



CITY OF SIERRA MADRE
 Planning & Community Preservation Department
 232 West Sierra Madre Blvd. Sierra
 Madre, CA 91024
 (626) 355-7138

Copy to: Office of Planning and Research
 (1 copy) P.O. Box 3044, Room 113
 Sacramento, CA 95812-3044

File to: County Clerk
 (2 copies) Business Filings and Registration
 P.O. Box 1208
 Norwalk, CA 90650-1208



Categorical Exemption (\$75 County Posting Fee)

Name of Project: Ordinance 1449 amending Chapter 17.29 of Title 17 Zoning

Location: City of Sierra Madre (citywide)

Type of Business (if commercial):

High Density Zone Ordinance Municipal Code Text Amendment

Project Description: Adoption of ordinance amending Title 17 Chapter 17.29 of the Sierra Madre Municipal Code to conform to adopted 6th Cycle Housing Element Update

Applicant's Name: City of Sierra Madre Phone: 626-355-7138

Applicant's Address: 232 W. Sierra Madre Boulevard

City: Sierra Madre Zip: 91024

The undersigned, having received this project for processing, has reviewed it for environmental impact and concluded that the project qualifies for a categorical exemption under the procedures adopted by the City of Sierra Madre and no further environmental assessment is necessary.

Applicable Exemption Class: Section 15301, 15061(b)(3) and 15378(b)(5)

Comments: The proposed actions are in compliance with the provision of the California Environmental Quality Act (CEQA) under Section 15301, Title 14 of the California Code of Regulations and is also exempt from review because it does not meet the definition of a project under CEQA Guidelines sections 15061, subdivision (b)(3), and section 15378, subdivision (a) and subdivision (b)(5). The proposed changes to Chapter 17.29, as authorized and required by state law, have no potential for resulting in physical changes to the environment because they consist of changes in the standards governing zoning ordinance and do not directly or indirectly approve any applications for particular projects. Any particular proposed project will be required to undergo the City's entitlement process and appropriate review under CEQA.

Reviewed by: 
 Vincent Gonzalez

Date: April 20, 2022

Title: Director, Planning & Community Preservation

THIS NOTICE WAS POSTED
 ON April 29 2022
 UNTIL May 31 2022

REGISTRAR – RECORDER/COUNTY CLERK

ORDINANCE NO. 1449

**AN ORDINANCE OF THE CITY OF SIERRA MADRE, CALIFORNIA AMENDING
CHAPTER 17.29 (MULTIPLE FAMILY RESIDENTIAL HIGH DENSITY) OF TITLE 17
(ZONING) OF THE SIERRA MADRE MUNICIPAL CODE**

RECITALS

WHEREAS, Chapter 17.29, titled "R-H Multiple Family Residential High Density," was adopted in 2013;

WHEREAS, the State law recognizes the vital role local government play in the availability, adequacy and affordability of housing, and every jurisdiction in California is required to adopt a long-range General Plan to guide its physical development;

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan;

WHEREAS, the State's Housing Element law mandates that local governments adequately plan to meet their "fair share" of the existing and projected housing needs of all economic segments of the community identified in their Regional Housing Needs Assessment (RHNA);

WHEREAS, the State's Housing Element law recognizes that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain housing production;

WHEREAS, the State's Housing Element law requires that appropriate zoning be provided to meet a jurisdiction's "fair share" of the existing and projected housing needs of all economic segments of the community identified in their RHNA allocation;

WHEREAS, the 2021-2029 Housing Element update, in accordance with the State's Housing Element law, was recommended by the Planning Commission and approved by the City Council on November 9, 2021;

WHEREAS, implementation of the 2021-2029 Housing Element will require amending title "R-H Multiple Family Residential High Density" to "R-3-20 and R-3-30 High Density Residential Zone" to provide for the minimum 20 units per acre density required by State Housing law;

WHEREAS, the R-3-20 and R-3-30 High Density Residential zone must be amended to provide development standards to address the State's statutory requirement that zoning allow a density of minimum of 20, up to 24 dwelling units per acre, and minimum of 30 up to 34 dwelling units/acre be available to facilitate the production of affordable housing;

WHEREAS, the zoning ordinance will establish development standards applicable to parcels zoned R-3-20 and R-3-30, and must be adopted by ordinance to have regulatory effect;

WHEREAS, the Planning Commission held a properly noticed public hearing on March 3, 2022 and adopted Resolution 22-05 recommending approval of this Ordinance to the City Council; and

WHEREAS, Planning staff recommends the City Council amend the existing zoning map to be consistent with Exhibit E, attached to this agenda report.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES
HEREBY ORDAIN AS FOLLOWS:**

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Apr 29 2022

SECTION 1. Recitals. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. Amendment. Section 17.29 (R-H Multiple Family Residential High Density) of Chapter 17.34 (Affordable Housing) of Title 17 (Zoning) of the Sierra Madre Municipal Code is amended with additions denoted by underlined text and deletions denoted by ~~struck-through~~ text included in the accompanying agenda report as Attachment A.

SECTION 3. CEQA. The Subsequent Environmental Impact Report for the 2021-2029 Housing Element update was certified on November 9, 2021 in accordance with the California Environmental Quality Act (CEQA) and its independent review by the City Council indicated that the amendments will not have an adverse impact on the environment.

SECTION 4. Severability. If any sections, subsections, subdivisions, paragraph, sentence, clause or phrase of this Ordinance or any part hereof or exhibit hereto is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Ordinance or any part thereof or exhibit thereto. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that anyone or more sections, subsections, subdivisions, paragraph, sentences, clauses or phrases be declared invalid.

SECTION 5. Publication. The City Clerk shall cause this Ordinance to be published or posted in accordance with California Government Code Section 36933. She shall certify to the adoption of this Ordinance and her certification, together with proof of the publication, will be entered in the book of Ordinances of the City Council.

SECTION 6. Effective Date. This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code Section 36937.



ORDINANCE 1449 PASSED, APPROVED AND ADOPTED this 12th day of April, 2022.


Gene Goss, Mayor

ATTEST:


Laura Aguilar, City Clerk

APPROVED AS TO FORM:


Aleks R. Giragosian, City Attorney

I HEREBY CERTIFY that the foregoing Ordinance was introduced by first reading at a regular meeting held on the 22nd day of March, 2022 and duly adopted by the City Council of the City of Sierra Madre, California, at a regular meeting held on the 12th day of April, 2022 by the following vote:

AYES: Mayor Gene Goss, Mayor Pro Tem Edward Garcia, Council Member Rachelle Arizmendi, Council Member Kelly Kriebs, and Council Member Robert Parkhurst

NOES: None

ABSENT: None

ABSTAINED: None

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Dean C. Logan, Registrar - Recorder/County Clerk

Electronically signed by LILIA MURGUA

ORDINANCE 1449
ATTACHEMENT A

Chapter 17.29 ~~R-H R-3-20 AND R-3-30 MULTIPLE FAMILY HIGH DENSITY RESIDENTIAL HIGH DENSITY ZONES~~

17.29.010 Purpose.

The purpose of this chapter is to provide zoning development standards to accommodate the city's regional housing needs for all income levels. The regulations set forth in this chapter shall be applicable to all properties classified in an ~~R-H R-3-20 or R-3-30 zones.~~

17.29.020 Permitted uses.

~~In the R-3H zone, only such uses are permitted as are hereinafter specifically provided and allowed:~~

- ~~A. Multiple family dwellings.~~
- ~~B. Accessory buildings and uses customarily incidental to apartment house or condominium development. Architectural styling of such accessory buildings shall be the same as that of the main structure or structures.~~
- ~~C. A public parking area.~~
- ~~D. Any use permitted in the R-1 zone.~~
- ~~E. Any use permitted in the R-2 zone.~~
- ~~F. Transitional and supportive housing.~~
- ~~G. Modular and manufactured homes as a type of dwelling unit, one per dwelling unit.~~
- ~~H. Family daycare homes, one per dwelling unit.~~

In the R-3-20 and R-3-30 zones, only the uses permitted in the R-3 zone (Section 17.28.050) shall be permitted, except as modified by the allowable density regulation listed below in 17.29.030(C)(2). Existing uses which do not conform to the regulations permitted in this Chapter may continue and be maintained pursuant to the stipulations of Chapter 17.55.



17.29.030 Development regulations.

- A. ~~R-1 development is subject to the requirements of the R-1 zone (Chapter 17.20).~~
- B. ~~R-2 development is subject to the requirements of the R-2 zone (Chapter 17.24).~~
- C. ~~The regulations and limitations pertaining to the R-3 zone shall control and be effective development standards in the R-3H zone (Chapter 17.28 of this title) for multi-family dwellings, with the following exceptions:~~
1. ~~Allowable density: up to twenty dwelling units per acre.~~
 2. ~~Multi-family projects are not subject to the requirements of Section 17.60.030.~~
- D. ~~Supportive housing, as defined in Government Code Section 65650, shall be a use by right under Government Code Section 65651.~~

The regulations and limitations pertaining to the R-3 zone shall control and be effective in the R-3-20 and R-3-30 zones (Chapter 17.28 of this title) for multi-family dwellings, with the following exceptions:

- A. Minimum lot size. The minimum lot size for new development shall be eleven thousand square feet.
- B. Allowable density. The allowable dwelling unit density of development shall be as follows:
- a. R-3-20: Minimum twenty dwelling units/acre, up to twenty-four dwelling units/acre.
 - b. R-3-30: Minimum thirty dwelling units/acre, up to thirty-four dwelling units/acre.
- C. Multi-family projects are not subject to the requirements of Section 17.28.070.
- D. Yard and building setbacks. In the R-3-30 zone only, the minimum front yard setback for the first and second floors shall be fifteen (15) feet.
- E. Height. A third story building element shall be permitted, provided that this element is located more than forty (40) feet away from any public street and has no horizontal dimension longer than forty-five (45) feet. Additionally, the total floor area of these elements shall equal no greater than twenty percent of the gross lot area. For any project containing a third story, the height limit shall be measured in compliance with the calculation method described in Section 17.20.040 for the R-1 zone, except that the maximum height shall be 30 feet instead of 25 feet.
- F. Articulation. The standards described in Section 17.28.080.F.8 shall apply to all stories above the first story.
- G. Floor Area Ratio. The floor area ratio of developments containing more than eleven dwelling units shall be limited to one hundred percent of the gross lot area, except that pursuant to Government Code 65913.11, the floor area of developments containing eight to ten units shall be limited to one hundred twenty-five percent of the gross lot area.
- H. Maximum building coverage requirements shall not apply.
- I. Open space. Two hundred fifty (250) square feet per dwelling unit of on-site open space shall be provided on the ground level for use by residents. Open spaces may be common or private. In order to be counted toward the open space requirement, the minimum width and length of each space shall be ten feet. Driveways and other vehicular access areas shall not count toward the open space requirement.

17.29.040 Lot consolidation.

- A. The consolidation of multiple narrow lots is encouraged when such consolidation results in projects which incorporate more usable open space, reduce vehicular access points, and conceal parking from the street.
- B. The requirements of section 17.28.030 shall not apply to the R-3-20 and R-3-30 zones.
- C. Minimum lot dimensions and size for newly created, reconfigured or consolidated lots. The minimum lot dimensions for a newly created or reconfigured lot shall be ninety feet in width and one hundred feet in depth. The minimum total size shall be eleven thousand square feet.
- D. A maximum height of 35 feet shall be permitted for any project with over 100 feet of continuous street frontage along the front lot line of the development. The height shall be calculated in compliance with the method described in Section 17.28.080.F.
- E. Any project with over 125 feet of continuous street frontage along the front lot line of the development shall provide a pedestrian passageway from the street to the interior of the development which is not covered by any building or structure. Additional pedestrian passageways shall be provided as needed so that no distance between passageways, or between passageways and the edge of the development parcel, is greater than 125 linear feet.

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Apr 29 2022

17.29.050 Preliminary design review.

- A. All developments which meet the criteria of Section 17.28.070(A) shall be subject to preliminary design review.
- B. Upon submission of a complete preliminary design review application, the director will schedule a preliminary design review hearing before the planning commission.
- C. Public notice of an application shall be provided by the city in a manner deemed reasonable in the sole discretion of the director.
- D. The planning commission shall provide comments to the applicant concerning the mass, form, spatial elements, materials, colors and overall design to encourage the development to incorporate good design principles and to be compatible with its neighborhood and natural surroundings.

