing was held before the City of Alhambra Planning Commission at 7:00 p.m. at City Hall Council Chambers, 111 South First Street, Alhambra; and

I. At this hearing, the Planning Commission considered the Staff report, Staff presentation, Applicant presentation, and public testimony.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS. Based upon the Notice of Exemption prepared for the project, the Planning Commission further finds and determines as follows:

A. A Notice of Exemption for this project was prepared in compliance with the California Environmental Quality Act (CEQA);

B. The project, Planned Development Permit PD-23-41 and Variance VAR-23-12, is not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use; and

C. The documents and other material that constitute the record of proceedings upon which the decision of the Planning Commission is based are a Planned Development Permit PD-23-41 and Variance VAR-23-12 and that this project file is located within the Community Development Department.

SECTION 3. PLANNED DEVELOPMENT PERMIT FINDINGS. Based upon the foregoing facts and findings (Section 23.62.070 of the Alhambra Municipal Code) for Planned Development Permit PD-23-41, the Planning Commission hereby determines as follows:

A. The proposed use is permitted under the Zoning Ordinance.

Section 23.31.020 of the Alhambra Municipal Code (AMC) stipulates that food sales, which includes the retail sale of food and beverages for home and/or on-premises consumption, is a permitted use in the EMC zone, where the subject site is located. The proposed remote commercial kitchen is considered a retail food sales use that is permitted pursuant to AMC Section 23.31.020(A) [EMC Zone]. This application for a Planned Development Permit is required pursuant to Section 23.62.020(B)(4) for an application for a Certificate of Occupancy for the use of a building which has been vacant for more than six (6) months. Since the subject site where the proposed retail use
would be located has been vacant since at least 2021, a Planned Development Permit is required.

B. *With appropriate conditioning, the proposed use complies with the purpose and intent of the Zoning Ordinance and the City’s General Plan.*

The purpose and intent of the Zoning Ordinance and General Plan are to allow for the establishment of a mixture of commercial uses. The proposed use will complement the many commercial, office, and residential uses in the vicinity by providing a greater variety of food choices to the community, and will also provide a unique offering that would encourage entrepreneurial food businesses to launch in the City. The proposed use will also help facilitate General Plan Policy QL-2A which states to “[p]romote retail, restaurant, entertainment, family-oriented, and hotel development consistent with local demand” and QL-2B which states to “[i]dentify and promote key opportunity sites for retail/restaurant development.” The proposed use and existing property comply with all applicable zoning requirements; however, the property does not provide the required on-site parking for the proposed use. For the use to be permitted under the Zoning Ordinance, the Applicant has requested a Variance to satisfy the parking requirement.

C. *With appropriate conditioning, the proposed development would be physically suitable for the lot or lots on which it is proposed.*

The subject site has an approximate lot area of 7,533 sf. (0.17 acres). The property consists of an existing 4,450 square foot one-story commercial building with parking spaces located in a parking lot at the front of the property accessible from Main Street and in an existing rooftop parking deck accessible from the ground floor parking lot via a driveway ramp. No additions to the existing building structure are being proposed and business activities will be confined to the existing structure. Therefore, the proposed use fits within the property boundaries and the existing building is adequate to accommodate the commercial use in its entirety.

The building was originally constructed in 1948. In 1962, the property received approval of a Modification that waived the required twenty-foot rear setback to allow for the construction of an addition to the existing commercial building, which resulted in the existing building’s size, shape, and placement on the property. The rooftop parking deck was also added at this time. In 1990, the property received approval of a Planned Development Permit and Variance to allow for less than the required amount of parking spaces. The staff report referenced the re-striping of the existing rooftop deck.

The current proposed use is permitted by right and requires a total of 18 parking spaces (1 space per 250 square feet of floor area for the 4,450 square feet retail space). As a result, there would be a deficit of 10 spaces for the proposed remote commercial kitchen use. Due to the existing built-out development on-site, it is not feasible to provide the on-site parking required by the Alhambra Municipal Code. A Variance for parking has been requested which would allow the reduction of required on-site parking. Though the property was developed according to the standards in effect at that time, the property has previously received approvals to allow for less than the required parking in order for the building to be occupied. Similar to previous uses at the site, the proposed use is suitable for the lot in which it is being proposed.
D. With appropriate conditioning, the proposed development would be physically compatible with existing and future land uses within the general area in which the proposed use is located.

The proposed remote commercial kitchen is located in an area that is developed with commercial uses to the south, east, and west, and with residential uses to the north. The use is proposed on a property that fronts East Main Street, which is currently improved with a variety of commercial uses. There are no additions proposed as part of the scope of work and the new business will only be utilizing the existing building envelope. Therefore, the proposed development would be physically compatible with existing and future land uses within the general area.

E. With appropriate conditioning, there would be adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The proposed project has been reviewed by the City of Alhambra Utilities and Public Works Departments, who have determined that the subject site and proposed use will be adequately serviced with water, sanitation and public utilities. The Fire Department have also reviewed the proposal and have determined that the subject site and proposed use will be adequately serviced with emergency services to ensure that the proposed use would not be detrimental to the public health and safety.

F. With appropriate conditioning, there would be adequate provisions to public access to serve the site.

The property consists of one (1) building with a gross floor area of 4,450 square feet that will be converted into nine (9) commercial kitchen areas of various sizes ranging from 198 square feet to 793 square feet, in addition to having a common wash area, walk-in freezer, walk-in cooler, two (2) restrooms, and two (2) employee changing rooms. Eight (8) on-site parking spaces are provided, which is less than what the Alhambra Municipal Code requires for the proposed use and floor area. Unlike traditional retail or restaurants, DTLA Kitchens’ operations require kitchen tenants to lease or reserve space in advance and no on-site dining space is provided. Prospective tenants will consist of small food businesses that will prepare food for order and delivery through online delivery services such as Uber or DoorDash. Additionally, the food businesses keep varied hours, including evenings and weekends when the surrounding businesses are closed. As demonstrated in the parking study, this operation plan results in less of a parking demand than a typical restaurant.

While the parking demand analysis found the eight (8) on-site parking spaces to be sufficient for the proposed use, there are also limited street parking opportunities along East Main Street. This block of East Main Street between North El Molino and North Vega Streets contains approximately three (3) on-street parking spaces, two (2) of which are located directly in front of the subject property. Each of the businesses along this block of East Main Street has their own parking lot and are not completely dependent upon the street parking. The property to the west contains a commercial building with four (4) tenant spaces and its own parking lot with approximately 14 parking spaces. The property to the east contains an office building that also has its own parking lot with approximately 11 parking spaces. The only other property along this block of East Main Street is a vacant lot. Thus, some on-street parking spaces should be available to accommodate any spillover.
parking needs for the subject business, though the site should have sufficient parking to accommodate the demand generated by the proposed use.

The combination of the small kitchen sizes, the lease-based kitchen operations, and the lack of on-site dining would provide sufficient parking opportunities for this business and public access to the site.

SECTION 4. VARIANCE FINDINGS. Based on the foregoing facts and findings (Section 23.68.060 of the Alhambra Municipal Code) for Variance VAR-23-12, the Planning Commission hereby determines as follows:

A. There are special circumstances or exceptional characteristics applicable to the property involved, including size, shape, topography, location or surroundings, such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification:

The property consists of an existing one-story commercial building with a gross floor area of 4,450 square feet. No additions to the existing building structure are being proposed and business activities will be confined to the existing structure. The original building was constructed in 1948. In 1962, the property received approval of a Modification that waived the required twenty-foot rear setback to allow for the construction of an addition to the existing commercial building, which resulted in the existing building’s size, shape, and placement on the property. The rooftop parking deck was also added at this time. In 1990, the property received approval of a Planned Development Permit and Variance to allow for less than the required amount of parking spaces. The staff report referenced the re-striping of the existing rooftop deck. The current proposed use is permitted by right and requires a total of 18 parking spaces (1 space per 250 square feet of floor area for the 4,450 square feet retail space). As a result, there would be a deficit of 10 spaces for the proposed remote commercial kitchen use. Since the property has previously received approvals for less than the required parking in order for the building to be occupied, the property is legal-nonconforming with respect to off-street parking requirements. The property’s small size, as well as the existing buildings’ size, shape, and placement on the property, preclude any applicants and uses to provide additional parking spaces. Therefore, the location will continue to require future applicants and uses to obtain a Variance for a reduction in parking for future uses until such time comes where the property is redeveloped.

B. The granting of such Variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the vicinity and zone in which the property is located:

The property consists of one (1) building with a gross floor area of 4,450 square feet that will be converted into nine (9) commercial kitchen areas of various sizes ranging from 198 square feet to 793 square feet, in addition to having a common wash area, walk-in freezer, walk-in cooler, two (2) restrooms, and two (2) employee changing rooms. Eight (8) on-site parking spaces are provided, which is less than what the Alhambra Municipal Code requires for the proposed use and floor area. Unlike traditional retail or restaurants, DTLA Kitchens’ operations require kitchen tenants to lease
or reserve space in advance and no on-site dining space is provided. Prospective tenants will consist of small food businesses that will prepare food for order and delivery through online delivery services such as Uber or DoorDash. Additionally, the food businesses keep varied hours, including evenings and weekends when the surrounding businesses are closed. As demonstrated in the parking study, this operation plan results in less of a parking demand than a typical restaurant.

While the parking demand analysis found the eight (8) on-site parking spaces to be sufficient for the proposed use, there are also limited street parking opportunities along East Main Street. This block of East Main Street between North El Molino and North Vega Streets contains approximately three (3) on-street parking spaces, two (2) of which are located directly in front of the subject property. Each of the businesses along this block of East Main Street has their own parking lot and are not completely dependent upon the street parking. The property to the west contains a commercial building with four (4) tenant spaces and its own parking lot with approximately 14 parking spaces. The property to the east contains an office building that also has its own parking lot with approximately 11 parking spaces. The only other property along this block of East Main Street is a vacant lot. Thus, some on-street parking spaces should be available to accommodate any spillover parking needs for the subject business, though the site should have sufficient parking to accommodate the demand generated by the proposed use.

The combination of the small kitchen sizes, the lease-based kitchen operations, and the lack of on-site dining would provide sufficient parking opportunities for this business. Thus, the granting of this Variance will not be detrimental to the property or improvements in the vicinity and zone in which the property is located since tenants and delivery service drivers will be able to park on-site and safely access the business.

C. The granting of such Variance will not be contrary to or in conflict with the general purposes and intent of the Zoning Ordinance, nor to the goals and programs of the General Plan:

The granting of the Variance will not be contrary to or in conflict with the general purposes and intent of the Zoning Ordinance, nor to the goals and programs of the General Plan. The applicant is proposing to provide eight (8) on-site parking spaces. The proposed use requires a total of 18 parking spaces, however, the applicant is proposing a business model that will lower the amount of required spaces and mitigate any parking issues. The proposed parking solution is not contrary to or in conflict with the general purposes or intent of the Zoning Ordinance or to the goals and programs of the General Plan. The proposed ghost kitchen will contribute to the broad range of uses within this area of East Main Street by providing a unique offering that would encourage entrepreneurial food businesses to launch in Alhambra and increase the diversity of food options in the City. The proposed use will also help facilitate General Plan Policy QL-2A which states to “[p]romote retail, restaurant, entertainment, family-oriented, and hotel Development consistent with local demand” and QL-2B which states to “[i]dentify and promote key opportunity sites for retail/restaurant development.” The proposed use’s contribution to developing a diversified quality commercial base complies with the purpose and intent of the Zoning Ordinance and the General Plan.

D. The Variance request is consistent with the purpose and intent of the zone in which the site is located.
The EMC zone is intended to provide for a broad range of retail and service commercial activities and uses, operating under development standards designed to create a compatible and harmonious setting. The ghost kitchen will provide a unique commercial service that encourages local food entrepreneurs to locate their small business in Alhambra and contributes to the diverse mix of food options in the City. Therefore, the granting of the Variance is consistent with the purpose and intent of the zone.

SECTION 5. **NOW THEREFORE, BE IT RESOLVED,** by the Planning Commission of the City of Alhambra, California, as follows:

A. Approve Commercial Planned Development Permit PD-23-41 and Variance VAR-23-12 to allow for the establishment of a remote commercial kitchen facility with less than the required number of parking spaces within an existing 4,450 square foot commercial building located in the East Main Commercial (EMC) zone, subject to the attached Conditions of Approval (Exhibit A), for the property located at 1117 East Main Street in the City of Alhambra.

B. Find Planned Development Permit PD-23-41 and Variance VAR-23-12 exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Environmental Quality Act, Section 15301 of the CEQA Guidelines, Existing Facilities, Class 1.

C. Direct staff to file and post a Notice of Exemption in accordance with Section 15062 of the California Code of Regulations.

PASSED, APPROVED AND ADOPTED THIS 5TH DAY OF JUNE, 2023.

____________________________________
NOYA WANG, PRESIDENT
PLANNING COMMISSION
I, Andrew Ho, Planning Commission Secretary of the City of Alhambra, do hereby certify that forgoing Resolution was duly adopted by the Planning Commission of the City of Alhambra at a regular meeting thereof, held on the 5th day of June, 2023 by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ANDREW HO, SECRETARY  
PLANNING COMMISSION
PLANNING DIVISION

PL1. This approval is for Planned Development Permit PD-23-41 and Variance VAR-23-12 to allow for the establishment of a remote commercial kitchen facility in an existing 4,450 square foot commercial retail space with less than the required number of parking spaces located in the EMC (East Main Commercial) zone for the property at 1117 East Main Street in the City of Alhambra.

PL2. The Planned Development and Variance shall be valid for a maximum period of one (1) year from the date of this approval. The Planning Commission may grant extensions to this time period not to exceed a total of one (1) year. The Planned Development Permit and Variance shall become null and void unless exercised within 1 year of the date of final approval, or such extension of time as may be granted by the Planning Commission pursuant to a written request for extension submitted to the Community Development Department a minimum of 90 days prior to such expiration date.

PL3. The Applicant shall submit an “Acceptance of Conditions of Approval” form and return it to the Community Development Department within 10 days of Planning Commission approval.

PL4. A modification/amendment of the Planned Development Permit or Variance shall be applied for if the establishment proposes to modify any of the Conditions of Approval.

PL5. Prior to operating any business, the business proponent shall apply for and receive a Certificate of Occupancy from the Planning Division and a Business License from the Finance Department.

PL6. Any future façade changes shall obtain approval from the Design Review Board per Chapter 23.64 of the Alhambra Municipal Code.

PL7. The final tenant improvements and business operations shall be substantially in conformance with the submitted plans and information, but shall be modified as necessary to comply with the Conditions of Approval.

PL8. Applicant shall be required to install air scrubbers to minimize the transmission of any food scents generated by the commercial kitchen from the exhaust, if deemed necessary by the Director of Community Development once the commercial kitchen use is in operation.

PL9. Per AMC Section 18.02.060(C), construction on the site shall be permitted only between the hours of 7:00 AM and 7:00 PM Monday through Saturday. There shall be no construction before or after these hours, nor shall any construction be allowed on Sundays or federal holidays.
EXHIBIT A
CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-23-41
AND VARIANCE VAR-23-12

JUNE 5, 2023

APPLICANT: YURI AMSELLEM

PL10. All signs and temporary banners shall be subject to staff review and approval prior to installation and shall comply with Chapter 23.50 of the Alhambra Municipal Code.

PL11. All permanent exterior signage, including window signage, shall be approved by the Design Review Board prior to installation.

PL12. Any surface or ground mounted mechanical equipment, including transformers, terminal boxes, pull boxes, air conditioner condensers, gas meters and electric meter cabinets shall be screened from public view and/or treated to match the materials and colors of the adjacent building and shall be shown on the plans at the time of plan check submittal. Prior approval of such screening/treatment is required by the Planning Division. The project design may not include the use of window or wall mounted air conditioning units.

PL13. All mechanical equipment, storage, trash areas, and utilities including duct systems shall be architecturally screened from view pursuant to AMC Section 23.44.030(A)(5) and (15).

PL14. The property shall be maintained in a safe and well-kept condition prior to, during and after construction, in accordance with AMC 6.26. If City standards are not met, the approval may be revoked or a lien placed on the property to pay for clean-up.

PL15. The Applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, and disbursements (collectively "Claims") arising out of or in any way relating to this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, the Applicant shall pay for all costs of enforcement, including attorney's fees.

PL16. The Director of Community Development shall have the authority to modify and/or waive Conditions of Approval in the event issues of impossibility or performance arise or in the event that the timing or manner of construction of required improvements can be made more efficient. Notwithstanding the foregoing, the Director of Community Development may not modify or waive a Condition of Approval that is an environmental mitigation measure. Additionally, if a modification or waiver is requested, the Director of Community Development retains the discretion to refer such request to the original approving body for the Condition of Approval.
EXHIBIT A
CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-23-41
AND VARIANCE VAR-23-12

JUNE 5, 2023

APPLICANT: YURI AMSELLEM

BUILDING DIVISION

B1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.

B2. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior to permit issuance.

B3. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.

B4. Approval is required from the Los Angeles County Health Department for food handling and/or storage.

B5. The Alhambra City Council establishing fees for the Art in public places program effective on October 22, 2001, Ordinance number 02M1-4417. Whenever Residential developments more than 5 units, or Non-residential project valuation exceeds $500,000.00, the art display contribution obligation shall be one half of one percent of the Total Building Valuation for the development, excluding land value, off site improvement costs, interior improvements, parking facilities and public facilities. Such Fees shall be paid to the City prior to issuance of the building permit.

B6. The building shall be addressed as 1117 E. Main St., and an application to assign unit numbers shall be filed with Building Division prior to plan check submittal.

B7. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect for projects involving change of use or occupancy.

B8. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided for the proposed alterations to existing building exterior walls and roof deck.

B9. Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in the California Existing Building Code in effect.
EXHIBIT A
CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-23-41
AND VARIANCE VAR-23-12

JUNE 5, 2023

APPLICANT: YURI AMSELEMM

B10. Food processing establishments and commercial kitchens not associated with restaurants more than 2,500 SF in area shall be classified as F-1 Group Occupancy. Roof deck used for parking garage shall be classified as S-2 Group Occupancy. The space underneath the roof deck classified F-1 occupancy shall be separated from the parking garage above of S-2 occupancy per Table 508.4 pf the Building Code.

B11. New double-door landing at exterior exit door shall have minimum headroom of 7’-6” above the finished floor below the existing exterior stairways per Section 1003.2 of the Building Code.

B12. The travel distance from the most remote point in the proposed kitchen area K-5 to the new exterior exit door shall not exceed 75 feet per Table 1006.2.1 of the Building Code. Otherwise, minimum of two exits or new fire sprinklers are required in this tenant space.

B13. All State of California disability access regulations for accessibility shall be complied with.

B14. Existing parking areas shall be regraded and restriped to provide accessible parking spaces connecting to the new accessible building entrance(s) as part of compliance with the path of travel requirements per Section 11B-202.4 of the Building Code.

B15. Minimum of two accessible parking spaces are required because the on-grade parking area is considered to be a separate parking facility from the rooftop parking structure per Section 11B-208.2 of the Building Code. Both required accessible parking spaces however are allowed to be grouped together per Section 11B-208.3.1. The access aisle for the van accessible parking space shall be located on the passenger side per Section 11B-502.3.4.

B16. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage is carried to the public way or drainage structure approved to receive storm water.

B17. Preliminary MS4 Project Application (MS4-1 FORM) completed by Engineer of Record and approved by Environmental Division shall be copied on the first sheet of Building Plans and on the first sheet of Grading Plans.

B18. Electrical plan check is required.

B19. Mechanical plan check is required.

B20. A minimum of 10 feet of horizontal clearance from the outlet of Type I and Type II Hood rooftop termination to adjacent buildings, property lines, and air intakes per Section 510.9 and 519.5 respectively of the Mechanical Code.

B21. Plumbing plan check is required.
B22. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.

B23. Project shall comply with the CalGreen Nonresidential mandatory requirements.

B24. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indicating this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.

B25. Separate permit is required for fire sprinklers.

FIRE DEPARTMENT

FD1. NFPA 17/17A: Dry/wet chemical extinguisher system for each Type I hood.

FD2. NFPA 10: Portable fire extinguishers.

FD3. New fire flow test

FD4. Fire Flow: 1500 gpm @ 20 psi for 2 hours.

FD5. 1 Fire hydrant(s) within 250 feet from the property line.

FD6. Exit doors shall be openable from the inside without the use of key, tool, special effort or knowledge.

FD7. If the occupant load is greater than 30 the corridor fire resistance rating will be a minimum of one hour.

FD8. The maximum dead-end corridor for this occupancy will be per 2022 CFC 1020.5—Maximum 20 feet.

FD9. If exit doors from each kitchen will also open in the direction of egress, as with most kitchens, they will be required to not obstruct more than 50% of the required egress width.

FD10. Additional Fire Department requirements may be set after reviewing a complete set of architecture plans.
PUBLIC WORKS DEPARTMENT

PW1. Prior to issuance of grading, building or other permits as appropriate, the Applicant shall pay all necessary fees to the City.

PW2. If a new sewer line/connection is installed, a fee will be required in addition to the fees paid to the County of Los Angeles Sanitation District, and shall be paid prior to building permit issuance. Contact the Utilities Department for further information.

PW3. A separate public works permit and payment of fee is required for all work in the public right of way.

PW4. Separate plans for improvements within the public right-of-way are not required. However, prior to issuance of a building and/or grading permit, all necessary improvements within the public right-of-way shall be shown on building or grading plans in accordance with established City standards or as directed by the Director of Public Works and the City Engineer.

The following are required for the off-site improvements:

MAIN STREET

PW5. Should the proposed work generate a street cut into the street, paving shall be according to Alhambra Standard Plan SR-2018-01.01, as directed by the Public Works Inspector.

PW6. Should the proposed work generate a cut into the alley, pavement shall be according to Alhambra Standard Plan SR-14, as directed by the Public Works Inspector.

PW7. Remove all construction graffiti. (Any underground utility identifying spray paint markings on the sidewalk and pavement related to excavation due to construction.)

PW8. A permit shall be obtained from the City of Alhambra Public Works Department prior to start of any work in the public right-of-way; including, but not limited to, public improvements and utility installations. All work shall be done in accordance with established City standards or as directed by the Director of Public Works and/or the City Engineer.
The following are general requirements for off-site improvements:

PW9. Any existing improvements in the public right-of-way damaged or made off-grade during construction, including but not limited to traffic signals, light standards, aprons, sidewalk, curb ramps, curb, and/or gutter shall be removed and replaced in accordance with the appropriate City Standard or as directed by the City Engineer.

PW10. All site drainage shall be collected and deposited in the adjacent gutter, alley, storm drain or similar structure or device. Site storm and/or nuisance water shall not flow across the City sidewalk.

PW11. All new and existing, non-complying driveway aprons shall be constructed in accordance with Alhambra Standard Plan SR-11 and shall provide a minimum 4' wide path of travel at not more than 2% cross-slope at the top of the apron. Where limited parkway width occurs, the sidewalk shall be depressed at the driveway apron to provide a disabled access complying path of travel across the driveway apron. Top of driveway apron X shall be 3' minimum from any trees, power poles, traffic signals controllers, electric services or similar improvements in the public way. Maximum width of SR-11 driveway apron in R-1 and R-2 zones is 20'.

PW12. All existing driveway aprons to be closed shall be removed and replaced with new curb, gutter and sidewalk constructed in accordance with Alhambra Standard Plans SR-01 and SR-07.

PW13. All existing damaged or off-grade sidewalks shall be removed and replaced in accordance with Alhambra Standard Plan SR-07.

PW14. All existing damaged or off-grade curb and gutter shall be removed and replaced in accordance with Alhambra Standard Plan SR-01.

PW15. All existing street trees off-site shall be protected in place. Street trees shall be replaced in kind; 60" box minimum, if damaged or killed.

PW16. Permittee/contractor shall submit a Solid Waste Management and Recycling Plan to the City Manager’s Office for review and approval prior to issuance of a demolition permit and/or grading permit for the project. Said plan shall indicate that the permittee/contractor shall provide documentation such as receipts from landfills, salvage and recycling facilities upon completion of the demolition/construction. Said plan shall identify:

A. Types of materials for recycling, reuse or sorting
B. Estimated quantities
C. Separation requirements
PW17. Prior to issuance of a demolition and/or grading permit, the permittee/contractor shall contact the California Integrated Waste Management Board (recycling hotline 800-553-2962) to obtain an approved recycler (processor and/or receiver) for demolition and construction waste.

At the minimum, the permittee/contractor shall recycle each of the following demolition and construction waste materials:

- Asphalt paving: 75%
- Concrete and concrete masonry units: 75%
- Non-lead based painted wood wastes (dimensional lumber and broken crates and pallets): 50%
- Metals: 60%
- Toilets: 75%
- Appliances: 75%
- Copper cable/wire: 50%
- Transformers and ballast’s: 100%
- Fluorescent lamps: 100%
- Glass: 50%
- Unpainted gypsum board: 50%

A minimum of 50% of the total weight of the waste (demolition and construction wastes) shall be diverted from landfill.

UTILITIES DEPARTMENT

U1. The owner/developer shall provide to the Utilities Department one set of complete project plans for further review. The plans shall include all lot area, building space, landscape and retail use for the project. All water, irrigation, fire (including fire flow requirements) and sewer shall be noted on review set. Plans shall be submitted to Utilities Department at the same time Building Plans are submitted.

U2. The owner/developer shall implement Structural and Source Best Management Practices to minimize pollutant discharges to the storm water system during construction and continue after occupancy.

U3. The owner/developer shall be required to purchase and have the City install one 1½ -
inch water service and meter for commercial service and required backflow protection.

U4. The owner/developer shall be responsible for all required water system access, sewer connection and backflow fees.

U5. The owner/developer shall be responsible for upgrading all 4-inch sewer laterals being used to 6-inch and cap all others. The sewer lateral is the entire sewer pipeline that runs from the owner/developer’s building/house to the City’s sewer main in the public right-of-way/street.

U6. The owner/developer is required to contact the City of Alhambra’s Public Works inspector at (626) 570-5067 to schedule an appointment for inspection of the 6-inch lateral connection to the City’s sewer main, before back-filling and paving.

U7. Minimum 750-gallon grease interceptor is required.

U8. Reduced pressure (R.P.) type backflow prevention device is required on new domestic water service.

U9. The owner/developer shall incorporate and comply with all the regulations, policies, and standards regarding water, sewer and storm water.

U10. All fees shall be paid prior to issuance of Building Permits.

LIST OF CONDITIONS

- 1-½-inch Water Service (Commercial)
- Water System Access Fees
- 6” Sewer Lateral
- Sewer Connection Usage Fee
- Backflow Device Fee

FEES (Estimated)
Fees are subject to change and actual fees to be paid will be based upon the adopted fee schedule in effect at the time that building permits are paid and issued.
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<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Extended Price</th>
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<tbody>
<tr>
<td>1-½ -inch Water Service (Commercial)</td>
<td>1</td>
<td>$3,772.00</td>
<td>$3,772.00</td>
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<tr>
<td>Water System Access Fee</td>
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<td>Sewer Connection Usage Fee</td>
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<td>$7,869.50</td>
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<td>Excavation / Encroachment Fee</td>
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<td>$1,802.00</td>
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<td>Plan Check Fees / Inspection Fees</td>
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<td>$945.50</td>
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<tr>
<td>Backflow Device Fee</td>
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<td>$91.00</td>
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<tr>
<td>Water Service Disconnection</td>
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<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$17,115.00</strong></td>
</tr>
</tbody>
</table>
ATTACHMENT 6

NOTICE OF EXEMPTION

TO: County Clerk, County of Los Angeles
   Environmental Filings
   12400 East Imperial Highway, Room 1201
   Norwalk, CA  90650

FROM: City of Alhambra
      Community Development Department
      111 South First Street
      Alhambra, CA 91801

SUBJECT: Filing of Notice of Exemption

PROJECT TITLE/LOCATION:
Planned Development Permit PD-23-41, and
Variance VAR-23-12
1117 East Main Street
Alhambra, CA 91801

LEAD AGENCY:
City of Alhambra, Community Development Department
111 South First Street, Alhambra, CA 91801

PROJECT DESCRIPTION:
This is an application for Planned Development Permit PD-23-41 and Variance VAR-23-12 to allow for the establishment
of a remote commercial kitchen with less than the required number of parking spaces within an existing 4,450 square foot
commercial building located at 1117 East Main Street in the East Main Commercial (EMC) zone.

NAME OF PUBLIC AGENCY APPROVING THE PROJECT
City of Alhambra

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT
Yuri Amsellem

EXEMPT STATUS
[ ] Ministerial (Sec. 21080(b)(1)); 15268);
[ ] Declared Emergency (Sec. 21080(b)(3)); 15269(a);
[ ] Emergency Project (Sec. 21080(b)(4)); 15269(b)(c).
[X] Categorical Exemption (Sec. 15301)

REASONS WHY PROJECT IS EXEMPT
The project is exempt from the provisions of CEQA listed in Article 19: Categorical Exemptions, Section 15301, Existing
Facilities, Class 1 consisting of interior alterations to an existing structure involving negligible or no expansion of use
beyond the existing commercial structure. The proposed use will be established within an existing facility and the existing
building will not be expanded to accommodate the use. Interior alterations that are proposed will not expand the existing
building in any way.

Project Contact Person: Jessica Vargas
Signature:_____________________________ Phone: (626) 570-5034
Title: Planning Technician
Date: June 6, 2023
AGENDA REPORT
June 5, 2023
Planned Development Permit PD-23-49

TO: City of Alhambra Planning Commission
FROM: Andrew Ho, Director of Community Development
Vanessa Reynoso, Deputy Director of Community Development
Paul Lam, Principal Planner
By: Kassandra Cornejo, Assistant Planner

SUBJECT: Planned Development Permit PD-23-49

1. LOCATION: 1127 South Fremont Avenue, Unit C
2. DATE FILED: March 14, 2023
3. APPLICANT: Christian A. Flores
4. PROPERTY OWNER: Elite-TRC Alhambra Community LLC
5. APN: 5342-032-016
6. AREA OF PROPERTY: 23,180 square feet (approximately 0.53 acres)
7. ZONING: CPD (Commercial Planned Development)
8. GENERAL PLAN: General Commercial
9. CEQA DETERMINATION: Categorically Exempt
10. STAFF RECOMMENDATION: Approval

PROPOSAL:
This is an application for a Planned Development Permit PD-23-49 to establish a medical office in an existing commercial lease space at The Shops at The Alhambra shopping center located at 1127 South Fremont Avenue, Unit C in the Commercial Planned Development (CPD) zone.

LOCATION:
The Shops at The Alhambra shopping center is located at the northwest corner of South Fremont Avenue and West Mission Road, with the subject parcel and subject suite located at the northmost point of the center. The site consists of the subject parcel, a 23,180 square foot lot, and three (3)
adjacent parcels totaling approximately 6.24 acres. The site was developed in 2004 and 2005 with three (3) one-story commercial buildings and one (1) two-story commercial building, respectively. Kohl’s occupies the two-story commercial building, while the three (3) one-story commercial buildings have a combined total of 10 tenant suites, which are occupied by a variety of retail and food service uses such as Starbucks, Jamba Juice, Subway, Wingstop, and others. The tenant suite proposed to be utilized as a medical office (1127 South Fremont Avenue, Unit C) previously operated as a professional office for Allstate Insurance Company. This shopping center is located along Fremont Avenue and West Mission Road in an area featuring mixed uses, including residential, commercial, office, educational, and industrial uses. The adjacent property to the north is zoned Industrial Planned Development (IPD); the properties to the west are both IPD zone and CPD zone; the properties to the east are Professional Office (PO) zone; and the properties to the south are CPD zone.

<table>
<thead>
<tr>
<th>Surrounding Parcels</th>
<th>Existing Zoning &amp; General Plan Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Parcel</td>
<td>CPD (Commercial Planned Development) / General Commercial</td>
</tr>
<tr>
<td>North</td>
<td>IPD (Industrial Planned Development) / Industrial</td>
</tr>
<tr>
<td>South</td>
<td>CPD (Commercial Planned Development) / General Commercial</td>
</tr>
<tr>
<td>East</td>
<td>PO (Professional Office) / Office Professional</td>
</tr>
<tr>
<td>West</td>
<td>CPD (Commercial Planned Development) / General Commercial &amp; IPD (Industrial Planned Development) / Industrial</td>
</tr>
</tbody>
</table>

**ANALYSIS:**

The Applicant is requesting approval of a Planned Development Permit to allow the establishment of a medical office in an existing commercial lease space most recently occupied by a professional office. The existing 2,400 square foot tenant space is proposed to be remodeled within the interior to accommodate the proposed new use. The interior modifications will include the relocation of a portion of the existing demising wall separating Unit C from Unit B. The reconfiguration of the demising wall will eliminate 431 square feet from Unit C, reducing its overall square footage to 1,969 square feet and increasing the overall square footage of Unit B to 2,175 square feet. Additional interior improvements include a new waiting area and workstations at the front of the unit, while the rest of the space will remain as existing with two (2) offices, two (2) restrooms, a storage room, and a lunch room.

The business would operate as a medical office where a licensed phlebotomist will collect blood and urine specimens in order to assist providers with health care services. The proposed hours of operation are Monday through Friday from 6:00 a.m. to 3:00 p.m. The business would operate under the name Labcorp, but no laboratory services or testing of specimens will occur on site. All specimens will be packaged and transported to a testing lab facility in San Diego on a nightly basis. Labcorp is a global life sciences company with almost 100 locations worldwide. Nearby Labcorp locations include offices in Pasadena, Los Angeles, San Gabriel, and Montebello. The Applicant hopes to serve the community by partnering with and providing services for healthcare providers, employers, and governmental agencies through their specimen collection and off-site testing.
Planned Development Permit

Pursuant to Alhambra Municipal Code ("AMC") Section 23.62.020(B)(4), a Planned Development Permit is required for this application as the proposed use has a more restrictive parking requirement than that of the previous use. The proposed medical office use, which would be permitted by right but for the fact that the proposed use has a more restrictive parking requirement, will complement the residential and office uses in the vicinity of Mission Road. There are multiple commercial and office uses north of Mission Road and a significant number of residences to the south of Mission Road, all of which may be served by the proposed medical office. The addition of the proposed medical office to The Shops at The Alhambra shopping center will provide area residents with additional local access to healthcare services, and will make the shopping center more diverse.

Parking

The existing parking within The Shops at The Alhambra shopping center is spread across four (4) different parcels. The two-story building occupied by Kohl’s is located on a separate parcel and served by its own parking lot. The three (3) one-story commercial buildings, which are located on three (3) separate parcels, are served by a shared parking lot that spans across the three (3) parcels. A total of 136 on-site parking spaces are provided in the shared parking lot, which is located behind the three (3) one-story buildings and is accessible from Fremont Avenue.

The AMC’s parking requirements are based on uses and floor area. Pursuant to AMC Section 23.52.040, medical office uses require one (1) parking space for each 200 square feet of gross floor area with a minimum of four (4) spaces required per business, whereas office uses require one (1) parking space for each 250 square feet of gross floor area with a minimum of four (4) spaces per business. The parking standard for the proposed medical office use is more restrictive than the previous office use, which will result in an increase to the overall parking demand for the three (3) commercial buildings by two (2) spaces. The required amount of parking for Unit C will remain the same due to the proposed tenant improvements which will reduce the square footage of the tenant space from 2,400 square feet to 1,969 square feet. With this new use and the eight (8) other existing commercial tenants located at this section of the shopping center, there would be a total parking demand of 126 spaces. Based on the existing 136 on-site spaces in the shared parking lot serving these three (3) commercial buildings, a surplus parking supply of 10 spaces would exist with the proposed new medical office use. Thus, there is ample parking to accommodate any additional parking demand generated by the proposed use. Attachment 2 includes a parking analysis of the site which breaks down requirements for all existing tenants.

<table>
<thead>
<tr>
<th>USE</th>
<th>PARKING RATIO</th>
<th>REQUIRED PARKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous</td>
<td>Professional Office</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Proposed</td>
<td>Medical Office</td>
<td>1 space/200 sq. ft.</td>
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</tbody>
</table>
ENVIRONMENTAL STATUS:
Planned Development Permit PD-23-49 is not subject to CEQA review pursuant to California Environmental Quality Act, Section 15301 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for this exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use.

PUBLIC NOTICE:
On Wednesday, May 24, 2023, a Notice of Public Hearing was sent to eight (8) property owners and 15 tenants who own or rent properties within a 300-foot radius of the project site. A legal notice advertising the public hearing was placed in the Pasadena Star News on Friday, May 26, 2023. A notice was also posted on the property on Tuesday, May 16, 2023. No comments have been received from any of the parties notified or residents of the area at the time this agenda report was finalized.

PROJECT FINDINGS:
The land use entitlement for Planning Commission consideration is a Planned Development Permit. Pursuant to the Alhambra Municipal Code this entitlement shall be granted if the Planning Commission can make all of the following findings:

_Planned Development Permit Findings_
Following a public hearing on the Planned Development Permit application, the Planning Commission shall approve the application only if the findings of fact below can be made:

1. The proposed use is permitted under the Zoning Ordinance;
2. With appropriate conditioning, the proposed use complies with the purpose and intent of the Zoning Ordinance and the City’s General Plan;
3. With appropriate conditioning, the proposed development would be physically suitable for the lot or lots on which it is proposed;
4. With appropriate conditioning, the proposed development would be physically compatible with existing and future land uses within the general area in which the proposed use is located;
5. With appropriate conditioning, there would be adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety; and
6. With appropriate conditioning, there would be adequate provisions to public access to serve the site.
CONCLUSION:
The proposed use will change the parking standards from a 1:250 ratio (professional office use) to a 1:200 ratio (medical office use), increasing the overall number of required parking spaces at the site by two (2). With the increased total demand of parking for this portion of The Shops at The Alhambra to 126 parking spaces versus the previous 124, there will be a surplus parking supply of 10 spaces as there are 136 on-site parking spaces. The site is therefore developed with adequate parking to serve the proposed use. The Applicant’s request to entitle a medical office would provide convenience to nearby residents as they may access health care services near their place of residence. This medical office would further add to the diversity of businesses which this portion of The Shops at The Alhambra shopping center provides. The proposed medical office use is appropriate in the CPD zone, and therefore, Staff recommends approval of this project.

STAFF RECOMMENDED ACTION:
Staff recommends Planning Commission to:

1. **Adopt Resolution No. 23-12**, approving Planned Development Permit PD-23-49, to establish a medical office in an existing commercial lease space most recently occupied by a professional office in the Commercial Planned Development (CPD) zone, subject to the attached Conditions of Approval (Attachment 5, Exhibit A), for the property located at 1127 South Fremont Avenue, Unit C in the City of Alhambra.

2. Find Planned Development Permit PD-23-49 exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Environmental Quality Act, Section 15301 of the CEQA Guidelines, Existing Facilities, Class 1.

3. Direct Staff to file and post a Notice of Exemption in accordance with Section 15062 of the California Code of Regulations.

ATTACHMENTS:

1. Location Map
2. Parking Summary
3. Structural Plans
4. Business Plan
5. Resolution No. 23-12
6. Notice of Exemption
ATTACHMENT 3

STRUCTURAL PLANS

LABCORP
1127 S. FREMONT AVE. UNIT C
ALHAMBRA, CA 91803
Re: Laboratory Corporation of America
1127 S. Fremont Ave. Unit: 1127C Alhambra, CA 91803

Good morning Mrs. Cornejo

Labcorp is a global life sciences and healthcare company harnessing science for human good. Every day, our mission is to improve health and improve lives. Our scientists, medical researchers, doctors and healthcare professionals advance science, technology and innovations to make real, meaningful differences in patients’ lives. Using world-class diagnostics to improve patient care and accelerating drug development, we’re always rethinking ways to make healthcare more accessible.

We partner with and provide services to anyone, in any community, affected by healthcare. This includes managed care organizations, biopharmaceutical companies, governmental agencies, physicians and other healthcare providers, hospitals and health systems, employers, patients and consumers, contract research organizations and independent clinical laboratories.

The Labcorp space located @ 1127 S. Fremont Ave. Unit: 1127C Alhambra, CA 91803 will serve as a specimen collection location. The site will be open Monday through Friday 6:00am-3:00pm. Blood and urine specimens will be collected onsite throughout the day by our licensed phlebotomist then packaged for transport to our testing Lab @ 13112 Evening Creek Drive South San Diego, CA 92128 on a nightly basis. The site will serve patients in the surrounding community to assist their providers with their healthcare.

Sincerely,

Christian A. Flores
Labcorp Facilities Manager/California
RESOLUTION NO. 23-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA APPROVING PLANNED DEVELOPMENT PERMIT PD-23-49 TO ESTABLISH A MEDICAL OFFICE IN AN EXISTING COMMERCIAL LEASE SPACE MOST RECENTLY OCCUPIED BY A PROFESSIONAL OFFICE LOCATED IN THE CPD (COMMERCIAL PLANNED DEVELOPMENT) ZONE FOR THE PROPERTY LOCATED AT 1127 SOUTH FREMONT AVENUE, UNIT C IN THE CITY OF ALHAMBRA.

THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Planning Commission does hereby make the following findings of fact:

A. On March 14, 2023, an application for a Planned Development Permit, was submitted by the Applicant, Christian A. Flores, on behalf of the property owner (Elite-TRC Alhambra Community LLC) to permit the use of a medical office within an existing building at 1127 South Fremont Avenue, Unit C;

B. The Planned Development Permit application was deemed complete on April 10, 2023;

C. The General Plan land use designation for the subject property is General Commercial, and the Zoning designation is CPD (Commercial Planned Development). The surrounding parcels to the south and west have identical General Plan and Zoning designations. The parcels to the north and west have a General Plan designation of Industrial and a Zoning Designation of IPD (Industrial Planned Development). The parcel to the east has a General Plan designation of Office Professional and a Zoning designation of PO (Professional Office);

D. The Shops at The Alhambra shopping center is located at the northwest corner of South Fremont Avenue and West Mission Road, with the subject parcel and subject suite located at the northmost point of the center. The site consists of the subject parcel, a 23,180 square foot lot, and three (3) adjacent parcels totaling approximately 6.24 acres. The site was developed in 2004 and 2005 with three (3) one-story commercial buildings and one (1) two-story commercial building, respectively. Kohl’s occupies the two-story commercial building, while the three (3) one-story commercial buildings have a combined total of 10 commercial spaces, which are occupied by a variety of retail and food service uses such as Starbucks, Jamba Juice, Subway, Wingstop and others. This shopping center is located along Fremont Avenue and West Mission Road in an area featuring mixed uses, including residential, commercial, office, educational, and industrial uses;

E. The project, Planned Development Permit PD-23-49, is not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use;
On June 5, 2023, a duly noticed public hearing was held before the City of Alhambra Planning Commission at 7:00 p.m. at City Hall Council Chambers, 111 South First Street, Alhambra; and

At this hearing, the Planning Commission considered the Staff report, Staff presentation, Applicant presentation, and public testimony.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS. Based upon the Notice of Exemption prepared for the project, the Planning Commission further finds and determines as follows:

A. A Notice of Exemption for this project was prepared in compliance with the California Environmental Quality Act (CEQA); and

B. This project, Planned Development Permit PD-23-49, is not subject to CEQA review pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that are existing facilities. This agenda item meets the criteria for this exemption because it consists of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use; and

C. The documents and other materials which constitute the record of proceedings of Planned Development Permit PD-23-49 upon which the decision of the Planning Commission is made are located within the Community Development Department.

SECTION 3. PLANNED DEVELOPMENT PERMIT FINDINGS. Based upon the foregoing facts and findings (Section 23.62.070 of the Alhambra Municipal Code) for Planned Development Permit PD-23-49, the Planning Commission hereby determines as follows:

A. The proposed use is permitted under the Zoning Ordinance.

The proposed medical office use is permitted in the Commercial Planned Development zone pursuant to Alhambra Municipal Code Section 23.28.020. This application for a Planned Development Permit is required pursuant to Section 23.62.020(B)(4) for an application for a change of use with a more restrictive parking requirement.

B. With appropriate conditioning, the proposed use complies with the purpose and intent of the Zoning Ordinance and the City’s General Plan.

The purpose and intent of the Zoning Ordinance and General Plan are to allow for the establishment of a mixture of commercial uses. The proposed medical office use will complement the many residential uses in the vicinity and commercial uses in The Shops at The Alhambra shopping center. The addition of the proposed medical office to this area of Fremont Avenue and Mission Road will provide area residents with additional health care services. Additionally, the shopping center requires 126 parking spaces with the proposed use and will maintain a surplus of 10 parking spaces, making the site compatible with parking requirements of the Zoning Ordinance.

C. With appropriate conditioning, the proposed development would be physically suitable for the lot
or lots on which it is proposed.

The Shops at The Alhambra shopping center has an approximate lot area of 6.77 acres, with the subject parcel being 23,180 square feet (0.53 acres). No additions are being proposed as part of this project. Although the new use would increase the required parking by two (2) spaces, the lot serving this use will maintain a surplus of 10 parking spaces. The existing commercial tenant space is adequate to accommodate the commercial use in its entirety, and thus the proposed use is suitable for the lot in which it is being proposed.

D.  **With appropriate conditioning, the proposed development would be physically compatible with existing and future land uses within the general area in which the proposed use is located.**

The proposed development is physically compatible with existing and future land uses within the general area in which the proposed use is located. The commercial suite is located within a commercial center known as The Shops at The Alhambra which is surrounded by various commercial, office, educational, residential, and industrial uses. The proposed medical office would be occupying a commercial space that once was a professional office. There are no additions proposed as part of the scope of work and the new medical office business will only be utilizing the existing building envelope.

E.  **With appropriate conditioning, there would be adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.**

The proposed project has been reviewed by the City of Alhambra Utilities and Public Works Departments, who have determined that the subject site and proposed use will be adequately serviced with water, sanitation and public utilities. The Fire Department has also reviewed the proposal and have determined that the subject site and proposed use will be adequately serviced with emergency services to ensure that the proposed use would not be detrimental to the public health and safety.

F.  **With appropriate conditioning, there would be adequate provisions to public access to serve the site.**

The existing development of the subject property has adequate on-site parking to accommodate the proposed use and the existing uses at the site. With the existing uses and proposed use, the site would require 126 on-site parking spaces to serve the three (3) one-story commercial buildings. The site is developed with 136 on-site parking spaces to serve these tenants, more than what is required under the Zoning Ordinance.

**SECTION 4. NOW THEREFORE, BE IT RESOLVED,** by the Planning Commission of the City of Alhambra, California, as follows:

A.  Approve Commercial Planned Development Permit PD-23-49 to establish a medical office in an existing commercial lease space most recently occupied by a professional office located in the Commercial Planned Development (CPD) zone, subject to the attached Conditions of Approval (Exhibit A), for the property located at 1127 South Fremont Avenue, Unit C in the City of Alhambra.
B. Find Planned Development Permit PD-23-49 exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Environmental Quality Act, Section 15301 of the CEQA Guidelines, Existing Facilities, Class 1.

C. Direct Staff to file and post a Notice of Exemption in accordance with Section 15062 of the California Code of Regulations.

PASSED, APPROVED AND ADOPTED THIS 5TH DAY OF JUNE, 2023.

______________________________
NOYA WANG, PRESIDENT
PLANNING COMMISSION
I, Andrew Ho, Planning Commission Secretary of the City of Alhambra, do hereby certify that forgoing Resolution was duly adopted by the Planning Commission of the City of Alhambra at a regular meeting thereof, held on the 5th day of June, 2023, by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ANDREW HO, SECRETARY
PLANNING COMMISSION
EXHIBIT A

CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-23-49

JUNE 5, 2023

APPLICANT: CHRISTIAN A. FLORES

PLANNING DIVISION

PL1. This approval is for a Commercial Planned Development Permit PD-23-49 to establish a medical office in an existing commercial lease space most recently occupied by a professional office located in the Commercial Planned Development (CPD) zone for the property located at 1127 South Fremont Avenue, Unit C in the City of Alhambra.

PL2. The Planned Development shall be valid for a maximum period of one (1) year from the date of this approval. The Planning Commission may grant extensions to this time period not to exceed a total of one (1) year. The Planned Development Permit shall become null and void unless exercised within one (1) year of the date of final approval, or such extension of time as may be granted by the Planning Commission pursuant to a written request for extension submitted to the Department of Community Development a minimum of 90 days prior to such expiration date.

PL3. The Applicant shall submit an “Acceptance of Conditions of Approval” form and return it to the Community Development Department within 10 days of Planning Commission approval.

PL4. A modification/amendment of the Planned Development Permit shall be applied for if the establishment proposes to modify any of the Conditions of Approval.

PL5. Prior to the establishment or operation of the business, a Certificate of Occupancy application from the Planning Division shall be filed and a Business License from the Finance Department shall be issued for all tenants occupying the building.

PL6. Any future façade changes shall obtain approval from the Design Review Board per Chapter 23.64 of the Alhambra Municipal Code.

PL7. The final tenant improvements and business operations shall be substantially in conformance with the submitted plans and information, but shall be modified as necessary to comply with the Conditions of Approval.

PL8. Per AMC Section 18.02.060 (C), construction on the site shall be permitted only between the hours of 7:00 AM and 7:00 PM Monday through Saturday. There shall be no construction before or after these hours, nor shall any construction be allowed on Sundays or federal holidays.

PL9. All temporary signs and banners shall be subject to staff review and approval prior to installation and shall comply with Chapter 23.50 of the Alhambra Municipal Code.

PL10. All permanent exterior signage, including window signage, shall be approved by the
EXHIBIT A

CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-23-49

JUNE 5, 2023

APPLICANT: CHRISTIAN A. FLORES

Design Review Board prior to installation.

PL11. Any surface or ground mounted mechanical equipment, including transformers, terminal boxes, pull boxes, air conditioner condensers, gas meters and electric meter cabinets shall be screened from public view and/or treated to match the materials and colors of the adjacent building and shall be shown on the plans at the time of plan check submittal. Prior approval of such screening/treatment is required by the Planning Division. The project design may not include the use of window or wall mounted air conditioning units.

PL12. All mechanical equipment, storage, trash areas, and utilities including duct systems shall be architecturally screened from view pursuant to AMC Section 23.44.030(A)(5) and (15).

PL13. The property shall be maintained in a safe and well-kept condition prior to, during and after construction, in accordance with AMC 6.26. If City standards are not met, the approval may be revoked or a lien placed on the property to pay for clean-up.

PL14. The Applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, and disbursements (collectively "Claims") arising out of or in any way relating to this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any Conditions of Approval, the Applicant shall pay for all costs of enforcement, including attorney's fees.

PL15. The Director of Community Development shall have the authority to modify and/or waive Conditions of Approval in the event issues of impossibility or performance arise or in the event that the timing or manner of construction of required improvements can be made more efficient. Notwithstanding the foregoing, the Director of Community Development may not modify or waive a Condition of Approval that is an environmental mitigation measure. Additionally, if a modification or waiver is requested, the Director of Community Development retains the discretion to refer such request to the original approving body for the Condition of Approval.
BUILDING DIVISION

B1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.

B2. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior to permit issuance.

B3. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.

B4. Preliminary MS4 Project Application (MS4-1 FORM) completed by Engineer of Record and approved by Environmental Division shall be copied on the first sheet of Building Plans and on the first sheet of Grading Plans.

B5. All State of California disability access regulations for accessibility shall be complied with.

B6. Electrical plan check is required.

B7. Plumbing plan check is required.

B8. Project shall comply with the CalGreen Nonresidential mandatory requirements.

FIRE DEPARTMENT

FD1. NFPA 13: Fire sprinkler system including Alhambra Municipal Code Amendments; permits will be required for any framing changes that will require modifications to ensure adequate coverage.

FD2. NFPA 10: Portable fire extinguishers.

FD3. A current Annual and 5-year certification of the existing fire sprinkler system as well as an annual for the fire alarm system shall be required before final approval can be obtained for the tenant improvement.

FD4. Required exit doors shall be openable without the use of a key, tool, knowledge or special effort. In Groups A, B, F, M and S occupancies, key-locking hardware may be used on the main exit door, provided a sign is installed above said door to read: “This door to
remain unlocked when the building is occupied.” Emergency egress doors shall be equipped with panic hardware, unless exempted by another Section of the Code.

FD5. Additional Fire Department requirements may be set after reviewing a complete set of architecture plans.

PUBLIC WORKS DEPARTMENT

CITY ENGINEERING FEES

PW1. Prior to issuance of grading, building or other permits as appropriate, the Applicant shall pay all necessary fees to the City.

PW2. If a new sewer line/connection is installed, a fee will be required in addition to the fees paid to the County of Los Angeles Sanitation District, and shall be paid prior to building permit issuance. Contact the Utilities Department for further information.

PW3. A separate public works permit and payment of fee is required for all work in the public right-of-way.

PUBLIC WORKS REQUIREMENTS

PW4. Separate plans for improvements within the public right-of-way are not required. However, prior to issuance of a building and/or grading permit, all necessary improvements within the public right-of-way shall be shown on building or grading plans in accordance with established City standards or as directed by the Director of Public Works and the City Engineer.

The following are required for the off-site improvements:

FREMONT AVENUE.

PW5. Should the proposed work generate a street cut into the street paving shall be according to Alhambra Standard Plan SR-2018-01.01, as directed by the Public Works Inspector.

PW6. Should the proposed work generate a cut into the alley, pavement shall be according to Alhambra Standard Plan SR-14, as directed by the Public Works Inspector.
PW7. Remove all construction graffiti. (Any underground utility identifying spray paint markings on the sidewalk and pavement related to excavation due to construction.)

PW8. A permit shall be obtained from the City of Alhambra Public Works Department prior to start of any work in the public right-of-way; including, but not limited to, public improvements and utility installations. All work shall be done in accordance with established City standards or as directed by the Director of Public Works and/or the City Engineer.

The following are general requirements for off-site improvements:

PW9. Any existing improvements in the public right-of-way damaged or made off grade during construction, including but not limited to traffic signals, light standards, aprons, sidewalk, curb ramps, curb, and/or gutter shall be removed and replaced in accordance with the appropriate City Standard or as directed by the City Engineer.

PW10. All site drainage shall be collected and deposited in the adjacent gutter, alley, storm drain or similar structure or device. Site storm and/or nuisance water shall not flow across the City sidewalk.

PW11. All new and existing, non-complying driveway aprons shall be constructed in accordance with Alhambra Standard Plan SR-11 and shall provide a minimum 4' wide path of travel at not more than 2% cross-slope at the top of the apron. Where limited parkway width occurs, the sidewalk shall be depressed at the driveway apron to provide a disabled access complying path of travel across the driveway apron. Top of driveway apron X shall be 3' minimum from any trees, power poles, traffic signals controllers, electric services or similar improvements in the public way. Maximum width of SR-11 driveway apron in R-1 and R-2 zones is 20'.

PW12. All existing driveway aprons to be closed shall be removed and replaced with new curb, gutter and sidewalk constructed in accordance with Alhambra Standard Plans SR-01 and SR-07.

PW13. All existing damaged or off-grade sidewalks shall be removed and replaced in accordance with Alhambra Standard Plan SR-07.

PW14. All existing damaged or off-grade curb and gutter shall be removed and replaced in accordance with Alhambra Standard Plan SR-01.
PW15. All existing street trees off-site and on-site shall be protected in place. Street trees shall be replaced in kind; 60” box minimum, if damaged or killed.

PW16. Permittee/contractor shall submit a **Solid Waste Management and Recycling Plan** to the City Manager’s Office for review and approval prior to issuance of a demolition permit and/or grading permit for the project. Said plan shall indicate that the permittee/contractor shall provide documentation such as receipts from landfills, salvage and recycling facilities upon completion of the demolition/construction. Said plan shall identify:

A. Types of materials for recycling, reuse or sorting  
B. Estimated quantities  
C. Separation requirements  
D. On site storage  
E. Transportation methods  
F. Destinations  
G. Plan manager (contractor’s representative)

PW17. Prior to issuance of a demolition and/or grading permit, the permittee/contractor shall contact the California Integrated Waste Management Board (recycling hotline 800-553-2962) to obtain an approved recycler (processor and/or receiver) for demolition and construction waste.

PW18. At the minimum, the permittee/contractor shall recycle each of the following demolition and construction waste materials:

- Asphalt paving: 75%  
- Concrete and concrete masonry units: 75%  
- Non-lead based painted wood wastes (dimensional lumber and broken crates and pallets): 50%  
- Metals: 60%  
- Toilets: 75%  
- Appliances: 75%  
- Copper cable/wire: 50%  
- Transformers and ballast’s: 100%  
- Fluorescent lamps: 100%  
- Glass: 50%
Unpainted gypsum board: 50%

A minimum of 50% of the total weight of the waste (demolition and construction wastes) shall be diverted from landfill.

UTILITIES DIVISION

U1. The owner/developer shall provide one set of complete project plans to the Utilities Department for further review. The plans shall include all lot area, building space and landscape for the project. All water, irrigation, fire (including fire flow requirements) and sewer shall be noted on review set. Plans shall be submitted to Utilities Department at the same time Building Plans are submitted.

U2. The owner/developer shall implement Structural and Source Best Management Practices to minimize pollutant discharges to the storm water system during construction and continue after occupancy.

U3. The owner/developer shall be responsible for all required water system access and sewer connection fees.

U4. The owner/developer shall incorporate and comply with all regulations, policies and standards regarding water, sewer and storm water.

U5. All fees shall be paid prior to issuance of Building permits.

LIST OF CONDITIONS

- Plan Check/ Inspection Fee

FEES (Estimated)

Fees are subject to change and actual fees to be paid will be based upon the adopted fee schedule in effect at the time that building permits are paid and issued.

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<th>Extended Price</th>
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EXHIBIT A

CONDITIONS OF APPROVAL

PLANNED DEVELOPMENT PERMIT PD-23-49

JUNE 5, 2023

APPLICANT: CHRISTIAN A. FLORES

| Total  |       |       | $977.00 |
TO: County Clerk, County of Los Angeles  
Environmental Filings  
12400 East Imperial Highway, Room 1201  
Norwalk, CA 90650

FROM: City of Alhambra  
Community Development Department  
111 South First Street  
Alhambra, CA 91801

SUBJECT: Filing of Notice of Exemption

PROJECT TITLE/LOCATION: Planned Development Permit PD-23-49  
1127 South Fremont Avenue, Unit C  
Alhambra, CA 91803

LEAD AGENCY: City of Alhambra, Community Development Department  
111 South First Street, Alhambra, CA 91801

PROJECT DESCRIPTION: This is an application for a Planned Development Permit PD-23-49 to establish a medical office in an existing commercial lease space most recently occupied by a professional office located in the CPD (Commercial Planned Development) zone for the property located at 1127 South Fremont Avenue, Unit C in the City of Alhambra.

NAME OF PUBLIC AGENCY APPROVING THE PROJECT  
City of Alhambra

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT  
Christian A. Flores

EXEMPT STATUS

[ ] Ministerial (Sec. 21080(b)(1)); 15268;
[ ] Declared Emergency (Sec. 21080(b)(3)); 15269(a);
[ ] Emergency Project (Sec. 21080(b)(4)); 15269(b)(c).
[X] Categorical Exemption (Sec. 15301)

REASONS WHY PROJECT IS EXEMPT

The project is exempt from the provisions of CEQA listed in Article 19: Categorical Exemptions, Section 15301: Existing Facilities, Class 1 consisting of the operation, repair, maintenance, permitting, licensing, leasing, or minor alterations of existing private structures or facilities involving negligible or no expansion of the existing or former use.

Project Contact Person: Kassandra Cornejo  
Signature: ___________________________  
Phone: (626) 570-5034  
Date: June 6, 2023  
Title: Assistant Planner