



**CITY OF SIERRA MADRE**

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

THIS NOTICE WAS POSTED  
ON June 02 2022  
UNTIL July 05 2022  
REGISTRAR – RECORDER/COUNTY CLERK

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

File to: County Clerk  
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P.O. Box 1208  
Norwalk, CA 90650-1208

2022 118766  
  
FILED  
Jun 02 2022  
Dean C. Logan, Registrar – Recorder/County Clerk  
Electronically signed by ANTHONY GARCIA

**Categorical Exemption (\$75 County Posting Fee)**

Name of Project: Ordinance 1450 for new Chapter 17.39 Religious Housing Overlay of Title 17 Zoning

Location: City of Sierra Madre (citywide)  
Type of Business (if commercial):

Religious Housing Overlay Zone Ordinance Municipal Code Text Amendment

Project Description: Adoption of ordinance adding Chapter 17.39 of Title 17 Zoning of the Sierra Madre Municipal Code to conform to 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 17.39, 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 issuance of permits for density bonus projects 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: May 12, 2022

Title: Director, Planning & Community Preservation

ORDINANCE NO. 1450

AN ORDINANCE OF THE CITY OF SIERRA MADRE,  
CALIFORNIA ADDING CHAPTER 17.39 (RELIGIOUS  
HOUSING OVERLAY ZONE) TO TITLE 17 (ZONING) OF  
THE SIERRA MADRE MUNICIPAL CODE TO CONFORM  
TO STATE HOUSING LAW

WHEREAS, State law recognizes the vital role local governments 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); and

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; and

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; and

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; and

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; and

WHEREAS, the 2021-2029 Housing Element states that the City will prepare new RHO (Religious Housing Overlay Zone) zoning development standards to address the State's statutory requirement that zoning allow a density of up to 42 dwelling units/acre be available to facilitate the production of affordable housing on congregational lands; and

WHEREAS, implementation of the 2021-2029 Housing Element will require the adoption of a new Religious Housing Overlay Zoning Ordinance to provide development standards that address the 42 dwelling units per acre density required by State Housing law. The zoning ordinance will establish development standards applicable to parcels zoned RHO, and must be adopted by ordinance to have regulatory effect; and

WHEREAS, the Planning Commission held a properly noticed public hearing on March 3, 2022 and adopted Resolution 22-06 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, CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY ORDAIN AS FOLLOWS:

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



**SECTION 2. Addition.** Chapter 17.39 (Religious Housing Overlay Zone) of Title 17 (Zoning) is added to the Sierra Madre Municipal Code, and is included in this Ordinance as Attachment C.

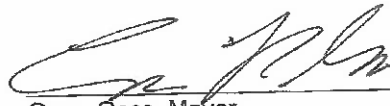
**SECTION 3. CEQA.** The Subsequent Environmental Impact Report for the 2021-2029 Housing Element update was certified on November 9, 2021 in accordance with the California Environmental Quality Act (CEQA) and its independent review by the City Council indicated that the amendments will not have an adverse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

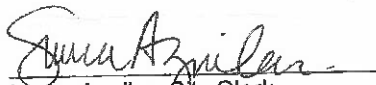
**PASSED, APPROVED AND ADOPTED** this 12th day of April, 2022.

  
Gene Goss, Mayor

2022 118766  
  
FILED  
Jun 02 2022  
Dean C. Logan, Registrar - Recorder/County Clerk  
Electronically signed by ANTHONY GARCIA

ATTEST:

APPROVED AS TO FORM:

  
Laura Aguilar, City Clerk

\_\_\_\_\_  
Aleks R. Giragosian, City Attorney

I HEREBY CERTIFY that the foregoing Ordinance was introduced for 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 Members Rachelle Arizmendi, Kelly Kriebs, and Robert Parkhurst

**NOES:** None.

**ABSENT:** None.

**ABSTAINED:** None.

## ATTACHMENT C

### Chapter 17.39 – RHO RELIGIOUS HOUSING OVERLAY ZONE

#### 17.39.010 – Purpose and intent.

The religious housing overlay zone (“RHO”) is established to:

- A. Provide churches and other places of religion with the ability to utilize their land in a manner consistent with their mission, to provide housing for disadvantaged populations;
- B. Expand opportunities for affordable housing connected to community institutions; and
- C. Enable better utilization of land resources which are often unused, such as parking lots used for once-weekly services.
- D. Provide churches and other places of religion with greater certainty regarding their land use rights for affordable housing development, while providing opportunity for appropriate public and Planning Commission review.

#### 17.39.020 – Permitted uses.

In addition to any uses permitted in the base zone, the following uses shall be permitted in the RHO zone:

- A. Dwelling units (attached or detached), at a minimum of twenty and maximum of forty-two dwelling units per acre. The size of the lot shall be calculated as the portion of the site being developed for housing and the accessory uses which serve the housing development. It shall not include portions of the site which are primarily used by the church or other place of religion.
- B. Accessory buildings and uses customarily incidental to multifamily residential uses allowed, such as parking garages for residents, recreational facilities, guest houses, laundry-rooms, storage sheds, gazebos, etc.
- C. A trailer used as a construction office or as a residence of the owner and his/her family during construction, but only while a building permit for the construction of one or more permanent residences is in full force and effect and in no event longer than two years.
- D. Transitional and supportive housing, subject to the same standards as may be required for dwellings in this zone.
- E. Residential care facilities, subject to the same standards as dwelling units.

#### 17.39.030 – Affordability requirements.

- A. All housing developments processed under the standards of this overlay zone shall be subject to a religious housing agreement, which shall include all of the elements required for a density bonus housing agreement in Section 17.34.130.
- B. At least one-half of the units shall be developed, offered to, and sold or rented to households of lower income at an affordable housing cost, as these terms are defined in Section 17.34.020.
- C. If the project consists of units for sale, it may instead develop, offer to, and sell a minimum of ninety percent of units to households of moderate income at an affordable housing cost, as these terms are defined in Section 17.34.020.
- D. Affordable units are subject to the size, quality and locational standards defined in Section 17.34.110.

#### 17.39.040 – Exemption from amendments to existing entitlements.

When a property has received an existing discretionary entitlement including, but not limited to, a Conditional Use Permit or Master Plan approval, development subject to the standards of this overlay zone may be approved without an amendment to the original entitlement, provided that the proposed development applies with all use and development regulations of the RHO zone, and:

- A. The proposed development lies entirely within portions of the site which are not developed with institutional buildings. For example, the proposed development is located on land which is currently used as church parking, open space, or residential buildings; and/or



Dani C. Lopez, Registrar - Recorder/County Clerk  
Electronically signed by ANTHONY GARGIA

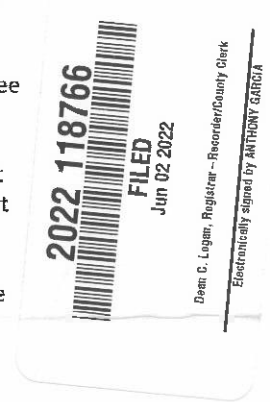
- B. The proposed development consists of the adaptive reuse of existing buildings on the site.

**17.39.050 – Preliminary design review.**

- A. All developments processed under the standards of this zone shall submit a preliminary design review application in a form determined by the director.
- 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.

**17.39.060 – Development standards.**

- A. Off-street parking.
  - a. Reutilization of Church Parking. Reductions in parking for church and school uses below the minimum otherwise required by this Municipal Code is permitted to construct development that conforms to the standards of this chapter. The reduction in parking allowed shall be limited to the footprint of the residential structures and accessory structures, open space or landscaping serving the residential development.
  - b. Residential parking standards. Development under the RHO zone is eligible for the alternative or special parking standards described in Section 17.34.070.
  - c. Off-Site Parking. Parking for any on-site use may be located on the same lot as the use the parking will serve. When a parking lot is located on a site other than that on which the facility being served is located, an agreement approved by the city attorney reserving the site for parking purposes shall be recorded in the office of the Los Angeles County recorder. Such off-site parking shall be located no more than six hundred (600) feet walking distance from the nearest point of the building that the parking is required to serve.
- B. Height.
  - a. Height limit. No building shall exceed either thirty-five (35) feet in height or three (3) stories above grade, as calculated in the manner illustrated in Section 17.28.080.C.
  - b. Height adjacent to public streets. No building shall exceed either thirty (30) feet in height or two stories above grade within forty (40) feet from any public street other than Michillinda Avenue.
  - c. Height adjacent to R-1 zone. For yards abutting an R-1 zoned lot, an encroachment limit shall be established which is determined at the point where the wall height is twenty feet, and using a forty-five-degree angle inwards toward the property to create additional setback. (See illustration in Section 17.28.080.F.7).
- C. Front setback. The minimum front setback shall be fifteen (15) feet for all floors of the building, except along Michillinda Avenue and Baldwin Avenue, where the minimum front setback shall be five (5) feet.
- D. Open space. One hundred seventy five (175) square feet per dwelling unit of on-site open space shall be provided for use by residents. Such open space may be located on the ground floor or above, and may be met with a combination of common open space and private open space. In order to be counted toward the open space requirement, the minimum width and length of each space shall be ten feet for common spaces and five feet for private spaces. Driveways and other vehicular access areas shall not count toward the open space requirement.
- E. Podium parking requirements. Any parking constructed at or above grade shall not be oriented along the frontage of any street. Parking constructed partially above grade shall be permitted along the frontage of a street only along Michillinda Avenue.



- F. All other development standards shall conform to the requirements of Section 17.28.080, with the exception of lot coverage and floor area ratio standards, which shall not apply.

**17.39.070 – Flexibility provisions.**

Proposed development pursuant to this RHO zone which does not meet the conditions listed in Section 17.39.040 shall be permitted subject to a Master Plan and conditional use permit, or the standards and procedures of the base zone. This may include conditions in which:

- A. The development plan includes demolition of existing structures of nonresidential use;
- B. The applicant desires to locate housing on portions of its existing church or other religious place's campus which are not zoned RHO. In this case, the number of units that would be permitted under the conditions of Sections 17.39.020 and 17.39.040 may be placed on other parts of the campus, provided that they are contiguous with the RHO zoned parcels.

**2022 118766**



**FILED**  
Jun 02 2022

Dean C. Logan, Registrar - Recorder/County Clerk

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