



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

October 13, 2016

TO: Laura Shell, Chair
Doug Smith, Vice Chair
David W. Louie, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: David McDonald, Senior Regional Planning Assistant
Richard Marshalian, Regional Planning Assistant II
Community Studies North Section

**SUBJECT: ALTADENA COMMUNITY STANDARDS DISTRICT UPDATE
PROJECT NO. R2016-000348-(5)
ADVANCE PLANNING NO. 2016000640
ENVIRONMENTAL ASSESSMENT NO. 2016002556
OCTOBER 26, 2016 – AGENDA ITEM NO. 6**

BACKGROUND

The Altadena Community Standards District (CSD) Update is a comprehensive effort to update uses and development standards for the residential and commercial areas of Altadena as well as other community-wide amendments. The Altadena CSD was adopted in 1998 and updated in 2010, to ensure compatible development with the surrounding residential neighborhood, support the built and economic character of its commercial areas, and establish development standards for hillside management areas within the Altadena community.

The Altadena Vision Plan was completed in 2012, and the set direction for future updates to the CSD. The CSD Committee, which was appointed by the Altadena Town Council, represents a wide cross-section of stakeholders within Altadena including; residential groups, Altadena Heritage and the Altadena Chamber of Commerce. They developed recommendations that helped shape this update effort.

SUMMARY OF JULY 28, 2016 PUBLIC HEARING

On July 28, 2016, your Regional Planning Commission (Commission) held a public hearing to consider the Altadena CSD Update at the Eliot Arts Magnet School in Altadena. Notices for the public hearing were sent to all 14,330 property owners in Altadena 30 days before the hearing date. Approximately 45 speakers from the community gave testimony to your Commission.

The testimony primarily addressed:

- Design of the Charles Company building (Aldi's) currently under construction at Lake Avenue and Calaveras Street;
- Enhanced commercial building standards and pedestrian oriented design standards;
- Fences, walls and hedges standards;
- Proposed height limit in the Lake Avenue Mixed Use Center Area; and
- Drive-through businesses.

Other comments received include those related to bed and breakfasts, and short term rentals in the residential zones.

After hearing public testimony, the Commission continued the matter to September 14, 2016, and directed staff to respond to the concerns raised by the community. The Commission also requested that remote testimony be available at a location near Altadena for the community.

Prior to the September 14, 2016 continued public hearing, staff received a request from the CSD Committee for a longer continuance, in order to work with staff for greater public outreach and education. On September 7, 2016, your Commission granted the continuance by cancelling the September 14, 2016 hearing and postponing the matter to October 26, 2016. Remote testimony will be available at the Eaton Canyon Nature Center for the October 26 continued hearing.

STAFF ANALYSIS

There were misconceptions, misunderstandings and confusion regarding the scope of Altadena CSD Update, the nature of the proposed changes, and the specifics of existing regulations both in the CSD and the Los Angeles County (County) Zoning Code expressed during the July 28, 2016 public hearing. For the purposes of clarity and accuracy, additional information is provided below.

1) The Charles Company Project at 2246 Lake Avenue (i.e. Aldi Market)

A number of testifiers voiced objections to a building currently under construction by the Charles Company at 2246 Lake Avenue. The objections focused on the west elevation of the building facing Lake Avenue, and included objections to the height and bulk of the project, a lack of window openings, and the building's location up to the property line. Many testifiers were mistakenly in their understanding that the Altadena CSD public hearing involved this project, despite advisement by your Regional Planning Commission and staff at the outset of the hearing.

The Charles Company project is **NOT** a part of the Altadena CSD Update project, either now or at any time prior to the July 28, 2016 public hearing. However as many speakers

testified on the project, below is a summary regarding the Charles Company project to help clarify the facts:

- The existing Altadena CSD includes requirements that at least 50% of the total building's ground floor facing a commercial street be devoted to entrances, show windows, or other displays which are of interests to pedestrians.
- On March 17, 2015, County Department of Regional Planning (DRP) determined that the plans submitted by the Charles Company were consistent with the existing Altadena CSD (Ministerial Site Plan Review Case No. RPP201500177). The use is a by-right use.
- After construction began, a site inspection triggered a revocation of DRP's approval, as the construction was not consistent with the approved plans.
- On June 2, 2016, additional changes to the commercial building were approved through a Site Plan amendment (Site Plan Review Case No. RPP201500177).
- Construction is not yet complete. No Certificate of Occupancy will be issued by County Department of Public Works (Public Works) Building and Safety (Building and Safety) until a site inspection determines that the finished wall is consistent with all approved drawings of the building elevations that depict windows and doors on the Lake Avenue facing ground floor is complete.

While the Charles Company project is **NOT** a part of the Altadena CSD Update project, concerns raised by the project has influenced the proposed CSD Update. Under the updated Altadena CSD, the Charles Company commercial building would not be approved in its existing form. It would not meet the updated development standards, including that:

- At least 55% of the total length of the façade and 40% of the total area of the façade of the ground floor be devoted to windows at sidewalk level;
- Such windows must offer views of the store interior, or interior displays visible to pedestrians;
- A pedestrian entrance at sidewalk level must be provided on and oriented toward Lake Avenue, a commercial corridor; and
- A minimum two-foot setback must be provided along Lake Avenue, a commercial corridor and landscaped or with amenities such as benches.

Where a pedestrian entrance cannot be provided from a commercial corridor, through the CSD Modification process a larger portion of the building façade must be devoted to windows, interior views or interior displays; and alternative publicly accessible space must be provided through such designs as a courtyard, garden, covered walkway or other green space.

UPDATE: Additional design requirements included in the Altadena CSD Update will enhance the commercial building aesthetics in Altadena. In addition to those proposed in the July 2016 draft, additional updates are included in the October 2016 draft CSD (please

see Attachment 1). A comparison of text changes from the July 2016 draft and October 2016 draft is also provided under Attachment 2.

2) Commercial Height Limit on Lake Avenue

The July 2016 draft CSD proposed to raise the height limit for commercial properties along a portion of Lake Avenue from 35 feet to 48 feet. This proposed height limit was consistent with the Altadena Community Plan, which identified this part of Lake Avenue as the Lake Avenue Mixed Use Area and sets a maximum height of 48 feet.

During the July 28 public hearing, the CSD Committee revised their recommendation to retain the 35-foot height limit for the Lake Avenue Mixed-Use 'Center' Area.

Testimony during the public hearing continued to oppose the height limit increase, with concerns regarding taller structures obstructing the views of the mountains. There was also opposition (under a misunderstanding) that the CSD Update proposes to build condominiums and increase density. Concerns included the perceived increased traffic congestion and higher urban densities associated with greater residential development.

UPDATE: The revised draft of the CSD retains the existing height limit for the Lake Avenue Mixed Use 'Center' Area at 35 feet (please see Attachment 1). It should be noted that accommodating mixed-use with retail of more than 2 stories will be difficult under 35 feet. The height limit for all the other commercial zones in Altadena, including Lake Avenue south of Calaveras Street, is a maximum 35 feet with up to 20 percent of the building footprint allowed maximum three stories or 48 feet for architectural interest.

No revisions to the draft CSD are necessary to address condominium development, density or mixed use development as they are outside the purview of this CSD and its update:

- Condominiums are a form of ownership, and require a tentative map as regulated by the state Subdivision Map Act and Title 21 (Subdivision Ordinance) of the County Code. A tentative map requires public hearing, and there is no physical development or changes to Title 21 by this CSD Update.
- Density is regulated by the County General Plan and Altadena Community Plan, and not by the CSD which is a component of zoning regulations.
- Mixed use development is permitted countywide through the Mixed Use Ordinance, and there are no changes proposed by this CSD Update.

3) Drive-Through Establishments

Drive-through establishments are currently permitted throughout Altadena, except on Lake Avenue. On Lake Avenue, drive-through establishments are prohibited. The July 2016 draft CSD proposed eliminating the ban on drive-through establishments in

commercial zones on Lake Avenue and requiring a Conditional Use Permit (CUP) only when adjacent to residentially zoned properties.

Testifiers expressed concerns with this change, citing increased traffic and the reduction of pedestrian-oriented businesses on Lake Avenue. During the July 28 public hearing, the CSD Committee revised their recommendation to require a CUP for all drive-through establishments in Altadena.

UPDATE: The revised draft of the CSD would require all drive-through establishments to obtain a CUP which will allow analysis of impacts from individual proposed establishments (please see Attachment 1).

4) Height and Placement of Fences, Walls and Hedges in the Front Yard Setback in R-1 Zones

Many properties do not comply with current height limits for front yard fences and walls and other landscaping (e.g. hedges). However, existing fences and hedges are an aspect of the community character and address privacy and noise concerns. The July 2016 draft CSD proposed that the fence or hedge may be up to six feet if located a minimum 10 feet back. Specific allowed materials were called out in the ordinance and compliance required within five years of ordinance adoption.

During the July 28 public hearing, testifiers expressed concerns with the development standards proposed, possibly unaware that the proposed development standards are a loosening of the current requirements for front yard fences, walls and hedges.

Below is a summary to help clarify the facts:

- Currently, the maximum height of fences, walls and hedges in a required front yard is 42" or 3 ½ feet.
- The current CSD permits modifications to the development standards in the residential zones through a CUP. This process was in the Altadena CSD as originally adopted in 1998.
- The number of zoning enforcement complaints filed with DRP on overheight fences prompted a moratorium on enforcement by the Board Office in 2000.
- Enforcement is complaint-based.

UPDATE: Since the public hearing, DRP staff worked with Public Works and the CSD Committee to revise the fence and hedge requirements (please see Attachment 1). These standards have been updated as follows:

	<i>July 2016 Draft CSD</i>	<i>October 2016 Draft CSD</i>
Fences and Walls	<p><u>Highway line to within 10' back:</u> Maximum 42"</p> <p><u>10' back to end of required front yard:</u> Maximum 6'</p>	<p>ALL <u>Within Driveway Zone:</u> Maximum 42"</p> <p>INTERIOR LOTS <u>Highway line to within 2.5' back:</u> Maximum 42"</p> <p><u>2.5' to within 10' back:</u> Maximum 42" solid, with up to 6' with portion above 3.5' as 80% open/non-view obscuring</p> <p><u>10' back to end of required front yard:</u> Maximum 6', with front yard landscaping</p> <p>CORNER/REVERSED CORNER LOTS <u>Highway line to within 10' back:</u> Maximum 42"</p> <p><u>10' back to end of required front yard:</u> Maximum 6', with front yard landscaping</p>
Hedges/Landscaping	<p><u>Highway line to within 10' back:</u> Maximum 42"</p> <p><u>10' back to end of required front yard:</u> Maximum 6'</p>	<p>ALL <u>Within Driveway Zone:</u> Maximum 42"</p> <p>INTERIOR LOTS <u>Highway line within 10' back:</u> Maximum 42"</p> <p><u>10' back to end of required front yard:</u> Maximum 6'</p> <p>CORNER/REVERSED CORNER LOTS <u>Highway line to within 10' back:</u> Maximum 42"</p> <p><u>10' back to end of required front yard:</u> Maximum 6'</p>
Modification Process	CSD Modification, similar to a Minor CUP (\$1,535 filing fee)	CSD Modification, similar to a Minor CUP. (\$1,535 filing fee)
Applicability	Effective date of ordinance + 5 years	Effective date of ordinance
Fence and Wall Materials	List of allowed materials	List of prohibited materials

These revised standards allow taller fences and hedges for interior lots that balance safety with aesthetics and community character. By revising the fence and materials to list only those prohibited, the community's desire to provide greater flexibility is addressed. Enforcement will continue to be complaint-driven.

Generally, the property line and highway line are the same line on most properties. However, in cases where the public roadway is not fully built-out or on roadways where

an alternate design standard was used with the sidewalk directly next to the roadway, the highway line and property line are not the same. Therefore for clarity purposes the CSD is using the term “highway line” instead of “property line”.

5) Bed & Breakfasts in R-1 & R-2 Zones

Currently, although the countywide zoning code contains regulations that can be applied to short term rentals, they do not specifically address online short term rental businesses such as Airbnb, VRBO and others. The current applicable zoning regulations limit rentals to 4 persons per residential unit.

During the July 28, 2016 public hearing testifiers expressed concerns regarding Airbnb and other online short term rental businesses in residential areas with causing negative impacts on the surrounding neighborhoods related to noise, parking and other issues.

DRP is working with the County Treasurer and Tax Collector (TTC) on the matter of online short term residential rentals. The TTC is analyzing potential recommendations and will report to the Board of Supervisors in the near term. If the Board directs any changes that affect land use, we anticipate direction to draft a countywide ordinance to address online short term rentals in residential zones.

UPDATE: No change is necessary to the bed and breakfast provisions, including CUP requirement and associated development standards, as proposed in the July 2016 draft CSD.

6) Other Concerns

Other concerns raised during the July 28 public hearing include hillside regulations, and gross structural area (GSA). In addition to the existing hillside regulations specific to Altadena were adopted in 2012 as part of the CSD, the countywide Hillside Management Areas (HMA) ordinance was updated in 2015. No changes are proposed to the Altadena hillside regulations other than for consistency with the recently adopted HMA ordinance.

GSA specific to Altadena also currently exist, and are not proposed to be updated as part of this CSD Update.

UPDATE: No change is proposed for the hillside and GSA provisions specific to Altadena. Where any modification is necessary, the CSD reduces the required permit from a CUP to CSD Modification process. Which allows individual homeowners to request modifications to standards specific to their property, including the GSA.

ADDITIONAL ORDINANCE REVISIONS

In addition to those described above in response to public testimony, the following additional ordinance revisions have been included in the October 2016 draft CSD (please see Attachment 1):

1) Parking Requirements on Commercial Lots Less Than 5,000 Square Feet

In the July 2016 draft CSD, staff recommended a tiered approach to parking based on lot size. For a retail or restaurant uses within an existing building or with an addition, parking was proposed to be required as follows:

- <2,500 square feet lots: No parking required
- 2,500-5,000 square feet lots: 30% reduction from that required at time of building construction

Due to support for the CSD Committee's additional recommendation to further reduce required parking, no parking will be required for additions to existing structures on lots between 2,500 and 5,000 square feet.

2) Odd Shaped Lots with Less than Required Street Frontage in R-1 Zones

From the CSD Committee's Additional Recommendations was a proposal to define the front yard for odd-shaped lots as the portion of the lot that fronts onto a public street. Staff did not initially recommend approval due to potential inconsistencies with countywide provisions for determine yard area, and that including a definition in the CSD may override the need for considering neighborhood pattern and how development could best fit on any particular lot.

Due to support for the CSD Committee's additional recommendation, staff has drafted language in the October 2016 draft CSD for this definition. As required frontage is dictated by Title 21 (Subdivision Ordinance) and may be 40 feet or 50 feet depending on the street design, the CSD defers to Title 21 for what is considered less than required. Please note that flag lots are not considered odd shaped lots, and development standards for yards for flag lots are deferred to countywide requirements.

REMAINING CSD COMMITTEE ADDITIONAL RECOMMENDATIONS

The following Additional Recommendations by the CSD Committee listed in the July 28, 2016 RPC Staff Memorandum, are still not supported by staff and the same rationale for each of the listed items remain applicable. Those proposals are listed below:

- One Time Additions of 500 Square Feet or Less in R-1 Zones
 - Not recommended due to potential impacts to surrounding residents, encroachment into setbacks, legal and administrative concerns. The CSD Modification process allows for public input and analysis.
- Classes as Home Based Occupations in the R-1 Zone with a CUP

- Not recommended as potential impacts to residents through noise and nuisance issues would outweigh benefits to allowing this use in predominantly residential areas.
- Updates related to Second Units in R-1 Zones
 - Not recommended as there are countywide efforts currently underway to address second units. In addition, there are statewide laws going into effect that would also lead to increased housing supply through density bonuses.

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

For purposes of the California Environmental Quality Act (CEQA), the project is an amendment to the Altadena CSD, and consists of updates to regulations related to uses and development standards as well as procedure. While there is no physical development resulting directly from the project, CEQA also requires an analysis of indirect impacts in identifying any potential significant impacts to the environment.

An Initial Study was prepared based on an earlier draft of the CSD, and the July 28, 2016 RPC Staff Memorandum provides a detailed discussion of the project and potential impact areas, including aesthetics, traffic, noise, and air quality. While the draft CSD analyzed for purposes of CEQA differs slightly than the July 2016 draft CSD, the changes are minor as to not affect the environmental analysis or conclusions made from such analysis.

Based on the changes proposed in October 2016 draft CSD, the following is additional information related to the environmental analysis:

- **Aesthetics:** Changes in the October 2016 draft CSD include the lowering height limit for the Lake Avenue Mixed Use Area, an area identified in the Altadena Community Plan as generally along Lake Avenue between Altadena Dr. and Calaveras St. and bounded by El Molino Ave. to the east. As Lake Avenue slopes higher to the north, retaining the maximum 35-foot height limit does not increase any potential impacts to existing views from Lake Avenue. Additionally, updated requirements for certain open and non-view obscuring walls and landscaping associated with six-foot tall walls and fences in residential areas would enhance the existing visual character of Altadena.
- **Air Quality:** The requirement for all drive-through establishments to need a CUP ensures that on a specific site, the environmental impacts directly resulting from the proposed use would be analyzed, including air quality. While eliminating required parking for retail and restaurant uses on 2,500 to 5,000 square-foot lots may result in some additional driving to find parking, these indirect impacts would be less than significant on the implementation of the South Coast Air Quality Management District, would not violate air quality standards, would not result in a cumulatively considerable net increase in criteria pollutants, or create objectionable odors.
- **Greenhouse Gas (GHG) Emissions:** Similar to air quality, the requirement for all drive-through establishments to need a CUP ensures that on a specific site, the environmental impacts directly resulting from the proposed use would be analyzed,

including GHG emissions. While eliminating required parking for retail and restaurant uses on 2,500 to 5,000 square-foot lots may result in some additional driving to find parking, these indirect impacts would be less than significant on the indirect generation of GHG emissions and it would not conflict with any adopted plans for reducing GHG emissions.

- **Noise:** The requirement for all drive-through establishments to need a CUP ensures that on a specific site, the environmental impacts directly resulting from the proposed use would be analyzed, including noise. The prior analysis already included the effects of development standards that require noise buffering and design to minimize impacts from drive-through establishments on adjacent properties.
- **Population and Housing:** While no changes in the October 2016 draft CSD require additional consideration of population and housing impacts, it should be stated for clarity that the CSD does not directly or indirectly encourage population growth or increased density. Density is established by the County General Plan and Altadena Community Plan.
- **Traffic:** Similar to air quality, the requirement for all drive-through establishments to need a CUP ensures that on a specific site, the environmental impacts directly resulting from the proposed use would be analyzed, including traffic. Public Works is consulted through the CUP application review process, and ensures that adequate traffic queueing and spacing is provided. While eliminating required parking for retail and restaurant uses on 2,500 to 5,000 square-foot lots may result in some additional driving to find parking, these indirect impacts would be less than significant on any conflict with applicable congestion management programs. In residential areas, the revised development standards for fences, walls and hedges in front yards ensure that no design features increase hazards.

With this additional discussion, the October 2016 draft CSD remains within the scope of environmental analysis and conclusions made on the project. Therefore, the Negative Declaration remains the appropriate environmental document.

STAFF RECOMMENDATION

The RPC Revised Altadena CSD Update (Attachment 1) is a comprehensive zoning ordinance that amends the CSD to maintain and enhance residential and commercial character while providing new development standards for an evolving and diverse community of Altadena. The revised ordinance reflects comments received from testimony at the July 28, 2016 public hearing and written letters received since the hearing.

Although there was disagreement voiced by some members of the public, the Altadena Town Council appointed the CSD Committee to represent the community and their wishes for the revision for the CSD to implement issues voiced in the Altadena Vision Plan in 2012. The revisions contained in the CSD reflect those community-driven requests by the CSD Committee and analyzed by DRP. Furthermore, those concerns raised by the public

during the July 28 public hearing were considered by staff and the CSD Committee in developing the October 2016 draft CSD.

The Altadena CSD Update is a result of recommendations put forth by the CSD Committee appointed by the Altadena Town Council. This CSD Update also reflects the County's best recommendation for an ordinance that balances the community's goals with effective and enforceable zoning regulation of future development in Altadena.

Therefore, staff recommends that your Commission close the Public Hearing, and recommend to the Board of Supervisors approval of the Negative Declaration and adoption of the Altadena Community Standards District Update Ordinance.

The updated draft resolution for your Commission will be provided in next week's transmittal.

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, AND RECOMMEND TO THE BOARD OF SUPERVISORS, APPROVAL OF THE NEGATIVE DECLARATION, AND ADOPTION OF THE ALTADENA COMMUNITY STANDARDS DISTRICT UPDATE ORDINANCE.

MC:SMT:DM/RM

Attachment 1: RPC Revised Altadena CSD Update Ordinance

Attachment 2: Table of CSD Revisions from July 28 Public Hearing Version

Attachment 3: Correspondence Received after July 28 Public Hearing