



City of La Cañada Flintridge

Planning Commission Special Meeting

May 20, 2021

COMPREHENSIVE ZONING ORDINANCE UPDATE



Chapter 11.5.01 (Affordable Housing Density Bonus)

Part 11.5 – General Regulations, Affordable Housing Density Bonus (Chapter 11.5.01)

- **Existing permit, modified**
- **Purpose:** Encourage production of affordable housing in compliance with State law and the goals of the City's Housing Element.
- **Process E:**
 - Planning Commission makes recommendation to City Council.
 - City Council is final decision-maker.

Category	Min. Qualifying Units	Min. Allowed Bonus	Add'l Bonus for Increase in Qualifying Units	Qualifying Units Required for Maximum Bonus
Housing Development	5% very low-income	20%	2.5	11%
	10% for lower-income	20%	1.5	20%
	20% for lower income students in student housing	35%	N/A	20%
	100% lower income (max 20% moderate income)	80%; but no limit if ½ mile from major transit stop	N/A	100%
Senior Citizen Housing Development/ Qualifying Mobile Home Park	100% senior citizen	20%	N/A	100%
Common Interest Developments	10% moderate-income	5%	1.0	40%
Transitional foster youth, disabled veterans, or homeless persons	10% transitional foster youth, disabled veterans, or homeless persons	20%	N/A	10%
Land Donation	Per Section 11.5.01.005			
Child Care Facility	Per Section 11.5.01.006			
Condominium Conversion	Per Section 11.5.01.007			

Allowable Development Incentives or Concessions

Category	Min. Qualifying Units	Number of Allowable Incentives/ Concessions
Housing Development	10% lower-income	1
	20% lower-income	2
	20% lower income student in student housing	1
	30% lower-income	3
	5% very low-income	1
	10% very low-income	2
	15% very low-income	3
	100% low income (including max 20% moderate income)	4; and if located within ½ mile of major transit stop, also height increase of 3 additional stories or 33 feet
Senior Citizen Housing Development/ Qualifying Mobile Home Park	None	
Common Interest Developments	10% moderate-income	1
	20% moderate-income	2
	30% moderate-income	3
Land Donation	None	
Child Care Facility	Per Section 11.5.01.006	
Condominium Conversion	Per Section 11.5.01.007	
Transitional foster youth, disabled veterans, or homeless person	None	



Part 6— Permits

Part 6—Permits:

- a. Certificates of Compliance (Chapter 11.6.04)
- b. Lot Line Adjustment (Chapter 11.6.05)
- c. Merger of Contiguous Parcels (Chapter 11.6.06)
- d. Temporary Use Permits (Chapter 11.6.11)
- e. Amendments of General Plan, Zoning Code, and Zoning Map (Chapter 11.6.12)
- f. Specific Plans (Chapter 11.6.13)
- g. Design Review (Chapter 11.6.14)
- h. Development Agreements (Chapter 11.6.15)
- i. Reasonable Accommodation for Individuals with Disabilities (Chapter 11.6.16)



Previously Reviewed Permits

Previously Reviewed Permits:

- Zoning Clearance (Chapter 11.6.03)
- Zoning Exceptions (Chapter 11.6.07)
- Variances (Chapter 11.6.08)
- Use Permits (Chapter 11.6.09)
- Development Review Permits (Chapter 11.6.10)



Overview

Part 11.6 (Land Use & Development Permits and Procedures)

➤ Review of Issues:

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



Overview

Part 11.6 (Land Use & Development Permits and Procedures)

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



Overview

Part 11.6 (Land Use & Development Permits and Procedures)

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



Overview

Part 11.6 (Land Use & Development Permits and Procedures)

➤ Summary of General Processes:

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

Review Process for Decisions Regarding Land Use & Development Permits

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



Certificate of Compliance

Certificate of Compliance (Chapter 11.6.04) (Page 11.6-16)

- **Existing permit**
- **Purpose:** Certain lots in the City were created without processing subject to the Subdivision Map Act. This permit establishes a process in accordance with State law that requires a Certificate of Compliance be recorded for these lots before building permits can be issued for any project on the property.
- **Process A** – Ministerial decision made by the Director



Lot Line Adjustment

Lot Line Adjustment (Chapter 11.6.05) (Pages 11.6-17 – 18)

- **Existing permit, modified**
- **Purpose:** Establishes a process for the adjustment of lot lines in accordance with the Subdivision Map Act.
- **Applies to:** Four (4) or fewer adjacent parcels where the land taken from one parcel is added to an adjacent parcel and where a greater number of parcels than originally existed is not created.
- **Special Process:**
 - The Director may approve, conditionally approve, or deny the Lot Line Adjustment in accordance with the provisions of the chapter.
 - Includes findings.



Merger of Contiguous Parcels

Merger of Contiguous Parcels (Chapter 11.6.06) (Pages 11.6-19 – 23)

- **Existing permit, modified**
- **Purpose:** Revisions were made to bring into the chapter into conformance with the Subdivision Map Act.
- **Applies to:** Both City-initiated and property owner-initiated mergers.
 - Clarifies that both the City and a property owner can initiate a merger of contiguous parcels.
- **Special Process:** Process varies depending on who does the initiating and whether the property owner contests a City-initiated merger (via a Notice of Intent to Determine Status).



Temporary Use Permits

Temporary Use Permits (TUP) (Chapter 11.6.11) (Pages 11.6-45 – 54)

- **Existing permit, modified**
- **Purpose:** Allows Director-level review of certain interim, temporary, or seasonal uses, when such uses, events, and activities are desirable for the community in the short-term but would have detrimental effects if allowed to continue on a permanent basis.
- **Applies to:** Uses as provided for in Chapter 11.6.11, including Major, Master, and Minor temporary uses.
- **Special Process:**
 - Discretionary decision made by the Director, with appeal to the City Manager.
 - Process varies depending on type of TUP.



Temporary Use Permits (con't.)

Temporary Use Permits (Chapter 11.6.11), continued (Pages 11.6-45 – 54)

➤ **Modifications:**

- Reorganizes the existing Temporary Use Permit chapter to make it easier to use.
- Increases the number of TUPs to address deficiencies, such as:
 - Temporary storage units in residential zones
 - Mobile food vendors
 - Temporary car washes for fundraising, etc.
- Provides new standards and regulations for new and existing uses where appropriate.



Amendments

Amendments of General Plan, Zoning Code, and Zoning Map (Chapter 11.6-12) (Pages 11.6-55 – 58)

- **Partially new, partially existing permit**
- **Purpose:** Establishes provisions for amendment of the General Plan, Zoning Code, or Zoning Map.
 - Adds a process for amending the General Plan.
 - Consolidates zone changes and amendments and amendments to the General Plan in one chapter.
 - Modifies findings to be consistent with those required for legislative actions.



Amendments (con't.)

Amendments of General Plan, Zoning Code, and Zoning Map (Chapter 11.6-12), *continued* (Pages 11.6-55 – 58)

- **Applies to the following, regardless of who initiates an amendment:**
 - General Plan
 - Zoning Code
 - Zoning Map
- **Process E:**
 - Planning Commission makes recommendation to City Council.
 - City Council takes legislative action.



Specific Plans

Specific Plans (Chapter 11.6-13) (Pages 11.6-59 – 61)

- **New permit.**
- **Purpose:** Establishes procedures to prepare, process, review, adopt, implement, and amend specific plans, consistent with the provisions of State law.
- **Applies to:**
 - Applications initiated by City Council, Planning Commission, Director, or property owner/agent..
 - Requires a minimum of 10 acres
- **Process E:**
 - Planning Commission makes recommendation to City Council.
 - City Council takes legislative action.



Design Review

Design Review (Chapter 11.6.14) (Pages 11.6-62 – 65)

- **Existing permit, modified**
- **Purpose:** Establishes procedures for design review
- **Applies to the following, as determined in the chapter:**
 - Nonresidential projects
 - Multifamily Residential Projects (subject to HE update)
 - Mixed Use Development (subject to HE update)
 - Master CUP
 - Specific Plan
 - Any referred project



Design Review (con't.)

Design Review (Chapter 11.6.14), *continued* (Pages 11.6-62 – 65)

➤ **Modifications:**

- Makes minor modifications for clarity and consistency.
- Adds review of multifamily residential development and mixed use development.
- Allows Director to waive requirements for design review if he/she determines the change is minor in nature and/or is for the purpose of de minimis repair.
- Streamlines required findings.
- Modifies the existing review process to be consistent with the proposed new processes in the updated Zoning Code.



Design Review (con't.)

Design Review (Chapter 11.6.14), *continued* (Pages 11.6-62 – 65)

➤ **Modifications, continued**

- In cases for which Planning Commission review is required, modifies the existing review process so that the Planning Commission reviews the project prior to final or consolidated Design Review; adds the ability for the Planning Commission to remand the project to the Design Commission for final details, when appropriate.
- Moves items associated with establishment, authority, and duties of the Design Commission to Title 2 (Administration and Personnel), consistent with the Planning Commission.



Design Review (con't.)

Design Review (Chapter 11.6.14), *continued* (Pages 11.6-62 – 65)

- **Process D-2 and as further required by the Chapter:**
 - Discretionary decision made by the Design Commission.
 - Makes Design Concept Review subject to a public meeting, while Final Design Review and Consolidated Review are now subject to a public hearing.



Development Agreements

Development Agreements (Chapter 11.6.15) (Pages 11.6-66 – 71)

- **Existing permit** (Minor modifications were made for clarification and consistency—no substantive changes)
- **Purpose:** Establishes rules and regulations for the processing, review, and approval of development agreements.
- **Applies to:** All development agreements proposed by developers and considered by the City Council.
- **Process E:**
 - City Council



Reasonable Accommodation

Reasonable Accommodation for Persons with Disabilities (Chapter 11.6.16) (Pages 11.6-72 – 75)

- **Existing permit, modified**
- **Purpose:** Establishes a procedure for individuals with disabilities to make requests for reasonable accommodation in land use, zoning and building regulations, policies, practices, and procedures to comply fully with federal and state fair housing laws.
- **Modifications:**
 - Makes changes to streamline the process for persons with disabilities to apply for a request for reasonable accommodation, in accordance with the federal Fair Housing Act.



Reasonable Accommodation (con't.)

Reasonable Accommodation for Persons with Disabilities (Chapter 11.6.16), *continued* (Pages 11.6-72 – 75)

➤ **Modifications, continued:**

- Adds a process for a person who cannot pay the application fee due to significant financial hardship to request a waiver of the fee.
- Clarifies that a reasonable accommodation does not run with the land.
- Allows the Director to require the affected premises to be returned to its prior physical condition, if reasonable to do so.
- Adds a section protecting the confidentiality of information regarding the applicant's disability.



Reasonable Accommodation (con't.)

Reasonable Accommodation for Persons with Disabilities (Chapter 11.6.16), *continued* (Pages 11.6-72 – 75)

➤ **Special Process:**

- Establishes the Director as the only reviewing authority for requests for reasonable accommodation
- Eliminates the requirement for a public hearing and public notification; instead, a notice of determination is mailed to owners of abutting property
- Establishes that appeal of the Director's determination is heard by the Zoning Hearing Officer



Questions, Comments, and Discussion