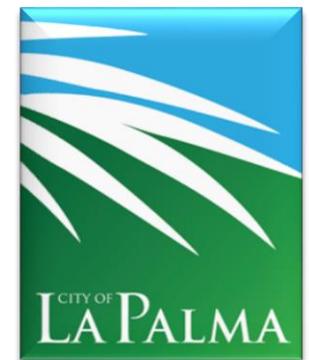
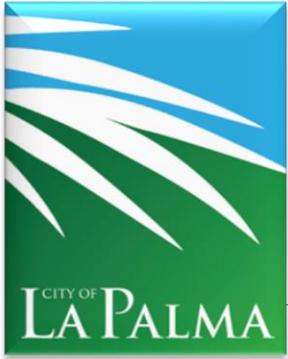


Introduction And First Reading Of Zone Text Amendment No. 2018-XX

LA PALMA CITY COUNCIL

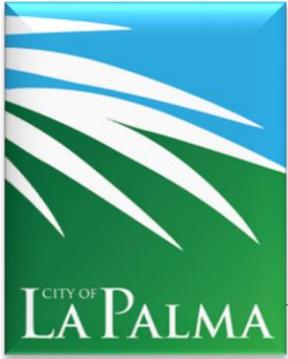
DECEMBER 18, 2018





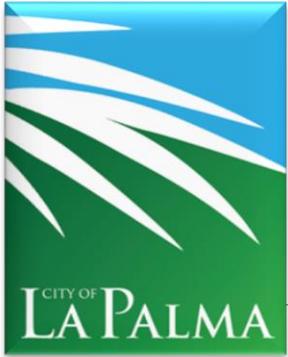
RECOMMENDATION

- **Introduce Zone Text Amendment No. 2018-XX, an Ordinance amending City Zoning Code Section 44-76 pertaining to the development standards applicable to properties within the Multiple-Family Residential (R-3) zoned properties to which the Village Residential Overlay (VRO) has been applied**



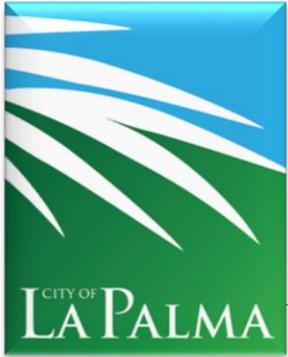
SUMMARY

- **The Ordinance amends regulations in Section 44-76 of the City of La Palma Zoning Code (ZC) that pertain to development standards applicable to properties within the Multiple-Family Residential (R-3) Zoned properties to which the Village Residential Overlay (VRO) has been applied**



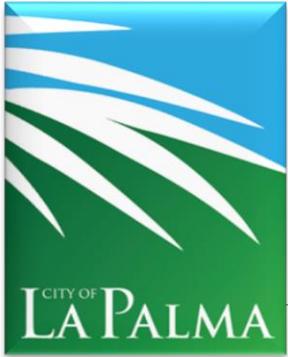
BACKGROUND

- **La Palma Municipal Code (Zoning-Development Standards for Residential Zoning Districts) provide that tailored development standards and site design may be permitted on certain housing projects, upon approval of the City Council**
- **Absent City Council approval, it is unclear what, if any, development standards apply to R-3 zoned properties to which the VRO has been applied**



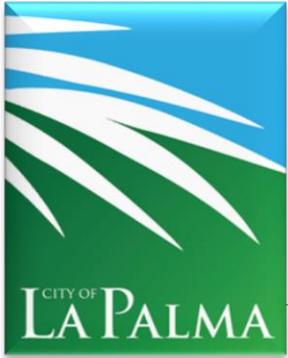
BACKGROUND

- **July 5, 2017, Council adopted Urgency Interim Ordinance No. 2017-02 of 45 days**
- **August 1, 2017, Council adopted a “Moratorium Extension” of 10 months and 15 days**
- **June 5, 2018, Council adopted a second “Moratorium Extension” of one (1) year**



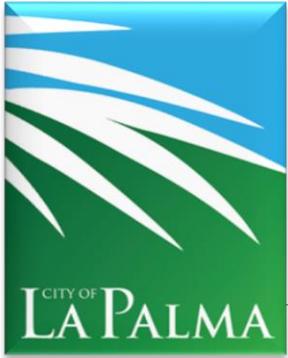
BACKGROUND

- **Moratorium allowed staff time to further review and analyze the need to amend City's General Plan Land Use and Zoning Maps, and Municipal and Zoning Codes pertaining to high density residential**
- **Recent housing legislation rendered that approach problematic**



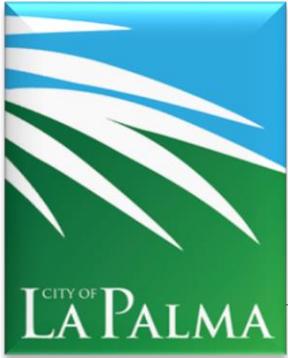
BACKGROUND

- **Assembly Bill (“AB”) 1397 took effect on January 1, 2018**
- **Materially changes the City’s obligations under state housing element law**
- **Tightened standards for what constitutes an “adequate site” for purposes of meeting some portion of a jurisdiction’s regional housing needs assessment (RHNA)**
- **With the goal of reducing agencies’ perceived identification of land not truly available or feasible for multifamily development**



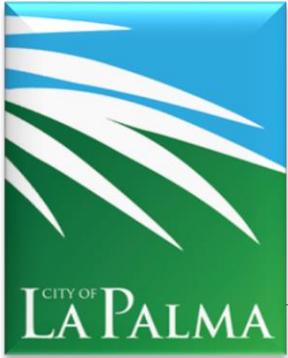
BACKGROUND

- **Initially staff explored a proposed rezone of 5052 and 5062 La Palma Avenue from the Village Residential Overlay District Zoning to the Multiple-Family Residential (R-3) designation**
- **That action would result in a “downzone” of those properties to a lower density**
- **California Government Code section 65863 prohibits cities from reducing the residential density of a parcel unless the City also:**
 - **1) Identifies sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction**
 - **2) The reduction is consistent with that city’s general plan, including the housing element**



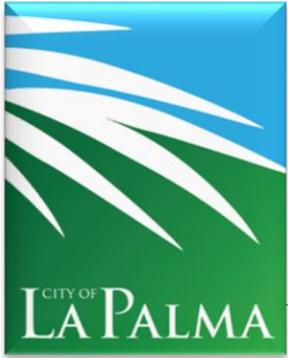
BACKGROUND

- **The City’s Housing Element states that the maximum density for those two parcels is “30 du/ac” (Appendix C-51, 52)**
- **A re-zoning those properties would lower that maximum density, therefore the City Council would be unable to find that the re-zone is consistent with the City’s Housing Element**
- **In order to make the necessary findings for the re-zone, City staff determined that the City would first need to amend its Housing Element**
- **The City would need to retain the services of a housing consultant and obtain approval of the Housing Element amendments from State HCD**
- **In order to make the second required finding under Government Code section 65863, the City would need to identify sufficient additional sites in order to allow the City to meet its RHNA obligations**



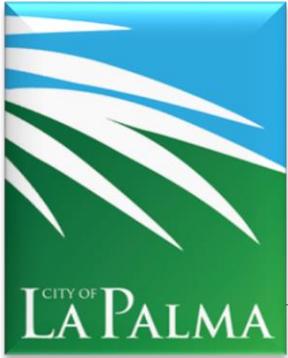
BACKGROUND

- **AB 1397 now requires Housing Elements to identify “an inventory of land suitable and available for residential development**
- **Including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality’s housing need for a designated income level**
- **And an analysis of the relationship of zoning and public facilities and services to these sites” (Gov. Code § 65583(a)(3) [emphasis added].)**



BACKGROUND

- **Under AB 1397, in order to downzone the La Palma Avenue properties the City would need to identify alternate sites that are:**
 - **(1) suitable and available for residential development;**
 - **(2) have a realistic and demonstrated potential for redevelopment;**
 - **(3) that must occur during the planning period.**
- **The City would need to identify sites that are vacant or otherwise presently suitable for residential development and that are subject to a concrete, existing proposal to be redeveloped before the end of the next housing cycle in 2021**
- **Unfortunately, none of the alternate sites contemplated by the City meet these specifications**



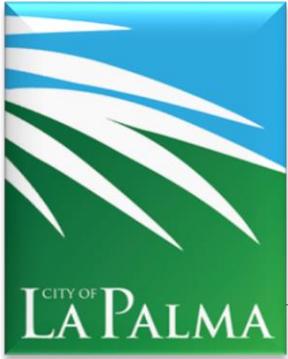
BACKGROUND

- **AB 1387 impacts were unknown until a handful of cities recently began submitting their amended housing elements to HCD for approval**
- **In mid-October, City staff learned that HCD had rejected and refused to certify one city's proposed amended Housing Element because that city could not identify alternative sites for which there was an existing, concrete proposal for residential development before the end of the housing cycle (i.e., approximately 2 years)**
- **In essence, a city's representation that a site is "suitable" for residential development is no longer sufficient – HCD wants to see a demonstrable plan that is achievable within the housing cycle**



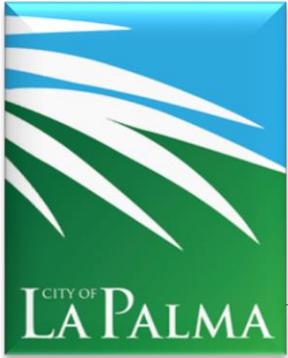
BACKGROUND

- **Once City staff learned of the hard line HCD is now taking with respect to amended housing elements (and particularly the newly enacted need to identify alternate sites having realistic and demonstrated potential for redevelopment during the planning period), City staff and the City Attorney's office decided any attempt to amend the Housing Element would likely be rejected at this time**
- **Accordingly, the City would not be able to make the findings required for the re-zone of the La Palma Avenue properties at this time**



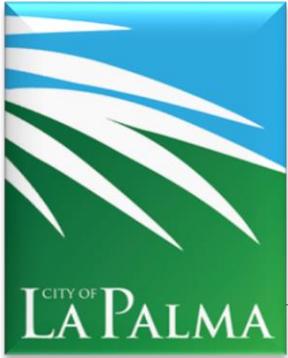
BACKGROUND

- **City staff explored and developed the proposal before the Council now:**
 - **An amendment to Section 44-76 of the La Palma Municipal Code to provide that absent City Council approval of a tailored site design and/or development standards for a particular project application, the development standards applicable to all properties in the R-3 zone apply with equal force to all properties located in the VRO zone**
- **In essence, this amendment will prohibit by-right development of higher density projects, absent explicit City Council approval**



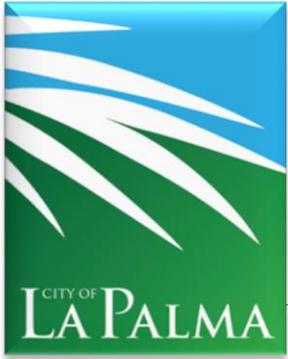
ANALYSIS

- **The City is concerned that the lack of clear development standards for VRO zoned properties may result in a number of negative impacts that deviate substantially from the established multiple-family residential land uses found on other R-3 and VRO zoned properties throughout the of the City of La Palma, including the spilling over of parking, traffic, and circulation difficulties into residential, institutional and commercial properties located within the core of the City**



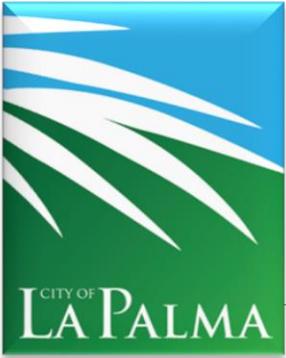
ANALYSIS

- **The City has prepared this Ordinance to amend Section 44-76 of the La Palma Municipal Code**
- **Absent City Council approval of a tailored site design and/or development standards for a particular project application**
- **The development standards applicable to all properties in the R-3 zone apply with equal force to all properties located in the VRO zone**



ANALYSIS

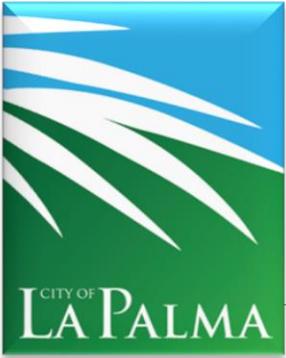
- **“Such tailored development standards and site design shall be permitted only upon approval of the City Council. Absent City Council approval of a tailored site design or of tailored development standards for a particular parcel, the development standards applicable to all properties in the R-3 zone as detailed in Section 44-79 et seq. apply all parcels to which the VRO designation is applied.”**



ANALYSIS

TABLE II-2. DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS

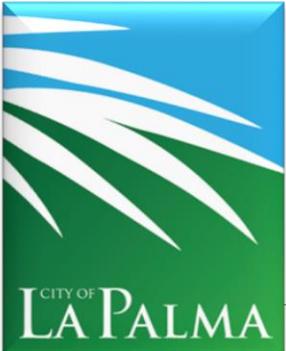
DEVELOPMENT FEATURE	R-3 DISTRICT	
Minimum Parcel Size	10,000 sq. ft.	
Density Range	Parcel Size of 0—2.0 acres	Up to 10 dwelling units per net acre
	Parcel Size of 2.1—4.0 acres	Up to 15 dwelling units per net acre
	Parcel Size of 4.1 or more acres	Up to 25 dwelling units per net acre



ANALYSIS

TABLE II-2. DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS

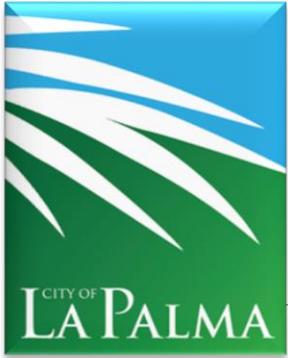
DEVELOPMENT FEATURE		R-3 DISTRICT
Setbacks Required	Front	20 ft.
	Side	10 ft.
	Side Adjacent to Residential Zoned Property	20 ft.
	Street side	15 ft.
	Rear	15 ft.
	Rear Adjacent to Residential Zoned Property	25 ft.
	Accessory structures	See Section 44-102



ANALYSIS

TABLE II-2. DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS

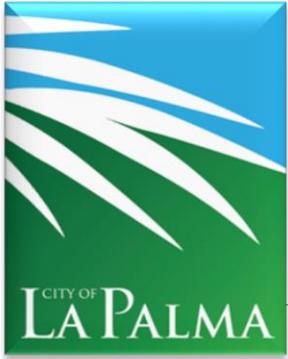
DEVELOPMENT FEATURE		R-3 DISTRICT
Maximum Height Limit		30 ft. (two stories)
Minimum Building Separation	1 Story Building on Same Lot	10 ft.
	2 Story Buildings or Between 1 and 2 Story Buildings on the Same Lot	20 ft.
	1 Story Multifamily Buildings From Property Zoned for Single-Family Residences	20 ft.
	2 Story Multifamily Buildings From Property Zoned for Single-Family Residences on Different Lots	30 ft.
Maximum Lot Coverage		40%



ENVIRONMENTAL REVIEW

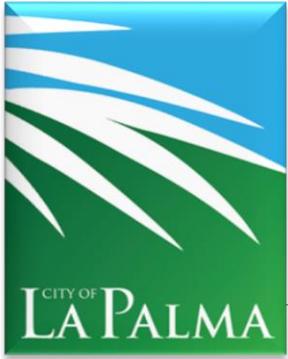
California Environmental Quality Act:

- **The project qualifies for exemption pursuant to State CEQA Guideline Sections**
- **The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(3) 15060(c)(2) 15061(b)(3) because it can be seen with certainty that it will not have a significant effect or physical change to the environment**



CONCLUSION

- **Adoption of this Ordinance will clarify the Development Standards applicable to properties within the Multiple-Family Residential (R-3) Zoned Properties to which the Village Residential Overlay (VRO) has been applied**



FISCAL IMPACT

- **Staff is coordinating this Zone Code text revision with the recent City Zoning and General Plan document changes to minimize the City's expense to implement all these changes**

QUESTIONS AND RESPONSES

INTRODUCTION AND
FIRST READING OF ZONE TEXT AMENDMENT NO. 2018-XX
DECEMBER 18, 2018

