



# Planning Commission **STAFF REPORT**

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*Vincent Gonzalez, Director of  
Planning and Community  
Preservation*

DATE: May 5, 2016

TO: Planning Commission

FROM: Vincent Gonzalez, Director of Planning & Community Preservation

PREPARED BY: Anne McIntosh, Project Planner

**SUBJECT: Discussion of General Plan Land Use Implementation Program Items IM-36, IM-37, and IM-38, amending the R-3 (Multiple Family Residential) Zone to Establish Limits on Floor Area Ratio and to Update Development and Design Standards.**

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## **BACKGROUND/ANALYSIS**

In July 2015, the City adopted a General Plan Update that included new land use policies and an Implementation Program for the adoption of the policies. State law requires that the zoning ordinance be consistent with the adopted General Plan. Therefore, it is important to move forward with the series of amendments to comply with state law.

On September 22, 2015, as part of the Strategic Plan three-year goals, staff received City Council direction to prioritize General Plan Implementation Measures for calendar year 2015-2020. Among these were revisions to the R-3 (Multiple Family Residential) Zone identified for implementation in 2016. The R-3 Land Use Implementation Measures (IM) include:

IM-36 The City shall amend the R-3 (Multiple Family Residential) Zoning Ordinance as necessary to allow densities of approximately 13 units per acre and establish a maximum allowable floor area. (June 2016)

IM-37 The City shall amend the R-3 (Multiple Family Residential) Zoning Ordinance as necessary to ensure that new development is compatible in scale and character with existing development, including setbacks, building materials, front yard paving, parking, building siting, building orientation, common space, retention of mature trees, façade design, architectural articulation, and small lot zoning requirements. (June 2016)

IM-38 The City shall amend the R-3 (Multiple Family Residential) Zoning Ordinance to improve the safety of individuals with respect to the location of

entrances, height of perimeter fencing and landscaping, and parking. (November 2016)

At the regular meeting of March 17, 2016, the Planning Commission affirmed a recommendation by the Director of Planning & Community Preservation to make the revisions of the R-3 standards a high priority.

Anne McIntosh, AICP, has been retained by the City to provide contract planning services during the vacancy of the assistant planner position and for special projects. Ms. McIntosh has prepared a draft Ordinance (Exhibit A) addressing Implementation Measure–36, to allow densities of approximately 13 units per acre and establish a maximum allowable floor area. General Plan Policy L23.2 states:

Ensure that on small or narrow lots (lot area less than 10,000 square feet or street frontage of less than 50 feet), the floor area of all above-ground buildings and structures (including garages and other non-habitable areas, but excluding basements and other fully subterranean spaces) is limited to 55% of lot area. On other lots, limit floor area of all above-ground buildings and structures (including garages and other non-habitable areas, but excluding basements and other fully subterranean spaces) to 5,500 square feet plus 70% of lot area in excess of 10,000 square feet.

General Plan Policy L23.2 is explicit about the requirements for this amendment. Therefore, this portion of the Implementation Program can move forward at an upcoming Planning Commission meeting upon the noticing of a public hearing.

At the regular meeting held on April 21, 2016, the Planning Commission formed a three-member subcommittee to meet for a period of two to four months in order to provide policy direction to staff in updating the R-3 development and design standards specific to IM–37 and IM–38.

### **RECOMMENDATION**

Staff recommends that the Planning Commission 1) provide feedback on the draft ordinance, 2) authorize the Director to notice a public hearing for the Ordinance amending the zoning code, and 3) direct the subcommittee to work under the direction of staff and a City consultant on the draft revisions to the R-3 development and design standards.

#### **Attachment (1)**

Exhibit A – Draft Redline Ordinance Amending Title 17, Chapter 17.28 – R-3 Multiple Family Residential Zone; and Section 17.028.060 – Density, to adopt a limit on Floor Area

# EXHIBIT A

Draft Redline Ordinance Amending Title 17,  
Chapter 17.28 – R-3 Multiple Family Residential  
Zone; and Section 17.028.060 – Density, to  
Adopt a Limit on Floor Area

**ORDINANCE NO. ##**  
**AN ORDINANCE OF THE CITY OF SIERRA MADRE AMENDING**  
**TITLE 17 – ZONING, CHAPTER 17.28 – R-3 MULTIPLE FAMILY**  
**RESIDENTIAL ZONE, SECTION 17.028.060 – DENSITY TO**  
**ADOPT A LIMIT ON FLOOR AREA TO CONFORM TO THE**  
**GENERAL PLAN LAND USE ELEMENT**

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY RESOLVE:

**WHEREAS**, the City of Sierra Madre (“City”) adopted a General Plan Update in 2015; and

**WHEREAS**, the General Plan contains Policy L23.2, which limits the allowable floor area on lots with the Land Use Map Designation - Residential Medium/High Density (RH) ; and

**WHEREAS**, a Final Environmental Impact Report was prepared and certified as part of the adoption of the General Plan, and fulfills the requirements of environmental review for the implementation of Policy L23.2; and

**WHEREAS**, California State Law requires that the local zoning ordinances be consistent with the adopted General Plan;

THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, AS FOLLOWS:

**SECTION 1.** The Sierra Madre Municipal Code, Title 17 – Zoning, chapter 17.28 – R-3 Multiple Family Residential Zone, Section 17.028.060, is hereby amended as follows. A new subsection “A” regarding Floor Area Ratio:

17.28.060 – Density

A. Floor Area Ratio (gross dwelling/lot area).

1. On lots with a gross lot area of less than 10,000 square feet or street frontage of less than 50 feet, the floor area of all above-ground buildings and structures (including garages and other non-habitable areas, but excluding basements and other fully subterranean areas) shall be limited to 55% of the gross lot area.

2. On lots with a gross lot area of 10,000 square feet or greater and with a street frontage of 50 feet or greater, the floor area of all above-ground building and structures (including garages and other non-habitable areas, but excluding basements and other fully subterranean areas) shall be 5,500 square feet plus 70 percent of gross lot area in excess of 10,000 square feet.

B.A. The maximum number of dwelling unites permitted shall be as follows:

Two units: minimum lot area shall be nine thousand square feet for two such units.

Additional unit: an additional lot area of three thousand square feet shall be required for each additional dwelling unit.

C.B. Density Bonuses. The maximum number of dwelling units permitted, using the criteria established herein for density bonuses, shall be as follows:

Two units: minimum lot area shall be seven thousand five hundred square feet for two such units, when a density bonus is granted.

Additional units: an additional lot area of two thousand five hundred square feet shall be required for each additional unit, when a density bonus is granted.

1. Purpose: To encourage quality design of R-3 development in Sierra Madre by providing an incentive of increased density;
2. Basis of evaluation: Applications for development under the density bonus section shall be evaluated by the planning commission using the criteria established herein. Approval of increased density requires finding by the commission that the design of the development as proposed would not be materially detrimental to adjoining properties and would result in a substantially superior overall development than required to meet R-3 development standards.
3. Criteria: The planning commission shall use the following criteria in evaluating an application for Density Bonus:
  - a. Siting: Building siting should maximize privacy through placement of windows, balconies, landscaping, and design of outdoor spaces. Building siting should be related to nearby buildings as well as adjacent parcels. Buildings should be oriented to face the street, avoiding views from the street of parking garages and alleys. Building design and siting should minimize negative impact on views from adjacent properties. Buildings should be oriented to encourage use of outdoor areas and to be compatible with adjoining building orientation. Clustering of buildings and modulation of architectural elements are encouraged to provide pleasing and useful ground level and above ground spaces.
  - b. Grading: Alterations to natural grade, except for minor grading for landscaping purposes, are discouraged.
  - c. Trees: Tree preservation and landscaping with specimen trees are encouraged. Landscaping should be designed to minimize impact of development on surrounding properties.
  - d. Preservation: Preservation and renovation of existing single-family units of historical character or of quality design is encouraged. Where existing homes are preserved and incorporated into the development, the design of the development should respect the character and siting of the home to minimize impact on the neighborhood. The planning commission may consider some relaxation of setback and other zoning requirements for developments that incorporate existing units, providing that the development is not materially detrimental to adjoining properties.

- e. Contextual design: Building forms and details should be in keeping with adjacent neighborhood character, where appropriate. Where possible, preservation of existing single-family.
- f. Building materials: Materials, colors and textures generally should be compatible with those of adjacent and other nearby buildings and the overall character of the neighborhood. Materials, while not limited to, should predominantly be masonry, stucco, or wood.
- g. Paving. Use of quality materials, such as brick and exposed aggregate concrete, and use of porous materials (grass-crete) are encouraged.

**SECTION 2.** *California Environmental Quality Act.* The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the public hearing on the matter held by the Planning Commission and City Council, and hereby determines that this ordinance establishing a floor area ratio and to update the design and development standards will not have a significant effect on the environment. The amendments to Chapter 17.28 of this Ordinance is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061 (b)(3) of the California Code of Regulations; and

**SECTION 3.** *Severability; Continuation of Provisions.* If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted hereby. The City Council of the City of Sierra Madre hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable. To the extent the provisions of the Sierra Madre Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**SECTION 4.** *Effective Date.* This Ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

**SECTION 5.** *Certification.* The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be published or posted in the manner prescribed by law.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gene Voss, Mayor

ATTEST:

APPROVED AS TO FORM:

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Melinda Carrillo, City Clerk

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Teresa L. Highsmith, City Attorney