Rowland Heights CSD amendment
Ordinance No. 2004-0061
Effective on 11-25-04

ANALYSIS

This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code to amend the Rowland Heights Community Standards District ("CSD"). In general, the amendments add a number of standards related to commercial development within the CSD and create certain review processes for ensuring compliance with these standards.

OFFICE OF THE COUNTY COUNSEL

By

LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Public Works Division

LLH:di

09/21/04 (requested)
10/14/04 (revised)

256337_2

Effective on 11-25-04

ORDINANCE NO. 2004-0061

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to amend the Rowland Heights Community Standards District.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.44.132 is hereby amended to read as follows:

22.44.132 Rowland Heights Community Standards District.

A. Intent and Purpose. The Rowland Heights Community Standards District is established to implement the Rowland Heights Community Plan, adopted by the Board of Supervisors on September 1, 1981, and to address the needs of residential property owners who are unable to comply with the restrictions contained in Section 22.20.025 in the keeping or parking of recreational vehicles on their lots, due to the prevailing size, shape, topography, and development of residential lots in the area. The Rowland Heights Community Standards District is establishesd ~~development standards~~to (1) ~~to~~ ensure that new development retains the residential character of the area~~,~~; ~~that the appearance of signs in commercial areas is appropriate for the community, and that increased landscaping requirements and building setbacks~~ (2) impose development standards and review processes to ensure that commercial development, signs in commercial areas, landscaping, and setbacks, are appropriate for the community and are implemented to protect the community's health, safety, and welfare ~~of the entire community~~; and (~~2~~3) ~~to~~ allow for the keeping and parking of recreational vehicles on residentially and agriculturally zoned lots in a manner that protects the health, safety, and general welfare of the entire community.

256337_2

B. Description of District. The boundaries of the District are coterminous with the boundaries of the Rowland Heights Community Plan. The District boundary extends from the City of Industry on the north to Orange County on the south; the City of Diamond Bar forms the eastern boundary, while the western boundaries consist of Hacienda Heights and the City of La Habra Heights. The Pomona Freeway, Brea Canyon Road, Fullerton Road south of Pathfinder Road, Colima Road west of Stoner Creek Road, and the Schabarum Regional Park conform to the approximate boundaries of the District. The map of the District follows this section.

C. Community-Wide Development Standards. All properties shall be neatly maintained, and yard areas that are visible from the street shall be free of debris, trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.

D. Zone-Specific Development Standards.

1. Zones A-1, A-2, R-1, and R-A.

a. Front yard landscaping. A minimum of 50 percent of the required front yard area shall contain landscaping consisting of grass, shrubs, trees, and other similar plant materials. Paved or all-gravel surfaces may not be included as part of the required landscaped area.

b. Trash containers and dumpsters stored in the front or side yard areas shall be screened from view from streets, walkways, and adjacent residences.

2. Zone C-1.

a. Signs. Except as herein modified, all new signs shall conform to Part 10 of Chapter 22.52.

~~a~~i. Roof signs shall be prohibited.

~~b~~ii. Freestanding ~~Business~~ Signs.

~~i~~(A). Freestanding ~~business~~ signs shall be permitted on any lot or parcel of land for each street frontage having a continuous distance of 100 feet or more.

~~ii~~(B). The maximum height of a freestanding ~~business~~ sign shall be 20 feet.

~~iii~~(C). The total sign area of a freestanding ~~business~~ sign shall not exceed 40 square feet per sign face plus one-fourth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

~~iv~~(D). Freestanding ~~business~~ signs shall not be located in nor extend above any public right-of-way, including sidewalk areas.

(E). Freestanding business signs shall also be subject to the provisions of subsection D.2.a.iii.(B), below, related to business signs.

~~c~~iii. Business signs.

~~i~~(A). Wall business signs shall be limited to one square foot for each linear foot of building frontage.

~~ii~~(B). To facilitate the identification or location of the premises in cases of emergency and for other public health, safety, and welfare purposes, business signs readable from a public right-of-way or parking area open to the general public shall include the following information on the sign: Street address and name of the business, using Roman alphabet characters and Arabic numerals, in digits which are readable from the right-of-way or parking area.

~~d~~iv. Awning signs. The total area of awning signs shall not exceed 25 percent of the exterior surface of each awning for the ground floor and 15 percent of the exterior surface of each awning for the second floor level.

~~e~~v. Sign programs for commercial centers consisting of three or more businesses.

~~i~~(A). The owner or operator of a commercial center consisting of three or more businesses shall submit a sign program to the director to coordinate business signage within the commercial center. For existing commercial centers that meet this threshold, the sign program shall be submitted and approved no later than January 1, 2006. Notwithstanding the deadline in the preceding sentence, ~~N~~no new business sign shall be installed in any commercial center that meets this threshold until the required sign program has been approved by the director.

~~ii~~(B). The sign program shall ~~illustrate locations, styles, and standards for potential business signs within the commercial center.~~ require new business signs to comply, where applicable, with subsections D.2.a and D.3.b, and shall establish standards for sign location, style, size, color, font, materials, and any

other applicable sign feature, so that all new business signs in the commercial center will be compatible with each other.

~~iii~~(C). All new signs shall conform to the specifications set forth in the approved sign program.

~~iv. Existing signs that are inconsistent with the approved sign program shall be replaced within five years of the approval of the sign program.~~

b. Setbacks. The minimum setback(s) from highways or streets for new structures and additions to structures shall be as follows: for lots or parcels of land located along Fullerton Road, Colima Road, Nogales Street, Fairway Drive, and Brea Canyon Cut-Off Road, 20 feet from the property line adjoining that respective highway or street; for lots or parcels of land located along any other highway or street, 15 feet from the property line adjoining that respective highway or street. The first 10 feet of the setback area measured from the highway or street shall be landscaped in the manner described in subsection D.2.c, below.

c. General Landscaping. Lots or parcels of land greater than 30,000 square feet shall have a minimum landscaping of 10 percent of the net lot area; all other lots or parcels of land shall have a minimum landscaping of 15 percent of the net lot area. The landscaping shall consist of 24-inch and 36-inch box trees, 5 and 15 gallon-size shrubs, and ground cover, and shall be maintained with regular pruning, weeding, fertilizing, litter removal, and replacement of plants when necessary.

Incidental walkways, if needed, may be developed in the landscaped area. Where applicable, landscaping shall be:

i. Placed around the base of a structure in the area between the structure and the parking area;

ii. Used to screen trash enclosures, parking areas, storage areas, loading areas, and public utilities from public view, to the extent that the landscaping does not prevent access thereto; and

iii. Used to create a buffer with a minimum width and height of three feet between parking areas and public rights-of-way.

d. Parking Lot Landscaping. Except for rooftop or interior parking, an existing or proposed parking lot with 20 or more parking spaces shall have a minimum of five percent of the gross area of the parking lot landscaped. This landscaping shall be counted toward the general landscaping requirement set forth in subsection D.2.c. The landscaping shall be spread throughout the parking lot to maximize its aesthetic effect and the parking lot's compatibility with adjoining uses. Where appropriate, all areas of the parking lot not used for vehicle parking, vehicle maneuvering, or pedestrian movement or activity, shall be landscaped.

e. Buffers. New structures and additions to structures less than or equal to a total of 15 feet in height, on lots or parcels of land adjoining a residential zone, shall have a minimum setback of three feet from the property line adjoining the residential zone. Any such structures or additions to structures over 15 feet in height

shall add a minimum setback of one foot for each additional foot of the structure's height over 15 feet, applicable to those portions of the structure exceeding 15 feet.

f. Lot Coverage. Except as otherwise provided in this subsection f, all new structures and additions to existing structures, when considered along with any existing structures, shall have a maximum cumulative 40 percent coverage of the net area of the lot or parcel of land. An upper floor overhang used solely for circulation, such as a walkway, shall be exempt from the lot coverage calculation, provided it has a maximum width of five feet. On lots or parcels of land less than or equal to 30,000 square feet in net area, new restaurants are prohibited in existing or new structures if the cumulative lot coverage for such existing and/or new structures exceeds 33 percent.

g. Architectural Features. For lots or parcels of land that adjoin a street or residentially zoned property, at least 25 percent of each structure's façade that faces such street or residentially zoned property shall consist of materials or designs that are distinguishable from the rest of that façade. Examples of such materials or designs include recessed windows, balconies, offset planes, or similar architectural accents. Long, unbroken façades are prohibited.

h. Deceleration/Acceleration Lane. For lots or parcels of land that have at least 600 feet of continuous street frontage on a single street, a dedicated deceleration/acceleration lane shall be installed and shall be subject to the dedication, design, and improvement requirements of the county department of public works.

i. Corner Properties.

i. Corner Cut-off. For purposes of maintaining safe visibility, the front corner area of any corner or reverse corner lot or parcel of land shall be kept free of any tree, fence, shrub, or other physical obstruction higher than 42 inches above grade. The restricted front corner area shall be triangular in shape and shall be measured as follows: two sides of the triangle shall each be 30 feet in length, measured from the point formed by the intersection of the front and exterior side property lines; the third side shall be formed by a straight line connecting the two above-mentioned points.

ii. Zero Lot Line. All new structures and additions to structures shall, whenever practical, have a zero setback from the rear and interior side property lines when such property lines adjoin a commercially zoned property.

j. Parking for Take-Out Eating Establishments. Notwithstanding subsection A.2 of Section 22.52.1110, a new establishment selling food for off-site consumption only, with no seating or other area for on-site consumption, shall provide parking pursuant to subsection A.1 of Section 22.52.1110, except that each such establishment shall have a minimum of ten automobile parking spaces.

k. Discretionary Director's Review for New Restaurants. New restaurants or additions to an existing restaurant, where the new floor area of the restaurant use is greater than 2,500 square feet, shall be subject to a director's review pursuant to Part 12 of Chapter 22.56. For purposes of the preceding sentence, a change of use from a non-restaurant to a restaurant shall be considered a new

restaurant. In addition to the provisions described in Part 12 of Chapter 22.56, the following shall also apply to these uses:

i. Application materials. The application shall include the following:

(A). A list, certified by affidavit or statement under penalty of perjury, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject property and as owning property within a distance of 500 feet from the exterior boundaries of the subject property;

(B). Two sets of completed mailing labels for the above-stated owners;

(C). A map drawn to a scale specified by the director indicating where all such ownerships are located; and

(D). A filing fee, as set forth in Section 22.60.100, equal to that required for a site plan review for commercial and industrial projects over 20,000 square feet in size, plus any related environmental review fee as required by Section 12.04.020 of Title 12.

ii. The discretionary director's review shall be subject to the California Environmental Quality Act and an environmental review for the proposed use shall be undertaken.

iii. Notification that an application has been filed. The director shall send notice of a request for a discretionary director's review pursuant to

this subsection D.2.k to all persons shown on the list described in subsection D.2.k.i(A), and to all other persons whose property could, in the director's judgment, be affected by the project, including but not limited to, homeowners associations and civic organizations in the Rowland Heights community. The notice shall describe the project and indicate that written comments for consideration may be submitted to the director within 15 days of receipt of such notice.

iv. Director's decision. The director, in acting upon an application pursuant to this subsection D.2.k, shall approve, approve with conditions, or deny the proposed use based on the principles and standards described in Section 22.56.1690.B. Conditions may be imposed to mitigate any impacts of the proposed use on traffic congestion or to mitigate other adverse effects of the proposed use on neighboring properties.

v. Notification of decision. Notwithstanding Section 22.56.1730, notice of the director's decision shall be sent not only to the applicant, but also to those persons who submitted written comments concerning the application, and to all other persons requesting notification, including, but not limited to, homeowners associations and civic organizations in the Rowland Heights community. The notice of decision shall be sent by first class mail, postage prepaid, or any other means deemed appropriate by the director.

vi. Rights of appeal. Notwithstanding Section 22.56.1750, any person dissatisfied with the action of the director may file an appeal with the commission within 15 days of receipt of the notice of decision by the

applicant; any person dissatisfied with the action of the commission may file an appeal with the board of supervisors within eight days of receipt of the notice of decision by the applicant. The filing requirements, procedures, and effective dates for the appeal shall be governed by Sections 22.60.220 through 22.60.260. The notice of decision on any appeal shall be mailed in the same manner and to the same persons as described in subsection D.2.k.v.

vii. Calls for review. Decisions by the director pursuant to this subsection D.2.k may be called for review by the commission pursuant to Sections 22.60.220, 22.60.230, and 22.60.240; decisions of the commission on the call for review may be called for review by the board of supervisors pursuant to these same Sections, as well as Section 22.60.250. The notice of decision on any call for review shall be mailed in the same manner and to the same persons as described in subsection D.2.k.v.

viii. Effective Dates.

(A). Notwithstanding Section 22.56.1750, the decision of the director shall become effective 15 days after the applicant's receipt of the notice of decision, unless such decision is appealed or called for review pursuant to subsection D.2.k.vi or vii.

(B). The decision of the commission shall become effective eight days after the applicant's receipt of the notice of decision, unless such decision is called for review by or appealed to the board of supervisors prior to that date.

(C). The decision of the board of supervisors shall become effective on the date of the board's action.

3. Zone C-2.

a. The standards and review provisions prescribed for Zone C-1, as contained in subsection D.2, shall apply to Zone C-2 ~~with the exception of~~except the maximum sign area of freestanding signs set forth in subsection D.2~~.b~~.a.~~iiiii~~(C).

b. Freestanding Signs. The total sign area of a new freestanding sign shall not exceed 80 square feet per sign face plus three-fourth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

~~c. Where a parking lot containing more than 20 parking spaces exists or is proposed, at least 5 percent of the gross area of the parking lot shall be landscaped. Landscaping shall be distributed throughout the parking lot to maximize the aesthetic effect and compatibility with adjoining uses. Where appropriate, all areas of the parking lot not used for vehicle parking or maneuvering or for pedestrian movement or activity shall be landscaped. This subsection shall not apply to a parking lot within or on the roof of a building.~~

~~d. The minimum required setback for new structures or additions shall be ten feet from the property line(s) along those portions of the property where there is street frontage. The ten feet of the setback area closest to the street shall be landscaped in accordance with an approved site plan.~~

~~e. A minimum setback of three feet from any property line adjoining a residential zone is required for new structures or additions. For such structures over 15 feet in height, the setback shall be increased by one foot for each additional foot of building height over 15 feet.~~

4. Zone C-3.

a. The standards and review provisions prescribed for Zone C-2, as contained in subsection D.3, shall apply to Zone C-3.

b. Structure Height. A ~~building or~~ structure shall not exceed a height of 45 feet above grade, excluding chimneys and rooftop antennas.

c. Limitation on Stories. Structures on lots or parcels of land with frontage on Colima Road shall be subject to the following limitation regarding stories: new structures located within 300 feet of Colima Road shall contain a maximum of two stories; new structures, and existing structures that currently have no more than two stories, located more than 300 feet from Colima Road may contain a maximum of three stories provided that the third story shall be for office use only.

5. Zones M-1 and M-1½. In Zones M-1 and M-1½, any use that is otherwise authorized in Zone C-3, as described in Part 5 of Chapter 22.28, shall be subject to the standards and review provisions prescribed for Zone C-3, as contained in subsection D.4.

~~5~~6. Minor Variations.

a. The director may permit minor variations from the following standards ~~specified in subsections D.2.b.ii, D2.b.iii, D.2.c.i, D.2.d, D.3.b, and D.3.c of~~

~~this section where an applicant's request for a minor variation demonstrates to the satisfaction of the director all of the following~~:

i. the maximum height of freestanding signs set forth in subsection D.2.a.ii(B);

ii. the maximum sign area of freestanding signs set forth in subsections D.2.a.ii(C) and D.3.b;

iii. the limit on wall business signs set forth in subsection D.2.a.iii(A);

iv. the maximum area for awning signs set forth in subsection D.2.a.iv; and

v. the parking lot landscaping requirements set forth in subsection D.2.d as they apply to existing parking lots as of the effective date of this subsection.

b. Burden of Proof. To be granted a minor variation, the applicant shall show, to the satisfaction of the director:

i. that ~~T~~the application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the goals of the Rowland Heights Community Plan~~.~~;

ii. that ~~T~~there are exceptional circumstances or conditions applicable to the subject property or to the intended development of the property that do not generally apply to other properties within the District~~.~~; and

iii. that ~~G~~granting the requested minor variation will not be materially detrimental to properties or improvements in the area or contrary to the goals of the Rowland Heights Community Plan.

~~b~~c. Procedure. The procedure for filing a request for a minor variation shall be the same as for a yard modification as provided in Section 22.48.180.

~~c~~i. All property owners within ~~100~~200 feet of the subject property shall be notified in writing of the requested minor variation not less than 20 days prior to the date the director takes action on the request.

d. A minor variation shall not deviate more than 25 percent from the applicable development standards identified in subsection D.~~5~~6.a.

7. Variance required. Modification of the standards set forth in subsections D.2.b, D.2.c, and D.2.e through D.2.j shall require a variance pursuant to Part 2 of Chapter 22.56.

~~6~~8. Recreational Vehicle Parking -- Residential and Agricultural Zones.

a. Definition. As used in this subsection D~~6~~8, "recreational vehicle" means a camper, camp trailer, travel trailer, house car, motor home, trailer bus, trailer coach, or similar vehicle, with or without motive power, designed for human habitation for recreational or emergency occupancy. A recreational vehicle includes a boat, other watercraft, snowmobile, off-road vehicle that cannot legally be driven on public streets, and other similar types of vehicles. A trailer, whether open or enclosed, used to carry or tow property such as animals, boats or other watercraft, snowmobiles, off-road vehicles, racecars, or other similar vehicles is also a recreational vehicle.

Where a recreational vehicle is on or attached to such a trailer, they shall together be considered one recreational vehicle. A recreational vehicle shall not include a pickup truck used for transportation to which a camper shell has been attached.

b. A recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted on a lot or parcel of land in Zones A-1, A-2, R-1, R-2, R-3, R-4, R-A, and RPD subject to the following restrictions:

i. A recreational vehicle shall not be kept, stored, parked, maintained, or otherwise permitted within five feet of the front lot line or corner side lot line;

ii. No portion of a recreational vehicle exceeding 36 inches in height shall be kept, stored, parked, maintained, or otherwise permitted within 10 feet of the front lot line or corner side lot line;

iii. No more than one recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted in the front yard, corner side yard, or any additional area situated between the corner side yard and the rear lot line;

iv. No recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted in a manner that prevents access to any required covered parking on the same lot or parcel of land;

v. A recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted only on premises owned or occupied by the owner of the vehicle;

vi. No disabled or otherwise nonfunctional recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted in the front yard or corner side yard;

vii. A recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted so as to maintain unobstructed line-of-sight for pedestrians and motorists using the public right-of-way; and

viii. A recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted so as not to constitute a health or safety hazard.

c. A yard modification may be filed with the director pursuant to Section 22.48.180 to authorize the parking or storing of a recreational vehicle within 10 feet of the front lot line or corner side lot line; provided, however, that under no circumstances shall a recreational vehicle be parked closer than five feet from the front or corner side lot lines. An application for a yard modification under this subsection shall be supported by evidence substantiating that the requested modification is necessary due to topographic features or other conditions in that compliance with the 10-foot setback line would create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line. The director may approve a yard modification if the director finds that parking or storing a recreational vehicle at the proposed location will not compromise pedestrian or motorist line-of-sight or other applicable safety standards as determined by the director, and that the applicant has substantiated to the satisfaction of the director that, due to topographic features or other conditions, compliance with the 10-foot setback line would

create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line.

E. Area-specific Development Standards (Reserved).

F. Public Information. A monthly report or reports shall be generated by the department listing all permit and plot plan applications received by the department for the Rowland Heights area. The report(s) shall list the type of application received, a brief description of the project, the name of the property owner and/or applicant, and the address of the proposed project. The report(s) shall be distributed on a periodic basis in a manner and frequency determined by the director to all community groups that request a copy, and to such other groups or persons who, in the director's judgment, would be appropriate to receive the report(s). Before determining how often to distribute the report(s) to a particular group or person, the director shall consult with and take into account the preference of that group or person on this matter.

G. Nonconforming Structures. Structures nonconforming due to the standards contained in this Community Standards District may be continuously maintained subject to all applicable provisions set forth in Part 10 of Chapter 22.56.

SECTION 2.

Upon the effective date of this ordinance, Interim Ordinance No. 2003-0025U, as amended by Interim Ordinance Nos. 2003-0035U and 2004-0021U, shall terminate and shall be of no further force and effect.

[2244132LHCOC]