



City of Temple City

Planning Commission

Staff Report

June 11, 2019

FILE:	PL 18-1198
ADDRESS:	Citywide
DESCRIPTION:	Comprehensive Zoning Code Update
APPLICANT:	City of Temple City
PROJECT PLANNER:	Scott Reimers, Planning Manager
ENVIRONMENTAL REVIEW:	The California Environmental Quality Act does not apply to study sessions since no formal action will be taken. In advance of the Planning Commission's meeting on June 25, 2019, the City has reviewed this project's impact on the environment through the preparation of an Addendum to the Temple City General Plan Update and Crossroads Specific Plan Environmental Impact Report (EIR). The Commission will consider a recommendation at its next meeting. The public may provide comment on the document now and/or at the following meeting.
RECOMMENDATION:	<ol style="list-style-type: none">1. Receive staff's presentation.2. Ask questions of staff.3. Take public comment.4. Provide staff input on changes to the draft zoning map (Attachment 3) and the draft zoning code (Attachment 4).5. Schedule a public hearing for June 25, 2019, for the zoning code update, zoning map update, and the Addendum to the Temple City General Plan Update and Crossroads Specific Plan EIR.

BACKGROUND & SUMMARY:

The Planning Commission, the City's planning staff, and PlaceWorks (the City's consultant) have been working together to prepare a comprehensive and citywide update of the zoning code and zoning map that is consistent with the recently adopted Mid-Century General Plan. Starting in the spring of 2018 the Planning Commission hosted a series of workshops to discuss initial drafts of different sections of the zoning code, as shown in Table 1.

Table 1 – Schedule of Draft Zoning Code Meetings

TOPIC	DATE	WEBLINK
Mixed Use Districts	March 27, 2018	Link
Commercial and Industrial Districts	April 24, 2018	Link
R-1 District	May 22, 2018	Link
R-2 and R-3 Districts	June 26, 2018	Link
Signs	August 28, 2018	Link
Administration and Processes	October 23, 2018	Link

In December of 2018, the City’s planners and PlaceWorks provided a revised draft of the complete code updated to reflect the input received from the Planning Commission and the community ([Link](#)). In February of 2019, the planning staff and PlaceWorks prepared an interactive website used to convey major changes proposed in the zoning code, links to draft sections of the zoning code, and to collect input on the zoning code through an online questionnaire (see Attachment 1 for community input received). Additionally, on February 21, the city’s planners held a community meeting to present the proposed changes and collect feedback. The meeting was attended by approximately 20 community members. The questionnaires received at the end of that meeting are included in Attachment 1.

COMMUNITY FEEDBACK AND PROPOSED CHANGES:

As a result of the comments received from the public and staff’s continued refinement of the draft zoning code throughout the update process, staff recommends changes to the draft zoning code that was previously reviewed by the Planning Commission, as shown in Tables 2 and 3 below.

Table 2 – Changes Initiated as a Result of Community Input

PROPOSED CHANGE	CODE REFERENCE	COMMENT
1. Limit the use of metal security bars and shutters on residential properties to the interior side yard and rear yard elevations.	9-1N-9	This is recommended as a response to overwhelming community input.
2. Require all sites with more than 2 units to provide a main courtyard (originally required for more than 4 units).	9-1G-22-H	This is recommended as a response to overwhelming community input.

Table 3 – Changes Initiated as a Result of Further Staff Review

PROPOSED CHANGE	CODE REFERENCE	COMMENT
R-1, Single Family Zone		
<p>1. In the R-1 zone, modify the front yard setback to be the average of the adjacent two houses. The required front setback shall not be more than 30 feet. The Planning Manager may determine if the entire blockface should be used to determine the required front yard setback when there are irregularities, such as reverse corner lots or houses with unusually large setbacks. The front yard setback may be reduced by five feet if the garage is behind the house, but the front setback may never be less than 20 feet.</p>	9-1G-12-B	<p>The proposed change from basing the front yard setback on an average of the entire blockface to the average of the adjacent will reduce time and effort needed to design and review projects, while still making an allowance for the Planning Manager to review and make allowances for irregularities.</p>
<p>2. Replace the proposed front yard encroachment plane (No portion of the building or structure shall encroach through a plane projected from an angle of 60 degrees measured at a height of 12 feet at the required front setback line) with a requirement that the floor area ratio of a structure within the first 40 feet of a lot may not exceed .25.</p>	9-1G-12-E.3	<p>The purpose of the current requirement and the proposed requirement is to reduce the mass of the structure so that it is more compatible with existing development. The existing Code requires the second floor to be setback an average of 10 feet from the first floor. This results in house designs that are overly articulated and complex. The previously proposed code is an improvement over the existing code but could be difficult for designers to interpret and implement. Staff therefore is recommending a more flexible code that is easier to implement. The flexibility will likely result in more traditional, simplified architecture while still producing the reduction in mass desired.</p>

PROPOSED CHANGE	CODE REFERENCE	COMMENT
3. Modify the maximum hardscape requirement to exclude the driveway.	9-1G-12-H.1	Depending on how a garage is situated substantially changes the amount of hardscape necessary in the front yard to service the garage. Therefore, staff recommends excluding the driveway from the hardscape calculation and proportionately reducing the maximum percentage of hardscape.
4. The draft zoning code requires a new single-family house to plant at least three, 36-inch box trees. Change this to requiring one, 36-inch box tree per 2,500 square feet of lot area, fractions are rounded up from .5 to the nearest whole number. Existing trees onsite that are of equivalent size and will be preserved may be counted towards this requirement.	9-1G-12-H.2	The proposed change would base the requirement for planting trees on lot size, instead of a standard for all lots. This recognizes that the city has a diverse range of lot sizes and results in the same number of trees on an average sized, 7,500 square foot lot. Large, 10,000 square foot lots would need to provide one additional tree.
5. Specify that the floor area incentives are only provided to completely new construction, not additions.	9-1G-15	The present Code is unclear whether the incentives should apply to existing houses or only new construction. It is in keeping with the intent of the incentive program to only allow new construction to receive the floor area bonuses.
6. New generators, air conditioning units, and condensers must be located at least ten feet from neighboring bedroom windows. This requirement does not apply to replacement units in the same location.	9-1G-14-D.4	Providing additional distance between generators and air conditioning equipment will help reduce the potential for future noise complaints.
Mixed-Use Zone District		
7. Remove multi-family as an allowed use in the MU-M zone.	Table 9-1H-2	Allowing purely multi-family developments within the MU-M zone would allow sites such as the Ralph's market, Rite Aid and the former site of the Alpha Beta to be developed as purely multi-family. This is inconsistent with the character of Las Tunas and Temple City Boulevard. However, given the soft retail market it would be beneficial
8. Require 50 percent of a building's street frontage on Las Tunas Drive and Temple City Boulevard to contain commercial uses.	Table 9-1H-2, Footnote 3	
9. Require a minimum depth of 40 feet for commercial uses.	9-1H-3-B.1	

PROPOSED CHANGE	CODE REFERENCE	COMMENT
10. Require a ceiling height of 15 feet for commercial uses.	9-1H-3-B.3	to allow some ground floor residential uses to provide developers with greater flexibility to build a successful project. The remaining proposed revisions are standard provisions of other mixed-use zoning codes, including the recently adopted Crossroads Specific Plan. Their purpose is to provide commercial tenant spaces that will be functional and desirable for a variety of tenants.
11. Allow residential uses on the ground floor if they have a walk-up entrance.		
Site Planning and General Development Standards		
12. Consistent with the existing zoning code, modify the non-view obscuring fence height to a maximum of 3.5 feet.	9-1N-3-C.2	This discrepancy was a staff oversight. Staff recommends keeping the existing requirement.
13. Prohibit fences in the front yard of multi-family developments, except for railings and fences required by the building code.	9-1N-3-C.3	The existing code does not allow fences within the front yard of multi-family zones so as not to preclude access of visitors to guest parking spaces. The Planning Commission previously recommended removing this provision. After many years of having this provision in place the City's multi-family zones have a clean, safe look as they are free from front yard fences. To continue this character, staff recommends allowing driveway fences, but precluding them from being in front yard area.
14. Limit the use of rolldown security doors and folding window security systems on non-residential uses to the interior of the storefront.	9-1N-9	As result of community feedback related to security bars in residential zones, staff recommends also adopting regulations on security systems in non-residential zones.
Other Code Sections		
15. Require that parking spaces be increased in size one foot when there is a vertical obstruction more than six inches in height adjacent to the parking space.	9-1E-2-B	When a parking spot is directly adjacent to a wall the parking spot should be enlarged to make it possible to exit the vehicle. This is consistent with the existing code.
16. Add short term rentals to all use tables as prohibited uses in every zone.	Table 9-1G-2, Table 9-1G-7, Table 9-1G-11, Table 9-1H-2, Table 9-1I-2,	Short term rentals are defined in the Code, but the use tables do not state whether they are allowed or prohibited. This change would make it clear that this use is

PROPOSED CHANGE	CODE REFERENCE	COMMENT
	Table 9-1J-2	prohibited and would be in keeping with the Commission's previous direction.
17. Set a minimum commercial unit size in all non-residential zones at 800 square feet.	9-1H-B.2, 9-1I-B.2 & B.3, 9-1J-3-B.1	This is a provision carried over from the existing zoning code.
18. Make the following changes related to accessory dwelling units (ADU). - Prior to building permit issuance, the owner of the property must record a covenant on the property demonstrating that either the main unit or the ADU must be owner occupied and stating that the owner agrees to pay an annual inspection fee (set by the City's fee resolution) to ensure compliance with this requirement. -If a structure proposed for conversion to an ADU is legally existing prior to January 1, 2017, modifications to meet the building separation requirement is not necessary.	9-1T-13	- The proposal to require a covenant be recorded on the property helps future buyers know before they purchase a property that they must live onsite. Many cities require this. The proposed change will codify staff's current practice. However, these covenants are ineffective without an annual inspection to ensure compliance. This code section would require the owner to pay an annual inspection fee. - Not requiring permitted structures to meet the building separation requirements would allow units constructed under the city's previous second unit ordinance and pool houses to be converted to ADUs.
19. Update references the zoning code makes to the State Government Code and to code sections within the document.	Various	From time to time state law changes. References in the proposed code have been updated to ensure that they reference the appropriate California Government Code sections.

CONCLUSION:

The City and the community have been engaged in an in-depth dialogue on how to bring the zoning code and the zoning map into alignment with the General Plan. The City conducted eight workshops between March 27, 2018 and February 21, 2019. A special website was setup to help get input from the community on the zoning code and zoning map and a community meeting was held in February of 2019. The above changes are proposed in response to items overwhelmingly supported by the public input received in February and from further refinement by staff and PlaceWorks. The study session on June 11, 2019 will be another occasion for the public to consider the proposed changes to the zoning code and zoning map, review the Addendum to the EIR, and give input. The Planning Commission is tentatively scheduled to hold a formal public hearing at its regularly scheduled meeting on June 25, 2019.

ATTACHMENTS:

1. Result of Community Input
2. Addendum to the Temple City General Plan Update and Temple City Crossroads Specific Plan EIR
3. Draft Zoning Map
4. Draft Zoning Code