



Gateway
to the
San Gabriel Valley

CITY OF ALHAMBRA

AGENDA

PLANNING COMMISSION

April 6, 2026

Watch and listen to the meeting via Zoom Webinar as follows:

Zoom Webinar direct link:

<https://us02web.zoom.us/j/82735405361>

Webinar ID: 827 3540 5361

Or by **telephone** by dialing (833) 548-0276 (Toll Free) or (833) 548-0282 (Toll Free) or (877) 853-5257 (Toll Free) or (888) 475-4499 (Toll Free) or +1(669) 900-9128 or +1(253) 215-8782 or +1(346) 248-7799 or +1(301) 715-8592 or +1(312) 626-6799 or +1(646) 558-8656 and entering **Webinar ID: 827 3540 5361**. **Please Note:** All members of the public calling or logging into the meeting will be muted so that the meeting can proceed. If there are technical difficulties with Zoom during the meeting, the meeting will proceed regardless.

Meeting Rules and Regulation

Section 2.24.060 of the Alhambra Municipal Code provides for the Planning Commission to establish and enforce its own rules and regulations for its meetings. The Planning Commission uses those rules and regulations established by the Municipal Code and implemented for use by the City Council.

Addressing the Commission:

In person: Any person wishing to address the Commission during the meeting is asked to complete a Speaker Request Card and submit it to the Secretary. When called upon by the President, please step to the podium and give your name, address and organization or other party you represent, if any, in an audible tone of voice for the record.

Via Zoom or Telephone: "Raise your hand" - Members of the public may speak by using the "**Raise Hand**" function during the public comments portion, if on Zoom or telephone. Staff will unmute speakers participating via Zoom or telephone and announce your name when it is your time to speak.

Comments are limited to 5 minutes; however, the presiding officer may either extend or reduce the maximum time to such period of time as the Commission may determine.

All comments shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the President. No question shall be asked a Commissioner except through the President.

Any member of the public who needs accommodations or who needs their comments translated should email or call the Community Development Department at mmccurley@alhambraca.gov or (626) 570-5034. All requests for accommodations or translation services shall be made by 4 p.m. the Thursday prior to the Planning Commission meeting. If accommodation or translation is not requested by 4 p.m. the Thursday prior to the Planning Commission meeting, staff will try to accommodate the request to the best of their efforts to provide as much accessibility as possible while also maintaining public safety. All participants are encouraged to email their comments prior to the beginning of the meeting, but are not required to do so. All written comments received prior to the meeting will be entered into the record and distributed to the Planning Commission for their review.

Standards of Decorum: Any person addressing the Commission who refuses to stop speaking after his/her time has expired or any person who behaves in such a manner as to interfere with or impede the progress of the Planning Commission meeting who, after a request by the President, refuses to cease such behavior may be muted or barred from the meeting upon direction of the President.

Enforcement of Decorum: The Chief of Police, or his/her designee, may be Sergeant-at-Arms of the Commission meetings. If present, the Sergeant-at-Arms shall carry out all orders and instructions given by the President for the purpose of maintaining order and decorum at the Commission meeting.

Persons Authorized to be Within Rail: No person, except City officials, their representatives, and newspaper reporters, shall be permitted within the rail in front of the Council Chamber without the express consent of the Commission.



*Gateway
to the
San Gabriel Valley*

CITY OF ALHAMBRA PLANNING COMMISSION

AGENDA REGULAR MEETING

111 South First Street
City Hall Council Chambers
April 6, 2026
7:00 p.m.

CALL MEETING TO ORDER:

ROLL CALL:

CHRIS OLSON, President
ELAINE CHEN
VICTOR DORADO
ANTONIO GARDEA
KARLA GRIJALVA

WING HO
CHRISTOPHER JUAREZ
JACOB MOJARRO

FLAG SALUTE: Led by President Olson

ELECTION OF OFFICERS FOR 2026-2027: Nomination and election of President, Vice-President and Secretary of the Planning Commission for 2026-2027, in accordance with AMC 2.24.050.

CONSENT AGENDA:

All items listed on the Consent Agenda will be enacted by one motion based on the recommended actions listed below unless a citizen or a Commissioner makes a request for an item to be removed and be heard separately. Items placed on the Consent Agenda include smaller-scale projects, projects which do not require Variances, projects which are being continued to future meetings, and ministerial matters (minutes, resolutions, etc.).

1. MINUTES – March 2, 2026

Recommended Action: Commission review and approve as submitted the Minutes of the March 2, 2026, Regular Meeting of the Alhambra Planning Commission.

2. MINUTES – May 17, 2021

Recommended Action: Commission review and approve as submitted the Minutes of the May 17, 2021, Regular Meeting of the Alhambra Planning Commission.

3. MINUTES – May 3, 2021

Recommended Action: Commission review and approve as submitted the Minutes of the May 3, 2021, Regular Meeting of the Alhambra Planning Commission.

DISCUSSION ITEMS:

4. PLANNING COMMISSIONER TRAINING AND HOUSING LAW UPDATE

This is a report to inform the Planning Commission about their roles and responsibilities; the Brown Act for open meetings for local legislative bodies in California; and recent updates to State housing laws.

Recommended Action: It is recommended that the Planning Commission receive and file this informational report.

PUBLIC HEARINGS:

5. ZONING TEXT AMENDMENT AMD-26-04

Citywide

Applicant: City of Alhambra

This is a City-initiated application for a Zoning Text Amendment AMD-26-04 amending various sections of Title 23 (Zoning) of the Alhambra Municipal Code, as well as adding new sections, to address new State legislation, eliminate inconsistencies, clarify ambiguous provisions, correct typographical and formatting errors, and modify use allowances.

Recommended Action: Adopt Resolution No. 26-02, recommending that the City Council approve Zoning Text Amendment AMD-26-04, an ordinance amending and adding various sections of the Alhambra Municipal Code on Zoning, and finding Zoning Text Amendment AMD-26-04 to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15061(b)(3) of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that will not result in a direct or reasonably foreseeable indirect physical change in the environment and that have no possibility of causing a significant effect on the environment, respectively.

ORAL COMMUNICATIONS (TIME LIMIT – 5 MINUTES):

Citizens wishing to address the Commission on any matter within the subject matter jurisdiction of the Commission not on the Agenda may do so at this time. Please state your name and address clearly for the record. Please note that while the Planning Commission values your comments, pursuant to the Brown Act, the Planning Commission cannot take action unless the matter appears as an item on a forthcoming agenda.

COMMENTS FROM THE PLANNING COMMISSION AND CONFERENCE/MEETING REPORTS:

Each Commissioner at his/her discretion may address the Commission and public on matters of general information and/or concern, including announcements and future agenda items. This is also the time for Commissioners to report on conferences and/or meetings they have attended.

COMMENTS FROM STAFF:

Staff may address the Commission and public on matters of general information and/or concern, including updates on projects, programs or events within the City, and announcements as deemed necessary.

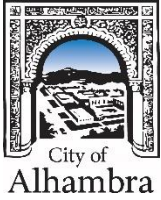
ADJOURNMENT:

The next regularly scheduled meeting of the Alhambra Planning Commission will be held on Monday, April 20, 2026, at 7:00 p.m.

NOTICE:

AGENDA ITEMS: Copies of the staff reports or other written documentation, including any materials that may be distributed to the Planning Commission subsequent to the posting of this agenda, relating to each item of business described herein above are on file in the offices of the Community Development Department in City Hall, 111 South First Street, Alhambra, California, and are available on the City's website (<https://www.alhambra.ca.gov/agendacenter>). If you would like to sign-up to receive the Planning Commission meeting agenda and staff reports packet via e-mail or text message, please visit the City's website at www.cityofalhambra.org, click on "Notify Me" and follow the instructions for subscribing.

APPEALS: Any person wishing to appeal any decision of the Planning Commission to the City Council may do so by filing an appeal in writing along with the appropriate appeal fee to the Community Development Department in City Hall within 10 business days of the Planning Commission decision. The appeal period for items on this agenda expires at the close of business on April 22, 2026.



**CITY OF ALHAMBRA PLANNING COMMISSION
ACTION MINUTES**

**Regular Meeting
March 2, 2026**

A. CALL MEETING TO ORDER: 7:00 P.M. in the Council Chambers of Alhambra City Hall, and via video conference and teleconference.

B. ROLL CALL:

Present: Chen, Dorado, Gardea, Ho, Juarez, Mojarro, Garcia, Olson

Absent: Grijalva

Staff Present: Vanessa Reynoso, Deputy Director; Maia McCurley, Planning Manager; Megan Wu, Senior Planner; Karabeth Garcia, Executive Assistant; Erica Vega, Deputy City Attorney

C. FLAG SALUTE: Led by President Olson

D. CONSENT AGENDA:

AGENDA

ITEM 1:

MINUTES – FEBRUARY 2, 2026

- **Request:** This is a request for the Planning Commission to approve the Minutes of the February 2, 2026, Regular Meeting of the Alhambra Planning Commission.
- **Recommended Action:** Commission review and approve as submitted the Minutes of the February 2, 2026, Regular Meeting of the Alhambra Planning Commission.

MOTION:

- Moved to approve Consent Agenda Item 1.
- Moved by Commissioner Gardea, Seconded by Commissioner Ho.
- The motion carried by the following roll call vote:

Roll Call Vote: 8-0-0-1

Ayes: Chen, Dorado, Gardea, Ho, Juarez, Mojarro, Garcia, Olson

Noes: None

Abstain: None

Absent: Grijalva

E. DISCUSSION ITEMS:

- There were no discussion items.

F. PUBLIC HEARINGS:

AGENDA

ITEM 2: ZONING TEXT AMENDMENT AMD-26-03 (INCLUSIONARY HOUSING ORDINANCE UPDATE)

- **Citywide**
- **Applicant: The City of Alhambra**
- This is a City-initiated application for Zoning Text Amendment AMD-26-03 to amend Title 23 (Zoning) of the Alhambra Municipal Code to update Chapter 23.15 (Inclusionary Housing) consistent with the objectives of the City's adopted 2021-2029 Housing Element. The proposed updates include modifying the Inclusionary Housing affordability requirements to further the City's objectives of providing affordable housing for all segments of the population.
- **Recommended Action:** Adopt Resolution No. 26-05, recommending the City Council approve Zoning Text Amendment AMD-26-03, an ordinance amending Title 23 (Zoning) of the Alhambra Municipal Code by revising Chapter 23.15 (Inclusionary Housing).
- **The City's consultant, BAE Urban Economics,** provided the presentation.
- **The public hearing was opened and then closed.**
- **Public Comments:**
 - 1.) Lewis McCammon
 - 2.) Tom Ferguson
 - 3.) Melissa Michelson
 - 4.) Alborz Mohtashami

MOTION:

- Moved to approve Agenda Item 2 with recommended modification of Section 3.A.1.a. from 7.5% to 10% very low-income households, and Section 3.A.1.b. from 7.5% to 5% low-income households.
- Moved by Commissioner Gardea, Seconded by Vice President Garcia.
- The motion carried by the following roll call vote:

Roll Call Vote: 5-3-0-1

Ayes: Chen, Gardea, Mojarro, Garcia, Olson
Noes: Dorado, Ho, Juarez
Abstain: None
Absent: Grijalva

G. ORAL COMMUNICATIONS:

- There were no Oral Communications.

H. COMMENTS FROM THE PLANNING COMMISSION AND CONFERENCE/MEETING REPORTS:

- **Vice President Garcia** announced that this would be his last meeting. He thanked the others for the years of service and time.

I. COMMENTS FROM STAFF:

- There were no comments from staff.

J. ADJOURNMENT:

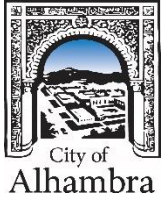
- There being no other business, the meeting was adjourned at 8:44 P.M. to Monday, March 16, 2026, at 7:00 P.M.

Chris Olson
President

ATTEST:

Karabeth Garcia
Executive Assistant

DRAFT



**CITY OF ALHAMBRA PLANNING COMMISSION
ACTION MINUTES**

**Regular Meeting
May 17, 2021**

A. CALL MEETING TO ORDER: 7:02 P.M. via video conference and teleconference

B. ROLL CALL:

Present: Ho, Olson, Pham, Sahu, Tsujii, Wang, Garcia, Gardea
Commissioner Tang arrived at 7:07 P.M.

Absent: None

Staff Present: Vanessa Reynoso, Deputy Director; Paul Lam, Principal Planner; Scott Quyle, Associate Planner; Erica Vega, Deputy City Attorney

C. FLAG SALUTE: Led by President Gardea

D. CONSENT AGENDA:

- There were no Consent Agenda items.

E. PUBLIC HEARINGS:

REORDERING OF THE AGENDA

**AGENDA
ITEM 2:**

**PLANNED DEVELOPMENT PERMIT PD-21-22 AND REVISION TO
CONDITIONAL USE PERMIT CU-16-15**

- **1508 South Marengo Avenue**
- **Applicant: TAG-2 Medical Investment Group LLC**
- **Request:** This is an application for a Planned Development Permit PD-21-22 and Revision to Conditional Use Permit CU-16-15 for the construction of a new 2-story, 11,286 square foot, 34-bed skilled nursing facility addition to an existing skilled nursing facility located on a site of approximately 69,261 square feet (1.59 acres) located in the R-3 (High Density Residential) zone. An addendum to the previously adopted Mitigated Negative Declaration for this project has been prepared.
- **Recommended Action:** Continue to June 7, 2021.

MOTION:

- Moved to reorder Agenda Items 1 & 2, to address Agenda Item 2 before Agenda Item 1, and to continue Agenda Item 2 to the June 7, 2021 Planning Commission meeting.
- Moved by Commissioner Olson, Seconded by Commissioner Sahu.
- The motion carried by the following roll call vote:

Roll Call Vote: 8-0-0-1

Ayes: Ho, Olson, Pham, Sahu, Tsujii, Wang, Garcia, Gardea
Noes: None
Abstain: None
Absent: Tang

**AGENDA
ITEM 1:**

PLANNED DEVELOPMENT PERMIT PD-21-10 AND CONDITIONAL USE PERMIT CUP-21-11

- **South 2nd Street Parking Lot (Assessor Parcel Number: 5344-026-915)**
- **Applicant: Myles Peinemann (American Family Housing)**
- **Request:** This is an application for a Planned Development Permit PD-21-10 and Conditional Use Permit CUP-21-11 to construct a 78,600 square foot, seven (7) story 50-unit residential, and one (1) commercial unit, mixed-use affordable housing apartment complex and a wireless facility on a site of approximately 18,399 square feet located in the CBD and DRD (Central Business District & Downtown Revitalization District) zone. This application is exempt from the California Environmental Quality Act.
- **Recommended Action:** Adopt Resolution No. 21-12, approving Planned Development Permit PD-21-10 and Conditional Use Permit CUP-21-11 subject to the Conditions of Approval.
- **Associate Planner Scott Quyle** provided the Staff presentation.
- **John Moreland and Ryan Lehman, Applicants**, provided their presentation.
- **John Moreland, Ryan Lehman, Keith Labus, and Kenny Cho, Applicants**, were available to answer questions.
- **The public hearing was opened and then closed.**
- **Public Comments:**
 - 1.) Eric Sunada
 - 2.) Dioselina Gallardo
 - 3.) Lewis McCammon
 - 4.) Sean McMorris

MOTION:

- Moved to approve Agenda Item 1 with revised Conditions of Approval for PL29, to add, "The project shall be developed in accordance with the approved DDA in Council Resolution R2M20-40."
- Moved by Commissioner Sahu, Seconded by Commissioner Tang.
- The motion carried by the following roll call vote:

Roll Call Vote: 9-0-0-0

Ayes: Ho, Olson, Pham, Sahu, Tang, Tsujii, Wang, Garcia, Gardea
Noes: None
Abstain: None
Absent: None

F. PRESENTATIONS:

**AGENDA
ITEM 3:**

ACCESSORY DWELLING UNITS

- **Citywide**
- **Applicant: The City of Alhambra**
- **Request:** This is an information report to provide the Planning Commission with a general overview on the process of Accessory Dwelling Unit (“ADU”) applications submitted to the City regarding the standards and application process relating to Accessory Dwelling Units. This item is exempt from the California Environmental Quality Act.
- **Recommended Action:** Planning Commission receive and file this informational report.
- **Associate Planner Scott Quyle** provided the Staff presentation.

MOTION:

- No motion. Report was received and filed.

G. DIRECTOR’S REPORT

- There was no Director’s Report.

H. ORAL COMMUNICATIONS:

- **Lewis McCammon** commented on the Alhambra Housing Summit information regarding ADUs, and explained that it would be beneficial to reach out to other cities and see what they are doing to increase the production of affordable housing. He also commented on the presentation from ECONorthwest at the May 3rd meeting, stating that he doesn’t see any way to build 122 units on East Main Street with no City-owned property. He urged the City to be cautious with affordable housing calculations.

I. COMMENTS FROM THE PLANNING COMMISSION AND CONFERENCE/MEETING REPORTS:

- **Commissioner Tang** inquired about a fee calculator online.
- **Commissioner Sahu** followed up regarding an online fee calculator, and whether the Planning Commission can recommend one.
- **President Gardea** encouraged all to support their local restaurants.

J. ADJOURNMENT:

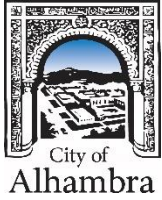
- There being no other business, the meeting was adjourned at 9:16 P.M. to Monday, June 7, 2021, at 7:00 P.M.

Chris Olson
President

ATTEST:

Karabeth Garcia
Executive Assistant

DRAFT



**CITY OF ALHAMBRA PLANNING COMMISSION
ACTION MINUTES**

**Regular Meeting
May 3, 2021**

A. CALL MEETING TO ORDER: 7:00 P.M. via video conference and teleconference

B. ROLL CALL:

Present: Ho, Messina, Olson, Pham, Sahu, Tang, Tsujii, Wang, Garcia, Gardea

Absent: None

Staff Present: Vanessa Reynoso, Deputy Director; Paul Lam, Principal Planner; Scott Quyle, Associate Planner; Erica Vega, Deputy City Attorney

C. FLAG SALUTE: Led by President Gardea

D. CONSENT AGENDA:

**AGENDA
ITEM 1:**

MINUTES – APRIL 19, 2021

- **Request:** This is a request for the Planning Commission to approve the Minutes of the April 19, 2021, Regular Meeting of the Alhambra Planning Commission.
- **Recommended Action:** Commission review and approve as submitted the Minutes of the April 19, 2021, Regular Meeting of the Alhambra Planning Commission.

MOTION:

- Moved to approve Consent Agenda Item 1.
- Moved by Commissioner Messina, Seconded by Commissioner Sahu.
- The motion carried by the following roll call vote:

Roll Call Vote: 10-0-0-0

Ayes: Ho, Messina, Olson, Pham, Sahu, Tang, Tsujii, Wang,
Garcia, Gardea

Noes: None

Abstain: None

Absent: None

E. PUBLIC HEARINGS:

**AGENDA
ITEM 2:**

**PLANNED DEVELOPMENT PERMIT PD-21-10 AND CONDITIONAL USE
PERMIT CUP-21-11**

- **South 2nd Street Parking Lot (Assessor Parcel Number: 5344-026-915)**
- **Applicant: Myles Peinemann (American Family Housing)**

- **Request:** This is an application for a Planned Development Permit PD-21-10 and Conditional Use Permit CUP-21-11 to construct a 78,600 square foot, seven (7) story 50-unit residential, and one (1) commercial unit, mixed-use affordable housing apartment complex on a site of approximately 18,399 square feet located in the CBD and DRD (Central Business District & Downtown Revitalization District) zone. This application is exempt from the California Environmental Quality Act.
- **Recommended Action:** Continue to May 17, 2021.

MOTION:

- Moved to continue Agenda Item 2 to the May 17, 2021, Regular Meeting of the Planning Commission.
- Moved by Commissioner Ho, Seconded by Commissioner Olson.
- The motion carried by the following roll call vote:

Roll Call Vote: 10-0-0-0

Ayes: Ho, Messina, Olson, Pham, Sahu, Tang, Tsujii, Wang,
Garcia, Gardea
Noes: None
Abstain: None
Absent: None

F. PRESENTATIONS:

**AGENDA
ITEM 3:**

2021-2029 HOUSING ELEMENT UPDATE

- **Citywide**
- **Applicant: The City of Alhambra**
- **Request:** This is a presentation of the 2021-2029 Housing Element Update project presented by ECONorthwest.
- **Recommended Action:** Receive and file this informational report and provide recommendations to Staff as deemed appropriate.
- **The City's consultant, ECONorthwest,** provided the presentation.
- **Public Comment:**
 - 1.) Lewis McCammon
 - 2.) Michael Lawrence
 - 3.) Ibeth Carcamo-Mojarro
 - 4.) Jacob Mojarro
 - 5.) Ari Arambula
 - 6.) Olga Alarid
 - 7.) Veronica Hernandez
 - 8.) Anne
 - 9.) Melissa Michelson
 - 10.) Shirley Tatsuno
 - 11.) Marisol Grier

MOTION:

- Moved to receive and file the informational report.
- Moved by Commissioner Sahu, Seconded by Commissioner Messina.
- The motion carried by the following roll call vote:

Roll Call Vote: 10-0-0-0

Ayes: Ho, Messina, Olson, Pham, Sahu, Tang, Tsujii, Wang,
Garcia, Gardea

Noes: None

Abstain: None

Absent: None

G. DIRECTOR'S REPORT

- **Deputy Director Vanessa Reynoso** reported that Director Marc Castagnola has retired. The new Director, Andrew Ho, will be starting at the end of this month. He comes from the City of La Habra.

H. ORAL COMMUNICATIONS:

- There were no Oral Communications.

I. COMMENTS FROM THE PLANNING COMMISSION AND CONFERENCE/MEETING REPORTS:

- **Commissioner Tang** requested an update regarding ADUs and when the discussion on ADUs would be scheduled.
- **Commissioner Messina** commented on the golf course, explaining that it is an amenity that makes Alhambra desirable. She expressed that she does not agree with placing housing on the golf course.
- **Commissioner Wang** requested that Staff, at the next Housing Element presentation, address the concerns of the residents who provided public comment.
- **Commissioner Sahu** suggested that Staff and the Commission continue to review ADUs. He also suggested that future presentations provide summaries of the general public input for each specific option.
- **Commissioner Ho** commented on the role of the Commissioners and requested from Staff to provide direction regarding the lens that Commissioners should use when engaging in discussion and decision-making.

J. ADJOURNMENT:

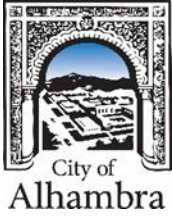
- There being no other business, the meeting was adjourned at 9:30 P.M. to Monday, May 17, 2021, at 7:00 P.M.

Chris Olson
President

ATTEST:

Karabeth Garcia
Executive Assistant

DRAFT



NO STAFF REPORT

Planning Commission Training

Housing Laws
Commission Responsibilities
The Brown Act

April 6, 2026



Housing Laws - Introduction

- **Part of the Governor's and State Legislatures' continued effort to improve the State's persistent housing production and affordability crisis, many housing laws have been adopted and amended over in recent years.**
- **Housing laws often limit the Planning Commission's discretion & in some cases take it away entirely.**

Housing Accountability Act (Gov't Code 65589.5)

- **Cannot deny a housing development project or condition it to be developed at a lower density if the project complies with applicable objective standards in effect at the time the application was deemed complete, unless the city finds the project would have a “specific, adverse impact on the public health or safety.”**
 - “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- **Imposes deadlines from date application is deemed complete to inform applicant the project does not comply with objective standards. Failure to identify an inconsistency = deemed consistent.**

Housing Accountability Act

(Gov't Code 65589.5)

- **AB 1893 (effective January 1, 2025)**
- **Definition of “disapprove” expanded to include**
 - **Exceeding 5-hearing limit**
 - **“Course of conduct undertaken for an improper purpose”**
- **Defines builder’s remedy project, places parameters on them, and reduces affordability requirements.**

Housing Crisis Act of 2019

(Gov't Code 66300 et seq.)

- **“SB 330” (as amended by “SB 8”)**

- **Where housing is permitted in affected cities:**
 - City cannot adopt a development policy, standard, or condition that would impose a moratorium on housing development, unless approved by HCD.
 - City cannot impose or enforce design standards established after January 2020 that are not objective.
 - Cannot downzone property or reduce the intensity of permissible development (e.g., reductions to maximum height, FAR, setbacks) unless HCD approves or offsetting actions are taken to ensure “no net loss of housing units”

- **Five hearing limit (Gov't Code 65905.5)**

Housing Crisis Act of 2019

(Gov't Code 66300 et seq.)

- **City “shall not approve” a project that demolishes existing dwellings unless HCA requirements are met.**
- ***Housing* projects must create as many dwellings as are demolished**
- **“Protected units” must be replaced with covenanted affordable units**
- **Existing occupant protections**
 - **6 month notice to vacate minimum**
 - **Relocation benefits if lower income**
 - **Right of First Refusal if lower income**

Density Bonus Law

(Gov't Code 65915)

- **Density Bonus Law requires a city to provide a housing developer with a “density bonus,” beyond what is permitted by the city’s adopted base density, and other incentives, waivers or concessions for the production of lower income housing units.**
- **Key features:**
 - **Affordable housing impact fees cannot be imposed on affordable units**
 - **An inclusionary unit counts to determine the number of concessions or waivers provided to developer**
 - **Student housing eligible for density bonus**
 - **Reduced parking ratios**

2 Unit Projects & Lot Splits

(Gov't Code 65852.21, 66411.7)

- **“SB 9”**
- **Ministerial approval of up to 2 units on nearly all lots zoned for single family residential**
- **Ministerial approval of SFR zoned lot**
- **Can require compliance with objective standards; other statutory criteria applies**
- **Result: up to 4 units on existing SFR lot (not including ADUs)**
- **Can deny if there is a “specific, adverse impact”**
- **60-day deadline to approve lot split or 2 unit development**
- **AB 1061**

10 Unit Developments

(Gov't Code 65852.28, 65913.4.5, 66499.41)

- **SB 684 (eff. 7/1/24) & SB 1123 (eff. 7/1/25)**
- **Ministerial approval of map for 10 lot or less residential development of no more than 5 acres surrounded by urban uses.**
- **Ministerial approval for development on lots created under this law.**

Streamlined & Ministerial Approval (Gov't Code 65913.4)

■ **"SB 35"**

■ **Eligibility Criteria:**

- Multifamily housing development.
- On a parcel zoned residential or mixed-use, with 75% adjoining urban uses.
- 10%-50% of units deed-restricted affordable.
- Satisfy objective development standards.
- Not located within excluded areas.
- Construction workers paid prevailing wages unless 10 units or less.

■ **AB 3122 - technical amendments eff.**

1/1/25

Housing in Commercial Zones

(Gov't Code 65912.100, 65852.24)

- **“AB 2011”**: streamlined ministerial approval for multifamily development in commercial zones similar to SB 35.
 - CEQA exempt, affordable component, prevailing wages
- **“SB 6”**: multifamily that is at a density of 30 du/ac may be built in commercial zones without a zone change.
 - Standard approval process, no affordability required, prevailing wages and skilled work force. Subject to inclusionary requirements and can be paired with SB 35.
- **AB 2243 (eff. 1/1/25) – technical amendments**

Higher Ed & Religious Housing

(Gov't Code 65913.16)

- **SB 4**
- **Streamlined, ministerial approval for 100% affordable multifamily projects on religious or higher education institution owned sites**
- **Modeled on SB 35 and AB 2011**

Parking Standards

(Gov't Code 65863.1, 65863.2)

- **“AB 2097”**
 - Cannot enforce parking standards on any development project within a half mile of a major transit stop.
 - Exception for transient lodging (hotels)
- **“AB 894”**
 - Must allow shared parking if parking is “underutilized.”
 - “Underutilized” means 20% or more of spaces are not occupied during time other use will be sharing the spaces.

ADU Law

(Gov't Code 66310 et seq)

- **City must allow the creation of ADUs in residential zones.**
- **Ministerial approval; no Planning Commission involvement**
- **Limits on development standards that can be imposed (parking, setbacks, height, etc.)**
- **Must allow up to 3 ADUs on a lot with a single-family residence (1 detached, new construction; 1 conversion; 1 JADU)**
- **Must allow conversion of nonlivable space at existing multifamily into ADUs**
- **Must allow up to 8 detached ADUs at existing multifamily**

Adaptive Reuse

(Gov't Code 65913.12, 65658 et seq)

■ **AB 1490**

- Repurposing of hotels/motels allowed even if inconsistent with GP/zoning
- At least 50% of units very-low income; other 50% low income

■ **AB 507 (eff. July 1, 2026)**

- Repurposing any building for residential/mixed use except hotels/motels and buildings in Industrial zone.
- Variable affordability requirements
- Streamlined, ministerial approval

Transit-Oriented Development

(Gov't Code 65912.155 et seq)

- **“SB 79” (eff. July 1, 2026)**
- **Must approve qualifying housing projects within ½ mile of specified transit stops**
- **SCAG required to prepare map identifying the transit stops**
- **Limited environmental review and public engagement.**

The Role of the Planning Commission

- **3 Basic Roles:**
 - **Recommendations to Council**
 - Legislative items (General Plan Amendments, Zone Changes, Development Agreements, etc.)
 - Projects where Council has final approval authority
 - **Approve Projects**
 - CUPs, Variances, Planned Development Permits, etc.
 - **Appeals of Staff Determinations**

Recommendations by the Planning Commission

- **Council, Staff or Applicant initiates a legislative change**
- **Ordinance Approval/Amendment Process**
 - Review General Plan & Zoning Code for consistency
 - Conduct a public hearing
 - Make a recommendation to the City Council
 - City Council Adoption (Legislative Action)

Adjudicative Role of the Planning Commission

- **Quasi-Judicial**
- **Implementation of Zoning Code**
 - Individual development project review
 - Planned Development Permits
 - Conditional Use Permits
 - Other discretionary actions (Variances)
- **Public hearing**
 - Findings based on record evidence
 - Conditions based on standards and findings

What are “findings” and why are they important?

- **Written statements of facts explaining how and why a particular decision was made**
- **Not normally required for legislative acts (unless specifically required by ordinance or statute)**
- **Always required for adjudicatory/quasi-judicial decision**

More on Findings

- **When required, findings must be supported by evidence in the record (e.g., application file, staff report, studies, hearing transcript).**
- **Staff will include evidence in the record to support its recommended findings.**
- **If the Commission disagrees with a recommended finding, you must ensure there is substantial evidence in the record to support not making the finding.**
- **If the evidence supports the findings, a project cannot be denied because it “could be better” or you “don’t like it.”**

Conditions of Approval

- **Planning staff has its own conditions, but also collects conditions from others.**
- **Conditions are standardized, others are unique to the project.**
- **Conditions should be measurable and enforceable.**
- **Conditions may include environmental mitigation measures.**
- **Conditions must be based on impact of a project.**

Conditions of Approval

■ A legal condition:

- Supports legitimate public purpose
- Doesn't deny viable economic use of property
- Has a rational connection ("nexus") to the project (*Nollan v. California Coastal Commission* (1987))
- Is roughly proportional to the project's impact (*Dolan v. City of Tigard* (1994))
- Is not imposed to make the project "better;" only to mitigate impacts, to meet objective standards, or to help findings be met

■ There must be substantial evidence in the record to support imposing a condition on a project.

Due Process

- **Due process requires decision maker to be unbiased and impartial.**
- **An unbiased decision maker should not have any:**
 - **Personal interest in outcome.**
 - **Bias of loyalty/friendship (or personal animosity) to individual involved.**
 - **Informational bias due to receipt of information outside of public hearing.**
- **Applicants have a due process right to be heard.**

Due Process

- **Conflict of Interest Laws**
 - Political Reform Act
 - FPPC Regulations
 - Two most common:
 - 500' and 1000' radius issues
 - Business interests, sources of income, gifts
- **Personal interests or biases (positive or negative) about the facts or the parties may cast doubt on your ability to make a fair decision.**

Due Process

Caution Regarding Ex Parte Communications

- **Ex parte = Latin for “from one party”**
- **Ex parte communications are...**
 - **Material, or substantive oral or written communication;**
 - **With a decisionmaker;**
 - **Relevant to the merits of the proceeding;**
and
 - **Takes place outside of a noticed and open meeting**

Role of the Planning Commission: Impartiality

Ex Parte Communications

- **When Commission exercises quasi judicial powers, members cannot act on their own information.**
- **Nothing may be treated as evidence, which has not been introduced at the hearing.**
- **The party must be apprised of the evidence against it in order to refute, test, or explain it, and fellow Commissioners should know any additional information provided.**

Tips for an Efficient Meeting

- **Come to the meeting having reviewed the agenda packet.**
- **Ask questions or voice concerns in advance of the meeting, when possible, with Staff.**
- **Communicate with Staff to get any additional information you need to make an informed decision.**
- **Ask questions in an orderly manner; wait to be recognized by the presiding officer to speak.**
- **Keep questions and comments on topic.**

Brown Act Basics: Purpose

“Public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.”

- **Gov. Code § 54950**

Brown Act Basics: What is a Meeting

A “meeting” includes any gathering of a majority of the members of a committee at the same time and location to hear, discuss, deliberate or take action upon any item which is within its subject matter jurisdiction.

54952.2. (a) As used in this chapter, “meeting” means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

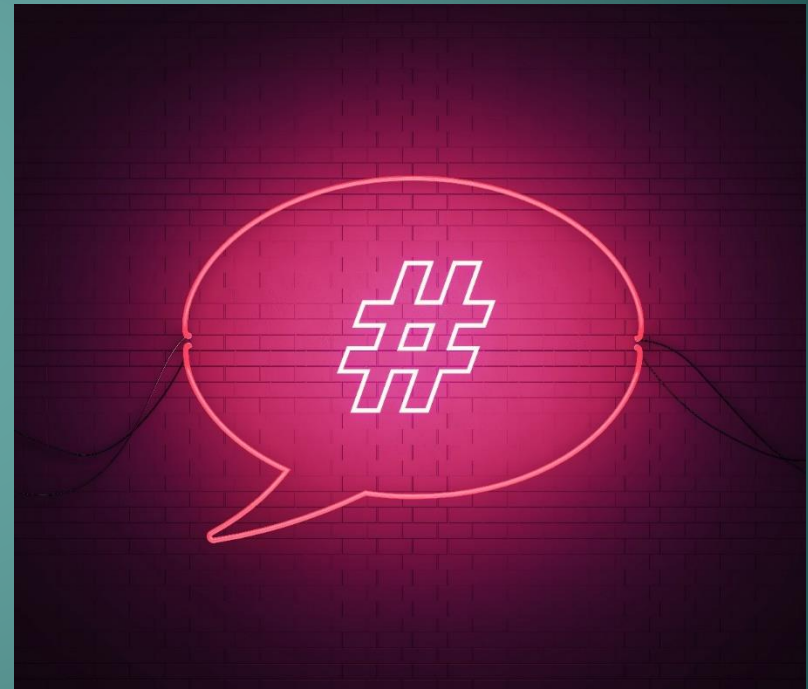
(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

Brown Act Basics: Improper Serial Meetings

- **Daisy Chain**: If Member A contacts Member B, and Member B contacts Member C, and so on, until a quorum has been involved, this type of “serial meeting” may result in a violation of the Brown Act.
- **Hub and spoke**: An intermediary – such as a staff member or even a developer or applicant – contacts at least a quorum of the members to develop a collective concurrence on action to be taken by the committee.

Social Media & Serial Meetings

- **Members of a legislative body can use social media to engage with the public.**
- **Members of a legislative body can't use social media to discuss among themselves business of a specific nature within the jurisdiction of the body if a quorum is involved.**
 - Includes liking or emoji-reacting to posts/comments by other members of the body.
 - Includes sharing posts or comments made by others



Non-agenda Items

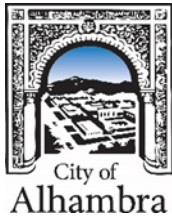
General Rule: No action or discussion shall be undertaken on any item not appearing on the posted agenda.



- **Brown Act allows:**
 - **Brief response to public comments and questions**
 - **Ask a clarifying question**
 - **Brief announcements**
 - **Brief reports on activities**
 - **Providing a reference to factual information to staff**
 - **Request staff to place an item on a future agenda**

Questions?





AGENDA REPORT
April 6, 2026
Zoning Code Clean-Up

TO: City of Alhambra Planning Commission

FROM: Andrew Ho, Director of Community Development
 Vanessa Reynoso, Deputy Director of Community Development
 Maia McCurley, Planning Manager *MM*
 By: Jessica Vargas, Associate Planner *JV*

SUBJECT: Zoning Text Amendment AMD-26-04

PROPOSAL:

This is a City-initiated application for a Zoning Text Amendment AMD-26-04 amending various sections of Title 23 (Zoning) of the Alhambra Municipal Code, as well as adding new sections, to address new State legislation, eliminate inconsistencies, clarify ambiguous provisions, correct typographical and formatting errors, and modify use allowances.

BACKGROUND:

The Alhambra Municipal Code ("AMC") is a comprehensive gathering of ordinances adopted by the City Council covering a wide range of topics, such as City organization, parking, land use, licensing, purchasing, and contracting. From time-to-time updates are made to the AMC to address new State legislation, clarify ambiguous provisions, or delete outdated language. While some of these changes require immediate consideration by the Council, most can be addressed periodically. Accordingly, Staff brings a code clean-up ordinance to the Council on an annual basis to address modifications needed due to new legislation, as well as other suggested clarifying changes.

Clean-ups to the Zoning Code are processed separately from clean-ups to the rest of the AMC as Planning Commission review is required for Zoning and General Plan Amendments. The most recent Zoning Code clean-up was approved by Planning Commission on March 17, 2025, and ultimately was adopted by City Council on April 28, 2025. Similar to the previous clean-up, this update will address new State legislation, eliminate inconsistencies, and create greater clarity in implementing the Zoning Code.

ANALYSIS:

This Zoning Code clean-up includes both proposed amendments and additions. Proposed amendments consist of revisions to existing sections of the AMC, while the proposed additions would incorporate entirely new sections into the AMC. The nature of and reasoning for each proposed amendment and addition can be classified by five (5) general categories: 1.) Clarification; 2.) Consistency; 3.) Compliance with State laws/Federal laws; 4.) Typographical & Formatting; and 5.) Use Allowances & Regulations.

Some of the proposed amendments and additions are a combination of these five (5) categories. For example, the section on Accessory Dwelling Units is proposed to be amended to comply with State law, clarify applicable development standards, and impose new regulations pertaining to

Accessory Dwelling Unit uses. This section is also being reorganized for clarity and ease of use. Similarly, the addition of a new section identifying specific standards for Urban Dwelling Units (also known as SB-9 units) has been added to impose new development standards and regulations in compliance with State law and the programs identified in the City's adopted 2021-2029 Housing Element.

New use allowances and regulations are being proposed based on current land use planning trends as well as direction from the City Council. Specifically, a new use category has been added to classify "Data Center" uses, a new type of land use that is typically utilized to house infrastructure to support the management of electronic data that may be used on-site or off-site, including for uses such as artificial intelligence. A new use category for "Alcoholic Beverage, Off-Sales" is also proposed, which will provide a classification for liquor stores and similar uses which primarily sell alcoholic beverages for off-site consumption. Additionally, new use classifications are proposed for "Poolrooms and Billiards Rooms" and "Vape and Smoke Retail Sales." "Poolrooms and Billiards Rooms" is proposed to be classified as establishments with two (2) or more pool or billiard tables where the playing of pool or billiards is the primary business activity. "Vape and Smoke Retail Sales" is proposed to be classified as establishments where five percent (5%) or more of the floor area is dedicated to the sale of tobacco, electronic cigarettes, and related products for off-site consumption.

These proposed new use classifications are in conjunction with new regulations specific to these uses. "Data Center" uses are proposed to be prohibited city-wide based on the intensity of these uses and the substantial impact they have been found to have on surrounding resources. "Alcoholic Beverage, Off-Sales" uses will require a Minor Use Permit in certain commercial zoning districts and will be limited to hours of operation between 7:00 AM to 12:00 AM. Pursuant to direction received by the City Council at their January 26, 2026 meeting, new regulations are proposed which will require all "Poolrooms and Billiards Rooms" and "Vape and Smoke Retail Sales" establishments to obtain a Conditional Use Permit and comply with locational requirements, including a 1,000' separation requirement from similar establishments and a 600' buffer requirement from sensitive receptor uses. Under the proposed regulations, existing "Vape and Smoke Retail Sales" establishments will have three (3) years, or until July 31, 2029, to comply with the new locational requirements and obtain a Conditional Use Permit, or else terminate their business.

Lastly, as part of this update, amendments are proposed in response to recent state legislation that has established additional streamlining review procedures for housing projects. Specifically, under AB 130, CEQA exemptions have been expanded for qualifying housing projects and required approval timelines have been condensed. The proposed amendments would address these new statutory requirements by modifying provisions relating to permit requirements, review authority, as well as public hearing and noticing provisions for qualifying housing development projects.

In Attachment 1, each proposed amendment and addition is briefly described in a table, which includes a breakdown of the categories applicable to each amendment or addition. Additionally, each proposed amendment/addition has been color-coded into two (2) broad categories: substantive (yellow category) and non-substantive (green category) amendments/additions. In total, there are 32 non-substantive amendments, which include changes such as section number updates, clarifications, and typographical edits, and there are 19 substantive amendments/additions, which include new standards for "Poolrooms and Billiards Rooms" and "Vape and Smoke Retail Sales" uses, as well as changes to use allowances and regulations, procedural changes, and revised development standards. The draft ordinance, which shows the

proposed AMC text changes in strikethrough and underline, is provided in Exhibit 1 of Attachment 2.

All of the proposed amendments and additions have been reviewed for consistency with the City's General Plan, as required by AMC Section 23.40.080 (General Plan Consistency Required for Zoning Amendments).

ENVIRONMENTAL STATUS:

The City reviewed the environmental impacts of this Ordinance under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). This Ordinance is not subject to further review environmental review because: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that this Ordinance will have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3)); and (3) the Ordinance, by itself, does not constitute a "project" as defined in section 21065 of the Public Resources Code and the CEQA Guidelines (14 Cal. Code Regs. § 15378). It can be seen with certainty that there is no possibility that this Ordinance may have a significant effect on the environment.

PUBLIC NOTICE:

A legal notice advertising the public hearing was placed in the Pasadena Star News on March 16, 2026 and Alhambra Press on March 19, 2026. No comments have been received from any interested parties at the time this agenda report was finalized.

STAFF RECOMMENDED ACTION:

Staff recommends Planning Commission to:

1. **Adopt Resolution No. 26-02**, recommending that the City Council adopt Zoning Text Amendment AMD-26-04 amending the Alhambra Municipal Code.
2. Find Zoning Text Amendment AMD-26-04 exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Environmental Quality Act, Section 15060(c)(2) and 15061(b)(3).
3. Direct Staff to file and post a Notice of Exemption in accordance with Section 15062 of the California Code of Regulations.

ATTACHMENTS:

1. Summary Table of Proposed Text Amendments & Additions
2. Planning Commission Resolution No. 26-02
 - a. Exhibit 1 – Draft City Council Ordinance
3. Notice of Exemption
4. 04/06/2026 Planning Commission PowerPoint Presentation

ATTACHMENT 1

SUMMARY TABLE OF PROPOSED TEXT AMENDMENTS & ADDITIONS

TABLE LEGEND
32 Amendments – Non-Substantive (Green Category)
19 Amendments/Additions – Substantive (Yellow Category)

PROPOSED NON-SUBSTANTIVE AMENDMENTS				
Amendment No.	Chapter	Section	Amendment/Addition Type	Description of Amendment/Addition
1	23.02 (Interpretation of the Zoning Code)	§ 23.02.030 (Rules of Measurement)	- Clarification	This amendment would clarify the measurement by which basements would be determined as stories and add an exception for basements used for subterranean parking.
2	23.05 (Commercial Zoning Districts)	§ 23.05.030 (Development Standards)	- State law	This amendment would update the number of Density Bonus incentives and concessions granted for qualifying projects in the CBD Zone to be consistent with State law.
3	23.07 (Public and Semi-Public Zoning Districts)	§ 23.07.020 (Land Use Regulations)	- Consistency	This amendment updates the revised section numbers for various uses and their regulations, including <i>Single Room Occupancy</i> , <i>Recycling Facilities</i> , <i>Telecommunication Facilities</i> , and <i>Temporary Uses</i> . These section numbers were revised due to the addition of new sections which altered several section numbers.
4	23.12 (General Site Regulations)	§ 23.12.040 (Encroachments into Required Setbacks)	- Typographical & Formatting - Clarification	This amendment would update a column header in <i>Table 23.12.040</i> from “Limitations” to “Additional Regulations” for consistency with the formatting of other tables, and add a reference under this column to <i>Section 23.13.020.B.5, Balconies and Decks</i> , to clarify that there are additional setback regulations applicable to balconies and decks.
5	23.12 (General Site Regulations)	§ 23.12.050 (Fences and Freestanding Walls)	- Clarification	This amendment clarifies that the fence height limit applies to a required front yard, and adds an exception for certain uses.

6	23.12 (General Site Regulations)	§ 23.12.080 (Height Exceptions)	- Consistency	This amendment updates the revised section numbers for various uses and their regulations, including <i>Telecommunication Facilities</i> . These section numbers were revised due to the addition of new sections which altered several section numbers.
7	23.12 (General Site Regulations)	§ 23.12.140 (Security Devices)	- Clarification	This amendment clarifies the types of allowable security devices and the uses on which they are allowed.
8	23.12 (General Site Regulations)	§ 23.12.170 (Tree Preservation)	- Consistency - Clarification - State law	This amendment would add an additional exception from Tree Permit requirement for ADU projects and Urban Dwelling Unit projects consistent with state law prohibiting discretionary approvals. See also Amendment Nos. 38 and 50 below.
9	23.17 (Landscaping)	§ 23.17.030 (Areas to be Landscaped)	- Clarification	This amendment would clarify the definition of a street-facing yard subject to the landscaping requirements, and clarify the allowance of artificial turf.
10	23.17 (Landscaping)	§ 23.17.050 (General Requirements)	- Clarification - Consistency	This amendment specifies the maximum amount of artificial turf allowed in required landscape areas, and specifies that landscape and hardscape areas within a front or street side yard may not be used as parking spaces to ensure consistency with <i>Section 23.20.060, Location of Required Parking</i> .
11	23.20 (Parking)	§ 23.20.040 (Required Parking Spaces)	- Consistency	This amendment updates the revised section numbers for various uses and their regulations, including <i>Recycling Facilities</i> . These section numbers were revised due to the addition of new sections which altered several section numbers.
12	23.20 (Parking)	§ 23.20.060 (Location of Required Parking)	- Clarification - State law	This amendment clarifies that the prohibition on street and side yard parking applies except when otherwise allowed pursuant to State law or other regulations.
13	23.21 (Signs)	§ 23.21.090 (Permanent Signs)	- Typographical & Formatting	This amendment updates the Zone District column of <i>Table 23.21.090.B, Freestanding Sign Standards</i> , to include the specific zone district acronyms.

14	23.22 (Standards for Specific Uses)	§ 23.22.230 (Outdoor Display and Sales)	- Consistency	This amendment updates the revised section numbers for various uses and their regulations, including <i>Temporary Uses</i> . These section numbers were revised due to the addition of new sections which altered several section numbers.
15	23.22 (Standards for Specific Uses)	§ 23.22.240 (Personal Storage)	- Consistency - Typographical & Formatting	This amendment updates the section number reference for Development Agreements, and eliminates an erroneous reference to Minor Use Permits, which are not applicable for Personal Storage uses.
16	23.22 (Standards for Specific Uses)	§ 23.22.260 (Recycling Facilities)	- Consistency	This amendment updates the section number for the <i>Recycling Facilities</i> section. The section number was revised due to the addition of new sections which altered several section numbers.
17	23.22 (Standards for Specific Uses)	§ 23.22.270 (Single Room Occupancy)	- Consistency	This amendment updates the section number for the <i>Single Room Occupancy</i> section. The section number was revised due to the addition of new sections which altered several section numbers.
18	23.22 (Standards for Specific Uses)	§ 23.22.280 (Telecommunication Facilities)	- Consistency	This amendment updates the section number for the <i>Telecommunication Facilities</i> section. The section number was revised due to the addition of new sections which altered several section numbers.
19	23.22 (Standards for Specific Uses)	§ 23.22.290 (Temporary Uses)	- Consistency	This amendment updates the section number for the <i>Temporary Uses</i> section. The section number was revised due to the addition of new sections which altered several section numbers.
20	23.31 (Common Procedures)	§ 23.31.060 (Conduct of Public Hearings)	- Consistency	This amendment updates the text of the <i>Public Hearing Testimony</i> and <i>Time Limits</i> subsections for consistency with recent amendments to the Municipal Code for City Council procedures in O2M25-4850.
21	23.31 (Common Procedures)	§ 23.31.070 (Findings and Decision)	- State law	This amendment updates provisions related to the Date of Action to be consistent with State law and specifically, the Permit Streamlining Act.

22	23.31 (Common Procedures)	§ 23.31.170 (Planning Commission Agenda)	- Consistency	This amendment updates the <i>Order of Business</i> subsection for consistency with recent amendments to the Municipal Code for City Council procedures in O2M25-4850.
23	23.31 (Common Procedures)	§ 23.31.180 (Historic Preservation Commission Agenda)	- Consistency	This amendment updates the <i>Order of Business</i> subsection for consistency with recent amendments to the Municipal Code for City Council procedures in O2M25-4850.
24	23.32 (Administrative Reviews)	§ 23.32.070 (Appeals; Expiration, Extensions, and Revisions; Revocation)	- Typographical & Formatting - Clarification	This amendment addresses minor typographical errors, and clarifies the appeal procedure for Administrative Review applications when no public hearing is requested during the public notification period.
25	23.32 (Design Review)	§ 23.33.020 (Applicability)	- Clarification	This amendment clarifies the fence project types subject to Design Review in residential zones and uses.
26	23.32 (Design Review)	§ 23.33.030 (Review Authority)	- Typographical & Formatting	This amendment addresses a typographical error for a section number that was not updated following a previous section number change.
27	23.34 (Use Permits)	§ 23.34.080 (Appeals; Expiration, Extensions, and Revisions; Revocation)	- Clarification	This amendment clarifies the appeal procedure for Minor Use Permit applications when no public hearing is requested during the public notification period.
28	23.35 (Temporary Use Permits)	§ 23.35.020 (Review Authority)	- Consistency	This amendment updates the revised section numbers for various uses and their regulations, including <i>Temporary Uses</i> . These section numbers were revised due to the addition of new sections which altered several section numbers.
29	23.36 (Modifications)	§ 23.36.020 (Applicability)	- Clarification	This amendment adds additional clarification for the applicability of requirements for fence, wall, or hedge height modifications.
30	23.43 (Use Classifications)	§ 23.43.040 (Industrial Uses)	- Typographical & Formatting	This amendment addresses minor typographical errors.

			-	
31	23.44 (Definitions)	§ 23.44.200 (“T” Terms)	Clarification	<p>This amendment clarifies the definition of Artificial Turf and Natural Turf for consistency with the landscaping requirements of <i>Section 23.17050, General Requirements</i>.</p> <p>This amendment also addresses a typographical error for the California Native Trees table number that was not updated as part of a previous section number change.</p>
32	23.44 (Definitions)	§ 23.44.250 (“Y” Terms)	- Clarification	This amendment updates the definitions of Front Yard, Interior Side Yard, Rear Yard, and Street Side Yard to specify how required yards are defined and measured.

PROPOSED SUBSTANTIVE AMENDMENTS

Amendment No.	Chapter	Section	Amendment Type	Description of Amendment
33	23.04 (Residential Zoning Districts)	§ 23.04.020 (Land Use Regulations)	<ul style="list-style-type: none"> - Use Allowances & Regulations - State law - Consistency 	<p>This amendment updates the table with the new Urban Dwelling Unit (SB 9 Unit) use classification with reference to added <i>Section 23.22.300, Urban Dwelling Units</i>. The footnote referencing SB 9 units has also been removed since this is now a residential use type regulated as Urban Dwelling Units.</p> <p>This amendment also updates the revised section numbers for various uses and their regulations, including <i>Single Room Occupancy, Recycling Facilities, Telecommunication Facilities, and Temporary Uses</i>. These section numbers were revised due to the addition of new sections which altered several section numbers.</p>
34	23.05 (Commercial Zoning Districts)	§ 23.05.020 (Land Use Regulations)	<ul style="list-style-type: none"> - Use Allowances & Regulations - Consistency 	This amendment updates the table with the following new Commercial Use classifications and regulations for certain zones: 1) new Poolrooms/Billiard Rooms use requires a Conditional Use Permit in all commercial and mixed-use zones; 2) new Alcohol Beverage, Off-Sales use requires a Minor Use Permit in the CBD and AC zones and is permitted in all other commercial and mixed-use zones; and 3) new Vape and Smoke Retail Sales use requires a Conditional Use Permit in all commercial and mixed-use zones.

				This amendment also updates the revised section numbers for various uses and their regulations, including <i>Recycling Facilities</i> , <i>Telecommunication Facilities</i> , and <i>Temporary Uses</i> . These section numbers were revised due to the addition of new sections which altered several section numbers.
35	23.06 (Employment Zoning Districts)	§ 23.06.020 (Land Use Regulations)	<ul style="list-style-type: none"> - Use Allowances & Regulations - State law - Consistency 	<p>This amendment updates the table to add the following new Commercial Use classifications and regulations for certain zones: 1) new Poolrooms/Billiard Rooms use requires a Conditional Use Permit in all employment zones; 2) new Alcohol Beverage, Off-Sales use requires a Minor Use Permit in all employment zones; 3) new Vape and Smoke Retail Sales use requires a Conditional Use Permit in all employment zones; and 4) Prohibition of Data Center uses.</p> <p>This amendment also updates the Restaurant use to be a permitted use in the I zone without requiring a Minor Use Permit. Footnote #5 is removed now that an MUP is no longer required. Footnotes #6 and #7 are revised due to removal of Footnote #5.</p> <p>This amendment also adds a new requirement under Footnote #3 to address projects submitted pursuant to AB 130.</p> <p>This amendment also updates the revised section numbers for various uses and their regulations, including <i>Recycling Facilities</i>, <i>Telecommunication Facilities</i>, and <i>Temporary Uses</i>. These section numbers were revised due to the addition of new sections which altered several section numbers.</p>
36	23.20 (Parking and Loading)	§23.20.090 (Parking Area Design and Development Standards)	<ul style="list-style-type: none"> - Use Allowances & Regulations - Clarification 	This amendment adds new subsection allowing tandem parking for certain uses and creating regulations for tandem parking areas, and clarifies the required back-up space measurement and location for residential garages.
37	23.22 (Standards for Specific Uses)	§ 23.22.030 (Accessory Uses)	<ul style="list-style-type: none"> - Consistency 	This amendment eliminates “On-Sale Alcohol Beverage Establishments” from the list of uses that shall always be considered accessory to a principal use, to be consistent with the changes proposed to the standards for On-Sale and Off-

				Sale Alcohol Beverage Establishments. See also Amendment No. 39 below.
38	23.22 (Standards for Specific Uses)	§ 23.22.040 (Accessory Dwelling Units)	<ul style="list-style-type: none"> - Typographical & Formatting - Clarification - Consistency - State law 	<p>This amendment updates the overall organization of the <i>Accessory Dwelling Units</i> section for clarity and ease of use, including reorganized subsections and associated section number updates.</p> <p>This amendment also includes new definitions, development standards, and clarifications for consistency with State ADU law, including objective tree removal requirements, updated owner occupancy requirements for JADUs, and review process clarifications.</p>
39	23.22 (Standards for Specific Uses)	§ 23.22.210 (On-Sale and Off-Sale Alcohol Beverage Establishments)	<ul style="list-style-type: none"> - Use Allowances & Regulations - Clarification 	This amendment clarifies that on-sale alcohol beverage sales are only permitted by-right as accessory to a primary restaurant uses and establishes new regulations specific to off-sale alcohol beverage establishments. Specifically, liquor stores and similar uses will be limited to hours of operation that do not extend beyond 7:00 A.M. to 12:00 A.M., unless additional hours are approved under a Minor Use Permit.
40	23.30 (Planning Authorities)	§ 23.30.030 (Planning Commission)	<ul style="list-style-type: none"> - Consistency - State law 	This amendment updates the Residential Planned Development Permit review authority of the Planning Commission for consistency with other proposed amendments in response to new State law requirements for streamlined reviews and approvals of housing projects under AB 130. This amendment also clarifies the appeal body for Accessory Dwelling Units. See other related amendments referencing AB 130.
41	23.30 (Planning Authorities)	§ 23.30.050 (Community Development Director)	<ul style="list-style-type: none"> - Consistency - State law 	This amendment updates the Residential Planned Development Permit review authority of the Community Development Director for consistency with other proposed amendments in response to new State law requirements for streamlined reviews and approvals of housing projects under AB 130. See other related amendments referencing AB 130.
42	23.30 (Planning Authorities)	§ 23.30.070 (Summary of	<ul style="list-style-type: none"> - Typographical & Formatting 	This amendment addresses a typographical error for the table number that was not updated as part of a previous section

		Review Authorities for Decisions and Appeals)	<ul style="list-style-type: none"> - Consistency - State law 	number change. This amendment also modifies the appeal body for Accessory Dwelling Units consistent with State law, and adds a footnote to the table to clarify the Residential Planned Development review authority for consistency with other proposed amendments in response to new State law requirements for streamlined reviews and approvals of housing projects under AB 130. See other related amendments referencing AB 130.
43	23.34 (Use Permits)	§ 23.34.050 (Public Notice and Hearing)	<ul style="list-style-type: none"> - Consistency - State law 	This amendment updates the Public Notice and Hearing procedures for Minor Use Permits that are exempt from CEQA under Public Resources Code Section 21080.66 for consistency with other proposed amendments in response to new State law requirements for streamlined reviews and approvals of housing projects under AB 130. See other related amendments referencing AB 130.
44	23.41 (Residential Planned Development Permits)	§ 23.41.030 (Review Authority)	<ul style="list-style-type: none"> - Clarification - State law 	This amendment updates the Residential Planned Development Permit review authority of the Community Development Director for consistency with other proposed amendments in response to new State law requirements for streamlined reviews and approvals of housing projects under AB 130. See other related amendments referencing AB 130.
45	23.41 (Residential Planned Development Permits)	§ 23.41.060 (Public Notice and Hearing)	<ul style="list-style-type: none"> - Consistency - State law 	This amendment updates the Public Notice and Hearing procedures for Residential Planned Development Permits for consistency with other proposed amendments in response to new State law requirements for streamlined reviews and approvals of housing projects under AB 130. See other related amendments referencing AB 130.
46	23.43 (Use Classifications)	§ 23.43.010 (Residential Uses)	<ul style="list-style-type: none"> - Clarification - Consistency - Use Allowances & Regulations 	This amendment adds <i>Urban Dwelling Units</i> as a Residential Housing Type with reference to added <i>Section 23.22.300, Urban Dwelling Units</i> . This amendment also clarifies the definition of Large Family Day Care uses for consistency with definition of Small Family Day Care uses.
47	23.43 (Use Classifications)	§ 23.43.030 (Commercial Uses)	<ul style="list-style-type: none"> - Clarification - Consistency - Use Allowances & 	This amendment updates the <i>Commercial Entertainment and Recreation</i> use classification. The <i>Indoor Entertainment</i> subclassification is updated to remove a reference to billiard

			Regulations	<p>parlors in order to establish a new, separate use subclassification for <i>Poolrooms/Billiard Rooms</i>.</p> <p>This amendment also updates the <i>Retail Sales</i> use classification as follows: 1) The <i>Food and Beverage Sales</i> subclassification is updated to remove a reference to liquor stores in order to establish a new, separate use subclassification for <i>Alcoholic Beverage, Off-Sales</i>; and 2) A new <i>Vape and Smoke Retail Sales</i> subclassification is also established.</p> <p>This amendment also clarifies the definition of Funeral Parlors and Interment Services uses.</p>
48	23.43 (Use Classifications)	§ 23.43.050 (Transportation, Communication, and Utility Uses)	<ul style="list-style-type: none"> - Clarification - Consistency - Use Allowances & Regulations 	This amendment would establish a new Data Center use classification, which will be prohibited city-wide.
PROPOSED SUBSTANTIVE ADDITIONS				
Addition No.	Chapter	Section	Addition Type	Description of Addition
49	23.22 (Standards for Specific Uses)	§ 23.22.250 (Poolrooms and Billiard Rooms)	<ul style="list-style-type: none"> - Use Allowances & Regulations - Consistency 	This addition would provide new regulations and development standards specifically for Poolrooms and Billiard Rooms uses, in response to direction received from the City Council at their January 26, 2026 meeting.
50	23.22 (Standards for Specific Uses)	§ 23.22.300 (Urban Dwelling Units)	<ul style="list-style-type: none"> - Use Allowances & Regulations - State law 	This addition would provide new regulations and development standards specifically for Urban Dwelling Units pursuant to State law and the programs in the City's adopted 2021-2029 Housing Element.
51	23.22 (Standards for Specific Uses)	§ 23.22.310 (Vape & Smoke Retail Sales)	<ul style="list-style-type: none"> - Use Allowances & Regulations 	This addition would provide new regulations and development standards specifically for Vape & Smoke Retail Sales uses, in response to direction received from the City Council at their January 26, 2026 meeting.

ATTACHMENT 2

RESOLUTION NO. 26-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ZONING TEXT AMENDMENT AMD-26-04, AN ORDINANCE AMENDING THE ALHAMBRA MUNICIPAL CODE TO ADDRESS NEW STATE LAWS, ELIMINATE INCONSISTENCIES, CLARIFY AMBIGUOUS PROVISIONS, CORRECT TYPOGRAPHICAL AND FORMATTING ERRORS, AND MODIFY USE ALLOWANCES

THE PLANNING COMMISSION OF THE CITY OF ALHAMBRA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The Planning Commission finds as follows:

- A. The City of Alhambra seeks to amend the Alhambra Municipal Code (“AMC”) to address new State laws, eliminate inconsistencies, clarify ambiguous provisions, correct typographical and formatting errors, and modify use allowances;
- B. The Planning Commission is authorized by Chapter 23.40 of the AMC to review and make recommendations on any proposed zoning-related ordinance that seeks to amend Title 23 of the AMC and on amendments to the General Plan;
- C. The proposed provisions are consistent with the policies and programs of the City’s General Plan and State law;
- D. The City reviewed this text amendment pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the “CEQA Guidelines”). CEQA and the CEQA Guidelines are collectively referred to as “CEQA Regulations”;
- E. Notices of Public Hearing before the Planning Commission were duly given and published in the time, form, and manner as required by law; and
- F. On April 6, 2026 at 7:00 p.m. at City Hall Council Chambers, 111 South First Street, Alhambra, the Planning Commission of the City of Alhambra held a public hearing on Zoning Text Amendment AMD-26-04, and considered written and oral comments, and facts and evidence presented by City Staff, and other interested parties. The proposed ordinance adopting Zoning Text Amendment AMD-26-04 is incorporated herein by reference.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT. This Zoning Text Amendment AMD-26-04 was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the “CEQA Guidelines”), and is exempt from the provisions of the CEQA

because the Zoning Text Amendment will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); there is no possibility that the Zoning Text Amendment will have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3)); and this Zoning Text Amendment is not a “project,” as defined in Section 15378 of the CEQA Guidelines and Public Resources Code section 21065.

SECTION 3. NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Alhambra, California, as follows:

- A. All of the statements and facts set forth above in the recitals are true and correct and incorporated herein by this reference. The recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in this resolution.

- B. Based on the entire record, including all written and oral evidence presented to the Planning Commission, and the findings made and evidence discussed in the Staff Report and this Resolution, the Planning Commission hereby approves Zoning Text Amendment AMD-26-04 amending the Alhambra Municipal Code, and finds that the proposed Ordinance, set forth in **Exhibit 1**, and incorporated herein by reference, is consistent with the City’s adopted General Plan and Zoning Code and hereby recommends that the City Council adopt the attached proposed Ordinance.

PASSED, APPROVED AND ADOPTED THIS 6TH DAY OF APRIL 2026.

CHRIS OLSON, PRESIDENT
PLANNING COMMISSION

ATTEST:

ANDREW HO, SECRETARY
PLANNING COMMISSION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF ALHAMBRA)

I, Andrew Ho, Planning Commission Secretary of the City of Alhambra, do hereby certify that foregoing Resolution was duly adopted by the Planning Commission of the City of Alhambra at a regular meeting thereof, held on the 6th day of April, 2026, by the following vote of the Planning Commission:

AYES:

NOES:

ABSENT:

ANDREW HO, SECRETARY
PLANNING COMMISSION

EXHIBIT 1 – PROPOSED ORDINANCE

ORDINANCE NO. O2M26-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALHAMBRA ADOPTING ZONING TEXT AMENDMENT AMD-26-04, AMENDING THE ALHAMBRA MUNICIPAL CODE TO ADDRESS NEW STATE LAWS, ELIMINATE INCONSISTENCIES, CLARIFY AMBIGUOUS PROVISIONS, CORRECT TYPOGRAPHICAL AND FORMATTING ERRORS, AND MODIFY USE ALLOWANCES

THE CITY COUNCIL OF THE CITY OF ALHAMBRA DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The City Council does hereby make the following findings of fact:

- A. The Municipal Code of the City of Alhambra requires periodic updates to reflect changes in law, provide clarification to the community, and improve customer service and administration of City business.
- B. City Staff have proposed a series of amendments and additions to Title 23 (Zoning) of the Alhambra Municipal Code as part of its periodic update.

SECTION 2. AMENDMENT. The following sections of the Alhambra Municipal Code are hereby amended to read as follows in Exhibit A (Amendments) with only the effected provisions shown with additions denoted by underline and deletions by ~~strikethrough~~ (all other provisions of such sections remain unchanged):

- 1. Chapter 23.02 (Interpretation of the Zoning Code)
 - a. § 23.02.030 (Rules of Measurement)
- 2. Chapter 23.04 (Residential Zoning Districts)
 - a. § 23.04.020 (Land Use Regulations)
- 3. Chapter 23.05 (Commercial Zoning Districts)
 - a. § 23.05.020 (Land Use Regulations)
 - b. § 23.05.030 (Development Standards)
- 4. Chapter 23.06 (Employment Zoning Districts)
 - a. § 23.06.020 (Land Use Regulations)
- 5. Chapter 23.07 (Public and Semi-Public Zoning Districts)
 - a. § 23.07.020 (Land Use Regulations)
- 6. Chapter 23.12 (General Site Regulations)
 - a. § 23.12.040 (Encroachments into Required Setbacks)
 - b. § 23.12.050 (Fences and Freestanding Walls)
 - c. § 23.12.080 (Height Exceptions)
 - d. § 23.12.140 (Security Devices)
 - e. § 23.12.170 (Tree Preservation)
- 7. Chapter 23.17 (Landscaping)
 - a. § 23.17.030 (Areas to be Landscaped)
 - b. § 23.17.050 (General Requirements)
- 8. Chapter 23.20 (Parking and Loading)

- a. § 23.20.040 (Required Parking Spaces)
 - b. § 23.20.060 (Location of Required Parking)
 - c. § 23.20.090 (Parking Area Design and Development Standards)
9. Chapter 23.21 (Signs)
- a. § 23.21.090 (Permanent Signs)
10. Chapter 23.22 (Standards for Specific Uses)
- a. § 23.22.030 (Accessory Uses)
 - b. § 23.22.040 (Accessory Dwelling Units)
 - c. § 23.22.210 (On-Sale and Off-Sale Alcohol Beverage Establishments)
 - d. § 23.22.230 (Outdoor Display and Sales)
 - e. § 23.22.240 (Personal Storage)
 - f. § 23.22.260 (Recycling Facilities)
 - g. § 23.22.270 (Single Room Occupancy)
 - h. § 23.22.280 (Telecommunication Facilities)
 - i. § 23.22.290 (Temporary Uses)
11. Chapter 23.30 (Planning Authorities)
- a. § 23.30.030 (Planning Commission)
 - b. § 23.30.050 (Community Development Director)
 - c. § 23.30.070 (Summary of Review Authorities for Decisions and Appeals)
12. Chapter 23.31 (Common Procedures)
- a. § 23.31.060 (Conduct of Public Hearings)
 - b. § 23.31.070 (Findings and Decision)
 - c. § 23.31.170 (Planning Commission Agenda)
 - d. § 23.31.180 (Historic Preservation Commission Agenda)
13. Chapter 23.32 (Administrative Review)
- a. § 23.32.070 (Appeals; Expiration, Extensions, and Revisions; Revocation)
14. Chapter 23.32 (Design Review)
- a. § 23.32.020 (Applicability)
 - b. § 23.32.030 (Review Authority)
15. Chapter 23.34 (Use Permits)
- a. § 23.34.050 (Public Notice and Hearing)
 - b. § 23.34.080 (Appeals; Expiration, Extensions, and Revisions; Revocation)
16. Chapter 23.35 (Temporary Use Permits)
- a. § 23.35.020 (Review Authority)
17. Chapter 23.36 (Modifications)
- a. § 23.36.020 (Applicability)
18. Chapter 23.41 (Residential Planned Development Permits)
- a. § 23.41.030 (Review Authority)
 - b. § 23.41.060 (Public Notice and Hearing)
19. Chapter 23.43 (Use Classifications)
- a. § 23.43.010 (Residential Uses)
 - b. § 23.43.030 (Commercial Uses)
 - c. § 23.43.040 (Industrial Uses)

d. § 23.43.050 (Transportation, Communication, and Utility Uses)

20. Chapter 23.44 (Definitions)

a. § 23.44.200 (“T” Terms)

b. § 23.44.250 (“Y” Terms)

SECTION 3. ADDITION. The following sections of the Alhambra Municipal Code are hereby added to read as follows in Exhibit B (Additions):

1. § 23.22.250 (Poolrooms and Billiard Rooms)

2. § 23.22.300 (Urban Dwelling Units)

3. § 23.22.310 (Vape and Smoke Retail Sales)

SECTION 4. SEVERABILITY. The City Council declares that, should any provision, section; paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

SECTION 5. CEQA. The City Council finds that this Ordinance is not subject to environmental review under the California Environmental Quality Act (“CEQA”) because the Ordinance is an activity that is excluded from the definition of a project by section 21065 of the Public Resources Code and section 15378(b) of the State CEQA Guidelines. The proposed Ordinance amendments to the Municipal Code are organizational or administrative activities of government which will not result in direct or indirect physical changes to the environment and are exempt from CEQA under 14 Cal. Code Regs. § 15060(c)(2) and 14 Cal. Code Regs. § 15061(b)(3).

SECTION 6. CERTIFICATION AND PUBLICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and to its approval by the Mayor and shall cause the same to be published according to law.

PASSED, APPROVED, AND ADOPTED THIS 22nd DAY OF JUNE, 2026.

Jeffrey Koji Maloney, Mayor

ATTEST:

Lauren Myles, City Clerk

APPROVED AS TO FORM

Joseph M. Montes, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF ALHAMBRA)

I HERBY CERTIFY that the foregoing Ordinance No. O2M26-XXXX, was introduced at a Regular Meeting of the City Council held on the 11th day of May, 2026, and was approved and adopted at a Regular Meeting of the City Council held on the 22nd day of June, 2026, by the following vote to wit:

AYES:
NOES:
ABSENT:

Lauren Myles, City Clerk

EXHIBIT A – AMENDMENTS

EXHIBIT A (Amendments)

Chapter 23.02 Interpretation of the Zoning Code

23.02.030 Rules of Measurement

For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Director.

- A. ***Fractions.*** Whenever this Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:
1. ***General Rounding.*** Fractions exceeding one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions equal to or less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.
 2. ***Residential Density.*** In calculating allowable residential density, any fractional number of units shall be rounded down to the next whole number except for the following:
 - a. In the calculation of fractions related to permitted bonus density units for projects eligible for bonus density pursuant to Government Code Section 65915 or any successor statute, and Chapter 23.14, Affordable Housing, Density Bonuses, and Incentives, where any fractional number of units shall be rounded up to the next whole number.
 - b. Where any fractional number of units would be rounded down to zero based on the allowable residential density of the zone, at least one residential dwelling unit shall be allowed on a site where residential uses are permitted and where the site would comply with the minimum lot area requirements of Title 22, Subdivisions.
 3. ***Required Parking Spaces.*** Fractional space requirements shall be counted as the next largest whole space. For multi-unit residential uses, fractional requirements shall be rounded up only after all the parking space requirements for all dwelling units on the site are computed.
- B. ***Measuring Distances.***
1. ***Measurements are Shortest Distance.*** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
 2. ***Distances are Measured Horizontally.*** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.

3. **Measurements Involving a Structure.** Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.
4. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.
5. **Measuring Radius.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project, in all directions.

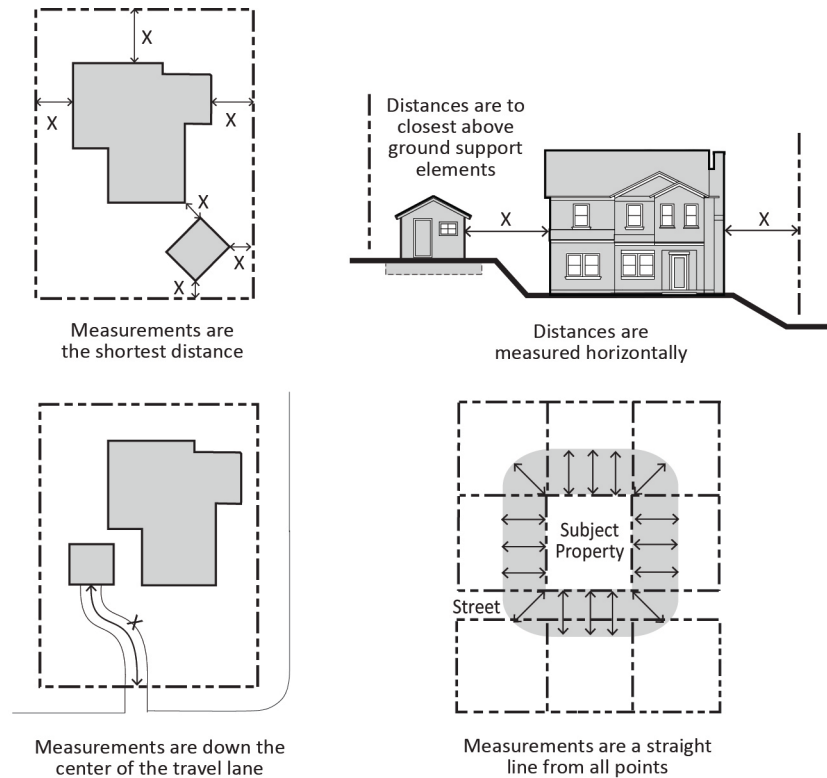


FIGURE 23.02.030.B: MEASURING DISTANCES

- C. **Measuring Height.** Height is measured as the vertical distance measured from the average level of the finished grade of the lot to the highest point of the object being measured.
 1. **Measuring Building Height.** Building height is the vertical distance measured from the average elevation of the finished grade within five feet of the structure to the highest point of the structure.

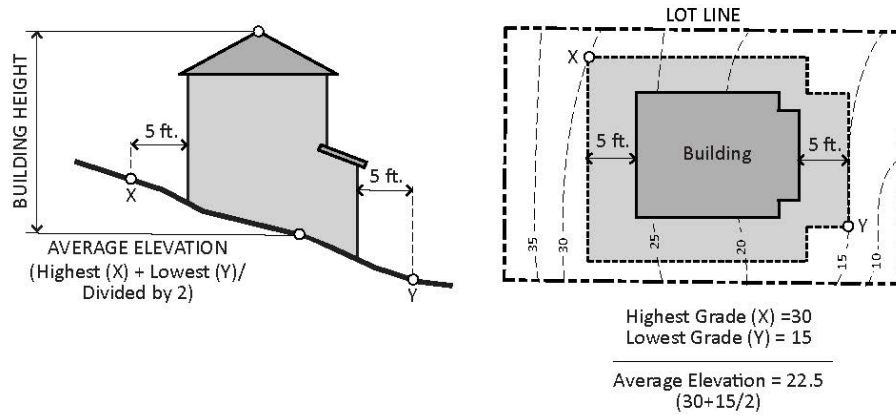


FIGURE 23.02.030.C: MEASURING HEIGHT

2. ***Measuring the Number of Stories.*** In measuring the number of stories in a building, the following rules shall apply:
 - a. An interior balcony or mezzanine shall be counted as a full story if its floor area exceeds one-third of the total area of the nearest full floor directly below it or if it is enclosed on more than two sides.
 - b. A basement shall be counted as a full story if the vertical distance between finished grade and the finished surface of the floor above floor-to-ceiling height of the basement is six feet or more at any point.
 - i. Exception. A basement used for subterranean parking shall not be counted as a story.
 - c. A story shall not exceed 25 feet in height from the upper surface of the floor to the ceiling above.

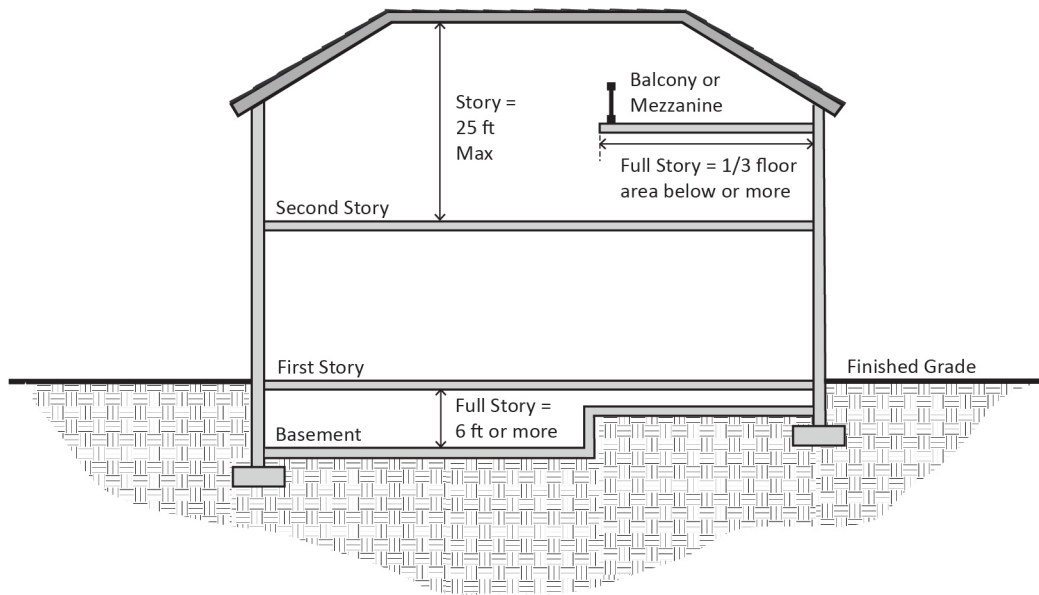


FIGURE 23.02.030.C.2: MEASURING THE NUMBER OF STORIES

3. ***Measuring Height of Fences or Walls.***
 - a. *Front Yard Fencing.* The height of front yard fencing is measured as the vertical distance from the sidewalk elevation to the highest point of such fence or wall.
 - b. *Fencing Along Interior Side and Rear Property Lines.* The height of fencing located along an interior side or rear property line is measured as the vertical distance from the ground level of the adjacent property to the highest point of such fence or wall.
 - c. *Interior of Lot Fencing.* The height of fencing located in the interior of the lot (i.e. outside the front yard and not located on the interior side or rear property line) is measured as the vertical distance from the ground level on the lowest external side of the fence or wall to the highest point of such fence or wall.
4. ***Measuring the Height of Decks.*** Deck height is determined by measuring from the ground to the top of the floor of the deck directly above the ground below.

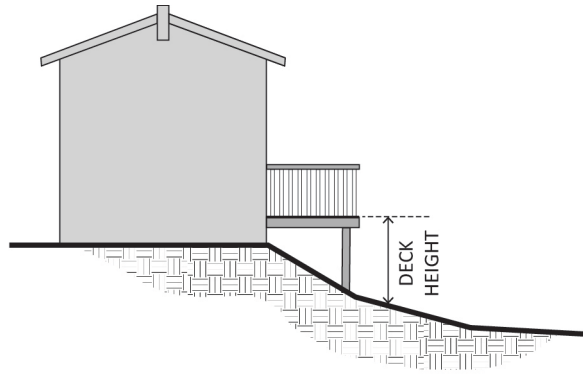


FIGURE 23.02.030.C.4: MEASURING HEIGHT OF DECKS

D. *Measuring Lot Width and Depth.*

1. ***Lot Width.*** Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot along a straight line parallel to the front lot line at the minimum required building setback line.
2. ***Lot Depth.*** Lot depth is measured along a straight line down from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.

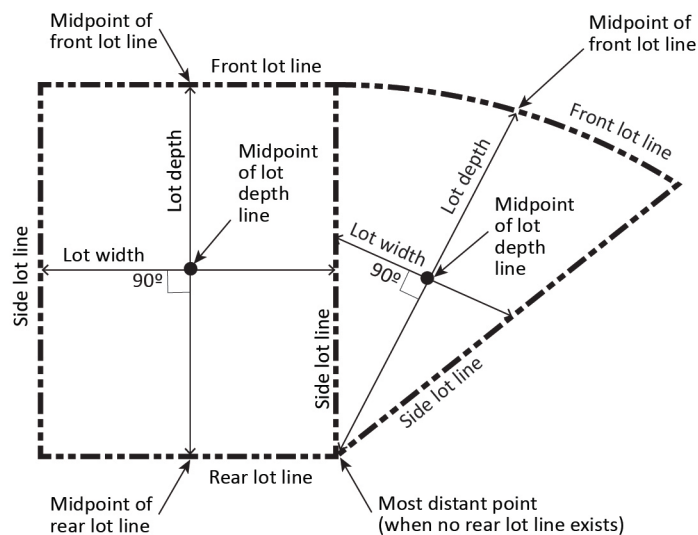


FIGURE 23.02.030.D: MEASURING LOT WIDTH AND DEPTH

- E. ***Determining Floor Area.*** The floor area of a building is the sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, vehicular maneuvering areas, or any space where the floor-to-ceiling height is less than six feet.

- F. **Determining Floor Area Ratio.** The floor area ratio (FAR) is the ratio of the total gross floor area of a development to the total site area of the property on which the development is located. To calculate the FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.
- G. **Determining Lot Coverage.** Lot coverage is the ratio of the horizontal area measured at the outside of the exterior walls and/or posts of the ground floor of all principal and accessory buildings and structures located on a lot to the net lot area, typically expressed as a percentage.
- H. **Determining Lot Frontage.**
1. **Corner Lot.** The front of a lot is the narrowest dimension of the lot with street frontage.
 2. **Through Lot.** Both street frontages shall be designated as the front of the lot.
- I. **Determining Setbacks (Yards).** A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. Required setbacks shall be unobstructed from the ground to the sky except where allowed pursuant to Section 23.12.040, Encroachments into Required Setbacks, subject to compliance with the Building Code. The following special regulations for determining yards apply when a lot abuts a proposed street or alley.
1. **Yards Abutting Planned Street Expansions.** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street, the required setback shall be established from the future right-of-way rather than the property line.
 2. **Yards on Alleys.**
 - a. If a side lot line abuts an alley, the yard shall be considered an interior side yard rather than a street side yard.
 - b. In calculating the minimum yard for any lot with an interior side yard abutting an alley, no part of the width of the alley may be considered as part of the required yard.

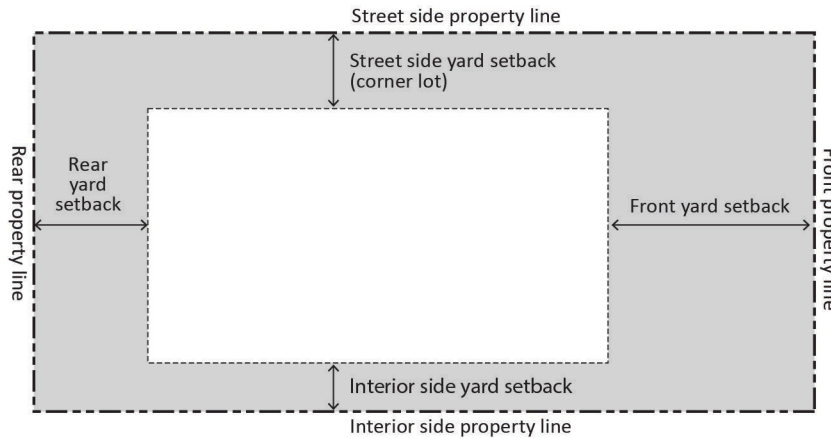


FIGURE 23.02.030.I: DETERMINING SETBACKS (YARDS)

- J. **Measuring Signs.** The calculations of measurements related to signs are described in Chapter 23.21, Signs.

Chapter 23.04 Residential Zoning Districts

23.04.020 Land Use Regulations

Table 23.04.020: Land Use Regulations – Residential Zoning Districts, sets the land use regulations for the Residential Zoning Districts. Land uses are defined in Chapter 23.34, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title.

TABLE 23.04.020: LAND USE REGULATIONS - RESIDENTIAL ZONING DISTRICTS

"P" = Permitted Use; "M" = Minor Use Permit required; "C" = Conditional Use Permit required; "-" = use not allowed

Land Use Classification	RL	RM	RH	Additional Regulations
Residential Uses				
Residential Housing Types	See subclassifications below			
<i>Single-Unit Dwelling, Detached</i>	P	P	P	Condominium projects require a minimum of six units, except if developed consistent with Government Code Section 65852.28 (SB 684)
<i>Single-Unit Dwelling, Attached</i>	-	P	P	
<i>Multi-Unit Dwelling</i>	P -	P	P	
<i>Urban Dwelling Units</i>	<u>P</u>	-	-	<u>See Section 23.22.300, Urban Dwelling Units</u>
<i>Accessory Dwelling Units</i>	See Section 23.22.040, Accessory Dwelling Units			
Family Day Care	See Section 23.22.140, Family Day Care			
Group Residential	C	C	C	

TABLE 23.04.020: LAND USE REGULATIONS - RESIDENTIAL ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>RL</i>	<i>RM</i>	<i>RH</i>	<i>Additional Regulations</i>
Low Barrier Navigation Centers	C	P	P	Must be consistent with Government Code Section 65660 et seq
Residential Care Facility	See subclassification below			
<i>Small</i>	Small residential care facilities constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district.			
<i>Large</i>	-	-	M	
Residential Facility, Assisted Living	-	-	M	
Single Room Occupancy (SRO)	-	C	C	See Section 23.22.260270, Single Room Occupancy
Supportive Housing	Transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district.			
Transitional Housing				
Small Housing Development	Small housing developments of no more than 10 residential units which meets the requirements of Government Code Section 65852.28 (SB 684) shall be a permitted use at any site zoned for multifamily residential development.			
Affordable Housing Developments of 2 or More Units	Affordable housing developments of 2 or more residential units which meets the requirements of Government Code Section 65913.4 (SB 35) shall be a permitted use at any site zoned for residential use or residential mixed-use development.			
Public/Semi-Public Uses				
Community Assembly	C	C	C	See Section 23.22.060, Affordable Housing on Religious Facility Sites
Community Garden	C	C	C	See Section 23.22.100, Community Gardens
Cultural Institutions	C	C	C	
Day Care Centers	C	C	C	
Park and Recreation Facilities	C	C	C	
Public Safety Facilities	C	C	C	
Schools	C	C	C	
Transportation, Communication, and Utility Uses				
Communication Facilities	See subclassification below			
<i>Telecommunication</i>	See Section 23.22.270280, Telecommunication Facilities			
Other Uses				
Accessory Uses, Activities, and Structures	See Section 23.22.030, Accessory Uses and Activities and Section 23.12.020, Accessory Structures			
Cannabis Cultivation	See Section 23.22.080, Cannabis Facilities, Cultivation, and Deliveries			
Home Occupations	See Section 23.22.170, Home Occupations			

TABLE 23.04.020: LAND USE REGULATIONS - RESIDENTIAL ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

Land Use Classification	RL	RM	RH	Additional Regulations
Neighborhood Commercial	Neighborhood Commercial uses may be allowed on residentially zoned properties with existing commercial uses operating within the confines of a permitted commercial building or structure pursuant to Section 23.22.200, Neighborhood Commercial Uses in Residential Zones			
Nonconforming Uses	See Chapter 23.19, Nonconforming Uses, Sites, and Structures			
Temporary Uses	See Section 23.22.280 <u>290</u> , Temporary Uses			

Notes:

1. ~~Multi-unit dwelling residential development not exceeding 2 units and which meets the requirements of Government Code Section 65852.21 (SB 9) shall be a permitted use.~~

Chapter 23.05 Commercial Zoning Districts

23.05.020 Land Use Regulations

Table 23.05.020: Land Use Regulations – Commercial Zoning Districts, sets the land use regulations for the Commercial Zoning Districts. Land uses are defined in Chapter 23.34, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title. Numbers in parentheses refer to specific limitations listed at the end of the table.

TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

Land Use Classification	CBD	EMC	CMU	AC	Additional Regulations
Residential Uses					
Residential Housing Types	See subclassifications below				
<i>Multi-Unit Dwelling</i>	P	P	P	-	Condominium projects require a minimum of six units, except if developed consistent with Government Code Section 65852.28 (SB 684)
Family Day Care	See Section 23.22.140, Family Day Care				
Low Barrier Navigation Centers	P	P	P	-	Must be consistent with Government Code Section 65660 et seq
Small Residential Care Facility	Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district.				
Supportive Housing					

TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>CBD</i>	<i>EMC</i>	<i>CMU</i>	<i>AC</i>	<i>Additional Regulations</i>
Transitional Housing					
Small Housing Development	Small housing developments of no more than 10 residential units and which meets the requirements of Government Code Section 65852.28 (SB 684) shall be a permitted use at any site zoned for multifamily residential development.				
Affordable Housing Developments of 2 or More Units	Affordable housing developments of 2 or more residential units and which meets the requirements of Government Code Section 65913.4 (SB 35) shall be a permitted use at any site zoned for residential use or residential mixed-use development.				
Affordable Housing Development in Commercial Zones	Affordable housing developments proposed in a commercial zone that meets the requirements of Section 65912.111, 65912.112, and 65912.113 of the Government Code shall be a permitted use. Affordable housing developments proposed in zones where office, retail, or parking are principally permitted uses that meet the requirements of Section 65852.24 of the Government Code shall be a permitted use.				
Mixed Income Housing Development in Commercial Corridors	Mixed-income housing developments proposed in a commercial zone that meets the requirements of Sections 65912.121, 65913.122, and 65912.123 of the Government Code shall be a permitted use.				
Public/Semi-Public Uses					
Colleges and Trade Schools	-	C	C	-	
Community Assembly	C	C	C	-	See Section 23.22.060, Affordable Housing on Religious Facility Sites
Community Garden	C(3)	C(3)	C(3)	-	See Section 23.22.100, Community Gardens
Cultural Institutions	C	C	C	-	
Day Care Centers	C(3)	C	C	-	
Government Offices	P(4)	P	P	-	
Hospitals and Clinics	See subclassifications below				
<i>Clinics</i>	P(4)	P	P	P(1)	
<i>Hospitals</i>	C(3)	C	C	-	
<i>Skilled Nursing Facility</i>	C(3)	C	C	-	
Instructional Services	P	P	P	-	
Park and Recreation Facilities	P	P	P	-	
Parking Lots and Structures	C(3)	M	M	-	
Public Safety Facilities	C	C	C	-	
Schools	C(3)	C	C	-	

TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>CBD</i>	<i>EMC</i>	<i>CMU</i>	<i>AC</i>	<i>Additional Regulations</i>
Commercial Uses					
Animal Boarding and Veterinary Services	See subclassifications below				
<i>Pet Day Care</i>	M	M	M	-	Shall be entirely enclosed and air-conditioned
<i>Veterinary Services</i>	M(3)	M	M	M	
Automobile/Vehicle Sales and Services	See subclassifications below				
<i>Automobile Rental</i>	-	-	-	C	See Section 23.22.070, Automobile/Vehicle Sales and Services
<i>Automobile/Vehicle Sales and Leasing</i>	-	-	-	C	See Section 23.22.070, Automobile/Vehicle Sales and Services
<i>Automobile/Vehicle Service and Repair, Minor</i>	-	-	-	C	See Section 23.22.070 Automobile/Vehicle Sales and Services
<i>Automobile/Vehicle Repair, Major</i>	-	-	-	C	See Section 23.22.070, Automobile/Vehicle Sales and Services
<i>Service Stations</i>	C(3)	C	C	C	See Section 23.22.070, Automobile/Vehicle Sales and Services
<i>Vehicle Washing</i>	-	-	C(7)	C(7)	See Section 23.22.070, Automobile/Vehicle Sales and Services and Alhambra Municipal Code Chapter 5.76, Commercial Auto Washing Facilities
Banks and Financial Institutions	P	P	P	M(2)	
Business Services	P	P	P	M	
Commercial Cannabis Facility	See subclassifications below				
<i>Medicinal Cannabis Delivery-Only Retailer</i>	-	-	-	-	See Section 23.22.080, Cannabis Facilities, Cultivation, and Deliveries
Commercial Entertainment and Recreation	See subclassifications below				
<i>Cinema/Theater</i>	C	C	C	C	
<i>Indoor</i>	M	M	M	C	
<i>Outdoor Entertainment</i>	-	-	C	-	

TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>CBD</i>	<i>EMC</i>	<i>CMU</i>	<i>AC</i>	<i>Additional Regulations</i>
<i><u>Poolrooms/Billiard Rooms</u></i>	<u>C(8)</u>	<u>C(8)</u>	<u>C(8)</u>	<u>C(8)</u>	See 23.22.250, Poolrooms and Billiard Rooms, and Alhambra Municipal Code Chapter 5.52, Poolrooms and Billiard Rooms
Drive Through Facilities	-	C	C	C	See Section 23.22.120, Drive Through Facilities
Eating and Drinking Establishments	See subclassifications below				
<i>Bars/Night Clubs/Lounges</i>	C	C	C	C	See Section 23.22.210, On-Sale and Off-Sale Alcohol Beverage Establishments
<i>Restaurants</i>	P	P	P	M(2)	See Section 23.22.210, On-Sale and Off-Sale Alcohol Beverage Establishments
Farmer’s Markets	C	C	C	-	See Section 23.22.150, Farmer’s Markets
Food Preparation	P	P	P	-	
Funeral Parlors and Interment Services	-	-	C	C	
Hotels and Motels	C	-	C	C	
Offices	P(4)	P	P	M	
Coworking Offices	P(4)	P	P	M	
Personal Services	See subclassifications below				
<i>General Personal Services</i>	P	P	P	M(2)	
<i>Fortunetelling</i>	P	P	P	P	See Alhambra Municipal Code Chapter 5.14, Fortunetelling
<i>Massage Establishments</i>	C	-	C	C	See Alhambra Municipal Code Chapter 9.44, Massage Therapy, Massage Establishments, and Massage Therapists
Repair and Maintenance Services	P	P	P	M	
Retail Sales	See subclassifications below				
<i><u>Alcohol Beverage, Off-Sales</u></i>	<u>M</u>	<u>P</u>	<u>P</u>	<u>M(2)</u>	See Section 23.22.210, On-Sale and Off-Sale Alcohol Beverage Establishments
<i>Building Material Stores and Retail Garden Centers</i>	-	-	M	C	
<i>Food and Beverage Sales</i>	P	P	P	M(2)	
<i>General Retail</i>	P	P	P	M(2)	

TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>CBD</i>	<i>EMC</i>	<i>CMU</i>	<i>AC</i>	<i>Additional Regulations</i>
<u><i>Vape and Smoke Retail Sales</i></u>	<u>C(9)</u>	<u>C(9)</u>	<u>C(9)</u>	<u>C(9)</u>	See Section 23.22.300, Vape and Smoke Retail Sales, and Alhambra Municipal Code Chapter 5.90, Tobacco Retail License
Industrial Uses					
Custom Manufacturing	M(6)	M(6)	M(6)	-	
Food and Beverage Manufacturing	See subclassifications below				
<i>Small Scale</i>	P(6)	M(6)	M(6)	-	
Personal Storage	-	-	C	-	See Section 23.22.240, Personal Storage
Transportation, Communication, and Utility Uses					
Communication Facilities	See subclassifications below				
<i>Facilities within Buildings</i>	M(4)	M	M	-	
<i>Telecommunication</i>	See Section 23.22.270 280 , Telecommunication Facilities				
Recycling Facility	See subclassifications below				
<i>Reverse Vending Machine</i>	-	-	M	M	See Section 23.22.250 260 , Recycling Facilities
<i>Small Collection Facility</i>	-	-	C	C	See Section 23.22.250 260 , Recycling Facilities
Transit Stations and Terminals	-	C	C	-	
Other Uses					
Accessory Uses and Structures	See Section 23.22.030, Accessory Uses and Section 23.12.020, Accessory Structures				
Cannabis Cultivation	See Section 23.22.080, Cannabis Facilities, Cultivation, and Deliveries				
Collection Boxes	See Section 23.22.090, Collection Boxes				
Home Occupations	See Section 23.22.170, Home Occupations				
Live Entertainment	See Section 23.22.180, Live Entertainment				
Outdoor Dining and Seating	See Section 23.22.220, Outdoor Dining and Seating				
Outdoor Display and Sales	See Section 23.22.230, Outdoor Display and Sales				
Nonconforming Uses	See Chapter 23.19, Nonconforming Uses, Sites, and Structures				
Temporary Uses	See Section 23.22.280 290 Temporary Uses				

TABLE 23.05.020: LAND USE REGULATIONS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>CBD</i>	<i>EMC</i>	<i>CMU</i>	<i>AC</i>	<i>Additional Regulations</i>
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Notes:

1. Only community clinics providing reproductive health services, consistent with the requirements of Government Code Section 65914.900, shall be a permitted use.
2. A MUP is not required if the use is also a Drive-Through Facility requiring a CUP.
3. Not allowed on Main Street, conditionally permitted in other locations.
4. Limited to upper stories or in the rear of the site where another non-residential use with a minimum depth of 45 feet is located along the Main Street frontage.
5. Reserved.
6. Must contain a minimum of 100 square feet of retail floor area.
7. Prohibited on lots within 50 feet (not including street or alley right-of-way) of a Residential Zoning District. In the CMU Zoning District, must be located a minimum of 500 feet from any other vehicle washing establishment.
8. No CUP may be issued for a poolroom and billiard room use located on a parcel that is within 600 feet of any other parcel containing a sensitive receptor as defined in Section 23.22.250, Poolrooms and Billiard Rooms. No CUP may be issued for a poolroom and billiard room use located on a parcel that is within 1,000 feet of any other parcel upon which a poolroom and billiard room use is operating.
9. No CUP may be issued for a vape and smoke retail sales use located on a parcel that is within 600 feet of any other parcel containing a sensitive receptor as defined in Section 23.22.310, Vape and Smoke Retail Sales. No CUP may be issued for a vape and smoke retail sales use located on a parcel that is within 1,000 feet of any other parcel upon which a vape and smoke retail sales use is operating.

23.05.030 Development Standards

Table 23.05.030: Development Standards – Commercial and Mixed-Use Zoning Districts, prescribes the development standards for Commercial and Mixed-Use Zoning Districts. Letters in parentheses refer to additional development standards that directly follow the table. Section numbers in the Additional Regulations column refer to other sections of this Title. Housing developments are eligible for flexible development standards pursuant to Section 23.12.060 Flexible Development Standards for Housing.

TABLE 23.05.030: DEVELOPMENT STANDARDS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

<i>Standard</i>	<i>CBD</i>	<i>EMC</i>	<i>CMU</i>	<i>AC</i>	<i>Additional Regulations</i>
Maximum Residential Density (units per acre)	64 (B)	30	48	-	(C)
Maximum Floor Area Ratio (FAR)	3.0	2.0	2.0	2.0	(D)
Maximum Building Height (feet)	75	35	40 within 50 feet of a Residential Zoning District, otherwise 75	40 within 50 feet of a Residential Zoning District, otherwise 75	

TABLE 23.05.030: DEVELOPMENT STANDARDS – COMMERCIAL AND MIXED-USE ZONING DISTRICTS

<i>Standard</i>	<i>CBD</i>	<i>EMC</i>	<i>CMU</i>	<i>AC</i>	<i>Additional Regulations</i>
Maximum Number of Stories	5	3	3 within 50 feet of a Residential Zoning District, otherwise 5	3 within 50 feet of a Residential Zoning District, otherwise 5	
Minimum Setbacks (feet)					
<i>Front</i>	0	0	0	0	(A)
<i>Street Side</i>	0	0	0	0	(A)
<i>Interior Side</i>	0, 10 adjacent to a Residential Zoning District	0, 10 adjacent to a Residential Zoning District	0, 10 adjacent to a Residential Zoning District	0, 10 adjacent to a Residential Zoning District	
<i>Rear</i>	0, 10 adjacent to a Residential Zoning District	0, 10 adjacent to a Residential Zoning District	0, 10 adjacent to a Residential Zoning District	0, 10 adjacent to a Residential Zoning District	
Minimum Distance between Buildings (feet measured from eave to eave)	5	5	5	5	

Additional Development Standards

A. **Required Building Location, CBD, EMC, CMU, and AC Districts.** The following building location requirements apply in the CBD, EMC, CMU, and AC Districts.

1. **Build-to Line.** Buildings shall be located within 10 feet of street-facing property lines for at least 50 percent of the linear street frontage.
2. **Corner Build Area.** Buildings shall be located within 10 feet of the property line within 30 feet of the street corner.
3. **Frontage Improvements.** The area between buildings and the property line shall be improved as part of a wider sidewalk, outdoor dining/seating area, or with landscaping.
4. **Modifications.** These requirements may be modified or waived through approval of a Modification upon finding that:
 - a. Entry courtyards, plazas, entries, or outdoor eating areas are located adjacent to the property line and buildings are built to the edge of the courtyard, plaza, or dining area; or
 - b. The building incorporates an alternative entrance design that creates a welcoming entry feature facing the street or is designed in a manner that compliments adjacent or surrounding land uses

B. **Housing Density Bonus, CBD District.**

1. **Housing Density Bonuses.**

- a. In addition to the density bonus options described in Chapter 23.14, Affordable Housing, Density Bonuses, and Incentives, the City shall grant a density bonus, the amount specified in Subsection i, below, when an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this Section, that will meet the following criteria:
 - i. One hundred percent (100%) of the total units, including density bonus units, but exclusive of a manager's unit or units, are for lower income households as defined in Cal. Health & Safety Code § 50079.5, except that up to 20 percent of the total units in the development, including total units and density bonus units, may be for moderate-income households as defined in Cal. Health & Safety Code § 50053, are then entitled to the standards outlined in this Section.
 - b. The amount of density bonus shall be calculated as specified in State law. For housing developments meeting the criteria of Subsection B.1.a.i, above, there shall not be a maximum cap on density.
 - c. An applicant shall agree to, and the City shall ensure, the continued affordability of all designations of all low, very low, and lower income rental units that qualified the applicant for the award of the density bonus for the amount of time identified in State law.
2. ***Property Development Standards for Density Bonus Applicants.***
- a. An applicant for a density bonus within the CBD District shall adhere to all applicable development standards of the CBD District, except as identified herein.
 - b. An applicant for a density bonus within the CBD District shall receive the incentives and concessions outlined in State law, except as identified herein.
 - c. If the housing development contains 100 percent affordable units, as described in Subsection B.1.a.i, then the development shall receive ~~four~~ five incentives or concessions and the following incentive:
 - i. A height increase of up to three additional stories, or 33 feet, in addition to the district's maximum building height standards.
3. ***Number of Parking Spaces Required for Density Bonus Applicants.*** An applicant for a density bonus shall adhere to State law, except as identified herein.
- a. If the housing development contains 100 percent affordable units, as described in Subsection B.1.a.i, then the project shall receive the following parking incentive:
 - i. A vehicular parking ratio of 0.5 spaces per unit.
 - ii. No additional guest parking is required.
 - iii. If the total number of parking spaces required for the housing development is other than a whole number, the number shall be rounded

up to the next whole number. For purposes of this Section, a development may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking.

4. **Time Limits.** Entitlements shall adhere to Section 23.31.090, Effect, Expiration, and Extension, except as identified herein.
 - a. If the housing development contains 100 percent affordable units, as described in Subsection B.1.a.i, then each entitlement shall be valid for a period of two and one-half years from the date of approval. Time extensions may be granted in accordance with Section 23.31.090.D, Extensions.
 5. **Other Applicable Regulations.** All uses shall be subject to the applicable regulations of this Title.
- C. **Minimum Residential Density, CBD, EMC, CMU, and AC Districts.** Pursuant to Government Code Section 65583.2(h), a minimum residential density of 20 units per acre shall be required on sites identified for lower income in the Housing Element Sites Inventory, if residential uses are proposed for the site.
- D. **Mixed-Use Developments, CBD, EMC, CMU, and AC Districts.** Pursuant to Government Code Section 65583.2(h), within mixed-use developments located on sites identified for lower income in the Housing Element Sites Inventory a minimum of 50% of the total floor area of the mixed-use project shall be occupied by residential uses.

Chapter 23.06 Employment Zoning Districts

23.06.020 Land Use Regulations

Table 23.06.020: Land Use Regulations – Employment Zoning Districts, sets the land use regulations for the Employment Zoning Districts. Land uses are defined in Chapter 23.34, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title. Numbers in parentheses refer to specific limitations listed at the end of the table.

TABLE 23.06.020: LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS			
<i>“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed</i>			
Land Use Classification	PO	I	Additional Regulations
Residential Uses			
Residential Housing Types	See subclassifications below		
<i>Multi-Unit Dwelling</i>	C(3)	C(3)	Condominium projects require a minimum of six units, except if developed consistent with Government Code Section 65852.28 (SB 684)

TABLE 23.06.020: LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>PO</i>	<i>I</i>	<i>Additional Regulations</i>
Family Day Care	See Section 23.22.140, Family Day Care		
Live-Work Unit	M	-	
Low Barrier Navigation Centers	P	P	Must be consistent with Government Code Section 65660 et seq
Small Residential Care Facilities	Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district.		
Supportive Housing			
Transitional Housing			
Small Housing Development	Small housing developments of no more than 10 residential units which meets the requirements of Government Code Section 65852.28 (SB 684) shall be a permitted use at any site zoned for multifamily residential development.		
Affordable Housing Developments of 2 or More Units	Affordable housing developments of 2 or more residential units which meets the requirements of Government Code Section 65913.4 (SB 35) shall be a permitted use at any site zoned for residential use or residential mixed-use development.		
Affordable Housing Development in Commercial Zones	Affordable housing developments proposed in a commercial zone that meets the requirements of Section 65912.111, 65912.112, and 65912.113 of the Government Code shall be a permitted use. Affordable housing developments proposed in zones where office, retail, or parking are principally permitted uses that meet the requirements of Section 65852.24 if the Government Code shall be a permitted use.		
Mixed Income Housing Development in Commercial Corridors	Mixed-income housing developments proposed in a commercial zone that meets the requirements of Sections 65912.121, 65913.122, and 65912.123 of the Government Code shall be a permitted use.		
Public/Semi-Public Uses			
Colleges and Trade Schools	P	C	
Community Assembly	M	-	See Section 23.22.060, Affordable Housing on Religious Facility Sites
Cultural Institutions	M	-	
Day Care Centers	P	-	
Emergency Shelter	-	P(1)	
Government Offices	P	P	
Hospitals and Clinics	See subclassifications below		
<i>Clinics</i>	P	P(75)	
<i>Hospitals</i>	P	-	
<i>Skilled Nursing Facility</i>	P	-	
Instructional Services	P	C	
Park and Recreation Facilities	M	C	

TABLE 23.06.020: LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>PO</i>	<i>I</i>	<i>Additional Regulations</i>
Parking Lots and Structures	M	C	
Public Safety Facilities	C	C	
Schools	C	-	
Commercial Uses			
Adult Business	-	P	See Section 23.22.050, Adult Businesses
Animal Boarding and Veterinary Services	See subclassifications below		
<i>Animal Shelter and Boarding</i>	-	M	
<i>Pet Day Care</i>	M	M	
<i>Veterinary Services</i>	P	M	
Automobile/Vehicle Sales and Services	See subclassifications below		
<i>Automobile/Vehicle Service and Repair, Minor</i>	-	M	See Section 23.22.070, Automobile/Vehicle Sales and Services
<i>Automobile/Vehicle Repair, Major</i>	-	M	See Section 23.22.070, Automobile/Vehicle Sales and Services
<i>Service Stations</i>	-	M	See Section 23.22.070, Automobile/Vehicle Sales and Services
Banks and Financial Institutions	P	-	
Business Services	P	P	
Commercial Cannabis Facility	See subclassifications below		
<i>Medicinal Cannabis Delivery-Only Retailer</i>	-	C(4)	See Section 23.22.080, Cannabis Facilities, Cultivation, and Deliveries
Commercial Entertainment and Recreation	See subclassifications below		
<i>Indoor</i>	M	P	
<i>Outdoor Entertainment</i>	-	M	
<i><u>Poolrooms and Billiard Rooms</u></i>	<u>C(7)</u>	<u>C(7)</u>	See Section 23.22.250, Poolrooms and Billiard Rooms, and Alhambra Municipal Code Chapter 5.52, Poolrooms and Billiard Rooms
Drive-Through Facility	C	C	See Section 23.22.120, Drive-Through Facility
Eating and Drinking Establishments	See subclassifications below		
<i>Bars/Night Clubs/Lounges</i>	C	C	See Section 23.22.210, On-Sale <u>and Off-Sale</u> Alcohol Beverage Establishments
<i>Restaurants</i>	P	M (5)P	See Section 23.22.210, On-Sale <u>and Off-Sale</u> Alcohol Beverage Establishments

TABLE 23.06.020: LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>PO</i>	<i>I</i>	<i>Additional Regulations</i>
Farmer's Markets	M	-	See Section 23.22.150, Farmer's Markets
Food Preparation	P	P	
Funeral Parlors and Interment Services	C	-	
Hotels and Motels	C(2)	-	
Offices	P	P	
Coworking Offices	P	P	
Personal Services	See subclassifications below		
<i>General Personal Services</i>	P	-	
<i>Fortunetelling</i>	P	-	See Alhambra Municipal Code Chapter 5.14, Fortunetelling
Repair and Maintenance Services	P	P	
Retail Sales	See subclassifications below		
<u><i>Alcohol Beverage, Off-Sales</i></u>	<u>P</u>	<u>P</u>	<u>See Section 23.22.210, On-Sale and Off-Sale Alcohol Beverage Establishments</u>
<i>Building Material Stores and Retail Garden Centers</i>	-	P	
<i>Firearms Sales</i>	-	C(6)	See Section 23.22.160, Firearms Sales
<i>Food and Beverage Sales</i>	P	P	
<i>General Retail</i>	P	P	
<i>Outdoor Retail Sales and Nurseries</i>	-	P	
<u><i>Vape and Smoke Retail Sales</i></u>	<u>C(8)</u>	<u>C(8)</u>	<u>See Section 23.22.310, Vape and Smoke Retail Sales, and Alhambra Municipal Code Chapter 5.90, Tobacco Retail License</u>
Industrial Uses			
Construction and Material Yards	-	P	
Custom Manufacturing	-	P	
Food and Beverage Manufacturing	See subclassifications below		
<i>Small Scale</i>	-	P	
<i>Large Scale</i>	-	P	
General Industrial	-	M	
Light Industrial	-	P	
Research and Development	P	P	
Salvage and Wrecking	-	C	

TABLE 23.06.020: LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>PO</i>	<i>I</i>	<i>Additional Regulations</i>
Storage, Warehousing, and Wholesaling	See subclassifications below		
<i>Personal Storage</i>	-	C	See Section 23.22.240, Personal Storage
<i>Indoor</i>	-	P	
<i>Outdoor</i>	-	C	
Transportation, Communication, and Utility Uses			
Communication Facilities	See subclassifications below		
<i>Facilities within Buildings</i>	-	C	
<i>Telecommunication</i>	See Section 23.22.270 280 , Telecommunication		
<u>Data Centers</u>	-	-	
Freight/Truck Facilities	-	C	
Light Fleet-Based Services	M	P	
Public Works and Utilities	-	C	
Recycling Facility	See subclassifications below		
<i>Reverse Vending Machine</i>	-	C	See Section 23.22.250 260 , Recycling Facilities
<i>Small Collection Facility</i>	-	C	See Section 23.22.250 260 , Recycling Facilities
<i>Large Collection Facility</i>	-	C	See Section 23.22.250 260 , Recycling Facilities
Other Uses			
Accessory Uses and Structures	See Section 23.22.030, Accessory Uses and Section 23.12.020, Accessory Structures		
Cannabis Cultivation	See Section 23.22.080, Cannabis Facilities, Cultivation, and Deliveries		
Collection Boxes	See Section 23.22.090, Collection Boxes		
Home Occupations	See Section 23.22.170, Home Occupations		
Live Entertainment	See Section 23.22.180, Live Entertainment		
Outdoor Dining and Seating	See Section 23.22.220, Outdoor Dining and Seating		
Outdoor Display and Sales	See Section 23.22.230, Outdoor Display and Sales		
Nonconforming Uses	See Chapter 23.19, Nonconforming Uses, Sites, and Structures		
Temporary Uses	See Section 23.22.280 290 Temporary Uses		

TABLE 23.06.020: LAND USE REGULATIONS – EMPLOYMENT ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>PO</i>	<i>I</i>	<i>Additional Regulations</i>
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Notes:

1. Limited to the area bounded by Orange Street to the north, Mission Road to the south, Raymond Avenue to the east, and Palm Avenue to the west.
2. Limited to the area of the PO zone north of Mission Road.
3. Multi-Unit Dwellings shall be subject to the following requirements:
 - a. Those projects that are “by-right” under governing statutes, including but not limited to projects that are 20% affordable on up-zoned sites, 20% affordable on prior Housing Element Sites Inventory sites, or SB 35 projects, are exempt from the CUP requirement.
 - b. Projects subject to the Housing Accountability Act or other statutes that limit discretion to objective standards and criteria are subject only to objective findings in Section 23.27.060, Use Permits – Required Findings, and so long as the requirement for a CUP does not otherwise conflict with State law.
 - c. Those projects that are exempt from CEQA review pursuant to Public Resources Code Section 21080.66 shall be exempt from the CUP requirement but shall require an MUP.
4. No CUP may be issued for a medicinal cannabis delivery-only retailer located on a parcel that is within 600 feet of any other parcel containing a school, park, licensed child daycare facility, youth center, a conditionally permitted use that provides services primarily to minors, or a licensed drug or alcohol rehabilitation facility, or a parcel that is within a residential zoning district. For purposes of this section, “school” includes a pre-school, transitional kindergarten, K-12 school, whether public or private. No CUP may be issued for a medicinal cannabis delivery-only retailer located on a parcel that is within 1,000 feet of any other parcel upon which a medicinal cannabis delivery-only retailer is operating.
- ~~5. A MUP is not required if the use is also a Drive-Through Facility requiring a CUP.~~
5. Only community clinics providing reproductive health services, consistent with the requirements of Government Code Section 65914.900, shall be a permitted use.
6. No CUP may be issued for a firearms sales use located on a parcel that is within 600 feet of any other parcel containing a sensitive receptor as defined in Section 23.22.160, Firearms Sales. No CUP may be issued for a firearms sales use located on a parcel that is within 600 feet of any other parcel upon which a firearms sales use is operating.
- ~~7. Only community clinics providing reproductive health services, consistent with the requirements of Government Code Section 65914.900, shall be a permitted use.~~
7. No CUP may be issued for a poolroom and billiard room use located on a parcel that is within 600 feet of any other parcel containing a sensitive receptor as defined in Section 23.22.250, Poolrooms and Billiard Rooms. No CUP may be issued for a poolroom and billiard room use located on a parcel that is within 1,000 feet of any other parcel upon which a poolroom and billiard room use is operating.
8. No CUP may be issued for a vape and smoke retail sales use located on a parcel that is within 600 feet of any other parcel containing a sensitive receptor as defined in Section 23.22.310, Vape and Smoke Retail Sales. No CUP may be issued for a vape and smoke retail sales use located on a parcel that is within 1,000 feet of any other parcel upon which a vape and smoke retail sales use is operating.

Chapter 23.07 Public and Semi-Public Zoning Districts

23.07.020 Land Use Regulations

Table 23.07.020: Land Use Regulations – Public and Semi-Public Zoning Districts, sets the land use regulations for the Public and Semi-Public Zoning Districts. Land uses are defined in Chapter 23.43, Use Classifications. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table and not substantially similar to the uses listed are prohibited. Section numbers in the right-hand column refer to other sections of this Title. Numbers in parentheses refer to specific limitations listed at the end of the table.

TABLE 23.07.020: LAND USE REGULATIONS – PUBLIC AND SEMI-PUBLIC ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>PF</i>	<i>OS</i>	<i>Additional Regulations</i>
Residential Uses			
Affordable Housing Development in Commercial Zones			Affordable housing developments proposed in a commercial zone that meets the requirements of Section 65912.111, 65912.112, and 65912.113 of the Government Code shall be a permitted use. Affordable housing developments proposed in zones where office, retail, or parking are principally permitted uses that meet the requirements of Section 65852.24 if the Government Code shall be a permitted use.
Public/Semi-Public Uses			
Cemeteries and Columbarium	C	C	
Colleges and Trade Schools	C	-	
Community Assembly	C	C	See Section 23.22.060, Affordable Housing on Religious Facility Sites
Community Garden	M	-	See Section 23.22.100, Community Gardens
Cultural Institutions	C	C	
Day Care Centers	M	-	
Emergency Shelter	P	-	See Section 23.22.130, Emergency Shelters
Government Offices	P	-	
Hospitals and Clinics	See subclassifications below		
<i>Clinics</i>	P	-	
<i>Hospitals</i>	M	-	
<i>Skilled Nursing Facility</i>	M	-	
Instructional Services	M	-	
Park and Recreation Facilities	M	P	
Parking Lots and Structures	M	-	
Public Safety Facilities	C	C	
Schools	C	C	

TABLE 23.07.020: LAND USE REGULATIONS – PUBLIC AND SEMI-PUBLIC ZONING DISTRICTS

“P” = Permitted Use; “M” = Minor Use Permit required; “C” = Conditional Use Permit required; “-” = use not allowed

<i>Land Use Classification</i>	<i>PF</i>	<i>CS</i>	<i>Additional Regulations</i>
Commercial Uses			
Commercial Entertainment and Recreation	See subclassifications below		
<i>Indoor</i>	M	-	
<i>Outdoor Entertainment</i>	C	C	
Farmer's Markets	M	M	See Section 23.22.150, Farmer's Markets
Transportation, Communication, and Utility Uses			
Communication Facilities	See subclassifications below		
<i>Facilities within Buildings</i>	P	-	
<i>Telecommunication</i>	See Section 23.22.270280, Telecommunication		
Freight/Truck Facilities	M	-	
Light Fleet-Based Services	M	-	
Public Works and Utilities	P	-	
Recycling Facility	P	-	See Section 23.22.250260, Recycling Facilities
Transit Stations and Terminals	P	-	
Other Uses			
Accessory Uses and Structures	See Section 23.22.030, Accessory Uses; and Section 23.12.020, Accessory Structures		
Nonconforming Uses	See Section 23.19, Nonconforming Uses, Sites, and Structures		
Temporary Uses	See Section 23.22.280290, Temporary Uses		

Chapter 23.12 General Site Regulations

23.12.040 Encroachments into Required Setbacks

Where setbacks and open yard areas are required in this Title, they shall be not less in depth or width than the minimum dimension specified, shall be at every point open, and shall not be obstructed with non-movable features from the ground upward, except as provided in Table 23.12.040, Allowed Encroachments into Required Setbacks, or as specifically identified in another section of this Title.

TABLE 23.12.040: ALLOWED ENCROACHMENTS INTO REQUIRED SETBACKS

<i>Encroachment</i>	<i>Front Setback</i>	<i>Street Side Setback</i>	<i>Interior Side Setback</i>	<i>Rear Setback</i>	<i>Limitations-Additional Regulations</i>
All encroachments	No encroachment may extend closer than three feet to an interior lot line or into a public utility easement unless specifically stated. Where any allowance of this Title conflicts with applicable building codes, the more restrictive shall apply.				
Chimneys and cornices, canopies, eaves, and similar architectural features	May encroach up to 4 feet into the required setback		May encroach up to 2 feet into the required setback	May encroach up to 4 feet into the required setback	
Bay windows	May encroach up to 1.5 feet into the required setback				
Fire escapes required by law or public agency regulation	May encroach up to 3 feet into the required setback				
Uncovered stairs, ramps, stoops, landings, decks, porches, balconies, and platforms					
<i>All elements accessible to only the ground level</i>	May encroach up to 6 feet into the required setback	May encroach up to property line			
<i>All elements accessible to an upper story</i>	May encroach up to 1.5 feet into the required setback				<u>See Section 23.13.020.B.5, Balconies and Decks</u>
Covered porches and patios	May not encroach	May encroach up to 4 feet into the required setback area	May encroach up to 3 feet from property line	<u>See Section 23.13.020.B.5, Balconies and Decks</u>	
Accessory mechanical equipment	May not encroach		May encroach up to 3 feet from property line		
Ramps and similar structures that provide access for persons with disabilities	Reasonable accommodation will be made, consistent with the Americans with Disabilities Act, See Chapter 23.38, Reasonable Accommodation				

23.12.050 Fences and Freestanding Walls

Fences, walls, dense hedges, and similar structures shall comply with the standards of this Section.

- A. **Maximum Height.** The maximum allowed height of fences, walls, dense hedges, and related structures is as follows:

1. **Front and Street Side Yards.** Fences, walls, dense hedges, and similar structures located within front and street side yards are subject to Design Review pursuant to Chapter 23.26, Design Review, and the following:
 - a. Fences, walls, dense hedges, and similar structures may be a maximum of three feet high measured from finished grade when located within the required front yard or within five feet of a street side property line.
 - i. In the event that there is a retaining wall, the maximum height of the fence or wall shall not exceed three feet, measured from the grade of the dirt for which the wall is retaining, but in no event shall the height of the retaining wall, together with the fence or wall, exceed six feet above sidewalk elevation.
 - ii. Exceptions. Fences, walls, dense hedges, and similar structures used to enclose commercial or industrial uses may be a maximum of six feet high along a street side property line on lots where the underlying zone has a zero-foot street side yard setback.
 - b. The fence or wall shall not be constructed from grey smooth block unless architecturally treated (i.e. sand finish stucco, veneer, etc.), wire or chain link.
 - c. The fence or wall shall not contain any points, spikes, or ornamentation along its top.
 - d. The fence or wall shall be architecturally compatible with the design and style of the associated development.
 2. **Within 25 Feet of a Corner.** Fences, walls, dense hedges, and similar structures located within 25 feet of an intersection shall comply with the standards of Section 23.12.190, Visibility at Driveways and Intersections.
 3. **Other Areas.** Fences, walls, dense hedges, and similar structures located on all other portions of a lot may be a maximum of six feet. The fence or wall shall not contain any points, spikes, or ornamentation along its top.
 - a. *Exceptions.* Fences, walls, dense hedges, and similar structures exceeding six feet in height to enclose commercial or industrial uses, tennis courts, or similar areas, when such fences are not in a street setback area, may be erected with approval of a Modification.
- B. **Prohibition on Hazardous Fencing Materials.** The use of barbed wire, razor wire, ultra-barrier, electrified, and other hazardous fencing is not permitted unless such fencing is required by any law or regulation of the City, the State of California, Federal Government, or other public agency, or if the electrified fencing is consistent with the requirements of Civil Code Section 835. An exception to this standard may be approved for sites in an Industrial District, according to the procedures of Chapter 23.29, Modifications.
- C. **Maintenance.** All walls and fences shall be maintained in a safe, neat and orderly condition at all times. The finished side of all perimeter fencing shall face adjacent properties.

23.12.080 Height Exceptions

The structures listed in the following table may exceed the maximum permitted building height for the zoning district in which they are located, subject to the limitations stated and further provided that no portion of a structure in excess of the building height limit may contain habitable areas or advertising.

TABLE 23.12.080: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS		
<i>Allowed Projection</i>	<i>Maximum Vertical Projection Above the Height Limit</i>	<i>Maximum Coverage and Locational Limitations</i>
Skylights	1 foot	None
Chimneys	8 feet	None
Flagpoles	15 feet	None
Decorative features such as spires, cupolas, bell towers, domes, obelisks, and monuments Rooftop open space features such as sun decks, sunshade and windscreen devices, open trellises, and landscaping	10 feet	Limited to a total of 20% of roof area, inclusive of all structures
Elevator and stair towers	Minimum amount necessary to comply with Building Code standards, up to a maximum of 15 feet	Limited to a total of 10% of roof area Shall be appropriate in scale, intensity, and height Must be setback from the exterior wall one foot for every foot of projection above the height limit
Mechanical equipment penthouses	10 feet	Limited to 60% of roof area Must be setback from the exterior wall one foot for every foot of projection above the height limit
Mechanical equipment	5 feet	Must be setback from the exterior wall one foot for every foot of projection above the height limit
Fire escapes, catwalks, and open railings required by law	No restriction	None
Telecommunications facilities, antennas, microwave equipment, and radio towers	Subject to the provisions of Section 23.22.270 <u>280</u> , Telecommunications Facilities	

23.12.140 Security Devices

Security devices, including gates, bars, grilles or other such physical barrier intended to protect and secure a building, structure or storefront from unauthorized intrusion, shall be located and designed in compliance with the following standards.

- A. **Residential Zones and Residential Uses.** Security devices on doors and windows, are prohibited in all Residential Zones and on all Residential Uses. Those security devices installed prior to March 21, 2016 are considered legal nonconforming, provided they were installed in compliance with Fire Code then in effect, and may remain until such time as changes, modifications, alterations or improvements which require City approval are made to the structure.

- B. **Non-Residential Zones and Non-Residential Uses.** Security devices are allowed on non-residential uses located in non-residential zoning districts. Security devices on building openings which face public streets shall comply with the following standards.
1. ***Interior Mounted Security Devices.*** Interior mounted security devices are allowed pursuant to Community Development Director approval and in compliance with the following standards.
 - a. The security devices shall be interior mounted, retractable or openable, and concealed from public view during business hours.
 - b. Any associated mechanical equipment or housing shall be concealed from public view.
 - c. The security devices shall be architecturally integrated with the design of the building.
 2. ***Exterior Mounted, ~~Non-Fixed or Fixed, Non-Retractable or Non-Openable~~ Security Devices.*** Exterior mounted ~~or fixed, non-retractable or non-operable~~ security devices that are retractable or openable are allowed pursuant to Design Review Board approval and the following standards.
 - a. ~~Security devices, bars and decorative wrought iron grillwork may be permitted for windows or other building openings.~~
 - ~~b.a.~~ Decorative wrought iron grillwork or gates may also be permitted for doors, porches, breezeways and other building openings. Such grillwork or gates must be openable or retractable. Retractable grillwork or gates must be and concealed from view during business hours.
 - ~~e.b.~~ Exterior mounted ~~n~~Non-decorative security shutters are may also be permitted provided that such devices are retract-able and are concealed from view during business hours.
 - ~~dc.~~ Security devices shall be architecturally integrated with the design of the building, shall be aesthetically attractive and shall not overwhelm or dominate the building.
 3. ***Exterior Mounted, Fixed.*** Exterior mounted security devices that are fixed, non-retractable, or non-openable are allowed pursuant to Design Review Board approval and the following standards.
 - a. Fixed security devices, bars and decorative wrought iron grillwork may be permitted for windows or other building openings except doors.
 - b. Security devices shall be architecturally integrated with the design of the building, shall be aesthetically attractive and shall not overwhelm or dominate the building.
- C. ***Installation.*** Security devices shall be installed in compliance with all applicable regulations of the Fire and Police Departments and the Building Division.
- D. ***Nonconforming Security Devices.*** Immediately upon any change, modification, alteration in the building, a new use requiring a new business license (excepting change of ownership), or discontinuation of use of the premises for more than 14 consecutive days, to which any existing

nonconforming security devices relate, all such devices shall become unlawful and shall be removed or abated as provided in Section 23.31.150, Enforcement, and the Alhambra Municipal Code.

23.12.170 Tree Preservation

- A. **Purpose and Intent.** This Section is established to recognize oaks, and other California native and mature trees as significant aesthetic and ecological resources and to create favorable conditions for the preservation and propagation of plant heritage for the benefit of the current and future residents of the City and to:
1. Maintain and enhance the public health, safety and welfare through the mitigation of soil erosion and air pollution.
 2. Preserve and enhance property values through conserving and enhancing the distinctive and unique aesthetic character of many areas in the City.
- B. **Applicability.** The provisions of this Section apply to all protected trees defined as follows.
1. ***Protected Trees.***
 - a. Quercus family trees (oaks) taller than 15 feet, or with a trunk diameter larger than 12 inches in diameter, or 36 inches in circumference, measured at a point four and one-half feet above the root crown.
 - b. California native trees taller than 15 feet, or with a trunk diameter larger than 12 inches in diameter, or 36 inches in circumference, measured at a point four and one-half feet above the root crown.
 - c. Mature tree: A tree taller than 20 feet or with a trunk diameter larger 24 inches in diameter, or 75 inches in circumference, measured at a point four and one-half feet above the root crown.
- C. **Tree Permit Required.** A Tree Permit is required to remove or otherwise materially alter a protected tree on private property whether vacant, undeveloped, in the process of development or developed, except as provided below.
1. ***Exceptions.*** The following are exempt from the requirement for a Tree Permit.
 - a. Trees located in the side and rear yards in the RL and RM zoning districts.
 - b. Fruit trees.
 - c. Any palm tree that is not listed as a California native.
 - d. Normal and routine trimming or pruning which does not constitute trimming or topping or result in damage or death to a tree.
 - e. Removal of dead wood.
 - f. Cases of emergency where the Community Development Director, Director of Public Works, or member of a law enforcement agency or Fire Department,

determines that the protected tree poses an imminent threat to the public safety, or general welfare.

- g. Removal or relocation of trees necessary to obtain adequate line-of-sight distances for traffic safety as required by the Community Development Director or the Director of Public Works Services.
- h. Removal or trimming of trees for the protection of any public property or public utility property that is undertaken by authority of the City, other public agency having jurisdiction, or public utility.
- i. Removal or relocation of trees proposed in conjunction with the development of an Accessory Dwelling Unit (ADU) and in compliance with the requirements of Section 23.22.040.H, Tree Preservation, or in conjunction with the development of an Urban Dwelling Unit and in compliance with the requirements of Section 23.22.300.F, Tree Preservation.

D. Tree Permit – Hazardous or Diseased Trees.

- 1. ***Application.*** An application for a Tree Permit for the removal of a diseased or hazardous protected tree shall be made to the Community Development Department pursuant to Section 23.24.020, Application Forms and Fees and contain documentation substantiating the condition of the tree as hazardous or diseased.
- 2. ***Decision.*** The Director shall approve, conditionally approve, or deny the application within 10 working days.
- 3. ***Expiration.*** A Tree Permit for a hazardous or diseased tree shall automatically expire if the activities authorized by the permit are not completed within six months after the date of approval.
- 4. ***Replacement.*** Replacement trees are not required for the removal of a hazardous or diseased tree.

E. Tree Permit – Healthy Trees.

- 1. ***Application.*** An application for a Tree Permit for the removal of a healthy protected tree shall be made to the Community Development Department pursuant to Section 23.24.020, Application Forms and Fees. The application shall include, but not be limited to the following:
 - a. An explanation as to why the tree's removal is necessary.
 - b. An explanation as to why tree removal is more desirable than alternative project designs.
 - c. An explanation of any mitigation measures.
- 2. ***Review Authority.*** The Community Development Director shall act as the review authority for Tree Permit applications based on consideration of the requirements of this Section.
- 3. ***Public Notice.*** All applications for Tree Permits require public notice pursuant to Section 23.24.050, Public Notice. The notice shall state that the Director will consider and decide

whether to approve, conditionally approve, or deny the removal of a healthy protected tree application on a date specified in the notice.

4. **Effective Dates.** A Tree Permit for a healthy tree shall automatically expire if the activities authorized by the permit are not completed within one year after the date of approval.

5. **Replacement Trees.**

a. *Number.*

i. Quercus family (oaks) and California native trees: Two 24-inch box replacement oak or native trees shall be required for each ten-inch increment of the diameter of the existing tree, or portion thereof.

ii. Mature trees: One 24-inch box replacement similar or native trees shall be required for each ten-inch increment of the diameter of the existing tree, or portion thereof.

b. *Location.*

i. A minimum of 50 percent of the replacement trees shall be planted on site.

ii. A maximum of 50 percent of the replacement trees may be planted off-site at locations approved by the Director or have their obligation met through payment of an in lieu fee. The value of each replacement tree, including the cost of installation, shall be established by a certified arborist and the funds shall be dedicated to an urban forestry program of the City of Alhambra.

F. **Prohibited Activities.** No protected trees shall be removed, topped, trimmed, pruned, or otherwise damaged, except in conformance with the provisions of this section.

G. **Enforcement.**

1. Whenever a tree removal has occurred in conjunction with construction or work contrary to the provisions of this Chapter, a Code Enforcement Officer shall issue a citation per tree removed without a permit and a City Inspector shall issue a notice to the responsible party to "stop work" on the project on which the violation has occurred. No work shall be allowed until the citation has been paid and the violation has been rectified and approved by the Director.

2. Whenever a tree removal has occurred, independent of a development project, contrary to the provision of this Chapter, no Building Permits on the property associated with the violation shall be issued for a period of one year.

3. Whenever a tree removal has occurred contrary to the provision of this Chapter, the required number of replacement trees shall be double the standard provision.

Chapter 23.17 Landscaping

23.17.030 Areas to be Landscaped

A. ***Street-Facing Yards.*** Street-facing yards shall refer to any front yard, street side yard, or rear yard, inclusive of both required and non-required yards, which faces and is visible from a public street. All street-facing yards shall be landscaped with live plantings or artificial turf pursuant to Section 23.17.050.A, Materials, except as follows:

1. ***Hardscape Areas.***

a. ***Residential.***

i. Up to 25 percent of the yard area may be covered by non-decorative hardscape features (e.g., concrete, asphalt, gravel, driveways, sidewalks, etc.).

ii. Up to 25 percent of the yard area may be covered by decorative permeable hardscape features (e.g., brick, stone, mulch, water feature, etc.).

b. ***Non-Residential.*** Up to 75 percent of the yard area may be covered by hardscape features (e.g., concrete, asphalt, gravel, driveways, sidewalks, etc.).

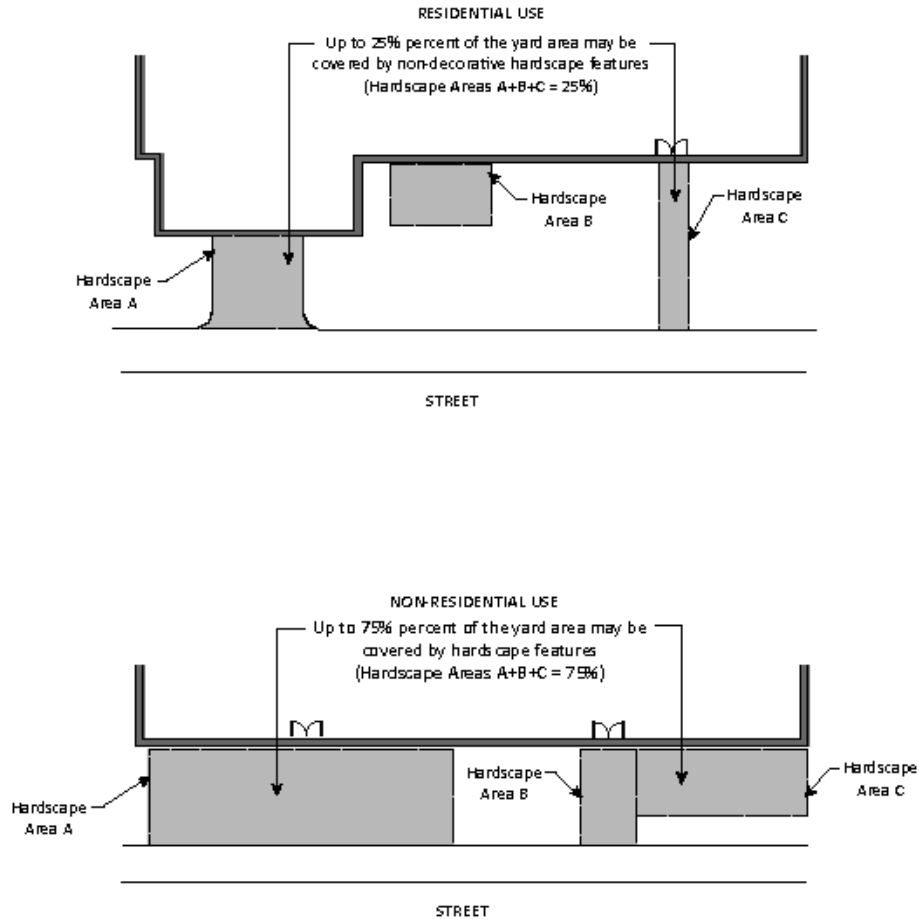


FIGURE 23.17.030.A.1: AREAS TO BE LANDSCAPED, HARDSCAPE AREAS

2. **Through Lots.** Rear yards of through lots that are located behind a solid wall or fence five feet or higher in height approved through the Modification process are not required to be landscaped.
- B. **Sloped Areas.** All areas with 3:1 or greater slope.
- C. **Parkways.** Live plant materials shall be the primary materials used. No more than 25 percent of the parkway area shall be covered by non-decorative hardscape features (e.g., concrete, asphalt, gravel, sidewalks, etc.) No more than 25 percent may be covered by decorative permeable hardscape features (e.g., brick, mulch, etc.). The remaining 50 percent of the parkway area must be of live plant material which shall not exceed 36 inches in height and an automatic irrigation system shall be required for the parkway area(s). Loose decorative stone and sharp or thorned plant material are discouraged. Artificial turf is not allowed in parkways. All parkway tree species should be in accordance with the City's Street Tree Planting Plan.
1. Landscaped parkways abutting streets must be maintained by the property owner in such a way as to keep all plant life alive, thriving and displaying its natural colors and shall be properly trimmed and cut.

- D. **Building Perimeters.** The portions of a non-residential building that front a public street shall have one or more landscape planters installed along a minimum 20 percent of that building face. The minimum width of the planter shall be three feet. This standard does not apply where a building is located on the front or street side property line.

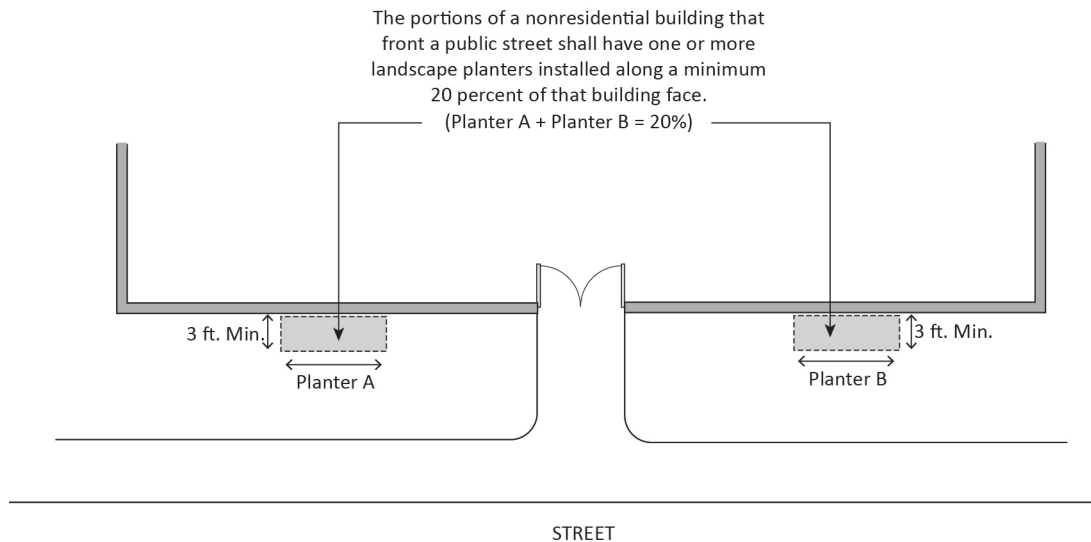


FIGURE 23.17.030.D: AREAS TO BE LANDSCAPED, BUILDING PERIMETERS

- E. **Parking Areas.** Parking areas as required by Chapter 23.20, Parking and Loading.
- F. **Unused Areas.** All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be landscaped, hydroseeded, or left in a natural state.

23.17.050 General Requirements

A. **Materials.**

1. **General.**
 - a. Required landscaped areas shall be planted with a combination of ground covers, shrubs, vines, and trees. A minimum of one different plant type per 1,000 square feet of lot area shall be provided, up to a maximum of 10 different plant types.
2. **Required Water Efficient Plants.** One of the following options of types of plants shall be chosen to ensure that the landscape project meets water efficiency requirements.
 - a. *Option A: All Low Water Plants.* Exclusive of garden areas dedicated to edible plants, all plants and trees shall be low or very low water use (average California Department of Water Resources study, Water Use Classification of Landscape Species (WUCOLS) plant factor of 0.3). Option A is available for all residential and non-residential areas.
 - b. *Option B: Primarily Low Water Plants.* Exclusive of garden areas dedicated to edible plants, at least 75 percent of the landscape area shall contain low or very

low water use plants (average WUCOLS plant factor of 0.3). Option B is only available for residential areas.

- c. *Option C: Water Use Calculation.* The estimated total water use (ETWU) of the landscaping shall not exceed the maximum applied water allowance (MAWA), calculated pursuant to the State Model Water Efficient Landscape Ordinance (MWELo). Option C is available for all residential and non-residential areas.
 - i. Department of Water Resources Model Water Efficient Landscape Ordinance Compliance Required. Where Option C: Water Use Calculation is selected, all requirements of the Department of Water Resources Model Water Efficient Landscape Ordinance shall apply.

3. **Size and Spacing.** Plant materials shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun and light), and maintenance needs. Plants shall be of the following size and spacing at the time of installation:

- a. *Ground Covers.* Ground cover plants other than grasses shall be at least the four-inch pot size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of one per 12 inches on center.

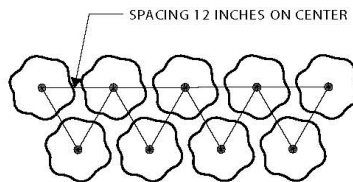


FIGURE 23.17.050.A.3.A: GROUND COVER PLANTING

- b. *Shrubs.* Shrubs shall be a minimum size of one gallon. When planted to serve as a hedge or screen, shrubs shall be planted with two to four feet of spacing, depending on the plant species.

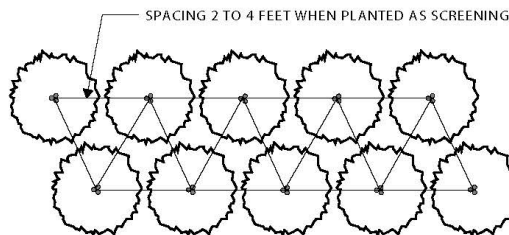


FIGURE 23.17.050.A.3.B: SHRUB PLANTING

- c. *Trees.* Required trees must be planted in the ground. All parkway tree species shall be in accordance with the City's Street Tree Planting Plan.
 - i. Residential Development. A minimum of one 24-inch box tree per 50 feet of street frontage shall be provided within the yard fronting the street. A minimum of at least one 24-inch box tree shall be required.

- ii. Mixed-Use and Non-Residential Development.
 - (1) A minimum of one 36-inch box tree per 50 feet of street frontage shall be provided within the yard fronting the street.
 - (2) A minimum of one tree of at least 15-gallon size shall be planted per 20 linear feet or as appropriate to create a tree canopy over the required setback along interior property lines abutting Residential Zones.

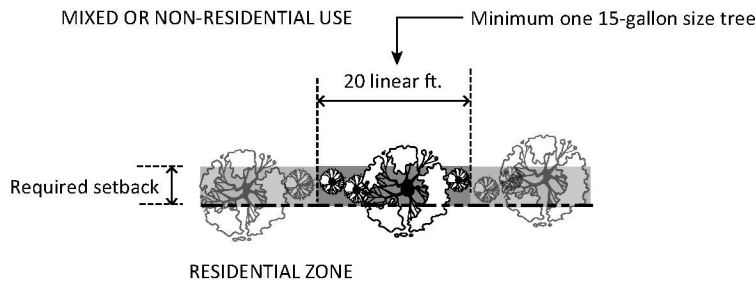


FIGURE 23.17.050.A.3.C.II.2: TREES; MIXED- AND NON-RESIDENTIAL USES ADJACENT TO RESIDENTIAL ZONES

4. **Artificial Turf.**

- a. **Material.** Artificial turf must meet minimum material standards, including the following:
 - i. The turf shall have a minimum eight-year no-fade warranty as issued by the manufacturer.
 - ii. The turf shall be cut-pile infill, minimum pile height one and two-thirds inches and a maximum of one and three-quarter inches, with parallel long slit blades.
 - iii. The synthetic turf blades (not including the thatch layer) shall be required to contain at least two natural green colors.
 - iv. The turf must contain a beige or tan thatch layer.
 - v. Be affixed to a permeable triple-layer backing and allow water to percolate through the synthetic grass at a drain rate of at least 30 inches per hour, to an adequate drainage system installed underneath the artificial turf to prevent run-off, pooling and flooding.
 - vi. The synthetic turf shall comply with all federal and state standards related to lead and heavy metal content.
 - vii. The fill material shall be of silica sand or zeolite material that is brushed in to keep the blades upright and achieve a natural grass look. Any replacement fill shall be the same. The use of rubber crumb infill is prohibited.

- viii. Must be constructed to maximize dimensional stability, resist damage during normal use and minimize UV degradation with a tear grab strength of at least 200 pounds. It must be resistant to staining, weather, insects, rot, mildew, and fungus and shall be non-allergenic and non-toxic and able to pass the pill burn test for flammability.
 - ix. The use of indoor/outdoor carpeting, and artificial shrubs, flowers, tress, and vines instead of natural plantings is prohibited.
- b. *Installation.* Artificial turf must be installed pursuant to manufacturers requirements by a licensed professional with experience in the installation of artificial turf. In addition:
- i. Installation must include removal of all existing plant material and three inches of a compacted aggregate base that provides adequate drainage and ensure stability.
 - ii. The area must be sloped and graded to prevent excessive pooling, runoff, or flooding onto adjacent property. Artificial turf areas must be sufficiently drained to live planting areas to provide complete infiltration of runoff.
 - iii. Artificial turf must be permanently anchored over the entire coverage area with nails and glue, and all seams must be nailed, or sewn and glued so as to conceal the edges, with the grain pointing a single direction.
 - iv. All existing irrigation infrastructure in the covered area, including piping and sprinkler heads that are no longer used must be capped or removed and shall not be visible.
 - v. Artificial turf must be separated from live planting areas by a barrier such as a mow strip or bender board to prevent mixing of natural plant materials and artificial turf.
 - vi. All efforts shall be made to protect existing trees and tree roots from damage during installation.
 - vii. Artificial turf may not be installed within a five-foot diameter of the trunk of any tree.
 - viii. Artificial turf is prohibited in all parkways.
- c. *Maintenance.* Artificial turf must be maintained in an attractive and clean, unfaded condition free of weeds, stains, debris, tears, holes, depressions, ruts, odors and looseness at edges and seams. Damaged or worn areas in the artificial turf surface must be repaired or removed and replaced in a manner that results in consistent appearance with the existing artificial turf. The artificial turf surface must be replaced once it is unable to be maintained as required. Vehicle parking on artificial turf is prohibited.
- d. *Maximum Area.* No more than 50 percent of the landscaped area may be artificial turf.

5. **Natural Turf.** Natural turf is subject to the following limitations, unless further restricted pursuant to State law or other regulations.
 - a. No more than 25 percent of the landscaped area may be natural turf.
 - b. The installation of natural turf on slopes greater than 25 percent is prohibited.
 - c. Natural turf is prohibited in locations that are less than 10 feet wide.
 6. **Mulch.** A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas. Mulch shall not be required in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch would be detrimental to the health of the planted materials.
 7. **Compost.** Compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test) shall be incorporated, unless stricter requirements apply pursuant to State law or other regulations.
- B. **Water Features.** Recirculating water shall be used for all decorative water features.
 - C. **Dimension of Landscaped Areas.** No landscaped area smaller than three feet in any horizontal dimension shall count toward required landscaping.
 - D. **Prescribed Heights.** The prescribed heights of landscaping shall indicate the height to be attained within three years after planting.
 - E. **Driveway and Intersection Visibility.** All landscaping shall comply with Section 23.12.190, Visibility at Driveways and Intersections.
 - F. **Maintenance.** All planting and other landscape elements shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Inert matter, such as gravel, decorative stone, or other acceptable materials not consisting of live vegetation shall be kept neat, well-ordered, and clear of the public right-of-way. Wherever necessary, plantings shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements.
 - G. **Parking Prohibited.** Landscape and hardscape areas located within a front or street side yard may not be used as parking spaces pursuant to Section 23.20.060, Location of Required Parking, unless otherwise allowed pursuant to State law or other regulations.

Chapter 23.20 Parking and Loading

23.20.040 Required Parking Spaces

- A. **Minimum Number of Spaces Required.** Except where preempted by Government Code Section 65863.2 or any other applicable State law, each land use shall be provided at least the number of parking spaces stated in Table 23.20.040, Required Parking Spaces. The parking requirement for any use not listed in Table 23.20.040 shall be determined by the Director based upon the

requirements for the most similar comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand.

TABLE 23.20.040: REQUIRED NUMBER OF PARKING SPACES

<i>Land Use Classification</i>	<i>Required Parking Spaces</i>
Residential Uses	As specified for each land use classification below
Residential Housing Types	
<i>Single-Unit Dwelling, Detached</i>	2 spaces within an enclosed garage.
<i>Single-Unit Dwelling, Attached</i>	2 spaces within an enclosed garage.
<i>Multi-Unit Dwelling</i>	2 spaces within an enclosed garage per unit. 0.5 guest parking space per unit. Guest parking may be uncovered. CBD Zoning District: 1.5 spaces per unit plus 0.3 guest parking spaces per unit.
<i>Housing for Seniors or Persons with Disabilities</i>	0.75 spaces per unit (covered, not enclosed)
Family Day Care	See Section 23.22.140, Family Day Care
Group Residential	1 space per sleeping room
Mobile Home Park	2 spaces per unit (covered or uncovered) 0.5 guest parking space per unit (covered or uncovered)
Residential Care Facilities	
<i>Small</i>	None beyond what is required for the Residential Housing Type
<i>Large</i>	1 space for every 3 beds
Residential Facility, Assisted Living	1 space for every 3 beds
Single Room Occupancy (SRO)	1 space per sleeping room
Supportive Housing	None beyond what is required for the Residential Housing Type
Transitional Housing	None beyond what is required for the Residential Housing Type
Public/Semi Public Uses	1 per 250 square feet of floor area except as specified below
Collection Box	None
Colleges and Trade Schools	1 space per 125 square feet of floor area
Community Assembly	1 space for each 6 permanent seats plus 1 for every 75 square feet of assembly area where no seats or where temporary or moveable seats are provided
Community Garden	None
Emergency Shelter	1 space for every 4 beds
Hospitals	3 spaces for every bed the facility is licensed to accommodate
Skilled Nursing Facility	1 space for every bed
Park and Recreation Facilities	As determined by the Director in consultation with a Parking Demand Study
Schools (non-public)	High School: 4 spaces per classroom plus 1 space for every 250 square feet of office Other schools (K-8): 2 spaces per classroom plus 1 space for every 250 square feet of office

TABLE 23.20.040: REQUIRED NUMBER OF PARKING SPACES

<i>Land Use Classification</i>	<i>Required Parking Spaces</i>
Commercial Uses	1 space per 250 square feet of floor area plus 1 space per 2,000 square feet of outdoor display and outdoor storage area except as specified below
Automobile/Vehicle Sales and Leasing	1 space per 2,000 square feet of indoor floor area and outdoor area
Commercial Entertainment and Recreation	Cinema/Theaters: 1 for each 6 permanent seats Other Commercial Entertainment and Recreation uses: As determined by the Director in consultation with a Parking Demand Study
Eating and Drinking Establishments	1 space per 250 square feet of gross floor area Outdoor dining areas equal to or less than 50% of gross indoor area shall be exempt. 1 space per 120 square feet of nonexempt outdoor dining area.
Farmer's Markets	See Section 23.22.150, Farmer's Markets
Funeral Parlors and Interment Services	1 space for each 6 permanent seats or 1 space for every 75 square feet of assembly area where no seats or where temporary or moveable seats are provided
Hotels	1 space for each guest room Additional parking required for ancillary uses, such as restaurants, according to the parking requirements for the ancillary use
Industrial Uses	1 space per 500 square feet of floor area for the first 20,000 square feet plus 1 space for each 1,000 square feet of floor area after, plus 1 space per 2,000 square feet of outdoor use area, except Personal Storage uses.
Personal Storage	1 space per on-site residential use, plus 1 space per 20,000 square feet of floor area, plus 1 customer space for every 10 vehicle, RV, or boat storage spaces. A minimum of 3 customer spaces shall be provided.
Transportation, Communication, and Utility Uses	1 space per 250 square feet of office floor area plus 1 employee space for every fleet vehicle
Recycling Facilities	See Section 23.22.250 260 , Recycling Facilities
<i>Small Collection Facilities</i>	1 space for each attendant and/or employee, plus 1 space for each vehicle operated by the facility
<i>Large Collection Facilities</i>	1 space per 250 square feet of gross floor area, with a minimum of 5 spaces per business

B. **Calculation of Required Spaces.** The number of required parking spaces shall be calculated according to the following rules:

1. ***Fractional Spaces.*** Pursuant to Section 23.02.030.A, Fractions, fractional spaces shall be counted as the next largest whole space. For multi-unit residential uses, fractional requirements shall be rounded up only after all the parking space requirements for all dwelling units on the site are computed.
2. ***Floor Area.*** Where a parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated.

3. **Seats.** Where parking requirements are stated as a ratio of parking spaces to seats, each 24 inches of bench-type seating at maximum seating capacity is counted as one seat.
4. **Sites with Multiple Uses.** If more than one use is located on a site, the number of required parking spaces and loading spaces shall be equal to the sum of the requirements calculated separately for each use unless a reduction is approved pursuant to Section 23.20.050, Parking Reductions.

23.20.060 Location of Required Parking

- A. **On-Site Parking Required.** Required parking shall be located on the same lot as the use it serves except as allowed below.
 1. **Allowance for Off-Site Parking.** Required non-residential parking spaces may be located off-site provided the off-site parking facility is located within 600 feet.
 - a. **Evidence of Access and Right to Use.** Such property shall be subject to a recorded agreement of a design by the City which shall provide that for a period of not less than the expected life of the building or use on the development site, the property shall be used solely for parking for the related use. The recorded agreement shall be signed by the Applicant and Owner or Manager, as determined by the City.
- B. **Front and Street Side Yards.** Parking spaces required pursuant to this Chapter shall not be located within a front or street side yard, unless otherwise allowed pursuant to State law or other regulations.

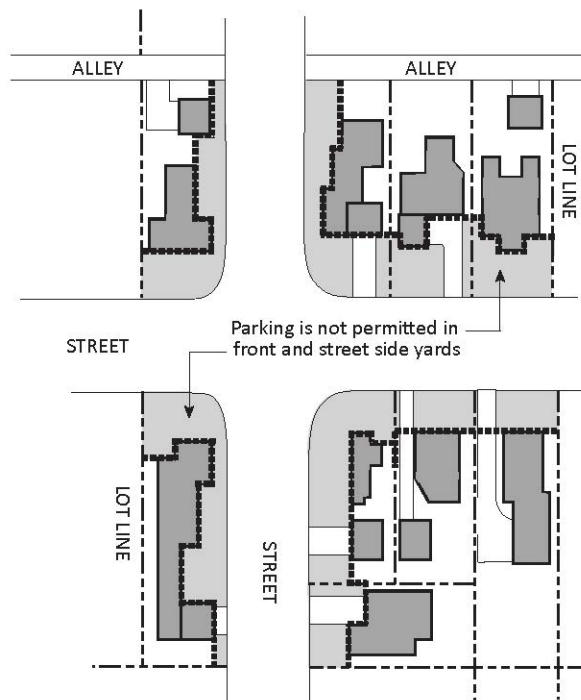


FIGURE 23.20.060: LOCATION OF REQUIRED PARKING, PROHIBITED AREAS

23.20.090 Parking Area Design and Development Standards

- A. **Applicability.** The standards of this Section apply to all parking areas except as specifically stated.
- B. **Access.** Parking access areas shall be designed to ensure vehicular access to parking spaces.
 - 1. ***Curtis and Electric Lanes.*** Only properties which have their sole frontage on Curtis or Electric Lanes shall take vehicular access from the lanes. Developments on properties which have frontage on other streets in addition to Curtis or Electric Lanes shall not utilize the lanes for vehicular access.
 - 2. ***Maneuvering.***
 - a. ***Forward Entry.***
 - i. Any non-residential parking area containing space for three or more vehicles shall be provided with suitable maneuvering room so that all vehicles therein may enter an abutting street in a forward direction. In addition, there shall be no backing into alleys within 50 feet of any street.
 - ii. Any multiple-family residential parking area containing space for six or more vehicles shall be provided with suitable maneuvering room so that all vehicles may enter an abutting street in a forward direction and no cars are required to back into a collector or arterial street, or into an alley or street located within 50 feet of a collector or arterial street.
 - b. Use of a required parking space shall not require more than four vehicle maneuvers.
 - c. No parking space shall be located so that a vehicle is required to maneuver within five feet of a vehicular entrance to the property.
 - d. ~~No parking space shall be located so as to require the moving of another vehicle in order to access the space.~~
 - 3. ***Exits.*** Exits from parking lots shall be clearly posted or painted with stop signs and a six-inch wide painted limit line. The minimum letter size for painted stop signs is 24 inches. Such markings shall be maintained in a clear and visible manner.
 - 4. ***Marking.*** All non-residential drive aisles and driveways shall be clearly marked with arrows indicating the direction of travel. Such marking shall be maintained in a clear and visible manner.
 - 5. ***Driveways.*** Driveways providing ingress and egress to off-street parking areas shall comply with Chapter 13.24, Driveways, of the Municipal Code and the following.
 - a. ***Driveway Length, Residential Zoning Districts.*** In Residential Zoning Districts, driveways providing direct access from a public street to a garage or carport shall be a minimum of 20 feet in depth except as follows.

- i. Sloping Lot Adjustment, RL District. There is no minimum required driveway depth in the RL District where a lot has a slope greater than 25 percent, measured from the curb line to a point midway between the side lot lines at a distance of 50 feet from the front lot line. See also Section 23.04.030(A), Sloping Lot Adjustment.
- b. Driveway Width. The minimum width of a driveway is as provided in Table 23.20.090.B, Driveway Width.

TABLE 23.20.090.B: DRIVEWAY WIDTH		
<i>Zoning District</i>	<i>One-way</i>	<i>Two-way</i>
RL	10 feet	10 feet
RM		
<i>1 or 2 units</i>	10 feet	10 feet
<i>3 or more units</i>	12 feet	16 feet
RH		
<i>1 or 2 units</i>	10 feet	10 feet
<i>3 or more units</i>	12 feet	16 feet
All Other Zones	12 feet	20 feet
Within a parking garage	12 feet	20 feet

6. Tandem Parking

- a. Residential Uses. Except as provided in Section 23.22.040, Accessory Dwelling Units, and Section 23.22.300, Urban Dwelling Units, tandem parking spaces shall only be allowed for private parking areas serving multi-family residential uses, and shall be subject to the following requirements:
 - i. Tandem parking spaces shall be located within an enclosed private parking area that contains space for five or more vehicles.
 - ii. No more than 50 percent of the total number of required residential parking spaces may be designed as tandem parking spaces.
 - iii. Tandem parking spaces shall not be more than two cars in depth and shall not be assigned to or utilized by more than one dwelling unit.
 - iv. Tandem parking shall not be used for guest parking spaces or recreational vehicle storage or parking.
- b. Non-Residential Uses. Tandem parking spaces shall be allowed for private parking areas serving non-residential uses subject to the following requirements:
 - i. Tandem parking shall only be allowed in conjunction with valet parking approved pursuant to Section 23.20.090.O, Valet Parking.
 - ii. Tandem parking spaces shall not be more than two cars in depth.

C. **Size of Parking Spaces and Maneuvering Aisles.** Parking spaces and maneuvering aisles shall meet the minimum dimensions required by this Subsection. Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces.

1. **Parking Spaces and Drive Aisle Dimensions.** All parking spaces shall have minimum dimensions as indicated in Table 23.20.090.C, Minimum Parking Space and Drive Aisle Dimensions. Up to 25 percent of required parking spaces may be designed as compact spaces. All compact spaces shall be clearly marked "compact".

a. **Exception, Residential Garages.** All residential parking spaces located within an enclosed garage containing space for no more than four vehicles shall have a minimum width of nine feet and a minimum depth of 20 feet, ~~and shall provide a~~. A minimum of 22 feet of vehicle back-up space shall be provided, measured from the exterior of the garage structure. Alleys may count toward vehicle back-up space, but not streets, sidewalks, or parkways.

Angle of Parking	Stall Width		Stall Length		Aisle Width	
	Regular	Compact	Regular	Compact	One-Way	Two-Way
Parallel	8'6"	7'6"	22'	18'	12'	20'
30°	8'6"	7'6"	18'	15'	11'	20'
45°	8'6"	7'6"	18'	15'	13'6"	20'
60°	8'6"	7'6"	18'	15'	18'6"	20'
90°	8'6"	7'6"	18'	15'	25'	25'

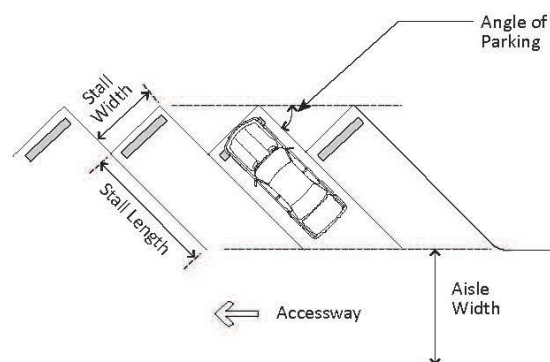


FIGURE 23.20.090.C: PARKING SPACE AND DRIVE AISLE DIMENSIONS

2. **Parking Spaces Abutting Wall or Fence.** Each parking space adjoining a wall, fence, column, or other obstruction higher than 30 inches in the vicinity of where a vehicle door may be located shall be increased by two feet.

- D. **Parking Stall Striping.** All parking stalls except in a garage or carport containing four or fewer parking spaces shall be clearly outlined with striping.
- E. **Wheel Stops.** Concrete bumper guards or wheel stops shall be provided for all parking spaces except those located within a garage containing four or fewer parking spaces. A six-inch high concrete curb surrounding a landscape area at least six feet wide may be used as a wheel stop, provided that the overhang will not damage or interfere with plant growth or its irrigation. A concrete sidewalk may be used as a wheel stop if the overhang will not reduce the minimum required walkway width.
- F. **Surfacing.** All parking areas shall be paved and improved subject to the approval of the Public Works Director. No unpaved area shall be used for parking.
 - 1. **Pavement Standards.** Parking areas shall be paved consistent with the following materials or comparable material approved by the Public Works Director.
 - a. *Asphalt.* Two inches of asphaltic concrete on four inches of aggregate base material. This option shall not apply in the RL District or to single-unit residential development.
 - b. *Concrete.* Four inches of portland cement concrete on three inches of aggregate base material.
 - c. *Pavers or Permeable Pavement Systems.* Pavers or permeable pavement systems with strength equivalent to a. or b. above.
 - 2. **Landscaping Alternative.** Up to two feet of a parking space may overhang into a landscape planter area planted with ground cover plants and bounded by a six inch concrete curb.

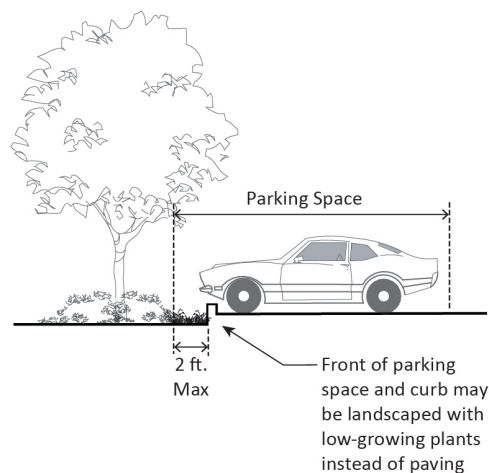


FIGURE 23.20.090.F.2: PARKING SPACE SURFACING, LANDSCAPING ALTERNATIVE

- G. **Slope.**
 - 1. Parking areas used exclusively for parking and vehicle maneuvering shall be designed and improved with grades not to exceed a five percent slope.

2. Driveways used exclusively for ingress and egress or interior parking lot circulation shall be designed and improved with grades not to exceed 15 percent slope and a transitional slope at the top and bottom subject to Public Works approval, except for driveways within the RL Zone.
- H. **Drainage.** All parking areas shall be drained consistent with applicable stormwater runoff regulations. Parking areas with three or more parking spaces and all loading facilities shall be designed such that surface water will not drain over any sidewalk.
- I. **Perimeter Curbing.** Parking areas designed to accommodate 10 or more vehicles shall provide a six-inch wide and six-inch high concrete curb along the outer edge of the parking facility pavement, except where said pavement abuts a fence or wall. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.
- J. **Walkways.**
1. Where a walkway crosses parking areas or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.
 2. Where a walkway is parallel and within two feet of an auto travel lane, it must be raised or separated from the auto travel lane by a physical barrier consisting of a raised curb at least four inches high.
- K. **Lighting.**
1. Parking areas designed to accommodate three or more vehicles shall be provided with a minimum of one foot-candle and a maximum of 3.0 foot-candles of light over the parking and access surface during the hours of use from one-half hour before dusk until one-half hour after dawn.
 2. On-site lighting shall be installed along all vehicular access ways with a minimum of one foot-candle of light over the access way.
 3. All lighting shall comply with the standards of Section 23.12.090, Lighting and Illumination.
- L. **Landscaping and Screening.** Grade level, unenclosed surface parking areas designed to accommodate three or more vehicles, and which have no structures located above, must be landscaped according to the general standards of Chapter 23.17, Landscaping, as well as the standards of this Subsection.
1. ***Landscape Area Required.*** A minimum of 10 percent of the parking lot area, including all driveways and maneuvering areas shall be landscaped.
 2. ***Minimum Planter Dimension.*** No landscape planter that is to be counted toward the required landscape area shall be smaller than 25 square feet in area, or four feet in any horizontal dimension, excluding curbing.
 3. ***Layout.*** Landscaped areas shall be well-distributed throughout the parking lot area. A minimum of 10 percent of the required landscaping shall be located within 15 feet of a building on the site.

4. ***Landscaping and Screening Adjacent to Streets and Alleys.*** Landscaping and screening shall be provided between any surface parking area and any adjacent public or private street or alley in compliance with the following:
 - a. A landscaped area at least five feet deep shall be provided along the length of the adjacent street or alley.
 - b. Screening a minimum 30 inches in height and consisting of one or any combination of the following methods.
 - i. ***Walls.*** Low-profile walls located a minimum of four feet from the property line consisting of brick, stone, stucco, or other quality durable material approved by the Director, and including a decorative cap or top finish as well as edge detail at wall ends.
 - ii. ***Planting.*** Plant materials consisting of compact evergreen plants that form an opaque screen.
 - iii. ***Berms.*** Berms a minimum of two feet in height and planted with appropriate shrubs and ground cover to achieve a minimum height of 30 inches.
 5. ***Landscaping and Screening Abutting Interior Lot Lines (Non-Residential Lots)***
 - a. ***Adjacent to Non-Residential Zone or Use.*** A landscaped area at least three feet wide shall be provided between any surface parking area and any adjacent lot in any district other than Residential for the length of the parking area.
 6. ***Trees.*** One 24-inch box size tree shall be provided for each ten parking spaces provided.
 7. ***Protection of Vegetation.***
 - a. ***Clearance from Vehicles.*** All required landscaped areas shall be designed so that plant materials, at maturity, are protected from vehicle damage by providing a minimum two-foot clearance of low-growing plants where a vehicle overhang is permitted, or by wheel stops set a minimum of two feet from the back of the curb.
 - b. ***Planters.*** All required parking lot landscaping shall be within planters bounded by a concrete curb at least six inches wide and six inches high. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.
 8. ***Visibility and Clearance.*** Landscaping in planters at the end of parking aisles shall not obstruct driver's vision of vehicular and pedestrian cross-traffic. Mature trees shall have a foliage clearance maintained at eight feet from the surface of the parking area. Other plant materials located in the interior of a parking lot shall not exceed 30 inches in height.
- M. **Alternative Parking Area Designs.** Where an applicant can demonstrate to the satisfaction of the Director that variations in the requirements of this Section are warranted in order to achieve environmental design and green building objectives, including but not limited to achieving certification under the LEED™ Green Building Rating System or equivalent, an alternative parking area design may be approved.

- N. **Maintenance.** Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
- O. **Valet Parking.** Valet parking is allowed if an attendant is present or an automated system is in place to move vehicles. Valet parking may be permitted and may count towards the required parking subject to a parking plan approved by the Director.

Chapter 23.21 Signs

23.21.090 Permanent Signs

This Section establishes standards for specific sign types that apply to all zones where such signs are allowed.

- A. **Wall Signs.** Wall signs include any sign attached to or erected against the wall of a building or structure. Wall signs are subject to the following standards.
 - 1. **Maximum Allowable Sign Area.** In all cases, wall sign signage shall not occupy more than 20 percent of the total area of the wall to which the sign(s) is attached.
 - a. *Residential Zone Districts.* 20 square feet.
 - b. *Commercial and Mixed-Use Zone Districts, Employment Zone Districts*
 - i. Primary Building Frontage. Two square feet per linear foot of primary building frontage.
 - ii. Other Building Frontage. ½ square foot per linear foot of building frontage other than the primary building frontage.
 - c. *Public and Semi-Public Zone Districts:* Maximum 20 percent of the total area of the wall to which the sign(s) is attached
 - 2. **Maximum Sign Height/Placement.**
 - a. *Residential Zone Districts.* Signs shall be located on the ground floor not to exceed 15 feet. Conditionally permitted uses shall locate signs on the second floor or below.
 - b. *Commercial and Mixed-Use, Employment, and Public and Semi-Public Zone Districts.* 30 feet.
 - 3. **Location of Sign.**
 - a. Wall signs shall not cover or interrupt major architectural features, including such features as doors, windows, or tile embellishments.
 - b. Wall signs shall not extend higher than the building wall upon which they are attached.

- c. Wall signs for a business shall be placed only on the frontage it pertains to, except Directory signs.

B. **Freestanding Signs.** Freestanding signs are subject to the following standards.

TABLE 23.21.090.B: FREESTANDING SIGN STANDARDS				
<i>Zone District</i>	<i>Maximum Number of Signs</i>	<i>Maximum Sign Area (per side)</i>	<i>Maximum Sign Height</i>	<i>Minimum Distance from Other Freestanding Sign</i>
<u>Residential-RL, RM, RH, OS</u>	One per street frontage	25 square feet	5 feet	n/a
<u>Commercial and Mixed-Use CMU, EMC, AC¹, I, PF</u>	<ul style="list-style-type: none"> • Lots with less than 100 lineal feet of street frontage: not allowed • Lots with 100 lineal feet of street frontage or more: One per 100 lineal feet of street frontage 	One square foot per linear foot of the street frontage on which the sign will be installed	<ul style="list-style-type: none"> • 100-150 lineal feet of street frontage: 15 feet • 150 or more lineal feet of street frontage: 20 feet 	50 feet whether located on the same property or not
PO	One per street frontage	One square foot per linear foot of the street frontage on which the sign will be installed	5 feet	15 feet whether located on the same property or not
<u>Central Business District CBD</u>	One freestanding sign per development	20 square feet	5 feet	n/a

Notes:

1. **Automobile Rental / Automobile Vehicle Sales and Leasing.** Automobile Rental and Automobile Vehicle Sales and Leasing uses with outdoor vehicle display areas may be permitted additional freestanding signs, if clearly secondary in importance to the primary freestanding sign and limited to secondary messages such as “Used Cars,” “Parts,” “Service,” and the like. Additional freestanding signs shall meet the following standards:

- a. Maximum combined height of all such signs shall not exceed 75% of the height of the primary freestanding sign.
- b. Maximum combined sign area of all such signs shall not exceed 75% of the area of the primary freestanding sign.

1. **Support Structure.** For all freestanding signs less than 10 feet in height, the width of the support structure of freestanding signs shall be at least the width of the sign face.
2. **Location of Sign.** All freestanding signs shall meet visibility requirements pursuant to Section 23.12.190, Visibility at Driveways and Intersections, and shall not project over public property.
3. **Changeable Copy.** The portion of any freestanding sign designed to be used with removable graphics to allow the changing of copy must be less than 50% of the total sign area, except for Billboard signs.

C. **Awning and Canopy Signs.** Signs painted, printed, sewn, stained, placed, or the like, on awnings, canopies, arcades, or similar attachments or structures are subject to the following standards.

1. **Maximum Allowable Sign Area.** On ground floor level, 30 percent maximum coverage allowed on the total exterior surface areas of each awning or canopy. On the second floor level and above, 20 percent maximum coverage allowed of the total exterior surface areas of each awning or canopy.
 2. **Minimum Sign Clearance.** Awning and canopy signs shall have a minimum sign clearance of eight feet.
- D. **Projecting and Shingle Signs.** Signs that project horizontally from the exterior wall of a building or are suspended beneath a marquee, covered walkway, canopy, or awning, are subject to the following standards.
1. **Maximum Allowable Sign Area.** Twelve square feet.
 2. **Maximum Sign Height.** 15 feet above finished grade.
 3. **Minimum Sign Clearance.** Eight feet above finished grade.
 4. **Maximum Number of Signs.** One for each building frontage or tenant space.
 5. **Location of Sign.** Shall be located at least 15 feet from any other projecting or shingle sign whether located on the same property or not, and five feet from any common wall or other point common to two separate business establishments on the same property.
 6. **Projection Allowed.**
 - a. **Projecting Sign.** A projecting sign cannot extend more than five feet from the building to which it is attached and must be designed and located so as to cause no harm to street trees. Signs projecting into the public right-of-way are subject to an encroachment permit.
 - b. **Shingle Sign.** A shingle sign cannot extend further than the outer edge of the supporting structure from which it is suspended.
 7. **Illumination.** Projecting and shingle signs shall not be internally illuminated.

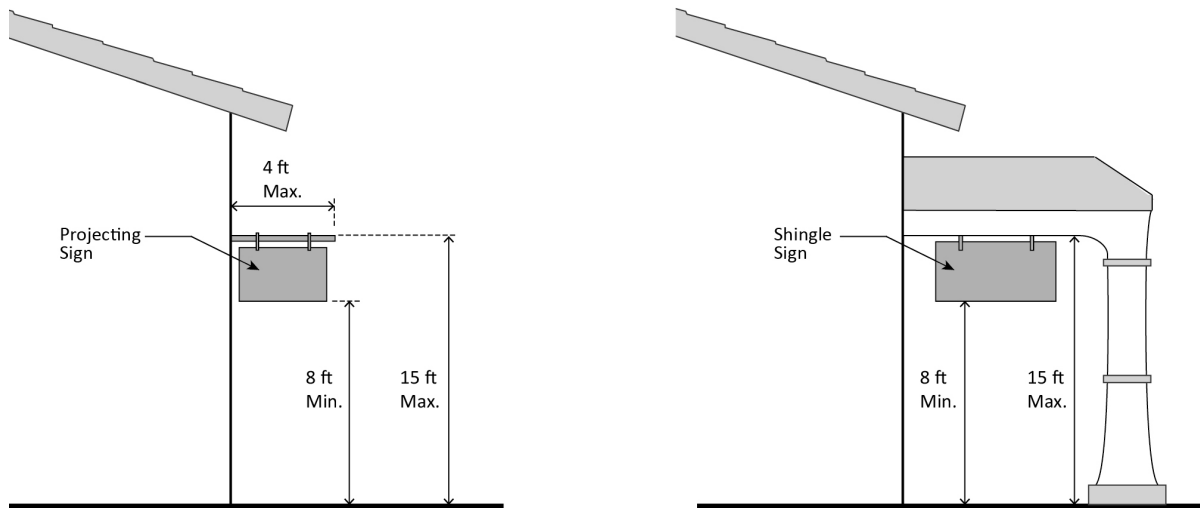


FIGURE 23.21.090.D: PROJECTING AND SHINGLE SIGNS

- E. **Permanent Window Signs.** Signs painted on or otherwise adhered directly onto a window and signs that block a window in any way, and displayed for 60 or more consecutive days, are subject to the following standards.
1. **Maximum Allowable Sign Area.**
 - a. **Ground Level.** 25 percent of the window area per window.
 - Second Level.** 10 percent of the window area per window of the business frontage.
 2. **Maximum Sign Height.** Window signs shall not be placed on windows higher than the second story.
- F. **Building Identification Signs.** Building identification signs are allowed on buildings of at least two stories, subject to the following standards.
1. **Maximum Allowable Sign Area.** Building identification signs shall have a maximum allowable sign area pursuant to Table 23.21.090.F, Maximum Building Identification Sign Area.

TABLE 23.21.090.F: MAXIMUM BUILDING IDENTIFICATION SIGN AREA

Number of Stories	Maximum Letter Height	Maximum Logo Height	Maximum Sign Area
2	2'8"	4'2"	150 square feet
3	2'10"	4'6"	175 square feet
4	3'0"	4'10"	200 square feet
5	3'4"	5'4"	225 square feet
6	3'9"	6'0"	250 square feet

TABLE 23.21.090.F: MAXIMUM BUILDING IDENTIFICATION SIGN AREA

<i>Number of Stories</i>	<i>Maximum Letter Height</i>	<i>Maximum Logo Height</i>	<i>Maximum Sign Area</i>
7	4'2"	6'8"	275 square feet
8-9	5'0"	8'0"	300 square feet
10 or more	6'0"	9'0"	350 square feet

2. **Maximum Number of Signs.** One per street frontage.
- G. **Fin Signs.** Fin signs may only be displayed in association with new construction or as part of a major modification of an existing building's major architectural elements.

Chapter 23.22 Standards for Specific Uses

23.22.030 Accessory Uses

Accessory uses that are clearly incidental and subordinate to a principal use on the site may be allowed in conjunction with the principal use to which it relates. Accessory uses shall be subject to the same regulations as the principal use and any standards applicable to specific uses and activities found in this Chapter. The following uses shall always be considered accessory to a principal use:

- A. Accessory Dwelling Units
- B. Collection Boxes
- C. Computer Game and Internet Access Centers
- D. Drive-Through Facilities
- E. Family Day Care
- F. Home Occupations
- ~~G. On-Sale Alcohol Beverage Establishments~~
- HG. Outdoor Dining and Seating
- IH. Outdoor Display and Sales

23.22.040 Accessory Dwelling Units

- A. **Definitions.** The following terms when used in this chapter will have the meanings provided in this section.
 1. **Accessory Dwelling Unit or ADU.** Will have the meaning set forth in Government Code § 66313(a), which is: an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, and includes permanent provisions for living, sleeping, eating, cooking (i.e., stove, refrigerator, and sink), and

sanitation (i.e., bathroom with shower or bathtub) on the same parcel as the single-unit or multi-unit dwelling is or will be situated. An Accessory Dwelling Unit also includes the following: (a) an efficiency unit, as defined in Health & Safety Code § 17958.1, and (b) a manufactured home, as defined in Health and Safety Code § 18007.

2. ***Accessory Structure.*** A structure that is accessory and incidental to a dwelling unit located on the same lot.
3. ***Attached ADU.*** An ADU that is attached to, or located within, an existing or proposed single-unit or multi-unit dwelling, or an existing accessory structure attached to an existing or proposed multi-unit dwelling, and located on the same parcel as the single-unit or multi-unit dwelling is or will be situated.
4. ***Car Share Vehicle Operation.*** A subscription or membership service that provides automobile reservations for an additional fee to its members on an hourly and/or daily basis.
5. ***Detached ADU.*** An ADU that is detached from the existing or proposed single-unit or multi-unit dwelling, and located on the same parcel as the single-unit or multi-unit dwelling is or will be situated.
6. ***Junior Accessory Dwelling Unit.*** A unit that is no more than 500 square feet of interior livable space in size; includes at least an efficiency kitchen including a cooking facility with appliances, food preparation counter and storage cabinets of reasonable size in relation to the size of the JADU; and is contained entirely within an existing or proposed single-unit dwelling, including an attached garage. A junior accessory dwelling may include separate sanitation facilities, or may share sanitation facilities with the existing dwelling.
7. ***Livable Space.*** Means at the space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation, as set forth in Government Code § 66313(e). Measurements of interior livable space shall be performed consistent with the measurement of gross floor area under the Building Code.
8. ***Living Area.*** Means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure, as set forth in Government Code Section 66313(f).
9. ***Nonconforming Zoning Condition.*** Means a physical improvement on a property that does not conform to current zoning standards, as set forth in Government Code § 66313(h).
10. ***Passageway.*** Means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit, as set forth in Government Code § 66313(j).
11. ***Proposed Dwelling.*** Means a dwelling that is the subject of a permit application and that meets the requirements for permitting, as set forth in Government Code Section 66313(l).
12. ***Public Transit.*** Means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation

that charge set fares, run on fixed routes, and are available to the public, as set forth in Government Code § 66313(m).

13. **Tandem Parking.** Means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another, as set forth in Government Code § 66313(n).

B. Permitted Zones and Lots; ~~Number of ADUs per Lot.~~

1. ADUs are permitted on lots zoned to allow single-unit or multi-unit dwelling residential uses, or mixed-uses, and that have an existing or proposed single-unit or multi-unit dwelling.
- ~~1.2.~~ JADUs are permitted on lots zoned to allow single-unit dwellings residential uses that have an existing or proposed single-unit dwelling.
- ~~2.~~ ADUs and JADUs are permitted only on lots with an existing or proposed dwelling.

C. Number of ADUs per Lot.

- ~~3.1.~~ One accessory dwelling unit within the proposed space of a single-family dwelling or within the existing space of a single-family dwelling or accessory structure and one junior accessory dwelling unit per lot with a proposed or existing single-unit dwelling may be permitted.
- ~~4.2.~~ One detached, new construction, accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-unit dwelling may be permitted.
- ~~3.~~ One junior accessory dwelling unit per lot with a proposed or existing single-unit dwelling may be permitted.
- ~~5.4.~~ Two detached accessory dwelling units per lot with proposed multi-unit dwelling, or up to eight detached accessory dwelling units per lot with an existing multi-unit dwelling, not to exceed the number of existing primary units on the lot.
- ~~6.5.~~ At least one attached accessory dwelling unit within the portions of an existing multi-unit dwelling that are not used as livable space, including but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with State building standards for dwellings. The total number of attached ADUs that may be permitted shall not exceed 25% of the existing multi-unit dwellings.
- ~~7.6.~~ An ADU shall not be counted as a "unit" for density purposes but shall be counted as a "unit" for purposes of compliance with State laws and requirements.

C. ~~Review Process.~~

- ~~1.~~ **Application.** Building permit applications for ADUs or JADUs shall be reviewed and approved or denied ministerially within 60 days after submission of a complete application, unless:
 - ~~a.~~ The ADU or JADU is proposed in conjunction with the construction of a new primary dwelling, in which case the approval may be delayed until the permit application to create the new primary dwelling is approved or denied; or

~~b. The application is for a detached ADU based on a preapproved plan meeting the requirements of Government Code Section 65852.27(b)(1) or (2), in which case the building permit shall be approved or denied within 30 days.~~

~~The building permit application shall be reviewed and approved based on compliance with this chapter and applicable State laws. A separate Planning application is not required for ADUs or JADUs, but projects are still subject to tree removal permits, grading permits, and other applicable building permit requirements.~~

~~2. **Architecture & Design.** The ADU must use the same exterior materials, same roof covering, same exterior colors, and the same architectural details and other design features as the main dwelling unit, unless the proposed ADU is based on a city-preapproved plan or subject to approval pursuant to Government Code Section 66323.~~

~~3. **Applications Not Conforming to Specific Standards.** An application that does not conform to the specific standards set forth in this Section, shall not be approved.~~

D. Unit Size and Property Development Standards. The following size limits apply:

~~1. The following size limits apply:~~

~~a.1. A detached ADU on a lot with an existing or proposed single-unit dwelling may not exceed 1,200 square feet of interior livable space in area.~~

~~b.2. A detached ADU on a lot with an existing or proposed multi-unit dwelling structure may not exceed 850 square feet of interior livable space in area for an ADU with 1 bedroom or less, and 1,000 square feet of interior livable space for an ADU that provides more than 1 bedroom.~~

~~c.3. An attached ADU shall not exceed 50% of the interior livable space of the existing primary dwelling, or 850 square feet of interior livable space for an ADU with 1 bedroom or less, and 1,000 square feet of interior livable space for an ADU that provides more than 1 bedroom, whichever is greater.~~

~~d.4. A property owner may not designate the existing unit as the ADU and propose a new unit as the main dwelling unit.~~

~~5. Notwithstanding the foregoing, any minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit an accessory dwelling unit with at least 800 square feet of interior livable space and with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.~~

E. Development and Design Standards. The following property development standards apply:

~~2. The following property development standards apply:~~

~~a.1. An ADU may be placed anywhere on a residential lot as long as the placement of the ADU meets all development standards of the underlying zone including, but not limited to, lot coverage, floor area ratio, and open space, except as specifically set forth in this chapter.~~

- b.2. There shall be at least a four-foot side and rear yard setback for a new attached or detached ADU. No setback shall be required for ADUs created within existing living area, within an existing accessory structure, or in a new structure created in the same location and within the same dimensions as an existing structure, however, the existing setbacks must be sufficient for fire and safety.
 - c.3. A detached ADU must maintain the required minimum distance between buildings of 5 feet, measured from eave to eave.
 - d.4. An attached ADU shall have exterior access from a proposed or existing single-unit dwelling.
 - e.5. A JADU shall comply with the requirements of Government Code Section 66333.
 - f.6. An ADU proposed in front of the primary dwelling shall adhere to the front yard setbacks of the underlying zone.
 - 7. ADUs are subject to a height limit of 25 feet and two stories. The height of ADUs converted from the space of an existing structure or constructed in the same location and to the same dimensions as an existing structure shall be limited to the dimension of the original structure.
 - 8. The ADU must use the same exterior materials, same roof covering, same exterior colors, and the same architectural details and other design features as the main dwelling unit, unless the proposed ADU is based on a city-preapproved plan or subject to approval pursuant to Government Code Section 66323.
 - h.11. Notwithstanding the foregoing, any ~~other~~ minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an ~~800 square foot~~ accessory dwelling unit with at least 800 square feet of interior livable space and with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.
- E.F. **66323 Units (Statewide Exemption ADU).** Notwithstanding any other provision of this section, the city shall not impose any objective development or design standard that is not authorized by Government Code Section 66323 upon any accessory dwelling unit meeting the requirements of Section 66323(a).
- F. ~~**Building Height.** ADUs are subject to a height limit of two stories and 25 feet.~~
- G. **Off-Street Parking.** Notwithstanding Chapter 23.20, the following parking regulations govern additional parking requirements for ADUs.
- 1. **Number.** The parking requirement for an attached or detached ADU is one open or enclosed parking space.
 - 2. **Location.** Required parking spaces may be provided as tandem parking on an existing driveway. Off-street parking is permitted in setback areas in locations determined by the city or through tandem parking, unless specific findings are made that parking in setback

areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

3. ***Existing Parking Replacement.*** When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, the applicant shall not have to replace those off-street parking spaces for the primary dwelling. If the converted ADU is removed from use, the main dwelling unit is required to comply with parking standards as established in this Chapter as well as other development standards applicable to the zoning district.
4. ***Exemption.*** No parking is required for an ADU in any of the following instances:
 - a. The ADU is located within one-half mile of a public transit stop or station.
 - b. The ADU is located on a parcel that has been designated on a local, state, or national register of historic places or districts.
 - c. The ADU is a part of the proposed or existing primary residence or an existing accessory structure.
 - d. When on-street parking permits are required, but not offered to the occupant of the ADU.
 - e. When there is a car share vehicle operation parking hub or station located within one block of the ADU.
 - f. No additional parking is required for a JADU.
 - g. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multi-unit dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this subsection.
 - h. The ADU is a 66323 unit (Statewide Exemption ADU).

H. Tree Preservation.

1. ***Protected Trees.*** Existing protected trees shall be preserved in place unless required documentation and replacement is provided pursuant to this section. "Protected Trees" shall have the same definition as provided in Section 23.12.170, Tree Preservation.
2. ***Tree Removal.*** A certified arborist's report shall be submitted to the Community Development Department for the proposed removal of an existing tree in order to determine if the tree is a protected tree pursuant to Section 23.12.170, Tree Preservation. The report shall verify the tree's species, health, height, trunk diameter, and circumference, measured at a point four and one-half feet above the root crown. If removal of a protected tree is required to accommodate an accessory dwelling unit, the project must meet the tree replacement requirements of Section 23.12.170, Tree Preservation.

H.I. Owner-Occupancy Requirement.

1. There shall be no owner-occupancy requirements for ADUs.

2. ~~Should a lot have a JADU, the applicant for the JADU must be an owner-occupant of either the newly created JADU or the single-unit dwelling. Owner-occupancy shall not be required if~~ For JADUs, either the newly created JADU or the single-unit dwelling shall be owner-occupied unless the JADU has separate sanitation facilities from the single-unit dwelling or the owner is another governmental agency, land trust, or housing organization.
3. Upon approval of a JADU application, a deed restriction that provides the following must be recorded with the County of Los Angeles before occupancy and the declaration will be binding on all future owners of the parcel:
 - a. Either the main dwelling unit or the JADU will be occupied by the property owner, except as provided in subsection I.2. above.
 - b. The JADU may not be sold separately from the main dwelling unit and underlying parcel.
 - c. A restriction on the size and attributes of the JADU to ensure the JADU remains in compliance with the limitations on the size and attributes of JADUs as set forth in Government Code Sections 66333 et. seq.

~~I.J.~~ **Code Compliance.** The ADU must comply with all currently applicable building, health and fire codes, except that an ADU is not required to provide fire sprinklers if sprinklers are not required for the main dwelling unit.

~~J.K.~~ **Utilities.**

1. ~~An ADU shall be served either by separate meters for water, electric, and gas service or by the main dwelling unit's meters. An ADU's sewer service may be provided through the main dwelling unit's sewer line, provided that the applicant makes a showing that the existing sewer line has sufficient capacity and slope to ensure proper flow strength for the ADU's sewer output. If sufficient capacity and slope cannot be ensured, an ADU may utilize a separate sewer line.~~
2. An ADU/JADU shall not be considered to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the unit was constructed with a new single-unit dwelling. Impact fees, as defined in Government Code Section 66311.5, shall not be imposed upon an ADU with 750 square feet of interior livable space or less, and shall not be imposed upon a JADU that has 500 square feet of interior livable space or less. Any impact fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.

~~K.L.~~ **Fines and Penalties.** The owner and all successors in interest in the subject property shall maintain the ADU/JADU in accordance with all applicable regulations established in this Section and any approval granted by the City. Violations and lack of compliance with any provisions of this Section may result in legal action against the property owner, including revocation of any right to maintain an ADU/JADU on the property as set forth in this Chapter and shall be subject to administrative fines and penalties as contained in Chapter 1.04 of the Municipal Code.

L.M. **Short-Term Rental.** ADUs and JADUs are prohibited from being utilized as short-term rentals pursuant to Chapter 5.92, Short-Term Rentals.

G.N. **Review Process.**

1. **Application.** Building permit applications for ADUs or JADUs shall be reviewed and approved or denied ministerially within 60 days after submission of a complete application, unless:

a. The ADU or JADU is proposed in conjunction with the construction of a new primary dwelling, in which case the approval may be delayed until the permit application to create the new primary dwelling is approved or denied; or

b. The application is for a detached ADU based on a preapproved plan meeting the requirements of Government Code Section 65852.27(b)(1) or (2), in which case the building permit shall be approved or denied within 30 days of receiving a complete application if a plan is already pre-approved by the City in the current three-year California Building Standards Code rulemaking cycle, or identical to a plan used in an application for a detached ADU that was approved by the City during the current California Building Standards Code rulemaking cycle.

The building permit application shall be reviewed and approved based on compliance with this chapter and applicable State laws. A separate Planning application is not required for ADUs or JADUs, but projects are still subject to tree removal permits, grading permits, and other applicable building permit requirements.

2. **Completeness Determination.** The City shall notify an applicant for a building permit for an accessory dwelling unit or junior accessory dwelling unit whether their application is complete or incomplete within fifteen (15) business days after the City received the application. If determined to be incomplete, the City shall provide the applicant with a list of incomplete items and a description of how the application can be made complete concurrently with the determination of incompleteness. The City shall have fifteen (15) business days to review any resubmittal and determine whether the identified deficiencies have been cured. The City shall not require an applicant to provide any item that was not included in the initial determination of incompleteness. If the City does not make a timely determination of completeness or incompleteness for an application or resubmitted application, the application or resubmitted application shall be deemed complete.

2. ~~**Architecture & Design.** The ADU must use the same exterior materials, same roof covering, same exterior colors, and the same architectural details and other design features as the main dwelling unit, unless the proposed ADU is based on a city-preapproved plan or subject to approval pursuant to Government Code Section 66323.~~

3. **Applications Not Conforming to Specific Standards.** An application that does not conform to the specific standards set forth in this Section, shall not be approved.

4. **Appeal.** Determinations on the completeness of an application for a building permit for an ADU or JADU, and/or the denial of a building permit for an ADU or JADU, may be appealed to the Planning Commission as provided for in Section 23.31.120, Appeals. A

final written determination on the appeal shall be issued no later than 60 business days after receipt of the applicant's written appeal unless the applicant agrees in writing to an extension of time.

M.O. Legalization of Unpermitted ADUs.

1. The City shall not deny a permit for an unpermitted ADU or JADU that was constructed before January 1, 2020, due to either of the following, unless the city makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code:
 - a. The ADU or JADU is in violation of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code.
 - b. The ADU or JADU unit does not comply with Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of the Government Code, as applicable, or any local ordinance regulating accessory dwelling units or junior accessory dwelling units.
2. A homeowner applying for a permit for a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, shall not be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code and when the fee is authorized by subdivision (e) of Section 66324 of the Government Code.
3. Upon receiving an application to permit a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, an inspector from the local agency may inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds noncompliance with health and safety standards, the local agency shall not penalize an applicant for having the unpermitted accessory dwelling unit or junior accessory dwelling unit and shall approve necessary permits to correct noncompliance with health and safety standards.
4. This paragraph ~~M.O.~~ shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.

23.22.210 On-Sale and Off-Sale Alcohol Beverage Establishments

A. On-Sale Alcohol Beverage Establishments. On-sale alcohol beverage establishments shall be located, developed, and operated in compliance with the following standards.

- A1. ***Restaurants with Beer and Wine.*** On-sale alcohol beverage establishments operating under an On-Sale Beer and Wine – Eating Place license from the California Department of Alcohol Beverage Control are permitted as accessory to a primary restaurant use. The restaurant must operate and maintain the licensed premises as a bona fide eating place, must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises.

B2. **Other On-Sale Alcohol Beverage Establishments.** All other on-sale alcohol beverage establishments require Conditional Use Permit approval.

B. **Off-Sale Alcohol Beverage Establishments.** Off-sale alcohol beverage establishments shall be located, developed, and operated in compliance with the following standards.

1. **Liquor Stores.** Liquor stores and similar uses classified within the Alcoholic Beverage, Off-Sales subclassification, shall only operate between the hours of 7:00 a.m. and 12:00 a.m. unless additional hours are approved pursuant to a Minor Use Permit.

23.22.230 Outdoor Display and Sales

Outdoor display and sales shall be located, developed, and operated in compliance with the following.

- A. **Temporary Outdoor Display and Sales.** The temporary outdoor display and sale of merchandise shall comply with Section 23.22.280~~290~~, Temporary Uses, and Chapter 23.35, Temporary Use Permits.
- B. **Size.** There is no limit on the size of outdoor display areas for vehicle sales and leasing, nursery and garden centers, and building materials sales. For other uses, outdoor display areas 500 square feet or less in size are permitted. Outdoor display areas more than 500 square feet in size require Minor Use Permit approval.
- C. **Relationship to Main Use.** The outdoor display and sales area shall be directly related to a business occupying a primary structure on the subject parcel.
- D. **Allowable Merchandise.** Only merchandise sold at the business is permitted to be displayed outdoors.
- E. **Location.** The displayed merchandise shall not disrupt the normal function of the site or its circulation and shall not encroach upon parking spaces, driveways, pedestrian walkways, or required landscaped areas.

23.22.240 Personal Storage

Personal Storage facilities shall be located, developed, and operated in compliance with the following standards.

- A. **Purpose.** These regulations are intended to establish procedures and standards for Personal Storage facilities. It is also the intent of this Section to establish minimum standards of development in order to ensure compatibility of Personal Storage facilities with the surrounding land uses to protect surrounding property values, and to maintain the health, safety and general welfare of the community.
- B. **Development Standards.**
 - 1. **Location.**
 - a. Personal Storage facilities shall not be located adjacent to any Residential Zoning Districts or Residential Uses.

- b. Personal Storage facilities shall not be located adjacent to Park and Recreation Facilities.
 - c. Personal Storage facilities shall be located along a commercial corridor on a street identified in the General Plan as a Secondary Arterial or Collector Street. Personal Storage facilities shall not be located on a street identified in the General Plan as a Major Arterial, with the exception of properties designated as I (Industrial) Zone that are located along Mission Road.
 - 2. ***Rooftop Solar Energy System.*** All Personal Storage facilities shall be required to incorporate a rooftop solar energy system, also known as a photovoltaic system.
 - 3. ***Stormwater Low Impact Development.*** All Personal Storage facilities shall comply with the City's Stormwater Low Impact Development (LID) Standards pursuant to Chapter 16.36 of the Alhambra Municipal Code.
 - 4. ***Landscaping.*** All Personal Storage facilities shall comply with all provisions of Chapter 23.17, Landscaping.
- C. **Development Agreement.** All Personal Storage facilities shall be required to execute a Development Agreement consistent with the procedures and requirements of Chapter 23.339, Development Agreements. The Development Agreement shall be executed prior to or in conjunction with the approval of any required ~~Minor Use Permit~~ or Conditional Use Permit, and shall be subject to the following standards:
 - 1. ***Community Benefits Plan.*** The Development Agreement shall provide a detailed Community Benefits Plan that outlines the community benefits that will be provided as part of the development of a Personal Storage facility. The community benefits provided shall include a minimum of three (3) of the following:
 - a. ***Landscaping, Open Space, and Urban Furniture.*** Landscaping, open space, and urban furniture provided in addition to any other minimum landscaping, open space, and urban furniture requirements of this Title. Landscaping and Open Space areas and amenities, including parks, parklets, plazas, paseos, etc., shall foster quality, attractive, and usable spaces which serve as a community resource, enhance pedestrian circulation, and are publicly accessible. Urban Furniture shall include features which provide shade, seating areas, picnic areas, fitness equipment, bicycle racks, play areas, and other amenities that are functional and publicly accessible to pedestrians and community members.
 - b. ***Public Art.*** Public Art provided in addition to any other minimum Public Art requirements of this Title. Public Art shall be a visual display located in a highly visible or accessible location, and shall serve to enhance the aesthetic quality of the site and engage pedestrians.
 - c. ***Community Facilities.*** A project may provide community facilities such as a lounge, meeting, recreation, or other flexible spaces, that are readily and publicly available for use by community members.

- d. **Streetscape Improvements.** Streetscape and public right-of-way improvements in addition to any minimum requirements of the Alhambra Municipal Code, or in addition to what may be required by other Departments or Divisions for project approval. Streetscape and public right-of-way improvements shall conform with the goals and policies of the adopted City of Alhambra Active Transportation Plan and may include, but shall not be limited to, bulb-outs, enhanced sidewalks and paving, pedestrian crossings, and pedestrian and street lighting.
 - e. Other community benefits may be submitted for review and consideration by the Community Development Director.
2. **Community Benefits Fund.** The Development Agreement shall identify the amount of funds to be dedicated to the City's Community Benefits Fund, which shall be utilized to fund community benefits throughout the City including, but not limited to, landscaping and open space improvements, public art, urban furniture, and streetscape improvements.
 3. **Other Site-Specific Terms.** The Development Agreement shall identify any site-specific terms and requirements related to the development which are not otherwise specified as part of the Community Benefits Plan or Community Benefits Fund. The Development Agreement shall also identify requirements related to the Ground Floor Uses within a proposed development, which shall adhere to the following standards, unless a comparable alternative is otherwise agreed upon between the applicant and the City:
 - a. **Ground Floor Use.**
 - i. **Minimum Size.** A minimum of 1,500 square feet of the ground floor along the building frontage shall be dedicated to Public/Semi-Public Uses, Commercial Uses, or combination thereof, but shall not include any Storage, Warehousing, and Wholesaling Uses.
 - (1) For a development with more than 150 feet of total building frontage, the minimum required ground floor square footage dedicated to Public/Semi-Public Uses, Commercial Uses, or combination thereof, but excluding any Storage, Warehousing, and Wholesaling Uses, shall be equivalent to 50% of the total building frontage multiplied by a depth of 20 feet, but shall not be less than 1,500 square feet.
 - ii. **Location and Orientation.** Ground floor uses dedicated to Public/Semi-Public Uses, Commercial Uses, or combination thereof, shall have frontages and primary entrances oriented toward the street, and shall be located within 20' of the street frontage.

23.22.250260 Recycling Facilities

Recycling facilities shall be located, developed, and operated in compliance with the following.

A. **Purpose.** These regulations are intended to encourage the recycling of reusable materials and provide convenient service locations for the general public as mandated by State law. It is also the intent of this Section to establish minimum standards of development in order to ensure compatibility of recycling facilities with the surrounding land uses to protect surrounding property values, and to maintain the health, safety and general welfare of the community.

B. **General Regulations.**

1. ***Regulations Applicable to All Recycling Facilities.*** See Section 23.35.050, Recycling Facility.

a. ***Location.***

- i. There shall be no more than one facility for each site.
- ii. Recycling facilities shall be located a minimum of 150 feet from a Residential Zoning District.
- iii. Recycling facilities shall be located a minimum of 10 feet from any property line or public right-of-way.
- iv. Recycling facilities shall not be located within any required landscape area, driveway, or parking space.
- v. Recycling facilities shall not obstruct pedestrian or vehicular circulation.
- vi. Recycling facilities shall not be within 10 feet of a driveway aisle providing vehicle access in a parking lot.
- vii. Recycling facilities shall be located a minimum of 50 feet from an entrance or operable window of any building, whether on the same property or not.

b. ***Screening.*** Recycling facilities shall be screened from view of the public right-of-way by a minimum six-foot high solid screen or an enclosure.

c. ***Registration.*** Recycling facilities shall be clearly marked with the name and telephone number of the operator. No person shall install or maintain a recycling facility without first registering the facility with the City. Such registration shall be in writing by the owner of the recycling facility or his or her authorized agent, shall be filed with the Community Development Director and shall contain the name, address and telephone number of the owner of the facility and the name and address of the person to whom any notice should be given pursuant to this Section.

d. ***Materials.***

- i. Recycling facilities shall use receptacles that are constructed and maintained with durable waterproof and rustproof material, covered when not attended, and secure from unauthorized entry.
- ii. No materials shall be stored or placed in a manner so as to cause a public nuisance. All recyclable materials shall be stored in receptacles or in the

mobile recycling unit vehicle, and shall not be left outside of receptacles when attendant is not present.

iii. Recycling facilities shall accept only glass, metals, plastic containers, papers and reusable items. Items shall be presorted and shall include non-hazardous materials.

e. *Trash Container.* There shall be a minimum of one trash container (separate from the trash container required for the principal use) located near the facility.

f. *Noise.* Noise levels shall not exceed 55 dBA as measured at the property line of a residentially zoned or occupied site or at the property line of any site zoned or used for open space purposes. Noise levels shall not exceed 65 dBA as measured at the property line of commercially designated properties, and 70 dBA as measured at the property line of industrially designated properties.

2. ***Additional Regulations Applicable to Reverse Vending Machines.***

a. *Accessory Use.* In the I Zone, reverse vending machines shall be accessory to a principal use that is in compliance with City Zoning, Building, and Fire Codes. In the CMU Zone, reverse vending machines shall be accessory to a food and beverage retail sales establishment.

b. *Illumination.* Reverse vending machines shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

c. *Hours of Operation.* Hours of operation shall be consistent with the business hours of the principal use but in no event shall the hours be longer than between 8:00 a.m. to 7:00 p.m., Monday through Saturday, and 10:00 a.m. to 6:00 p.m., Sunday.

3. ***Additional Regulations Applicable to Small Collection Facilities.***

a. *Accessory Use.* In the I Zone, small collection facilities shall be accessory to a principal use that is in compliance with City Zoning, Building, and Fire Codes. In the CMU Zone, small collection facilities shall be accessory to a food and beverage retail sales establishment.

b. *Equipment.* Power-driven processing equipment except for reverse vending machines is prohibited.

c. *Parking.* One on-site parking space shall be provided for each attendant and/or employee. One on-site parking space shall be provided for each vehicle operated by the facility. The available on-site parking spaces shall not be reduced below the minimum required number of parking spaces required for the principal use.

d. *Hours of Operation.* Hours of operation shall be consistent with the business hours of the principal use, but in no event shall the hours be longer than between 8:00 a.m. to 7:00 p.m., Monday through Saturday, and 10:00 a.m. to 6:00 p.m., Sunday.

4. ***Additional Regulation Applicable to Large Collection Facilities.*** Customer and employee parking shall be provided at the rate of one parking space per 250 square feet of gross floor area, with a minimum of five parking spaces per business. In addition to these requirements, there shall also be provided one parking space for each vehicle operated by the facility.
- C. **Nonconforming Facilities.** Recycling facilities which are lawfully in existence at the time of adoption of these regulations and which are not in compliance are considered nonconforming and shall be removed or brought into conformance within six months.
- D. **Abatement of Facilities.**
 1. Whenever the Community Development Director is advised that a recycling facility has been installed or is being maintained in violation of this Section, the Director shall so notify the operator, or in the absence of such information, the property owner. Such notice shall be served either personally or by mail, postage prepaid, certified, return receipt requested, to the person in. Such notice shall state the nature of the violation, the Director's intention to impound the facility if the violation is not corrected or a hearing is not requested before the Director within 14 days after the giving of such notice, and provide the procedure for requesting such a hearing. A timely request for a hearing shall stay any impounding pending a decision by a hearing officer.
 2. Whenever a recycling facility is impounded pursuant, the recycling facility shall be removed by the Director or his or her designee, and stored in any convenient place. The Director shall notify in writing the registered operator, or in the absence of such registration the property owner, regarding the removal. Such notice shall be served either personally or by mail, postage prepaid, certified, return receipt requested. Such notice shall state the date the facility was removed, the reasons for the removal, the location and procedure for claiming the facility and the procedure for obtaining a post-removal hearing before the Director if desired. Any such recycling facility removed and stored pursuant to these provisions shall be released to the owner thereof if claimed within 45 days after such removal and upon the payment of reasonable charges of removal and storage therefore. Upon failure of the owner to claim such recycling facility and pay the reasonable charges within 45 days after the mailing of written notice of removal, such recycling facility shall be deemed to be unclaimed property in possession of the City and may be disposed of.
 3. Any recycling facility in violation of the provisions of this Section, which violation creates an immediate danger to the health or safety of the public, and which violation cannot be corrected by moving or otherwise repositioning the recycling facility, may be summarily removed and stored in a convenient location so as to eliminate the danger to the health or safety of the public. The Director shall notify in writing the registered operator, or in the absence of such registration the property owner, regarding the removal. Such notice shall state the date the facility was removed, the reasons for the removal, the location and procedure for claiming the facility and the procedure for obtaining a post-removal hearing before the Director, if desired. Any such facility removed and stored pursuant to this Section shall be released to the owner thereof if claimed within 45 days after the mailing of written notice of removal and upon the payment of reasonable charges of removal and

storage. Upon failure of the owner to claim such facility and pay the reasonable charges within said 45-day period, such facility shall be deemed to be unclaimed property in possession of the City and may be disposed of.

4. Within 14 days of the notice of violation, or notice of removal of a facility summarily impounded, the registered operator or other person who provides satisfactory proof of ownership, may request a hearing. The request shall be in writing, shall state the basis thereof, and shall be filed with the Director.
5. Upon receipt of a written request for a hearing, the Director shall schedule the hearing before a hearing officer. The hearing officer shall be the Risk Manager or their designee.
6. The Director shall provide written notice of the date, time, and place of the hearing, and the identity of the hearing officer. Such notice of hearing shall be served either personally or by mail, postage prepaid, certified, return receipt requested, to the registered owner, or in the absence of such registration the property owner. The hearing shall be held no sooner than 15 days following service of the notice of hearing. The hearing officer may continue the hearing for good cause.
7. At the hearing any person may present evidence or argument as to whether the facility has violated this Section. Within seven working days after the close of the hearing, the hearing officer shall render a decision in writing. Notice of the decision shall forthwith be given to the person who requested the hearing. The hearing officer may order the termination of the abatement proceedings or may order abatement of the recycling facility within a reasonable amount of time (not less than 30 days). The order issued by the hearing officer will be deemed a final order and may be judicially reviewed pursuant to Cal. Code of Civil Proc. § 1094.6. There is no right to a City Council appeal. If the responsible party does not timely abate a recycling facility found to be in violation of this Section and does not seek timely judicial review pursuant to Cal. Code of Civil Proc. § 1094.6, the Director may proceed the impoundment of the offending recycling facility.
8. Unless otherwise specified, all notices shall be sent by registered mail to the registered owner at the address shown on the registration, if such registration has been completed, and at his or her last-known address.
9. The City may seek recovery of any abatement expenses pursuant to the procedures set forth in Sections 6.26.110 through 6.26.130 and Chapter 6.27, Recovery of Nuisance Abatement Expenses, of the Municipal Code.
10. The remedies set forth in this Section are not exclusive and do not prevent the City Attorney from commencing a civil or criminal proceeding to abate a public nuisance under applicable Civil or Penal Code provisions as an alternative to the proceedings set forth herein.

23.22.260270 Single Room Occupancy

Single Room Occupancy (SRO) units shall be designed in compliance with Chapter 23.13, Building and Site Design Standards, and shall be developed and operated in compliance with the following standards:

- A. **Minimum Size.** Each unit shall have at least 150 square feet of floor area. No individual unit may exceed 400 square feet.
- B. **Maximum Occupancy.** Each unit shall accommodate a maximum of two persons.
- C. **Lighting.** Exterior lighting shall be provided for the entire outdoor and parking area of the property and shall comply with the requirements of Section 23.12.090, Lighting and Illumination.
- D. **Laundry Facilities.** Laundry facilities must be provided in a separate enclosed room at the ratio of one washer and one dryer for every 20 units or fractional number thereof, with at least one washer and dryer per floor.
- E. **Cleaning Facilities.** A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor.
- F. **Bathroom.** Each unit shall require a separate bathroom containing a toilet, sink and bathtub or shower.
- G. **Cooking Facilities.** Each unit shall require a kitchen sink, functioning cooking appliance and a refrigerator, each having a clear working space of not less than 30 inches in front.
- H. **Closet.** Each unit shall have a separate closet.
- I. **Tenancy.** Tenancy of units shall not be less than 30 days.
- J. **Facility Management.** An SRO facility with 10 or more units shall provide full-time on-site management. An SRO facility with less than 10 units may provide a management office off-site.

23.22.270280 Telecommunication Facilities

- A. **Purpose.** To provide a uniform and comprehensive set of standards for the development and installation of facilities related to telecommunication facilities in order to accommodate the needs of residents and businesses while protecting the public health, safety, and welfare, and the aesthetic quality of the community, consistent with the goals, objectives, and policies of the General Plan, while providing for managed development of telecommunication infrastructure in compliance with the Federal Telecommunications Act of 1996 and related requirements in State law. The specific objectives of this Section are to:
 1. Prevent the emergence and proliferation of visual blight along visually significant or visually sensitive corridors within the City of Alhambra;
 2. Recognize the rights of wireless facilities operators and wireless transmission devices under federal law and state law, and harmonize those with the City's interest;
 3. Encourage users of wireless facilities and wireless transmission devices to locate such equipment in areas where any adverse impacts on the community are optimally mitigated and, where possible, encourage users of wireless facilities to collocate those facilities with existing wireless facilities;
 4. Encourage users of wireless facilities, which include accessory equipment, to configure such equipment in a manner that minimizes their adverse visual impact;

5. Encourage the managed and aesthetically sensitive development of wireless facilities in the City; and
6. Ensure that approved wireless facilities, wireless transmission devices and related accessory equipment and support structures are constructed and operated in a safe and legally compliant manner.

B. **Definitions.** All words and phrases defined below and found in this Section shall be used in the context of the definitions of this Section. Other general terms, unless otherwise defined, shall have the meanings assigned to them in Chapter 23.36, Definitions.

1. **Antenna.** Any system of wires, poles, rods, horizontal or vertical elements, panels, reflecting discs, or similar devices used for the transmission and/or reception of electromagnetic waves.
2. **Co-Location.** The location of two or more wireless communications facilities owned or used by more than one public or private entity on a single support structure, or otherwise sharing a common location. Co-location also includes the location of wireless communications facilities with other facilities, such as buildings, water tanks, light standards, and other utility facilities and structures.
3. **Mast.** A pole of wood or metal or a tower fabricated of metal that is used to support an antenna and maintain it at the proper elevation.
4. **Multi-User Telecommunication Facility.** A telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned or used by more than one public or private entity, excluding research and development industries with antennas serving internal company uses only.
5. **Non-Stealth Facility.** Means any telecommunication facility not camouflaged in a readily apparent manner to blend with surrounding land uses and features. The design does not conceal the intended use of the facility and incorporates no readily apparent elements of stealth technology or design. A standard monopole with equipment cabinets aboveground and unscreened would be considered non-stealth.
6. **Personal Communications Services (PCS).** Digital wireless telephone technology such as portable phones, pagers, faxes, and computers. PCS is also sometimes known as Personal Communication Network (PCN).
7. **Satellite Dish.** A device (also known as a parabolic antenna) incorporating a reflective surface that is solid, open, or mesh or bar-configured, and is in the shape of a shallow dish, cone, horn cornucopia, or flat plate that is used to receive or transmit radio or electromagnetic waves between terrestrially and/or orbitally based units. This term includes satellite earth stations, satellite receivers, satellite discs, direct broadcast systems, television-reception-only systems, and satellite microwave antennas.
8. **Stealth Facility.** Means any telecommunication facility camouflaged or designed to substantially blend into the surrounding environment, land uses, and features by, among other things, architecturally integrating into a structure or otherwise using design elements to conceal antennas, antenna supports, poles, equipment, cabinets, equipment

housing and enclosure, and related above-ground accessory or support equipment; minimize aesthetic impact on adjacent uses; and conceal the intended use and appearance of the structures.

9. **Support Equipment.** The physical, electrical, and/or electronic equipment included within a telecom facility used to house, power, transport, and/or process signals from or to the facility's antenna or antennas.
10. **Tower.** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas.
11. **Tower, Lattice.** A multiple-sided, open, metal frame support structure that supports antennas and related equipment, typically with three or four support legs.

C. **Applicability and Exemptions.** The requirements of this Section apply to all telecommunication facilities that transmit and/or receive electromagnetic signals, including but not limited to personal communications services (cellular and paging) and radio and television broadcast facilities. The requirements apply to telecommunication facilities that are the primary use of a property and those that are accessory facilities, except that the following facilities are exempt:

1. Licensed amateur (ham) radio and citizen band operations.
2. Hand-held, mobile, marine, and portable radio transmitters and/or receivers.
3. Emergency services radio.
4. Radio and television mobile broadcast facilities.
5. Antennas and equipment cabinets or rooms completely located inside of permitted structures.
6. A single ground- or building-mounted receive-only radio or television antenna not exceeding the maximum height permitted by this Code, including any mast, or a receive-only radio or television satellite dish antenna, subject to the following restrictions:
 - a. **Residential Districts.**
 - i. Satellite Dish One Meter or Less. A satellite dish that does not exceed one meter in diameter, is not located within a required front or street side setback or in front of the primary structure, and for the sole use of a resident occupying the same residential parcel is permitted so long as it does not exceed the height of the ridgeline of the primary structure on the same parcel.
 - ii. Satellite Dish Greater than One Meter. A satellite dish that is greater than one meter in diameter, is not located within a required setback, and is screened from view from any public right-of-way and adjoining property.
 - iii. Antennas. An antenna that is mounted on any existing building or other structure that does not exceed 25 feet in height. The antenna shall be for the sole use of a resident occupying the same residential parcel on which the antenna is located.

- b. *Non-Residential Districts.*
 - i. Satellite Dish Two Meters or Less. A satellite dish that does not exceed two meters in diameter is permitted on a lot in a non-residential district so long as it is not located within a required front or street side setback or in front of the primary structure.
 - ii. Satellite Dish Greater than Two Meters. A satellite dish that is greater than two meters in diameter that is not located within a required setback and is screened from view from any public right-of-way and adjoining property.
 - iii. Mounted Antennas. An antenna that is mounted on any existing building or other structure when the overall height of the antenna and its supporting tower, pole or mast does not exceed a height of 25 feet or is completely screened by the parapet or other roof elements of the building.
 - iv. Freestanding Antennas. A freestanding antenna and its supporting tower, pole, or mast that complies with all applicable setback requirements when the overall height of the antenna and its supporting structure does not exceed a height of 25 feet.
- c. *Undergrounding Required.* All wires and/or cables necessary for operation of an antenna shall be placed underground or attached flush with the surface of the building or the structure of the antenna.

- 7. Any antenna or wireless communications facility that is exempt from local regulation pursuant to the rules and regulations of the Federal Communications Commission (FCC) or a permit issued by the California Public Utilities Commission (CPUC). The owner or operator of such facility shall provide the Community Development Director with a copy of a current FCC or CPUC permit or a copy of applicable FCC regulations prior to its installation.
- 8. Minor modifications to existing wireless facilities, including replacement in-kind or with smaller or less visible equipment, that meet the standards set forth in this Section and will have little or no change in the visual appearance of the facility.

D. **Permit Requirements.** Telecommunication facilities shall comply with the following permit requirements and any other permit requirements stipulated by this Code or applicable laws, regulations, and Building Codes of other governmental agencies having jurisdiction over the facility. Where a permit is required, the City shall act on the permit application within the applicable shot clock period as provided for in 47 CFR 1.6003.

- 1. ***Replacement, Removal, or Co-location of Transmission Equipment (Eligible Facilities Request, Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012).*** The co-location of new transmission equipment, removal of transmission equipment, or the replacement of transmission equipment is permitted by right provided the modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base structure, including an electric utility pole erected to

replace an existing electric utility pole, if the replacement pole will serve both electric and wireless communications functions, and if the replacement pole is substantially equivalent to the predecessor pole in placement, height, diameter, and profile.

2. ***Stealth Facilities.*** Stealth facilities in which the antenna and the support equipment are hidden from view in a structure or concealed as an architectural feature, are permitted by right in the I zone. Stealth facilities in all other Non-Residential Zoning Districts are subject to Minor Use Permit approval, and stealth facilities in Residential Zoning Districts are subject to Conditional Use Permit approval.
 3. ***Non-stealth Facilities.*** Permitted in Non-Residential Zoning Districts subject to Conditional Use Permit approval. Not permitted in Residential Zoning Districts.
 4. ***Co-located Facilities.*** Permitted by right when proposed to be co-located on a facility that was subject to a discretionary permit issued on or after January 1, 2007 and an environmental impact report was certified, or a negative declaration or mitigated negative declaration was adopted for the wireless telecommunication collocation facility in compliance with the California Environmental Quality Act and the collocation facility incorporates required mitigation measures specified in that environmental impact report, negative declaration, or mitigated negative declaration.
- E. ***Standards.*** Telecommunication facilities shall be located, developed, and operated in compliance with all of the following standards and with applicable standards of the zoning district in which they are located.
1. ***Location and Siting.***
 - a. No new freestanding facility, including a tower, lattice tower, or monopole, shall be located within 1,000 feet of another freestanding facility, unless mounting on a building or co-location on an existing pole or tower is not feasible and appropriate camouflage techniques have been used to minimize the visual impact of the facility to the extent feasible.
 - b. Telecommunication facilities shall meet the setback requirements of the zoning district which they are located.
 - c. When feasible, providers of personal wireless services shall co-locate facilities in order to reduce adverse visual impacts. The Community Development Director may require co-location or multiple-user wireless telecommunication facilities based on a determination that it is feasible and consistent with the purposes and requirements of this Section.
 - d. When determined to be feasible and consistent with the purposes and requirements of this Section, the Community Development Director shall require the applicant to make unused space available for future co-location of other telecommunication facilities, including space for different operators providing similar, competing services.
 2. ***Support Structures.*** Support structures for telecommunication facilities may be any of the following:

- a. An existing non-residential building.
 - b. An existing structure other than a building, including, but not limited to, light poles, electric utility poles, water towers, smokestacks, billboards, lattice towers, and flag poles.
 - c. An alternative tower structure such as a clock tower, steeple, functioning security light pole, functioning recreational light pole, or any similar alternative-design support structure that conceals or camouflages the telecommunication facility. The term "functioning" as used herein means the light pole serves a useful and appropriate lighting function as well as a wireless communications function.
 - d. Existing publicly-owned and operated monopole or a lattice tower exceeding the maximum height limit.
 - e. A single pole (monopole) sunk into the ground and/or attached to a foundation. Any new monopole shall be constructed to allow for co-location of at least one other similar communications provider.
 - f. A monopole mounted on a trailer or a portable foundation if the use is for a temporary communications facility.
3. ***Height Requirements.***
- a. *Freestanding Antenna or Monopole.* All free-standing antennas, monopoles, and lattice towers shall be designed to be the minimum functional height and width required to support the proposed antenna installation, unless it can be demonstrated that a higher antenna, monopole, or tower will facilitate co-location. A freestanding antenna or monopole shall not exceed the height limit of the zoning district in which it is located or 60 feet, whichever is less.
 - b. *Building-Mounted Facilities.* Telecommunication facilities mounted on buildings shall not exceed a height of 10 feet above the height limit of the district or 10 feet above the existing height of a legally established building, whichever is lower, measured from the top of the facility to the point of attachment to the building.
 - c. *Facilities Mounted on Structures.* Telecommunication facilities mounted on an existing structure shall not exceed the height of the existing structure unless camouflaged as part of the structure design, except antennas may extend up to 10 feet above the height of an electric utility pole.
 - d. *Facilities Mounted on Light Poles.* A functioning security light pole or functioning recreational light pole shall have a height consistent with existing poles in the surrounding area or height usually allowed for such light poles.
4. ***Design and Screening.*** Telecommunication facility structures and equipment shall be located, designed, and screened to blend with the existing natural or built surroundings, as well as any existing support structures, so as to reduce visual impacts to the extent feasible.
- a. *Stealth Facilities.* State of the art stealth design technology shall be utilized as appropriate to the site and type of facility. Where no stealth design technology is

proposed for the site, a detailed analysis as to why stealth design technology is physically and technically infeasible for the project shall be submitted with the application.

- b. *Other Facility Types.* If a stealth facility is not feasible, the order of preference for facility type is, based on their potential aesthetic impact: façade-mounted, roof-mounted, ground-mounted, and free-standing tower or monopole. A proposal for a new ground-mounted or free-standing tower shall include factual information to explain why other facility types are not feasible.
 - c. *Camouflage Design.* Telecommunication facilities that are mounted on buildings or structures shall be designed to match existing architectural features, incorporated in building design elements, camouflaged, or otherwise screened to minimize their appearance in a manner that is compatible with the architectural design of the building or structure.
 - d. *Equipment Cabinets.* Equipment cabinets shall be located within the building upon which antennae are placed, if technically feasible. Otherwise, equipment cabinets, buildings, and associated equipment such as air conditioning units and emergency generators, shall be screened from view by a wall or landscaping, as approved by the City. Any wall shall be architecturally compatible with the building or immediate surrounding area.
 - e. *Landscaping.* Landscaping shall be provided for and maintained to screen any ground structures or equipment visible from a public right-of-way.
 - f. *Lighting.* Artificial lighting of a telecommunication facility, including its components, is prohibited, unless required by the Federal Aviation Administration. A motion-sensor light may be used for security purposes if the beam is directed downwards, shielded from adjacent properties, and kept off except when personnel are present at night.
 - g. *Advertising.* No advertising shall be placed on telecommunication facilities, equipment cabinets, or associated structures.
5. ***Security Features.*** All facilities shall be designed to minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or attractive nuisances.
- a. *Fencing.* Security fencing, if any, shall not exceed the fence height limit of the base district. Fencing shall be effectively screened from view through the use of landscaping. No chain link fences shall be visible from public view.
 - b. *Maintenance.* The permittee shall be responsible for maintaining the site and facilities free from graffiti.
6. ***Radio Frequency Standards, Interference, and Noise.***
- a. *Radio Frequency.* Telecommunication facilities shall comply with federal standards for radio frequency emissions and interference. Failure to meet federal standards may result in termination or modification of the permit.

- b. *Interference.* Telecommunications facilities shall not interfere with public safety radio communications.
 - c. *Noise.* Telecommunication facilities and any related equipment, including backup generators and air conditioning units, shall not generate noise in excess of the limits established in Chapter 18.02, Noise and Vibration Control Regulations, of the Municipal Code. Backup generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance shall be scheduled and conducted in such a manner that is the least disruptive to surrounding land uses.
7. ***Co-location.*** The applicant and owner of any site on which a telecommunication facility is located shall cooperate and exercise good faith in co-locating telecommunication facilities on the same support structures or site. Good faith shall include sharing technical information to evaluate the feasibility of co-location, and may include negotiations for erection of a replacement support structure to accommodate co-location. A competitive conflict to co-location or financial burden caused by sharing information normally will not be considered as an excuse to the duty of good faith.
- a. All facilities shall make available unused space for co-location of other telecommunication facilities, including space for these entities providing similar, competing services. Co-location is not required if the host facility can demonstrate that the addition of the new service or facilities would impair existing service or cause the host to go offline for a significant period of time. In the event a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the City may require the applicant to obtain a third party technical study at applicant's expense. The City may review any information submitted by applicant and permittee(s) in determining whether good faith has been exercised.
 - b. All co-located and multiple-user telecommunication facilities shall be designed to promote facility and site sharing. Telecommunication towers and necessary appurtenances, including but not limited to parking areas, access roads, utilities, and equipment buildings, shall be shared by site users whenever possible.
 - c. No co-location may be required where it can be shown that the shared use would or does result in significant interference in the broadcast or reception capabilities of the existing telecommunication facilities or failure of the existing facilities to meet federal standards for emissions.
 - d. Failure to comply with co-location requirements when feasible or cooperate in good faith as provided for in this Section is grounds for denial of a permit request or revocation of an existing permit.
8. ***Fire Prevention and Emergency Response.*** All telecommunication facilities shall be designed and operated in a manner that will minimize the risk of igniting a fire or intensifying one that otherwise occurs.

- a. At least one-hour fire resistant interior surfaces shall be used in the construction of all buildings.
 - b. The exterior walls and roof covering of all above-ground equipment shelters and cabinets shall be constructed of materials rated as non-flammable in the Building Code.
 - c. Monitored automatic fire extinguishing systems shall be installed in all equipment buildings and enclosures.
 - d. Openings in all above-ground equipment shelters and cabinets shall be protected against penetration by fire and wind-blown embers to the extent feasible.
 - e. Address signs shall be installed in conformance with Fire Chief's requirements at the entrance off the public way, where needed to provide direction along the access road, and at the facility itself.
 - f. A permanent, weather-proof, facility identification sign shall be placed on the gate in the fence or wall around the equipment building, or if there is no fence or wall, next to the door to the equipment shed itself. Said sign shall identify the facility operator and specify a 24-hour telephone number at which the operator can be reached.
9. ***Surety Bond.*** As a condition of approval, an applicant for a building permit to erect or install a telecommunication facility shall be required to post a cash or surety bond in a form and amount acceptable to the City Attorney to cover removal costs of the facility in the event that its use is abandoned or the approval is otherwise terminated.

F. Required Findings.

1. ***General Findings.*** In approving a telecommunication facility, the review authority shall make the following findings:
- a. The proposed use conforms with the specific purposes of this Section and any special standards applicable to the proposed facility;
 - b. The applicant has made good faith and reasonable efforts to locate the proposed facility on a support structure other than a new ground-mounted antenna, monopole, or lattice tower or to accomplish co-location;
 - c. The proposed site results in fewer or less severe environmental impacts than any feasible alternative site; and
 - d. The proposed facility will not be readily visible or it is not feasible to incorporate additional measures that would make the facility not readily visible.
2. ***Additional Findings for Facilities Not Co-Located.*** To approve a telecommunication facility that is not co-located with other existing or proposed facilities, or a new ground-mounted antenna, monopole, or lattice tower, the review authority shall find that co-location or siting on an existing structure is not feasible because of technical, aesthetic, or legal consideration including that such siting:

- a. Would have more significant adverse effects on views or other environmental considerations;
 - b. Is not permitted by the property-owner;
 - c. Would impair the quality of service to the existing facility; or
 - d. Would require existing facilities at the same location to go off-line for a significant period of time.
3. ***Additional Findings for Setback Reductions.*** To approve a reduction in setback, the review authority shall make one or more of the following findings:
- a. The facility will be co-located onto or clustered with an existing, legally established telecommunication facility; and/or
 - b. The reduced setback enables further mitigation of adverse visual and other environmental impacts than would otherwise be possible.
4. ***Additional Findings for Any Other Exception to Standards.*** The Planning Commission may waive or modify requirements of this Section upon finding that strict compliance would result in noncompliance with applicable federal or State law.

G. Vacation and Removal of Facilities.

- 1. A carrier using facilities within the City shall provide the City with a copy of the notice to the FCC or California Public Utilities Commission of intent to cease operations at the time such notice is filed.
- 2. The operator of a telecommunications facility shall remove all unused or abandoned equipment, antennas, poles, or towers within one year of discontinuation of the use and, if there are no active providers on the facility, the site shall be restored to its original, pre-construction condition.
- 3. If the facilities are not removed within one year, or other period of time as determined in writing by the City, the City may have the facilities removed at the owner's or carrier's expense, provided, however, that recovery of expenses shall be limited to the reasonable and documented costs of removal.
- 4. All costs incurred by the City to undertake any work required to be performed pursuant to this Section shall be borne solely by the applicant.

23.22.280290 Temporary Uses

This Section establishes standards for certain uses that are intended to be of limited duration of time and that will not permanently alter the character or physical facilities of the site where they occur.

- A. **Temporary Uses Not Requiring a Use Permit.** The following types of temporary uses may be conducted without a Use Permit. Other permits, such as building permits or business licenses, may be required.
- 1. ***Yard/Garage Sales.*** Sales of personal property conducted by a resident of the premises with a maximum term of three consecutive days occurring no more than four times a year.

2. ***Events in Assembly Venues.*** A permit shall not be required for events which occur in theaters, meeting halls or other permanent public assembly facilities.
- B. **Temporary Uses Requiring a Temporary Use Permit.** Other temporary uses may be permitted pursuant to Chapter 23.28, Temporary Use Permits, subject to the following standards. Additional or more stringent requirements may be established through the Temporary Use Permit process to prevent the use from becoming a nuisance with regard to the surrounding neighborhood or the City as a whole.
1. ***Real Estate Sales Offices.*** Real estate sales offices within approved development projects may be permitted in accordance with the following standards.
 - a. Time Period.
 - i. The temporary real estate sales office shall be removed at the end of two years following the date of the recording of the Final Map of the subject subdivision in which the real estate sales office is located.
 - ii. If any parcels within the subdivision have not been sold at the end of the original two-year period, the Director may approve extensions for the continuation of the real estate sales office.
 2. ***Seasonal Sales.*** This Subsection is only applicable to temporary seasonal sales that are not in conjunction with an existing business and are not applicable to farmers' markets. The annual sales of holiday related items such as Christmas trees, pumpkins and similar items may be permitted in accordance with the following standards.
 - a. Time Period.
 - i. Seasonal sales associated with holidays are allowed up to 30 days preceding and one week following the holiday. Christmas tree sales are allowed from Thanksgiving Day through December 31st.
 - ii. The subject premises shall not be used for seasonal sales more than two times within the calendar year.
 - b. All items for sale, as well as signs and temporary structures, shall be removed within 10 days after the end of sales, and the appearance of the site shall be returned to its original state.
 - c. The property shall not be used in such a manner as to create a nuisance due to noise, dust, litter, or other factors.
 - d. The City reserves the right to shut down a temporary seasonal sales operation if the operation is posing safety concerns, has become a nuisance, or has violated any requirements of this Section. All costs associated with the removal and/or abatement shall be paid for by the property owner.
 - e. A business license is required.
 3. ***Circuses and Carnivals.*** Circuses and carnivals in compliance with Chapter 5.80, Circuses and Carnivals, of the Municipal Code.

4. ***Special Events and Sales.*** Short-term special events and sales, including, but not limited to, grand opening events and special sales events, may be permitted in accordance with the following standards:
- a. ***Temporary Outdoor Events.***
 - i. ***Location.*** Events are limited to non-residential zones.
 - ii. ***Number.*** No more than six events at one site shall be allowed within any 12-month period.
 - iii. ***Duration.*** The maximum duration of a single event is four consecutive days with a minimum of 14 days between each event.
 - b. ***Temporary Outdoor Sales.***
 - i. ***Location.*** Sales are limited to non-residential zones.
 - ii. ***Number.*** No more than six temporary outdoor sales occurrences at one site shall be allowed within any 12-month period.
 - iii. ***Duration.*** The maximum duration of a single temporary outdoor sales occurrence is four consecutive days with a minimum of 14 days between each temporary outdoor sales occurrence.
 - iv. Temporary outdoor sales shall be part of an existing business on the same site.
 - v. Outdoor display and sales areas shall be located on a paved or other approved hard surfaced area on the same lot as the structure(s) containing the business with which the temporary sale is associated.
 - vi. Location of the displayed merchandise shall not disrupt the normal circulation of the site, nor encroach upon driveways, pedestrian walkways, or required landscaped areas, or obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.
- C. **Temporary Uses Requiring a Temporary Use Permit.** Other similar temporary uses, special events, outdoor sales, and displays which, in the opinion of the Director, are compatible with the zone and surrounding land uses and are determined to not impact neighboring uses or otherwise create significant impacts, may be allowed with the approval of a Temporary Use Permit.

Chapter 23.30 Planning Authorities

23.30.030 Planning Commission

The powers and responsibilities of the Planning Commission include, but are not limited to the following:

- A. Approve, modify, or deny Conditional Use Permits and Variances, pursuant to Chapter 23.34, Use Permits, and Chapter 23.37, Variances.

- B. Approve, modify, or deny Residential Planned Development Permits, pursuant to Chapter 23.41, Residential Planned Development Permits, for those projects where the Commission is the review authority.
- C. Make recommendations to the City Council on Planned Developments, pursuant to Chapter 23.11, Planned Development (-PD) Overlay District.
- D. Make recommendations to the City Council on Development Agreements, pursuant to Chapter 23.39, Development Agreements.
- E. Make recommendations to City Council on proposed amendments to the General Plan, Zoning Code, and Zoning Map, specific plans, and environmental documents, pursuant to Chapter 23.40, Amendments to the General Plan, Zoning Code, and Zoning Map.
- F. Hear and decide appeals from decisions of the Community Development Director, Design Review Board, and the City Art in Public Places Committee, pursuant to Section 23.31.120, Appeals, as well as appeals pursuant to 23.22.040, Accessory Dwelling Units.
- G. Hear and decide proposals to revoke permits, pursuant to Section 23.31.110, Revocation of Permits.
- H. Make environmental determinations on any approvals within the Planning Commission's jurisdiction that are subject to environmental review under the California Environmental Quality Act, pursuant to State law.
- I. Such other powers and responsibilities as assigned or directed by the City Council.

23.30.050 Community Development Director

The powers and responsibilities of the Community Development Director ("the Director"), or their designee, include, but are not limited to the following:

- A. Maintain and administer the Zoning Code, including the processing of applications, abatements, and other enforcement actions.
- B. Interpret the Zoning Code as needed for members of the public and other City Departments.
- C. Prepare rules and procedures necessary for conducting the Director's business. They may include the administrative details of hearings officiated by the Director (e.g., scheduling, rules of procedure, and recordkeeping). These rules and procedures must be approved by City Council resolution, following review and recommendation by the Planning Commission.
- D. Issue administrative regulations for the submission and review of applications subject to the requirements of Government Code Section 65950, Deadlines for Project Approval Conformance; Extensions.
- E. Conduct Administrative Review pursuant to Chapter 23.32, Administrative Review.
- F. Approve, modify, or deny Minor Use Permits, pursuant to Chapter 23.34, Use Permits.
- G. Approve, modify, or deny Temporary Use Permits, pursuant to Chapter 23.35, Temporary Use Permits.

- H. Approve, modify, or deny a Modification, pursuant to Chapter 23.36, Modifications.
- I. Approve, modify, or deny requests for Reasonable Accommodation for land use projects, pursuant to Chapter 23.38, Reasonable Accommodation.
- J. Approve, modify, or deny requests for Extensions for land use projects, pursuant to Section 23.31.090, Effect, Expiration and Extension.
- K. Decide requests for Minor Revisions to Approved Permits, pursuant to Section 23.31.100, Revisions to an Approved Permit.
- L. Refer items to the Planning Commission where, in their opinion, the public interest would be better served by a Planning Commission public hearing and action.
- M. Determine whether a project is subject to review under the California Environmental Quality Act and notify the applicant if any additional information is necessary to conduct the review.
- N. Make recommendations to the Planning Commission, Historic Preservation Commission, and City Council on all applications, appeals, and other matters upon which they have the authority and the responsibility to act under this Title.
- O. Investigate and report to the Planning Commission and Historic Preservation Commission on permit violations when the City has initiated revocation procedures, pursuant to Section 23.31.110, Revocation of Permits.
- P. Delegate administrative functions to members of the Planning Division.
- Q. Such other powers and responsibilities as assigned or directed by the City Council.
- R. Approve, modify, or deny requests for Historic Preservation permits, as appropriate, pursuant to Chapter 23.42, Historic Preservation Permits.
- S. Approve, modify, or deny Residential Planned Development Permits, pursuant to Chapter 23.41, Residential Planned Development Permits, for those projects where the Director is the review authority.

23.30.070 Summary of Review Authorities for Decisions and Appeals

This table summarizes the powers and duties that each review authority has under this Title. Where a land use project requires more than one type of application, all permit requests shall be reviewed and decided on by the highest review authority established for any of the applications, except as otherwise provided herein.

Where a land use project requires an application under Title 22, but no application under this Title, then the review authority for the Title 22 application shall be the Director, notwithstanding any contradictory provisions in Title 22, provided that final maps shall be approved by the City Council as required by the Subdivision Map Act.

Where a land use project requires an application under Title 22 and all other permits for the land use project under this Title have a lower review authority than what is provided by Title 22, the lower review authority provided in this Title shall apply to the Title 22 application, notwithstanding any contradictory provisions in Title 22, provided that final maps shall be approved by the City Council as required by the Subdivision Map Act.

TABLE 23.23-06030.070: SUMMARY OF REVIEW AUTHORITIES FOR DECISIONS AND APPEALS

<i>Decision Type</i>	<i>Reference</i>	<i>Advisory Body</i>	<i>Review Authority</i>	<i>Appeal Body</i>
Interpretations	23.31.130	Staff	Director	Planning Commission
Extension to Permit	23.31.090	Staff	Director	Planning Commission
Minor Revision to Permit	23.31.100	Staff	Director	Planning Commission
Major Revision to Permit	23.31.100	Staff	Review Authority of Original Permit	Appeal Body for Original Permit
Permit Revocation	23.31.110	Director	Planning Commission or Historic Preservation Commission	City Council
Administrative Review	23.32	Staff	Director	Planning Commission
Design Review	23.33	Staff	Design Review Board	Planning Commission or City Council
Minor Use Permit	2334	Staff	Director	Planning Commission
Conditional Use Permit	23.34	Director	Planning Commission	City Council
Temporary Use Permit	23.35	Staff	Director	Planning Commission
Modification	23.36	Staff	Director	Planning Commission
Variance	23.37	Director	Planning Commission	City Council
Reasonable Accommodation	23.38	Staff	Director	Planning Commission
Development Agreement	23.39	Planning Commission	City Council	N/A
General Plan Amendment	23.40	Planning Commission	City Council	N/A
Zoning Amendment	23.40	Planning Commission	City Council	N/A
Planned Development	23.11	Planning Commission	City Council	N/A
Tree Permit	23.12.170	Staff	Director	Planning Commission
Specific Plan	23.40	Planning Commission	City Council	N/A
Accessory Dwelling Unit (ADU) ¹	23.22.040	Staff	Director	<u>N/A Planning Commission</u>
Residential Planned Development Permit ²	23.41	Director	Planning Commission	City Council
Historic Preservation Permits	23.42	Staff, Director, or Historic Preservation Commission	Director, Historic Preservation Commission or City Council	Historic Preservation Commission or City Council

Notes:

1. Accessory Dwelling Unit (ADU) pursuant to Government Code Sections 66317 and 66335-66344.

2. For Residential Planned Development Permits that are in the RL zone or exempt from CEQA review pursuant to Public Resources Code Section 21080.66, staff is the Advisory Body, Director is the Review Authority, and Planning Commission is the Appeal Body.

Chapter 23.31 Common Procedures

23.31.060 Conduct of Public Hearings

Whenever the provisions of this Title require a public hearing, the hearing shall be conducted in compliance with the requirements of State law as follows.

- A. **Generally.** Hearings shall be conducted pursuant to procedures adopted pursuant to Section 23.30.050, Community Development Director, if any such procedures have been adopted. Hearings are not required to be conducted according to technical rules relating to evidence and witnesses.
- B. **Scheduling.** Hearings before the City Council shall be scheduled by the City Clerk. All other hearings shall be scheduled by the Director.
- C. **Presentation.** An applicant or an applicant's representative may make a presentation of a proposed project prior to public testimony. The applicant or applicant's representative is also provided rebuttal time at the end of the public testimony.
- D. **Public Hearing Testimony.** Any person may appear at a public hearing and submit oral or written evidence, either individually or as a representative of a person or an organization. ~~Each person who appears at a public hearing representing an organization shall identify the organization being represented. Prior to providing oral testimony, each person wishing to address the presiding body shall complete a card provided by City staff for that purpose. Once the card is completed, it shall be returned to City staff prior to the conclusion of the agenda item upon which such person desires to speak. Upon receipt of the card, City staff shall deliver it to the presiding officer. The card shall become part of the record. City staff shall prepare the card to solicit the following information by each person wishing to address the presiding body: the person's name and address; whether he or she is speaking for himself or herself, an organization or another party (in which event the name of the organization or other party he or she represents should also be given); the agenda item he or she wishes to address; and a very brief description of the subject matter he or she wishes to present. Identifying information is not mandatory but is requested to facilitate the orderly running of the meeting and to allow for follow-up when needed.~~
- E. **Time Limits.** The maximum time for addressing the presiding body pursuant to this section shall be five minutes for each agendized item and for comments concerning non-agendized items; excepting that during the initial 30-minute timeframe for public comment for non-agendized items the individual speaker time shall be three minutes. Additionally, the total individual speaker time for consent agenda items shall be five minutes for those individuals speaking on one item and for those individuals speaking on more than one consent item, the total speaking time shall be 10 minutes. However, the presiding officer may establish time limits for individual testimony and require that individuals with shared concerns select one or more spokespersons to present

~~testimony on behalf of those individuals either extend or reduce the maximum time to such period of time as the presiding body may determine.~~

- F. **Continuance of Public Hearing.** The hearing body may by motion continue the public hearing to a fixed date, time and place, or may continue the item to an undetermined date. When a project is subject to the protections of Government Code Section 65905.5 limiting review of housing development projects to no more than 5 hearings, any lower decision making body shall complete their work within 3 hearings to allow for at least 2 hearings at the appeal level.
- G. **Decision.** The public hearing shall be closed before a vote is taken.

23.31.070 Findings and Decision

When deciding to approve, approve with conditions, modify, revoke or deny any discretionary permit under this Title, the review authority shall issue a Notice of Action and make findings of fact as required by this Title.

- A. ***Date of Action.*** The review authority shall decide to approve, modify, revoke, or deny any discretionary permit through the adoption of a resolution with findings following the close of the public hearing, ~~if a public hearing is required or if no public hearing is required, within the time period set forth below. These deadlines do not apply to any action that has been appealed to the City Council in accordance with Section 23.31.120, Appeals. Time extensions may be granted pursuant to Section 23.31.090, Effect, Expiration and Extension.~~
 - 1. ~~***Project Exempt from Environmental Review.*** Within 30 days of the date the City has determined an application to be complete, a determination must be made whether the project is exempt from Environmental Review per State CEQA requirements.~~
 - 2. ~~***Project for which a Negative Declaration or Mitigated Negative Declaration is Prepared.*** Within 60 days of the date a Negative Declaration or Mitigated Negative Declaration has been completed and adopted for project approval, the City shall act on the accompanying discretionary project.~~
 - 3. ~~***Project for which an EIR is Prepared.*** Within 180 days from the date the review authority certifies a Final EIR, the City shall act on the accompanying discretionary project.~~
- B. ***Notice of Action.*** After the Director or Planning Commission takes any action to approve, modify, or deny an application that is subject to appeal under the terms of this Title, the Director shall issue a Notice of Action. The Notice shall describe the action taken, including any applicable conditions, and shall list the findings that were the basis for the decisions. The Director shall mail the Notice to the applicant and to any other person or entity that has filed a written request for such notification with the Planning Division within five days of the decision being made.
- C. ***Findings.*** Findings, when required by State law or this Title, shall be based upon consideration of the application, plans, testimony, reports, and other materials that constitute the administrative record and shall be stated in writing in the resolution or record of the action on the permit.

23.31.170 Planning Commission Agenda

- A. **Order of Business.** Promptly at the hour set by law on the day of each regular meeting, the members of the Commission shall take their regular stations in the Council Chamber and the business of the Commission shall be taken up for consideration and disposition in the following order, except as may be otherwise requested by the Community Development Director or ordered by the Commission:
1. Call to order;
 2. Roll call;
 3. Flag salute;
 4. Public comment for non-agendized items – Time limit 30 minutes;
 - ~~4-5.~~ Consent agenda;
 - ~~5-6.~~ Discussion items;
 - ~~6-7.~~ Public hearings;
 - ~~7-8.~~ Oral communications~~Continuation of public comment for non-agendized items for those persons unable or electing not to speak during the first public comment period;~~
 - ~~8-9.~~ Comments from the Planning Commission and conference/meeting reports;
 - ~~9-10.~~ Comments from staff;
 - ~~10-11.~~ Adjournment.
- B. **Consent Agenda.**
1. All items listed under the consent agenda are considered by the Commission to be routine and will be enacted by one motion unless a citizen or Commissioner requests otherwise; in which case, the item will be removed for separate consideration. Items placed on the consent agenda include smaller scale projects and ministerial matters (minutes, resolutions, etc.), but shall not include items that require a public hearing (such as variances, general plan and zoning amendments, etc.).
 2. Application summaries and written findings and recommendations for applications placed on the consent agenda may be comprised of a description of the proposed development and its location, and a description of any proposed conditions.
- C. **Discussion.** All items listed under Discussion are those regarded as needing individual review and discussion by the Planning Commission, but do not require a public hearing or noticing beyond what is required in the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq., and sections amendatory and supplementary thereto.
- D. **Public Hearings.** All items listed under Public Hearing will be administered in accordance with the rules and regulations established in Section 23.31.060, Conduct of Public Hearings.

23.31.180 Historic Preservation Commission Agenda

- A. **Order of Business.** Promptly at the hour set by law on the day of each regular meeting, the members of the Commission shall take their regular stations in the Council Chamber and the business of the Commission shall be taken up for consideration and disposition in the following order, except as may be otherwise requested by the Community Development Director or ordered by the Commission:
1. Call to order;
 2. Roll call;
 3. Flag salute;
 4. Public comment for non-agendized items – Time limit 30 minutes;
 - ~~4-5.~~ Consent agenda;
 - ~~5-6.~~ Discussion items;
 - ~~6-7.~~ Public hearings;
 - ~~7-8.~~ Oral communications~~Continuation of public comment for non-agendized items for those persons unable or electing not to speak during the first public comment period;~~
 - ~~8-9.~~ Comments from the Planning Commission and conference/meeting reports;
 - ~~9-10.~~ Comments from staff;
 - ~~10-11.~~ Adjournment.
- B. **Consent Agenda.**
1. All items listed under the consent agenda are considered by the Commission to be routine and will be enacted by one motion unless a citizen or Commissioner requests otherwise; in which case, the item will be removed for separate consideration. Items placed on the consent agenda include smaller scale projects and ministerial matters (minutes, resolutions, etc.), but shall not include items that require a public hearing (such as variances, general plan and zoning amendments, etc.).
 2. Application summaries and written findings and recommendations for applications placed on the consent agenda may be comprised of a description of the proposed development and its location, and a description of any proposed conditions.
- C. **Discussion.** All items listed under Discussion are those regarded as needing individual review and discussion by the Planning Commission, but do not require a public hearing or noticing beyond what is required in the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq., and sections amendatory and supplementary thereto.
- D. **Public Hearings.** All items listed under Public Hearing will be administered in accordance with the rules and regulations established in Section 23.31.060, Conduct of Public Hearings.

Chapter 23.32 Administrative Review

23.32.070 Appeals; Expiration, Extensions, and Revisions; Revocation

- A. **Appeals.** Administrative Review decisions may be appealed as provided for in Section 23.31.120, Appeals. If public notice is required for an Administrative Review application pursuant to subsection 23.32.050, Public Notice and Hearing, then a decision on an Administrative Review may only be appealed if a hearing was requested by the applicant or other person(s) in writing within 10 days of the posting and mailing of the required public notice. If a public hearing was not requested by the applicant or other person(s) in writing within 10 days of the posting and mailing of the required public notice, a decision on an Administrative Review may only be appealed by the applicant.
- B. **Expiration, Extensions, and Revisions.** Administrative Review approvals may only be expired, extended, or modified as provided for in Chapter 23.31, Common Procedures.
- C. **Revocation.** Administrative Review approval may be revoked pursuant to Section 23.31.110, Revocation of Permits, if any of the conditions or terms of the approval are violated or if any law or ordinance is violated.

Chapter 23.33 Design Review

23.33.020 Applicability

Design Review in compliance with the provisions of this Chapter and Alhambra Municipal Code Chapter 2.27, Design Review Board, is required for the following:

- A. **Residential Zones and Uses.**
 - 1. All new uses and all new primary structures, including all two-story, second-story or multi-story additions except as follows:
 - a. An alteration or enlargement of an existing dwelling unit which increases the floor area of the dwelling by not more than 50 percent, except two-story, second-story or multi-story additions as noted above.
 - b. An alteration or enlargement of a garage or carport.
 - 2. Signage for single-tenant buildings.
 - 3. Signage for multi-tenant buildings not requiring a Master Sign Program.
 - 4. Master Sign Programs for multi-tenant buildings.
 - 5. Exterior alterations visible from a public street and requiring a Building Permit, except for like-for-like window replacements and re-roofs.
 - 6. Front and street side yard fences, walls, dense hedges, and similar structures located in any front yard or street side yard (inclusive of both required and non-required yards) which faces and is visible from a public street.
- B. **Non-Residential Zones and Uses.**

1. New buildings or structures.
2. Enlargement of an existing building or structure.
3. Signage for single-tenant buildings.
4. Signage for multi-tenant buildings not requiring a Master Sign Program.
5. Master Sign Programs for multi-tenant buildings.
6. Exterior alterations visible from a public street and requiring a Building Permit, except for like-for-like window replacements and re-roofs.
7. Exterior color changes.
8. Art work visible from a public street and exempt from the requirements of Chapter 23.16, Art in Public Places Program, or review by the City Arts Commission.

23.33.030 Review Authority

The Design Review Board shall act as the review authority for Design Review based on consideration of the requirements of this Chapter; Section 23.30.060070, Summary of Review Authorities for Decisions and Appeals; and Alhambra Municipal Code Chapter 2.27, Design Review Board.

Chapter 23.34 Use Permits

23.34.050 Public Notice and Hearing

- A. **Conditional Use Permits.** All applications for Conditional Use Permits require public notice and hearing before the Planning Commission pursuant to Chapter 23.31, Common Procedures.
- B. **Minor Use Permits.** All applications for Minor Use Permits require public notice to be posted on the City's website, posted on-site, and mailed pursuant to Section 23.31.050, Public Notice. A hearing on a Minor Use Permit shall occur only when a hearing is requested by the applicant or other person(s) in writing and received by the Community Development Director within 10 days of the mailed notice. In the event a public hearing is requested, the Minor Use Permit shall be scheduled for a hearing before the Director or before the Planning Commission pursuant to Chapter 23.31, Common Procedures. The Director shall have the discretion to determine whether a hearing will be held before the Director or the Planning Commission.
 1. **Exceptions.** Notwithstanding the foregoing, a Minor Use Permit that is exempt from CEQA review pursuant to Public Resources Code Section 21080.66 shall require a public hearing before the Director, pursuant to Section 23.31.060, Conduct of Public Hearings. The public hearing shall require a public notice pursuant to Section 23.21.050, Public Notice, except that a newspaper notice shall not be required prior to a Director decision pursuant to paragraph D of Section 23.31.050, Public Notice.

23.34.080 Appeals; Expiration, Extensions, and Revisions; Revocation

- A. **Appeals.** Use Permit decisions may be appealed as provided for in Section 23.31.120, Appeals.
 - 1. ***Exception, Minor Use Permit.*** A decision on a Minor Use Permit may only be appealed if a hearing was requested by the applicant or other person(s) in writing within 10 days of the posting and mailing of the required public notice. If a public hearing was not requested by the applicant or other person(s) in writing within 10 days of the posting and mailing of the required public notice, a decision on a Minor Use Permit may only be appealed by the applicant.
- B. **Expiration, Extensions, and Revisions.** Use Permit approvals may only be expired, extended, or modified as provided for in Chapter 23.31, Common Procedures.
- C. **Revocation.** Use Permit approval may be revoked pursuant to Section 23.31.110, Revocation of Permits, if any of the conditions or terms of the approval are violated or if any law or ordinance is violated.

Chapter 23.35 Temporary Use Permits

23.35.020 Review Authority

The Community Development Director shall act as the review authority for Temporary Use Permits based on consideration of the requirements of this Chapter and Section 23.22.~~280~~290, Temporary Uses.

Chapter 23.36 Modifications

23.36.020 Applicability

Modifications may be granted as specifically allowed in any other section of this Title and as follows:

- A. **Height, Yard, and Lot Area.** Relief from height, yard, and lot area requirements, not to exceed 20 percent of the requirement.
 - 1. ***Exceptions.*** Modifications for the height of fences, walls, dense hedges, and similar structures shall be subject to subsection B.
- B. **Fence, wall or hedge height requirements.**
 - 1. ***Exceptions.*** Modifications for fences, walls, dense hedges, and similar structures exceeding six feet in height to enclose commercial or industrial uses, tennis courts, or similar areas, shall only be approved when such fences are not in a street setback area.

Chapter 23.41 Residential Planned Development Permits

23.41.030 Review Authority

The responsibility for review and approval of Residential Planned Development Permits shall be as follows:

- A. Residential Planned Development Permit (RL zone). This permit is subject to approval by the Community Development Director.
- B. Residential Planned Development Permit (RM and RH zones). This permit is subject to approval by the Planning Commission.
- C. Residential Planned Development Permit (CMU, CBD, EMC, AC, and PF zones). A Residential Planned Development Permit related to the use of real property shall be approved, modified, or rejected by the Planning Commission.
- D. Notwithstanding the foregoing, a Residential Planned Development Permit that is exempt from CEQA review pursuant to Public Resources Code Section 21080.66 is subject to approval by the Community Development Director regardless of the zone in which the project is located.

23.41.060 Public Notice and Hearing

- A. **Public Notice.** An application for a Residential Planned Development Permit shall require a public notice prior to the Planning Commission or Director decision, pursuant to Section 23.31.050, Public Notice, except that a newspaper notice shall not be required prior to a Director decision pursuant to paragraph D of Section 23.31.050, Public Notice.
- B. **Public Hearing.** An application for a Residential Planned Development Permit shall require a public hearing before the Planning Commission or Director, pursuant to Section 23.31.060, Conduct of Public Hearings.

Chapter 23.43 Use Classifications

23.43.010 Residential Uses

Residential Housing Types.

Single-Unit Dwelling, Detached. A dwelling unit that is designed for occupancy by one household with private yards on all sides and located on a separate lot from any other unit (except an accessory dwelling unit, where permitted). This subclassification includes individual manufactured housing units.

Single-Unit Dwelling, Attached. A dwelling unit that is designed for occupancy by one household located on a separate lot from any other unit (except an accessory dwelling unit, where permitted), and is attached through common walls to more than one dwelling on abutting lots.

Multi-Unit Dwelling. Two or more attached or detached dwelling units on a single lot. Types of multi-unit dwellings can include duplexes, townhouses, multiple detached residential units, and apartment buildings.

Accessory Dwelling Unit. See Section 23.22.040, Accessory Dwelling Units.

Urban Dwelling Unit (SB 9 Unit). See Section 23.22.300, Urban Dwelling Units.

Affordable Housing Developments of 2 or More Units. An affordable housing development of 2 or more residential units, consistent with Government Code Section 65913.4

Affordable Housing Development in Commercial Zones. Means either of the following:

An affordable housing development proposed in a commercial zone that meets the requirements of Sections 65912.111, 65912.112, and 65912.113 of the Government Code; or

Affordable housing developments proposed in zones where office, retail, or parking are principally permitted uses that meet the requirements of Section 65852.24 of the Government Code.

Family Day Care. A day care facility licensed by the State of California, located in a residential unit where the resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for eight or fewer children, including children who reside at the home and are under the age of 10 (California Health and Safety Code Section 1597.44).

Large. A facility that provides care for ~~seven~~nine to 14 children, including children who reside at the home and are under the age of 10 (California Health and Safety Code Section 1597.465).

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, dormitories, other types of organizational housing, private residential clubs, and extended stay hotels intended for long-term occupancy (30 days or more) but excludes Hotels and Motels and Residential Care Facilities.

Live-Work Unit. A unit that combines a work space and residential occupancy occupied and used by a single household in structure that has been constructed for such use or converted to accommodate residential occupancy and work activity in compliance with the California Building Code. The working space is reserved for and regularly used by one or more occupants of the unit.

Low Barrier Navigation Center. A Housing First, low barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

Mixed-Income Housing Development in Commercial Corridors. A mixed-income housing development proposed in a commercial zone that meets the requirements of Sections 65912.111, 65912.112, and 65912.113 of the Government Code.

Residential Care Facilities. A facility licensed by the State of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance with daily tasks. Facilities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes both for- and not-for-profit institutions, but excludes Supportive Housing and Transitional Housing.

Small. A facility that is licensed by the State of California to provide care for six or fewer persons.

Large. A facility that is licensed by the State of California to provide care for more than six persons.

Residential Facility, Assisted Living. A facility that provides a combination of housing and supportive services for the elderly or functionally impaired, including personalized assistance, congregate dining, recreational, and social activities. These facilities may include medical services. Examples include

assisted living facilities, retirement homes, and retirement communities. These facilities typically consist of individual units or apartments, sometimes containing kitchen facilities and common amenities. The residents in these facilities require varying levels of assistance.

Single Room Occupancy (SRO). A residential facility where living accommodations are individual secure rooms rented to one- or two-person households. This use classification is distinct from a Hotel or Motel, which is a commercial use.

Small Housing Development. A housing development of no more than 10 residential units, consistent with Government Code Section 65852.8.

Supportive Housing. Dwelling units with no limit on length of stay that are occupied by the target population as defined in Section 65582 of the California Government Code, and that are linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community.

Transitional Housing. Housing that has a predetermined end point in time for resident occupancy and is operated under a program that requires the termination of assistance, in order to provide another eligible program recipient to the service. The program length is usually no less than six months.

23.43.030 Commercial Uses

Adult Business. As defined in Chapter 5.50 of the Alhambra Municipal Code.

Animal Boarding and Veterinary Services. Services related to the medical care and boarding of household pets.

Animal Shelter and Boarding. A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding, or maintaining, generally overnight or in excess of 24 hours, dogs, cats, or other household pets not owned by the owner or operator of the facility.

Pet Day Care. Facilities providing non-medical care on a less than 24-hour basis for dogs, cats, or other household pets not owned by the facility operator.

Veterinary Services. Veterinary services for dogs, cats, or other household pets. This classification allows 24-hour accommodation of animals receiving medical services and treatment, including animal hospitals, and pet clinics.

Automobile/Vehicle Sales and Services. Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and/or motorcycles.

Automobile Rental. Establishment providing for the rental of automobiles. Typical uses include car rental agencies.

Automobile/Vehicle Sales and Leasing. Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers and recreational vehicle sales agencies.

Automobile/Vehicle Service and Repair, Minor. The service and repair of automobiles, light-duty trucks, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, and smog checks, tire sales and installation, auto radio/electronics installation, auto air

conditioning/heater service, and quick-service oil, tune-up shops, and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight.

Automobile/Vehicle Repair, Major. Repair of automobiles, trucks, motorcycles, motor homes, boats, and recreational vehicles, generally on an overnight basis that may include disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles, automotive body and fender work, vehicle painting, or other operations that generate excessive noise, objectionable odors or hazardous materials, and towing services. This classification excludes vehicle dismantling or salvaging and tire retreading or recapping.

Large Vehicle and Equipment Sales, Service, and Rental. Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for construction, moving, agricultural, or landscape gardening activities.

Service Stations. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services. These facilities may include "mini-marts" and/or convenience stores that sell products, merchandise, or services that are ancillary to the primary use related to the operation of motor vehicles.

Towing and Impound. Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services (for automobile dismantling, see Salvage and Wrecking).

Vehicle Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles.

Banks and Financial Services. Financial institutions providing retail banking services. This classification includes only those institutions serving walk-in customers or clients, including banks, savings, and loan institutions, check-cashing services, and credit unions.

Business Services. Establishments providing goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, office equipment rental and leasing, office security, custodial services, photofinishing, model building, and taxi services or delivery services with two or fewer fleet vehicles on-site.

Commercial Cannabis Facility. Any building, facility, use, establishment, property, or location where any person or entity establishes, commences, engages in, conducts, or carries on, or permits another person or entity to establish, commence, engage in, conduct, or carry on, any commercial cannabis activity that requires a state license or nonprofit license under Cal. Bus. & Prof. Code §§ 26000 and following, including but not limited to cannabis cultivation, cannabis distribution, cannabis transportation, cannabis storage, manufacturing of cannabis products, cannabis processing, cannabis deliveries, the sale of any cannabis or cannabis products, and the operation of a cannabis microbusiness.

Commercial Entertainment and Recreation. Provision of participant or spectator entertainment to the public. These classifications may include incidental restaurants, snack bars, and other related food and beverage services to patrons.

Cinema/Theater. Any facility for the indoor display of films and motion pictures on single or multiple screens. This subclassification may include incidental food and beverage service to patrons as well as auditoriums within buildings.

Indoor. Establishments providing predominantly participant sports, indoor amusement and entertainment services conducted within an enclosed building. Typical uses include arcades, bingo halls, bowling alleys, ~~billiard parlors~~, card rooms, health clubs, ice- and roller-skating rinks, indoor racquetball courts, athletic clubs, indoor shooting ranges, and physical fitness centers, but exclude poolrooms and billiard rooms (see Poolrooms/Billiard Rooms) or movie theaters (see Cinema/Theater).

Outdoor Entertainment. Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, golf courses, sports complexes, miniature golf courses, tennis clubs, outdoor batting cages, swimming pools, archery ranges, and riding stables.

Poolrooms/Billiard Rooms. As defined in Alhambra Municipal Code Chapter 5.52, Poolrooms and Billiard Rooms.

Drive-Through Facility. A motor vehicle drive-through facility which is a commercial building or structure or portion thereof which is designed or used to provide goods or services to the occupants of motor vehicles. This classification includes banks and other financial services, fast food establishments, drugstores, and film deposit/pick-up establishments, but excludes drive-in theaters (see Commercial Entertainment and Recreation), service stations, or car-wash operations (see Automobile/Vehicle Sales and Services).

Eating and Drinking Establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

Bars/Night Clubs/Lounges. Businesses serving alcoholic beverages for consumption on the premises as a primary use, including on-sale service of alcohol including beer, wine, and mixed drinks. This subclassification includes tasting rooms, tap rooms and similar uses, ~~micro-breweries where the sale and on-site consumption of alcoholic beverages is not incidental to are sold and consumed on site and~~ any beverage production or distilling, and where food service is subordinate to the sale of alcoholic beverages.

Restaurant. Establishments where food and beverages are served to patrons on-site or off-site, including full-service, limited-service, and take-out/delivery businesses. This subclassification includes cafes, coffee shops, delicatessens, fast-food businesses, food halls, and bakeries that have tables for on-site consumption of products. It excludes catering services and commercial kitchens that do not sell food or beverages for on-site consumption.

Farmer's Markets. Temporary but recurring outdoor retail sales of food, plants, flowers, and products such as jellies, breads, and meats that are predominantly grown or produced by vendors who sell them.

Food Preparation. Establishments preparing and/or packaging food primarily for off-site consumption, including catering kitchens, retail bakeries, and small-scale specialty food production. This classification excludes establishments with an industrial character in terms of processes employed, waste produced, water used, and traffic generation.

Funeral Parlors and Interment Services. An establishment primarily engaged in the provision of services, involving the care, preparation, or disposition of human and animal remains and conducting memorial services. This subclassification includes funeral parlors, crematories, and mortuaries, but excludes cemeteries and burial parks (see Cemeteries and Columbariums).

Hotels and Motels. An establishment providing overnight lodging to transient patrons for payment periods of 30 consecutive calendar days or less. These establishments may provide additional services and

amenities, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the public.

Offices. Offices of firms, organizations, or public agencies providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, real estate and mortgage brokers. This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings, but excludes clinics, independent research laboratory facilities (see Research and Development), and hospitals.

Personal Services.

General Personal Services. An establishment providing services of personal convenience to individuals as a primary use. Personal services include barber and beauty shops, permanent makeup studios, day spas, nail salons, tanning salons, electrolysis, and other cosmetic and appearance care services; shoe and luggage repair, photographers, self-serve laundry and dry cleaning pick-up, tattoo and body modification parlors, repair and fitting of clothes, and similar services.

Fortunetelling. Any place of business where any person allows or professes to carry on, engage in or practice the art or transaction of palmistry, fortunetelling, clairvoyance, crystal gazing, seancing, numerology, mediumship, tarot-card reading, past-life regression, prophecy, phrenology or divination for personal gain or other similar activity.

Massage Establishments. As defined in Alhambra Municipal Code Chapter 9.44, Massage Therapy, Massage Establishments, and Massage Therapists.

Repair and Maintenance Services. Establishments engaged in the maintenance or repair of consumer products, including office machines, household appliances, electronics, furniture, and similar items. This classification excludes repair and maintenance of motor vehicles (see Automobile/Vehicle Sales and Services) and personal apparel (see Personal Services).

Retail Sales.

Alcoholic Beverage, Off-Sales. Retail establishments primarily selling alcoholic beverages, where 25 percent or more of the floor area is dedicated to the sale of beer, wine, or liquor for off-site consumption. This subclassification includes uses such as liquor stores, but does not include grocery stores, mini marts, or similar retail establishments where less than 25 percent of the floor area is dedicated to beer, wine, or liquor sales for off-site consumption, nor does it include Food and Beverage Manufacturing uses where direct sales of alcoholic beverages are incidental to the food or beverage production activity.

Building Materials Stores and Retail Garden Centers. Retail establishments selling lumber and other large building materials and garden supplies, where the majority of storage, display, and sales occur indoors. Includes: paint, wallpaper, glass, fixtures, nursery stock, and lawn and garden supplies sold to the general public, even if contractor sales account for a major proportion of total sales. This subclassification does not include Construction and Material Yards, hardware stores less than 10,000 square feet in floor area, or outdoor plant nurseries.

Firearms Sales. Retail establishments engaged in the sales of firearms in any capacity, including in conjunction with repair, gunsmithing, and similar services.

Food and Beverage Sales. Retail sales of food and beverages primarily for off-site preparation and consumption. This subclassification includes uses such as food markets, grocery stores, ~~liquor stores,~~ and meat markets and butcher shops, but does not include liquor stores (see Alcoholic Beverage, Off-Sales).

General Retail. The retail sale or rental of merchandise not specifically listed under another use classification. This subclassification includes retail establishments such as department stores, clothing stores, furniture stores, small hardware stores (with 10,000 square feet or less of floor area), and businesses retailing the following goods: household pets and pet supplies, toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs.

Outdoor Retail Sales and Nurseries. Permanent outdoor sales establishments including auction yards, lumber and other material sales yards, and other retail uses where sales, storage, and/or display occurs primary outdoors. This subclassification does not include the sale of automobiles, recreational vehicles, mobile_homes, or large vehicles and heavy equipment (See Automobile/Vehicle Sales and Leasing Large Vehicle and Equipment Sales, Service, and Rental).

Vape and Smoke Retail Sales. Retail establishments where 5 percent or more of the floor area is dedicated to the sale of tobacco, electronic cigarettes, and related products primarily for off-site consumption. This subclassification includes uses such as tobacco shops, smoke shops, vape shops, electronic cigarette retailers, and vapor cigarette retailers, but does not include grocery stores, mini marts, or similar retail establishments where less than 5 percent of the floor area is dedicated to the sale of tobacco, electronic cigarettes, and related products.

23.43.040 Industrial Uses

Construction and Material Yards. Storage of construction materials or equipment on a site other than a construction site.

Custom Manufacturing. Any establishment primarily engaged in on-site production or fabrication of goods by small scale manufacturing or artistic endeavor, which involves the use of hand tools or small mechanical equipment, and which may include incidental instruction or direct sales for consumers. Typical uses include ceramic studios, fabric and needleworking, leather working, metalworking, glassworking, candle-making shops, woodworking, and custom jewelry manufacturers.

Food and Beverage Manufacturing. Establishments engaged in the production, processing, packaging, or manufacturing of food or beverage products and where any instruction, direct sales, or on-site consumption are incidental to the food or beverage production activity. This classification excludes the slaughtering of animals or fowl which is not allowed.

Small Scale. A small-scale food and beverage products manufacturing and distribution establishment located in facilities less than 10,000 square feet in size. Examples include coffee roasters, micro-breweries, micro-distilleries, wine manufacturing, cheese makers, wholesale bakeries, and produce-on-premises operations which provide ingredients and equipment for customers to manufacture their own product.

Large Scale. Large-scale production, packaging, processing, preparation, or manufacturing of a food, beverage, or ingredient used or intended for use for human digestion in a facility over 10,000 square feet.

General Industrial. Establishments engaged in manufacturing of non-edible products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. Production typically involves some transformation by way of heating, chilling, combining, or through a chemical or biochemical reaction or alteration. Toxic, hazardous, or explosive materials may be produced or used in large quantities as part of the manufacturing process. These industrial activities may produce impacts on nearby properties, such as noise, gas, odor, dust, or vibration. This classification includes manufacturing for biomass energy conversion, commercial cosmetics and perfumes, electrical appliances and explosives, film and photographic processing plants, apparel and textile mills, leather and allied products manufacturing, wood and paper, glass and glass products, chemical products, medical/pharmaceutical products, plastics and rubber, nonmetallic minerals, primary and fabricated metal products, and automotive and heavy equipment.

Light Industrial. Establishments engaged in manufacturing of non-edible products and finished parts primarily from previously-prepared materials by means of physical assembly or reshaping. These industrial activities produce limited impacts on nearby properties, such as noise, gas, odor, or vibration. This classification includes uses where retail sales are clearly incidental to an industrial or manufacturing use, commercial laundries and dry-cleaning plants, monument works, printing and engraving, publishing, computer and electronic product manufacturing, furniture and related product manufacturing, and industrial services.

Research and Development. A facility for the scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. This classification includes assembly of related products from parts produced off site, where the manufacturing activity is secondary to the research and development activities, in addition to involving the production of experimental products.

Salvage and Wrecking. Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods including, but not limited to, any used building materials, used containers or steel drums, used tires, and similar or related articles or property.

Storage, Warehousing, and Wholesaling. Storage, warehousing, and wholesaling facilities that store and/or engage in wholesale sales of merchandise to retail establishments; industrial, commercial, institutional, agricultural, or professional businesses; or facilities acting as agents or brokers in buying or selling merchandise/commodities to such businesses. Wholesalers are primarily engaged in business-to-business sales but may sell to individual consumers through mail or internet orders. These establishments have little or no display of merchandise and are not designed to solicit walk-in traffic except for public storage in small individual space exclusively and directly accessible to a specific tenant.

Indoor. Storage, warehousing, and wholesaling of goods and merchandise within an enclosed building.

Outdoor. Storage, warehousing, and wholesaling of goods in open lots.

Personal Storage. Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage, and records or inventory storage for businesses. This classification includes moving company businesses which offer storage and transporting services, but excludes workshops, hobby shops, manufacturing, or commercial activity.

23.43.050 Transportation, Communication, and Utility Uses

Communication Facilities. Facilities for the provision of broadcasting and other information-relay services using electronic and telephonic mechanisms.

Facilities Within Buildings. Indoor facilities which include radio, television or recording studios, and telephone switching centers.

Telecommunication. Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures and equipment cabinets designed to support one or more reception/transmission systems. This subclassification includes wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, cellular telephone transmission/personal communications systems towers, and associated equipment cabinets and enclosures. See Section 23.44.200(B), Telecommunication Terms.

Data Centers. Facilities used primarily for analyzing, processing, storing, converting, transmitting, distributing, and managing electronic data for on-site or off-site use. These facilities typically house computer, network, and telecommunication equipment, systems, servers, appliances, and other associated components related to electronic data operations. This classification excludes data facilities that are incidental to another primary use and that are strictly for the purposes of supporting the on-site operations of the primary use.

Freight/Trucking Facilities. Property and improvements used for freight, courier, and postal services; freight transfer truck terminals; transfer, loading, and unloading points for trucks and automobiles carrying goods and produces; or for the operations of a "common carrier trucking company," including the parking, or servicing, or repairing, or storage of trucks, truck tractors, and/or truck trailers.

Light Fleet-Based Services. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses.

Public Works and Utilities. Generating plants, electric substations, recycling collection and processing facilities, solid waste collection, including transfer stations and materials recovery facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. This classification also includes facilities such as water reservoirs, wastewater collection or pumping facilities, water wells, stormwater detention basins, and similar utility uses.

Recycling Facility. A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. This use classification does not include waste transfer facilities that operate as materials recovery, recycling, and solid waste transfer operations and are classified as utilities.

Reverse Vending Machine. An automated mechanical device that accepts, sorts and processes recyclable materials and issues a cash refund or a redeemable credit slip.

Recycling Collection Facility. An incidental use that serves as a neighborhood drop off point for the temporary storage of recyclable or reusable materials but where the processing and sorting of such items is not conducted on-site.

Small Collection Facility. Small collection facilities occupy no more than 200 square feet and may include:

A "mobile recycling unit," which means an automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, and used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans or trailers, and used for the collection of recyclable materials;

Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;

Booth-type units which may include permanent structures; and

Unattended containers placed for the donation of recyclable materials.

Large Collection Facility. A recycling facility for the acceptance by donation, redemption or purchase of recyclable materials from the public. A large collection facility does not use power-driven processing equipment and occupies an area greater than 200 square feet.

Transit Stations and Terminals. Facilities for passenger transportation operations, including rail stations, bus terminals, taxi stands, and scenic and sightseeing facilities. ~~This classification excludes terminals serving airports or heliports (see Airports and Heliports).~~

Chapter 23.44 Definitions

23.44.200 "T" Terms

- A. **Tandem Parking.** An arrangement of parking spaces such that one or more spaces must be driven across to access another space or spaces.
- B. **Telecommunication Terms.** See Section 23.43.050, Communications Facility.
 - 1. **Antenna.** Any system of wires, poles, rods, horizontal or vertical elements, panels, reflecting discs, or similar devices used for the transmission and/or reception of electromagnetic waves.
 - 2. **Co-Location.** The location of two or more wireless communications facilities owned or used by more than one public or private entity on a single support structure, or otherwise sharing a common location. Co-location also includes the location of wireless communications facilities with other facilities, such as buildings, water tanks, light standards, and other utility facilities and structures.
 - 3. **Mast.** A pole of wood or metal or a tower fabricated of metal that is used to support an antenna and maintain it at the proper elevation.
 - 4. **Multi-User Telecommunication Facility.** A telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned or used by more than one public or private entity, excluding research and development industries with antennas serving internal company uses only.

5. ***Non-Stealth Facility.*** Means any telecommunication facility not camouflaged in a readily apparent manner to blend with surrounding land uses and features. The design does not conceal the intended use of the facility and incorporates no readily apparent elements of stealth technology or design. A standard monopole with equipment cabinets aboveground and unscreened would be considered non-stealth.
 6. ***Personal Communications Services (PCS).*** Digital wireless telephone technology such as portable phones, pagers, faxes, and computers. PCS is also sometimes known as Personal Communication Network (PCN).
 7. ***Satellite Dish.*** A device (also known as a parabolic antenna) incorporating a reflective surface that is solid, open, or mesh or bar-configured, and is in the shape of a shallow dish, cone, horn cornucopia, or flat plate that is used to receive or transmit radio or electromagnetic waves between terrestrially and/or orbitally based units. This term includes satellite earth stations, satellite receivers, satellite discs, direct broadcast systems, television-reception-only systems, and satellite microwave antennas.
 8. ***Stealth Facility.*** Means any telecommunication facility camouflaged or designed to substantially blend into the surrounding environment, land uses, and features by, among other things, architecturally integrating into a structure or otherwise using design elements to conceal antennas, antenna supports, poles, equipment, cabinets, equipment housing and enclosure, and related above-ground accessory or support equipment; minimize aesthetic impact on adjacent uses; and conceal the intended use and appearance of the structures.
 9. ***Support Equipment.*** The physical, electrical, and/or electronic equipment included within a telecom facility used to house, power, transport, and/or process signals from or to the facility's antenna or antennas.
 10. ***Telecommunication Facility.*** A mobile cell site that consists of a cell antenna tower and electronic radio transceiver equipment on a truck or trailer, designed to be part of a cellular network.
 11. ***Tower.*** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas.
 12. ***Tower, Lattice.*** A multiple-sided, open, metal frame support structure that supports antennas and related equipment, typically with three or four support legs.
- C. **Tenant.** A person renting or leasing a housing unit or non-residential space.
- D. **Trailer.** A vehicle with or without motor power, which is designed or used for hauling materials or vehicles, or for human habitation, office, or storage including camper, recreational vehicle, travel trailer, and mobile home, but not including mobile homes on a permanent foundation.
- E. **Tree Permit Terms.**
1. ***California Native.*** Those trees listed, maintained and organized by California regions by the California Native Plant Society (CNPS) as follows:

TABLE 23.3544.200.E: CALIFORNIA NATIVE TREES

<i>Species</i>	<i>Common Names</i>	<i>Plant Type</i>
<i>Abies concolor</i>	Balsam Fir	Tree
<i>Abies grandis</i>	Grand Fir	Tree
<i>Abies lasiocarpa</i>	Subalpine Fir	Tree
<i>Abies magnifica</i>	Balsam Fir	Tree
<i>Acer circinatum</i>	Vine Maple	Tree
<i>Acer macrophyllum</i>	Big Leaf Maple	Tree
<i>Acer negundo</i>	Box Elder	Tree
<i>Aesculus californica</i>	California Buckeye	Tree
<i>Alnus incana</i>	Gray Alder	Tree
<i>Alnus incana ssp. tenuifolia</i>	Mountain Alder	Tree
<i>Alnus rhombifolia</i>	White Alder	Tree
<i>Alnus rubra</i>	Red Alder	Tree
<i>Arbutus menziesii</i>	Madrone	Tree
<i>Betula occidentalis</i>	Water Birch	Tree
<i>Bursera microphylla</i>	Elephant Tree	Tree, Succulent
<i>Calocedrus decurrens</i>	Incense Cedar	Tree
<i>Ceanothus velutinus</i>	Tobacco Brush	Tree, Shrub
<i>Celtis reticulata</i>	Western Hackberry	Tree
<i>Chamaecyparis lawsoniana</i>	Port Orford Cedar	Tree
<i>Cornus sessilis</i>	Miner's Dogwood	Tree
<i>Cupressus arizonica</i>	Arizona Cypress	Tree
<i>Fraxinus dipetala</i>	California Ash	Tree
<i>Fraxinus latifolia</i>	Oregon Ash	Tree
<i>Fraxinus velutina</i>	Velvet Ash	Tree
<i>Hesperocyparis bakeri</i>	Baker's Cypress	Tree
<i>Hesperocyparis forbesii</i>	Tecate Cypress	Tree
<i>Hesperocyparis macnabiana</i>	Macnab's Cypress	Tree
<i>Hesperocyparis macrocarpa</i>	Monterey Cypress	Tree
<i>Hesperocyparis sargentii</i>	Sargent's Cypress	Tree
<i>Hesperocyparis stephensonii</i>	Arizona Cypress	Tree
<i>Juglans californica</i>	Southern California Black Walnut	Tree
<i>Juglans hindsii</i>	Northern California Black Walnut	Tree
<i>Juniperus californica</i>	California Juniper	Tree

TABLE 23.3544.200.E: CALIFORNIA NATIVE TREES

<i>Species</i>	<i>Common Names</i>	<i>Plant Type</i>
<i>Juniperus communis</i>	Common Juniper	Tree, Shrub
<i>Lyonothamnus floribundus</i>	Island Ironwood	Tree
<i>Lyonothamnus floribundus</i> ssp. <i>aspleniifolius</i>	Santa Cruz Island Ironwood	Tree
<i>Malus fusca</i>	Oregon Crab Apple	Tree
<i>Olneya tesota</i>	Desert Ironwood	Tree
<i>Parkinsonia florida</i>	Blue Palo Verde	Tree
<i>Parkinsonia microphylla</i>	Yellow Palo Verde	Tree
<i>Picea sitchensis</i>	Sitka Spruce	Tree
<i>Pinus attenuata</i>	Knobcone Pine	Tree
<i>Pinus contorta</i>	Beach Pine	Tree
<i>Pinus contorta</i> ssp. <i>contorta</i>	Shore Pine	Tree
<i>Pinus coulteri</i>	Bull Pine	Tree
<i>Pinus edulis</i>	Twoneedle Pinyon	Tree
<i>Pinus flexilis</i>	White Pine	Tree
<i>Pinus jeffreyi</i>	Jeffrey Pine	Tree
<i>Pinus lambertiana</i>	Sugar Pine	Tree
<i>Pinus monophylla</i>	Oneneedle Pinyon Pine	Tree
<i>Pinus muricata</i>	Bull Pine	Tree
<i>Pinus ponderosa</i>	Bull Pine	Tree
<i>Pinus radiata</i>	Monterey Pine	Tree
<i>Pinus sabiniana</i>	Foothill Pine	Tree
<i>Pinus torreyana</i>	Torrey Pine	Tree
<i>Platanus racemosa</i>	Western Sycamore	Tree
<i>Populus fremontii</i>	Fremont Cottonwood	Tree
<i>Populus tremuloides</i>	Quaking Aspen	Tree
<i>Populus trichocarpa</i>	Black Cottonwood	Tree
<i>Prosopis glandulosa</i>	Honey Mesquite	Tree
<i>Prosopis glandulosa</i> var. <i>torreyana</i>	Mesquite	Tree
<i>Prosopis pubescens</i>	Screwbean Mesquite	Tree
<i>Prunus andersonii</i>	Desert Peach	Tree, Shrub
<i>Prunus emarginata</i>	Bitter Cherry	Tree, Shrub
<i>Prunus fasciculata</i>	Desert Range Almond	Tree, Shrub
<i>Prunus ilicifolia</i>	Hollyleaf Cherry	Tree

TABLE 23.3544.200.E: CALIFORNIA NATIVE TREES

<i>Species</i>	<i>Common Names</i>	<i>Plant Type</i>
<i>Prunus ilicifolia</i> ssp. <i>ilicifolia</i>	Hollyleaf Cherry	Tree
<i>Prunus ilicifolia</i> ssp. <i>lyonii</i>	Catalina Cherry	Tree, Shrub
<i>Prunus virginiana</i>	Chokecherry	Tree, Shrub
<i>Prunus virginiana</i> var. <i>demissa</i>	Western Chokecherry	Tree, Shrub
<i>Pseudotsuga macrocarpa</i>	Bigcone Douglas Fir	Tree
<i>Pseudotsuga menziesii</i>	Douglas Fir	Tree
<i>Psorothamnus spinosus</i>	Smoke Tree	Tree
<i>Quercus agrifolia</i>	Coast Live Oak	Tree
<i>Quercus berberidifolia</i>	Scrub Oak	Tree
<i>Quercus chrysolepis</i>	Canyon Live Oak	Tree
<i>Quercus cornelius-mulleri</i>	Muller Oak	Tree
<i>Quercus douglasii</i>	Blue Oak	Tree
<i>Quercus dumosa</i>	Nuttall's Scrub Oak	Tree, Shrub
<i>Quercus durata</i>	Leather Oak	Tree
<i>Quercus durata</i> var. <i>durata</i>	Leather Oak	Tree
<i>Quercus engelmannii</i>	Engelmann Oak	Tree
<i>Quercus garryana</i>	Garry's Oak	Tree
<i>Quercus garryana</i> var. <i>breweri</i>	Garry's Oak	Tree
<i>Quercus kelloggii</i>	Black Oak	Tree
<i>Quercus lobata</i>	Valley Oak	Tree
<i>Quercus parvula</i>	Santa Cruz Island Oak	Tree
<i>Quercus parvula</i> var. <i>shrevei</i>	Shreve Oak	Tree
<i>Quercus tomentella</i>	Island Oak	Tree
<i>Quercus vacciniifolia</i>	Huckleberry Oak	Tree
<i>Quercus wislizeni</i>	Interior Live Oak	Tree
<i>Salix exigua</i>	Sandbar Willow	Tree, Shrub
<i>Salix gooddingii</i>	Goodding's Black Willow	Tree
<i>Salix laevigata</i>	Red Willow	Tree
<i>Salix lasiandra</i>	Shining Willow	Tree, Shrub
<i>Salix lasiolepis</i>	Arroyo Willow	Tree, Shrub
<i>Salix scouleriana</i>	Scouler's Willow	Tree, Shrub
<i>Salix sitchensis</i>	Sitka Willow	Tree, Shrub
<i>Sequoia sempervirens</i>	Coast Redwood	Tree

TABLE 23.3544.200.E: CALIFORNIA NATIVE TREES

<i>Species</i>	<i>Common Names</i>	<i>Plant Type</i>
Sequoiadendron giganteum	Sierra Redwood	Tree
Thuja plicata	Western Red Cedar	Tree
Torreya californica	California Torreya	Tree
Tsuga heterophylla	Western Hemlock	Tree
Tsuga mertensiana	Mountain Hemlock	Tree
Umbellularia californica	California Laurel	Tree
Washingtonia filifera	Fan Palm	Tree

2. **Damage.** Any action undertaken which causes injury, death, or disfigurement to a protected tree. This includes, but is not limited to, cutting, poisoning, overwatering, topping, trimming, relocating or transplanting a protected tree.
3. **Multi-Trunk.** Any tree with multiple trunks attributed to a single tree. For purposes of determining the diameter of a multi-trunk tree, the diameter of each trunk shall be measured at a point four and one-half feet above the root crown, and the sum of the diameters shall be the diameter of the tree.
4. **Pruning (also known as lacing).** The removal of selected branches that are dead, a hazard to public or property, or are otherwise selected for removal while preserving the overall form of the tree. Pruning can be done to give a tree a more balanced appearance, to reduce the weight on one side of a tree in order to prevent the tree from toppling, or to remove branches that are at risk of breaking and injuring people or damaging property. Utilities may use pruning to selectively remove branches that interfere with overhead lines. Pruning is distinct from topping or trimming a tree.
5. **Removal.** The uprooting, cutting, or severing of the main trunk, of a protected tree.
6. **Root Crown.** That portion of a protected tree trunk from which roots extend laterally into the ground.
7. **Topping.** The removal of the uppermost branches of a tree, or cutting the trunk, in order to reduce its height without regard to the overall form of the tree. Typically results in a horizontal cut across the trunk or a roughly spherical cut centered on the trunk.
8. **Trimming.** The alteration of the outward shape of a tree without regard to which branches are to be trimmed. Typically results in a geometric rather than natural shape. Hedges are trimmed to preserve a particular, frequently rectangular, shape. Topping a tree would be an extreme example of trimming.

F. Turf.

1. **Artificial Turf.** A synthetically derived, natural grass substitute that ~~may be used in lieu of natural turf, and must simulate~~ the appearance of natural live grass, ~~in a single unit~~

~~dwelling residential property and in the landscape areas of multi-unit dwelling residential and non-residential properties.~~

2. **Natural Turf.** A ground cover surface of live mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, Seashore Paspalum, St. Augustine grass, Zoysiagrass, and Buffalo grass are warm-season grasses.

23.44.250 "Y" Terms

- A. **Yard.** An open space on the same site as a structure, unoccupied and unobstructed from the ground upward, except as otherwise provided by this Code.
 1. **Front Yard.** A yard extending across the front of a lot for the full width of the lot between the side lot lines. The depth of a required front yard shall be a distance specified by this Code for the zone in which it is located and measured inward from the front lot line.
 2. **Interior Side Yard.** A yard which does not abut a street. The depth of a required interior side yard shall be a distance specified by this Code for the zone in which it is located and measured inward from the nearest interior side lot line.
 3. **Rear Yard.** A yard extending across the rear of a lot for its full width between side lot lines. The, and to a depth of a required rear yard shall be a distance specified by this Code for the zone in which it is located and measured inward from the rear lot line. If a lot has no rear lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for establishing the minimum rear yard.
 4. **Required Yard.** A yard which complies with the minimum setback requirements for the zone in which the lot is located.
 5. **Side Yard.** A yard extending from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the depth of which is the minimum horizontal distance between the side property line and a line parallel thereto on the site.
 6. **Street Side Yard.** A yard on a corner lot or reversed corner lot extending from the front yard to the rear lot line between the building setback line and the nearest ~~side-street~~ side lot line. The depth of a required street side yard shall be a distance specified by this Code for the zone in which it is located and measured inward from the nearest street side lot line.

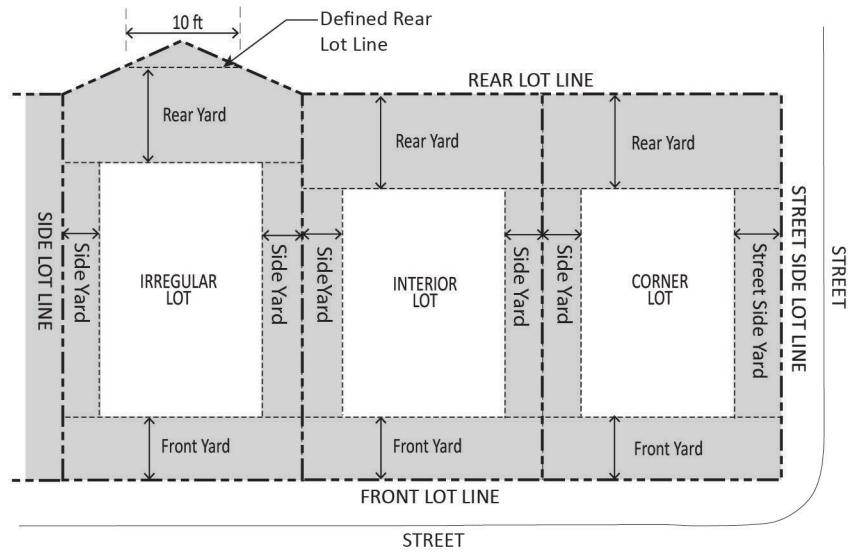


Figure 23.44.250.Y: YARD TYPES

EXHIBIT B – ADDITIONS

EXHIBIT B (Additions)

Chapter 23.22 Standards for Specific Uses

23.22.250 Poolrooms and Billiard Rooms

- A. **Purpose.** The purpose and intent of this Section is to preserve the health, safety, and welfare of the residents of Alhambra by preventing a proliferation of poolroom and billiard room businesses in the City without regard to the appropriateness of their location and compatibility with the surrounding land uses.
- B. **Required Permit.** Poolroom and billiard room businesses are allowed subject to approval of a Conditional Use Permit pursuant to Chapter 23.34, Use Permits, the requirements of this section, and the requirements of Chapter 5.52, Poolrooms and Billiard Rooms of the Alhambra Municipal Code.
1. **Conditions of Approval.** A Conditional Use Permit shall include any such conditions of approval that the Police Chief finds reasonably necessary to implement the purpose and intent of this section when considering the location and size of the proposed poolroom and billiard room business.
- C. **Locational Requirements.**
1. Poolrooms and billiard rooms shall not be located within 1,000 feet of any other parcel upon which a poolroom and billiard room is operating.
2. Poolrooms and billiard rooms shall not be located within 600 feet of any other parcel containing a sensitive receptor. The measurement must be made from the property line of the parcel containing the sensitive receptor unless the building or structure utilized by the sensitive receptor is set back more than 50 feet from the property line, in which case the measurement is made from the outline of the building or structure footprint to 600 feet in all directions.
- a. **Sensitive Receptor.** Means any of the following uses:
- i. Schools;
 - ii. Colleges and trade schools;
 - iii. Community assembly;
 - iv. Community garden;
 - v. Cultural institutions;
 - vi. Day care center;
 - vii. Emergency shelter;
 - viii. Hospitals and clinics;
 - ix. Park and recreation facilities;
 - x. Social service facilities; and

xi. A conditionally permitted use that provides services primarily to minors.

- D. **Local, State, and Federal Laws.** Poolroom and billiard room businesses shall comply with all applicable local, state, and federal laws, including, but not limited to, Chapter 5.52, Poolrooms and Billiard Rooms, of this code.

23.22.300 Urban Dwelling Units

- A. **Definitions.** The following terms when used in this chapter will have the meanings provided in this section.

1. **Urban Dwelling Unit (SB 9 Unit).** An attached or a detached residential primary dwelling unit developed pursuant to Government Code § 65852.21. An Urban Dwelling Unit does not include an accessory dwelling unit or junior accessory dwelling unit.

- B. **Permitted Zones and Lots.**

1. Urban dwelling units are permitted on lots zoned RL (Residential Low Density).

2. A proposed urban dwelling unit may not be located within a historic district or property included on the State Historic Resources Inventory (Section 5020.1 of the Public Resources Code) or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

3. A proposed urban dwelling unit may not be located on a parcel that satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4, as that section read on September 16, 2021, which is as follows:

a. Either prime farmland or farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

b. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

c. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within the state responsibility area, as defined in Section 4102 of the Public Resources Code. This subparagraph does not apply to sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development, including, but not limited to, standards established under all of the following or their successor provisions:

i. Section 4291 of the Public Resources Code or Section 51182, as applicable.

ii. Section 4290 of the Public Resources Code.

- iii. Chapter 7A of the California Building Code (Title 24 of the California Code of Regulations).
- d. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:
 - i. The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses. This section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Section 65962.5.
 - ii. The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, has otherwise determined that the site is suitable for residential use or residential mixed uses.
- e. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- f. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
 - i. The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.
 - ii. The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with

Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

- g. Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.
 - h. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
 - i. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - j. Lands under conservation easement.
4. A proposed urban dwelling unit may not be on a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent applies.
5. A proposed urban dwelling unit may not require demolition or alteration of any of the following types of housing:
- a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
 - c. Housing that has been occupied by a tenant in the last three years.

C. Number of Units per Lot.

1. The parcel for a proposed urban dwelling unit must contain no more than two (2) primary residential units, including the proposed urban dwelling unit(s).

2. ***ADUs and JADUs.***

- a. *Non-SB 9 Urban Lot Split Parcels.* Existing or proposed ADUs and JADUs shall be permitted in addition to the primary units, and shall not be counted toward the two-unit maximum allowed per lot, when located on a parcel that was not created through an SB 9 urban lot split under Title 22 of the Alhambra Municipal Code.
- b. *SB 9 Urban Lot Split Parcels.*
 - i. Existing or proposed ADUs and JADUs shall be permitted in addition to the primary units, and shall not be counted toward the two-unit maximum allowed per lot, when located on a parcel created through an SB 9 urban lot split under Title 22 of the Alhambra Municipal Code where the original parcel prior to the lot split was 10,000 square feet or more.
 - ii. Existing or proposed ADUs or JADUs shall be permitted and counted toward the two-unit maximum if located on a parcel created through an SB 9 urban lot split under Title 22 of the Alhambra Municipal Code where the original parcel prior to the lot split was less than 10,000 square feet.

3. No more than four (4) dwelling units, in any combination of primary or accessory, may be on any single lot for which an urban dwelling unit has been approved.

4. An urban dwelling development contains two (2) primary residential units if the development proposes no more than two (2) new units or if it proposes to add one (1) new unit to one (1) existing unit.

D. **Development and Design Standards.**

- 1. An urban dwelling unit may be placed anywhere on a residential lot as long as the placement of the urban dwelling unit meets all development standards of the RL zone provided in Section 23.04.030, Development Standards, including, but not limited to, lot coverage, floor area ratio, and open space, except as specifically set forth in this chapter.
- 2. There shall be at least a four-foot side and rear yard setback for a new attached or detached urban dwelling unit. No setback shall be required for urban dwelling units created within an existing structure, or a new structure constructed in the same location and within the same dimensions as an existing structure.
- 3. A detached urban dwelling unit must maintain the required minimum distance between buildings of five feet, measured from eave to eave.
- 4. An attached urban dwelling unit shall have exterior access from a proposed or existing dwelling unit.
- 5. In cases where an urban dwelling unit is being added by subdividing an existing structure with no addition, the height requirements of Section 23.04.030, Development Standards, do not apply.
- 6. Urban dwelling units must use the same exterior materials, same roof covering, same exterior colors, and the same architectural details and other design features as any existing or proposed primary dwelling unit on the lot.

7. If compliance with any of the foregoing development and design standards would physically preclude the construction of up to two units on the lot, or would physically preclude either of the two units from being at least 800 square feet in floor area, then compliance with said standard shall be waived except for the requirement for at least four foot rear and side yard setbacks for new construction urban dwelling units.
- E. **Off-Street Parking.** All units, including urban dwellings and existing units, must provide at least one on-site parking space per unit, which may be uncovered, tandem, or within an enclosed garage, except as expressly provided for in Government Code section 65852.21.
 - F. **Tree Preservation.**
 1. **Protected Trees.** Existing protected trees shall be preserved in place unless required documentation and replacement is provided pursuant to this section. "Protected trees" shall have the same definition as provided in Section 23.12.170, Tree Preservation.
 2. **Tree Removal.** A certified arborist's report shall be submitted to the Community Development Department for the proposed removal of an existing tree in order to determine if the tree is a protected tree pursuant to Section 23.12.170, Tree Preservation. The report shall verify the tree's species, health, height, trunk diameter, and circumference, measured at a point four and one-half feet above the root crown. If removal of a protected tree is required to accommodate an urban dwelling unit, the project must meet the tree replacement requirements of Section 23.12.170, Tree Preservation.
 - G. **Owner-Occupancy Requirement.** There shall be no owner-occupancy requirements for urban dwelling units unless located on a lot created through an urban lot split pursuant to Government Code Section 66411.7 and Title 22 of the Alhambra Municipal Code. In the case of an urban lot split, the property owner shall sign an affidavit that the owner will occupy one of the urban dwelling units as their principal residence for a minimum of 3 years from date of approval of the urban lot split.
 - H. **Code Compliance.** An urban dwelling unit must comply with all currently applicable building, health and fire codes.
 - I. **Utilities.** Urban dwelling units shall be served either by separate meters for water, electric, and gas service or by an existing primary dwelling unit's meters. An urban dwelling unit's sewer service may be provided through an existing primary dwelling unit's sewer line, provided that the applicant makes a showing that the existing sewer line has sufficient capacity and slope to ensure proper flow strength for the urban dwelling unit's sewer output. If sufficient capacity and slope cannot be ensured, an urban dwelling unit may utilize a separate sewer line.
 - J. **Fines and Penalties.** The owner and all successors in interest in the subject property shall maintain the urban dwelling unit in accordance with all applicable regulations established in this Section and any approval granted by the City. Violations and lack of compliance with any provisions of this Section may result in legal action against the property owner, including revocation of any right to maintain an urban dwelling unit on the property as set forth in this Chapter and shall be subject to administrative fines and penalties as contained in Chapter 1.04 of the Municipal Code.

- K. **Short-Term Rental.** Urban dwelling units are prohibited from being utilized as short-term rentals pursuant to Chapter 5.92, Short-Term Rentals.
- L. **Review Process.**
1. ***Application.*** An Administrative Review application for an urban dwelling development proposal must be filed and reviewed pursuant to Chapter 23.32, Administrative Reviews. All applicants must pay the application review fees. An application for Administrative Review of a proposed urban dwelling unit development shall be considered and approved or denied within 60 days from the date the application is deemed complete. An Administrative Review for an urban dwelling unit is a ministerial approval.
 2. ***Grounds for Denial of Application.*** An application that does not conform to the specific standards set forth in this Section, shall not be approved. An application conforming to the specific standards set forth in this Section may be denied if the Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

23.22.310 Vape and Smoke Retail Sales

- A. **Purpose and Intent.** The purpose and intent of this Section is to preserve the health, safety, and welfare of the residents of Alhambra by preventing a proliferation of vape and smoke retail sales businesses in the City without regard to the appropriateness of their location, and to protect the most vulnerable members of the public from the negative impacts associated with smoking and vaping uses.
- B. **Required Permit.** Vape and smoke retail sales businesses are allowed subject to approval of a Conditional Use Permit pursuant to Chapter 23.34, Use Permits, the requirements of this section, and the requirements of Chapter 5.90, Tobacco Retail License, of the Alhambra Municipal Code.
1. ***Conditions of Approval.*** A Conditional Use Permit shall include any such conditions of approval that the Police Chief finds reasonably necessary to implement the purpose and intent of this section when considering the location and size of the proposed vape and smoke retail sales business.
- C. **Locational Requirements.**
1. Vape and smoke retail sales businesses shall not be located within 1,000 feet of any other parcel upon which a vape and smoke retail sales business is operating.
 2. Vape and smoke retail sales businesses shall not be located within 600 feet of any other parcel containing a sensitive receptor. The measurement must be made from the property line of the parcel containing the sensitive receptor unless the building or structure utilized by the sensitive receptor is set back more than 50 feet from the property line, in which case the measurement is made from the outline of the building or structure footprint to 600 feet in all directions.

- a. ***Sensitive Receptor.*** Means any of the following uses:
 - i. Schools;
 - ii. Colleges and trade schools;
 - iii. Community assembly;
 - iv. Community garden;
 - v. Cultural institutions;
 - vi. Day care center;
 - vii. Emergency shelter;
 - viii. Hospitals and clinics;
 - ix. Park and recreation facilities;
 - x. Social service facilities; and
 - xi. A conditionally permitted use that provides services primarily to minors.

D. **Legal Nonconforming Vape and Smoke Retail Sales Uses.** Notwithstanding any other provision of this code to the contrary, the following shall apply with respect to vape and smoke retail sales establishments legally existing as of July 31, 2026.

- 1. All legally existing vape and smoke retail sales establishments shall be required to obtain a Conditional Use Permit no later than July 31, 2029 to remain in operation. Any vape and smoke retail sales establishment which obtained a Conditional Use Permit prior to July 31, 2026 need not obtain a new Conditional Use Permit.
- 2. A legal nonconforming vape and smoke retail sales establishment shall terminate if it is discontinued for a period of 90 consecutive days, if it is located in a zone where vape and smoke retail sales establishments are prohibited on or after July 31, 2026, or if the vape and smoke retail sales establishment fails to comply with the locational requirements and obtain a Conditional Use Permit by July 31, 2029. Notification of the termination of legal nonconforming status shall be provided to the owner(s) of the business and the owner(s) of record of the property upon which a vape and smoke retail sales establishment is located, hereafter referred to as the "interested parties." Notice of the pending termination shall be provided in writing by the Community Development Department, served by certified, return receipt, first class mail. Notification shall contain the following information:
 - a. The location of the legal nonconforming smoking/vaping establishment, including street address and assessor's parcel number;
 - b. The basis for the termination of legal nonconforming status;
 - c. The effective date of said termination; and
 - d. The process of appeal of said termination.

3. Any interested party may appeal the proposed termination of a vape and smoke retail sales establishment's legal nonconforming status pursuant to the following administrative procedure:
 - a. No later than 30 days from the date of the notice of termination set forth in subsection D.2 above, the interested party may file a written appeal to the Community Development Director. The request shall state all reasons, including, but not limited to, alleged abridgements of the appellant's constitutional rights, and why the termination should not be made effective on the date proposed.
 - b. Within 30 days of service of said appeal the Community Development Director shall meet with the interested party and/or representative to discuss the termination and the appeal. Notice of the meeting shall be provided to all interested parties and shall be given at least five days before the meeting. No later than 10 days following the meeting the Community Development Director shall provide written notice of his or her decision to all interested parties.
 - c. No later than 15 days from service of said written decision by the Community Development Director, any interested party may appeal the decision to the City Council by submitting a written notification of the appeal to the City Clerk and paying an appeal fee as established from time to time by resolution of the City Council.
 - d. No later than 45 days from the receipt of the appeal, the City Clerk shall place the appeal on the City Council's agenda and shall cause notice of said appeal to be published once.
 - e. The City Council shall hear the appeal at a regular meeting of the Council. Based on the merits of the case, the City Council shall render a written decision with findings of fact and said decision shall be considered final. The City shall take no action toward termination of the nonconforming status of the use pending any appeal action.
 - f. Absent a timely appeal, the decision of the Community Development Director, or the Planning Commission, shall be final and conclusive. The decision of the City Council on appeal shall be final and conclusive unless timely judicial review is sought pursuant to Code of Civil Procedure Section 1094.6.
- E. **Local, State, and Federal Laws.** Vape and smoke retail sales businesses shall comply with all applicable local, state, and federal laws, including, but not limited to, Chapter 5.90, Tobacco Retail License, of this code.

ITEM #5: ZONING TEXT AMENDMENT AMD-26-04

Citywide

- This is a City-initiated application for Zoning Text Amendment AMD-26-04 amending and adding various sections of the Alhambra Municipal Code on zoning to address new State legislation, eliminate inconsistencies, clarify ambiguous provisions, correct typographical and formatting errors, and modify use allowances.
- **RECOMMENDED ACTION:** Adopt Resolution No. 26-02 recommending that the City Council adopt Zoning Text Amendment AMD-26-04, an ordinance amending and adding various sections of the Alhambra Municipal Code on Zoning, and finding Zoning Text Amendment AMD-26-04 to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15061(b)(3) of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that will not result in a direct or reasonably foreseeable indirect physical change in the environment and that have no possibility of causing a significant effect on the environment, respectively.

CODE CLEAN-UP

- Annual updates to “clean-up” Zoning Code
 - **Amendments:** Revising existing sections within the Code
 - **Additions:** Inserting entirely new sections into the Code
- Updates address the following issues:
 - **Clarification**
 - **Consistency**
 - **Compliance with State laws/Federal laws**
 - **Typographical & Formatting**
 - **Use Allowances & Regulations**

SUBSTANTIVE & NON-SUBSTANTIVE AMENDMENTS/ADDITIONS

- 20 Chapters are being amended
- 3 new sections are being added into Chapter 23.22 (Standards for Specific Uses)
- Each proposed amendment and addition has been color-coded into 2 broad categories:
 - **Non-Substantive (green category) – 32 non-substantive amendments (#s 1-32)**
 - Section number updates
 - Typographical edits
 - Clarifications
 - **Substantive (yellow category) – 19 substantive amendments/additions (#s 33-51)**
 - New standards for Poolroom & Billiard Rooms, Vape & Smoke Retail Sales, and Urban Dwelling Units
 - Changes to use allowances & regulations
 - Procedural changes in compliance with State law
 - Revised development standards
- Attachment 2, Exhibit 1, Exhibits A & B show all proposed text edits in tracked changes

NON-SUBSTANTIVE AMENDMENTS

ATTACHMENT 1

SUMMARY TABLE OF PROPOSED TEXT AMENDMENTS & ADDITIONS

TABLE LEGEND				
32 Amendments – Non-Substantive (Green Category)				
19 Amendments/Additions – Substantive (Yellow Category)				
PROPOSED NON-SUBSTANTIVE AMENDMENTS				
Amendment No.	Chapter	Section	Amendment/Addition Type	Description of Amendment/Addition
1	23.02 (Interpretation of the Zoning Code)	§ 23.02.030 (Rules of Measurement)	- Clarification	This amendment would clarify the measurement by which basements would be determined as stories and add an exception for basements used for subterranean parking.
2	23.05 (Commercial Zoning Districts)	§ 23.05.030 (Development Standards)	- State law	This amendment would update the number of Density Bonus incentives and concessions granted for qualifying projects in the CBD Zone to be consistent with State law.
3	23.07 (Public and Semi-Public Zoning Districts)	§ 23.07.020 (Land Use Regulations)	- Consistency	This amendment updates the revised section numbers for various uses and their regulations, including <i>Single Room Occupancy</i> , <i>Recycling Facilities</i> , <i>Telecommunication Facilities</i> , and <i>Temporary Uses</i> . These section numbers were revised due to the addition of new sections which altered several section numbers.
4	23.12 (General Site Regulations)	§ 23.12.040 (Encroachments into Required Setbacks)	- Typographical & Formatting - Clarification	This amendment would update a column header in <i>Table 23.12.040</i> from "Limitations" to "Additional Regulations" for consistency with the formatting of other tables, and add a reference under this column to <i>Section 23.13.020.B.5, Balconies and Decks</i> , to clarify that there are additional setback regulations applicable to balconies and decks.
5	23.12 (General Site Regulations)	§ 23.12.050 (Fences and Freestanding Walls)	- Clarification	This amendment clarifies that the fence height limit applies to a required front yard, and adds an exception for certain uses.

NON-SUBSTANTIVE AMENDMENTS

- Update standards for Fences and Freestanding Walls, Artificial Turf, and Location of Required Parking for internal document consistency
- Clarify standards for Security Devices, Vehicle Back-Up Space, On-Sale Alcohol Establishments
- Update Public Hearing and Agenda procedures to align with recent updates to City Council procedures
- Reorganization of Accessory Dwelling Units section for clarity and ease of use; update standards in compliance with State Law
- Update section numbers due to the addition of new sections

SUBSTANTIVE AMENDMENTS/ADDITIONS

PROPOSED SUBSTANTIVE AMENDMENTS				
Amendment No.	Chapter	Section	Amendment Type	Description of Amendment
33	23.04 (Residential Zoning Districts)	§ 23.04.020 (Land Use Regulations)	<ul style="list-style-type: none"> - Use Allowances & Regulations - State law - Consistency 	<p>This amendment updates the table with the new Urban Dwelling Unit (SB 9 Unit) use classification with reference to added <i>Section 23.22.300, Urban Dwelling Units</i>. The footnote referencing SB 9 units has also been removed since this is now a residential use type regulated as Urban Dwelling Units.</p> <p>This amendment also updates the revised section numbers for various uses and their regulations, including <i>Single Room Occupancy, Recycling Facilities, Telecommunication Facilities, and Temporary Uses</i>. These section numbers were revised due to the addition of new sections which altered several section numbers.</p>
34	23.05 (Commercial Zoning Districts)	§ 23.05.020 (Land Use Regulations)	<ul style="list-style-type: none"> - Use Allowances & Regulations - Consistency 	<p>This amendment updates the table with the following new Commercial Use classifications and regulations for certain zones: 1) new Poolrooms/Billiard Rooms use requires a Conditional Use Permit in all commercial and mixed-use zones; 2) new Alcohol Beverage, Off-Sales use requires a Minor Use Permit in the CBD and AC zones and is permitted in all other commercial and mixed-use zones; and 3) new Vape and Smoke Retail Sales use requires a Conditional Use Permit in all commercial and mixed-use zones.</p>

SUBSTANTIVE AMENDMENTS/ADDITIONS

- Land Use Regulations updates for:
 - Off-Sale Alcoholic Beverages
 - Poolrooms & Billiard Rooms
 - Vape & Smoke Retail Sales
 - Urban Dwelling Units (also known as SB 9 Units)
- New use classification for Data Centers
- New development standards for Tandem Parking
- Clarify review procedures for projects submitted pursuant to AB 130

ALCOHOLIC BEVERAGES, OFF-SALE

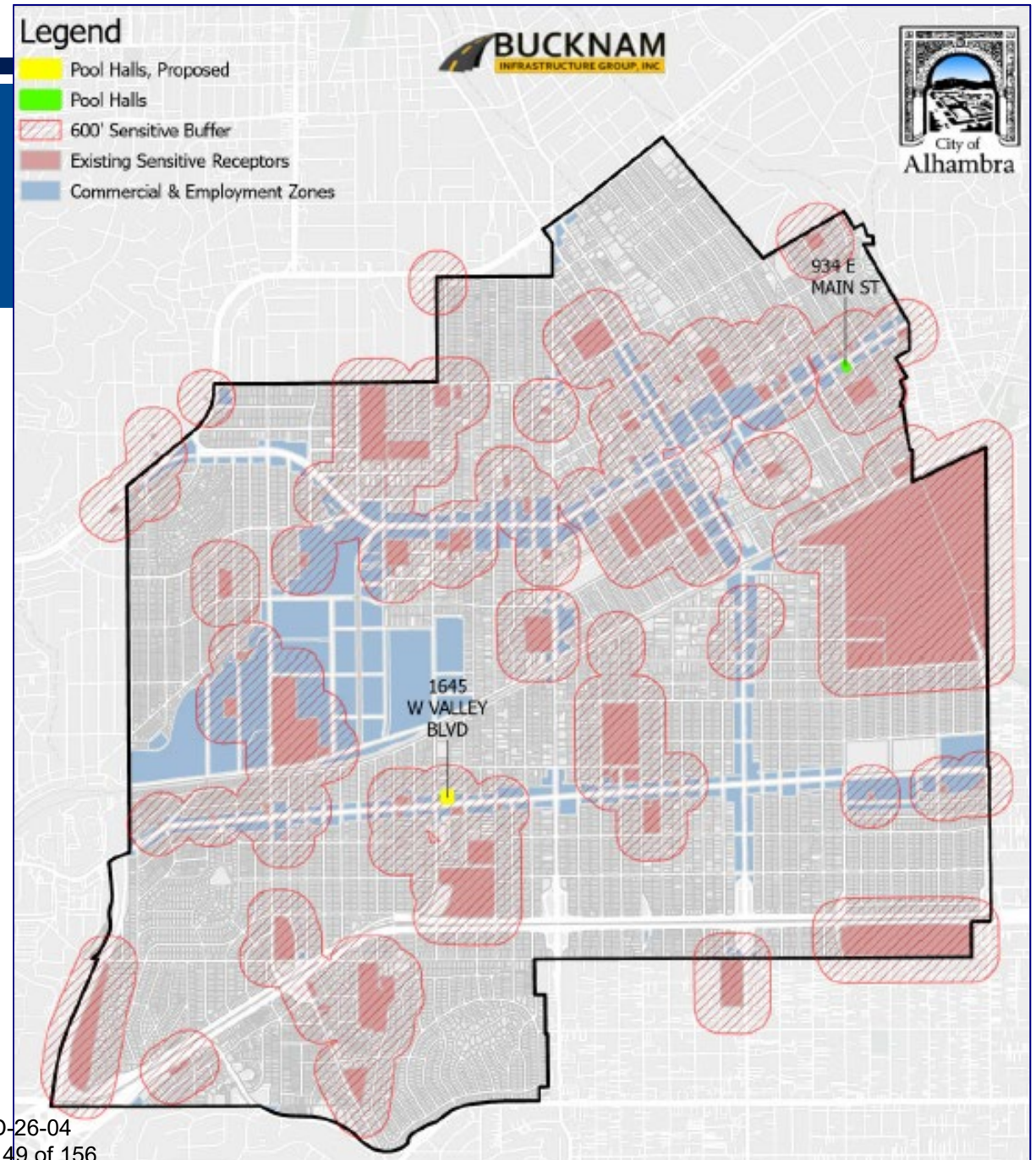
- Proposed Ordinance:
 - New “Alcoholic Beverages, Off-Sale” subclassification under Retail Sales use type
 - Requirement for Minor Use Permit in Central Business District (CBD) zone
 - Applies to retail establishments where 25 percent or more of the floor area is dedicated to the sale of beer, wine, or liquor for off-site consumption

POOLROOM & BILLIARD ROOMS

- Proposed Ordinance:
 - New “Poolroom & Billiard Room” subclassification under Commercial Entertainment and Recreation use type
 - Requirement for Conditional Use Permit
 - 600’ buffer requirement from sensitive receptors
 - 1000’ buffer requirement from any other Poolroom & Billiard Room business
- Concurrent Municipal Code update proposed to AMC 5.52, Poolrooms & Billiard Halls

POOLROOM & BILLIARD ROOMS

- 1 existing conditionally permitted poolroom use
- 1 proposed conditionally permitted poolroom use
- Sensitive receptors
 - Daycares, schools, colleges, trade schools, and conditionally permitted tutoring centers
 - Community assembly (i.e. churches, community centers, etc.)
 - Parks & recreation facilities, community gardens
 - Hospitals and clinics

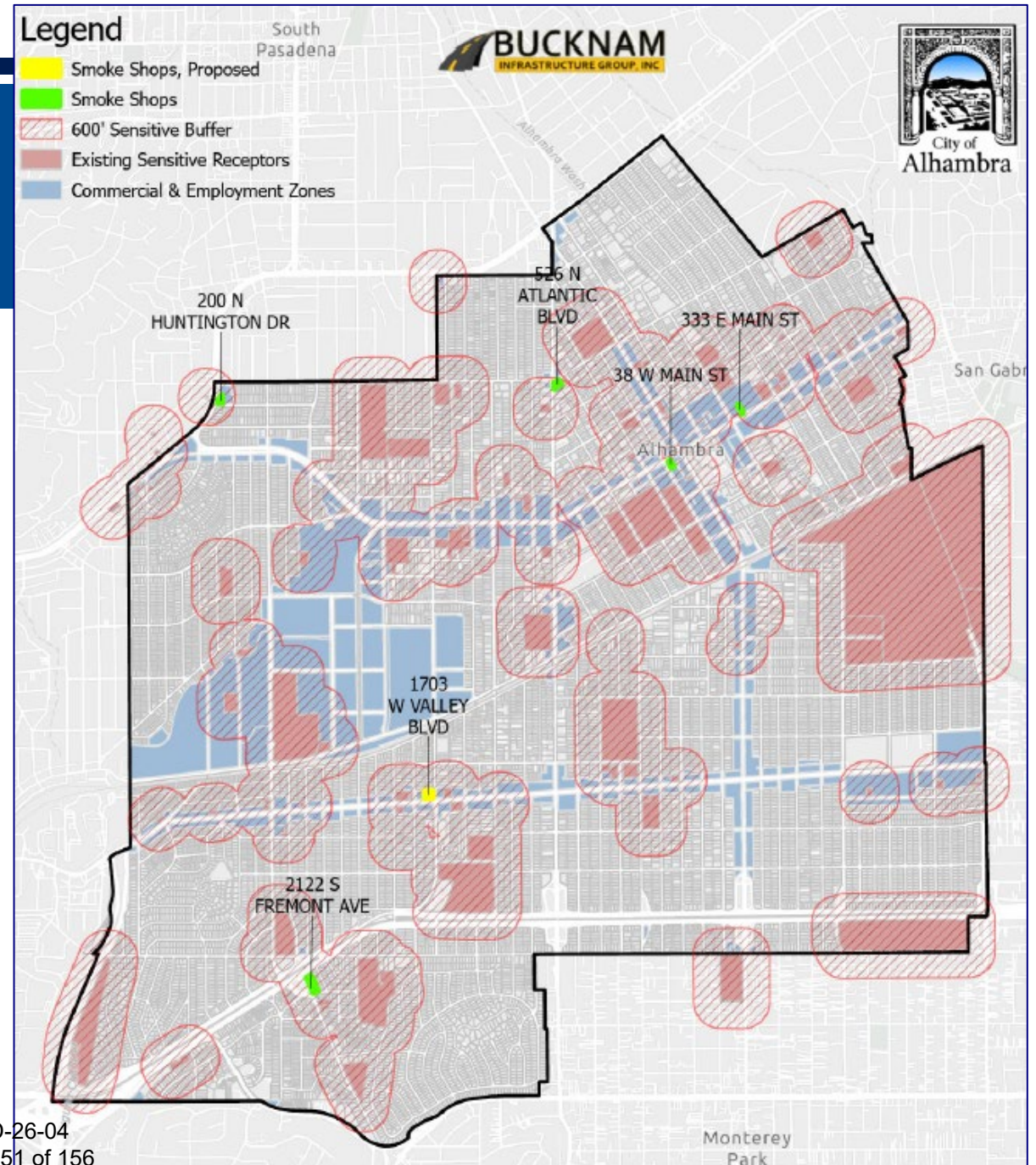


VAPE AND SMOKE RETAIL SALES

- Proposed Ordinance:
 - New “Vape and Smoke Retail Sales” subclassification under Retail Sales use type
 - Requirement for Conditional Use Permit
 - 600’ buffer requirement from sensitive receptors
 - 1000’ buffer requirement from any other Poolroom & Billiard Room business
- Concurrent Municipal Code update proposed to AMC 5.90, Tobacco Retail License

VAPE AND SMOKE RETAIL SALES

- 5 existing vape/smoke shop uses
- 1 proposed vape/smoke shop use
- Sensitive receptors shown in red with proposed 600' buffer
 - Daycares, schools, colleges, trade schools, and conditionally permitted tutoring centers
 - Community assembly (i.e. churches, community centers, etc.)
 - Parks & recreation facilities, community gardens
 - Hospitals and clinics



URBAN DWELLING UNITS (SB 9 UNITS)

- Provides standards and regulations for Urban Dwelling Units (also known as SB 9 units) in compliance with State Law
- Concurrent Municipal Code update proposed to Title 22 for Urban Lot Splits
- Proposed Ordinance:
 - Limited to Residential Low Density (RL) zone district
 - Maximum of two (2) primary units; and no more than four (4) total units in any combination of UDUs, ADUs, and JADUs
 - Development & Design Standards
 - Subject to Administrative Review

DATA CENTERS

- Proposed Use Classification in AMC 23.43.050, Transportation, Communication, and Utility Uses:
 - **Data Centers.** *Facilities used primarily for analyzing, processing, storing, converting, transmitting, distributing, and managing electronic data for on-site or off-site use. These facilities typically house computer, network, and telecommunication equipment, systems, servers, appliances, and other associated components related to electronic data operations. This classification excludes data facilities that are incidental to another primary use and that are strictly for the purposes of supporting the on-site operations of the primary use.*
- Not permitted in any zone

TANDEM PARKING

- New standards for Tandem Parking to allow for greater flexibility on constrained lots
- Residential Uses
 - Only for multi-family uses with parking structures for five or more vehicles
 - Limited to 50% of total required parking spaces
 - Spaces may not be used for more than one unit
 - Spaces may not be used for required guest parking or RV parking/storage
- Non-Residential Uses
 - Only allowed in conjunction with valet services

REVIEW PROCEDURES PURSUANT TO AB 130

- AB 130 established additional streamlining review procedures for housing projects
 - Expands CEQA exemptions for qualifying housing projects
 - Requires decision of approval or disapproval of qualifying housing projects within 60 days of submittal of a complete application, inclusive of ministerial and discretionary approvals
- Proposed Ordinance Updates:
 - Designate Community Development Director as decision body for Residential Planned Development Permit for qualifying housing development projects pursuant to AB 130
 - Require Minor Use Permit for qualifying housing development projects that are currently subject to Conditional Use Permit
 - Require public noticing and Director hearing for such project reviews

ITEM #5: ZONING TEXT AMENDMENT AMD-26-04

Citywide

- This is a City-initiated application for Zoning Text Amendment AMD-26-04 amending and adding various sections of the Alhambra Municipal Code on zoning to address new State legislation, eliminate inconsistencies, clarify ambiguous provisions, correct typographical and formatting errors, and modify use allowances.
- **RECOMMENDED ACTION:** Adopt Resolution No. 26-02 recommending that the City Council adopt Zoning Text Amendment AMD-26-04, an ordinance amending and adding various sections of the Alhambra Municipal Code on Zoning, and finding Zoning Text Amendment AMD-26-04 to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15061(b)(3) of Title 14 of the California Code of Regulations, which exempts from CEQA review projects that will not result in a direct or reasonably foreseeable indirect physical change in the environment and that have no possibility of causing a significant effect on the environment, respectively.