

ALTADENA TOWN COUNCIL
Subcommittee to Update Community Standards District (CSD)
RECOMMENDATIONS FOR RESIDENTIAL AREAS

17 March 2015

OBJECTIVES FOR CSD MODIFICATIONS

- Maintain intent of the existing standards of the current CSD for light, air, and privacy
- Maintain “diverse, eclectic, and unique character” of varied neighborhoods
- Retain “safe and peaceful neighborhoods”
- Make permitting process less cumbersome for Altadena residents
- Allow certain prevalent non-conforming uses
- Promote traffic and pedestrian safety
- Allow more small scale, low-impact home-businesses
- Rectify mistakes or unintended consequences in current CSD

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Use Issue: Filming in Residential Areas

Current Regs: Film LA, Inc., a private-non-profit organization, coordinates and processes permits for on-location motion picture, television and commercial production. They negotiate rules for specific areas, and often attach special filming conditions.

Some Altadena areas currently covered by Special Filming Conditions (the Meadows, Country Club).

Discussion

Positive:

- 1) Filming generates significant income for some homeowners & some income for neighbors
- 2) Provides high wage employment for many people in Altadena and the entire Southern California region.

Negative:

- 1) Certain homes are used many times a year and become a nuisance to neighbors
- 2) Filming can cause traffic problems, particularly on narrower streets

Proposed:

1. Limit parking to one side of street only for production trucks, Sheriff's vehicles and security cars, with posted No Parking on opposite side of street.
2. Provide off-site parking for cast and crew
3. Include prep and strike days as part of filming permit

Use Issue: **Bed & Breakfasts in R-1 and R-2 Zoned Areas**

Current Regs: B&Bs are regulated as Rooming Houses under Health Dept. code. Under this code, serving food to up to 7 people does not require a commercial kitchen

LA County Santa Monica Mountain North Area CSD successfully adopted regulations for B&Bs which the Altadena CSD Subcommittee proposes adapting to apply to Altadena (22.44.133, E. a)

Discussion: The CSD Subcommittee believes B&Bs will be a positive addition to the Altadena community because:

1. They will provide a local place for friends and relatives of Altadena Residents to stay when visiting, allowing guests to enjoy Altadena
2. They will offer small business opportunities for Altadena residents,
3. B&Bs provide a positive alternative use for some of the many large houses in Altadena now frequently re-purposed as group homes

- Proposed:**
1. Facility must retain residential character.
 2. Facility to be operated and maintained by owner or lessee, and shall be primary residence of owner/lessee or a full-time manager.
 3. Facility shall not contain more than seven guest rooms.
 4. Guest rooms shall be in existing residence, or in ancillary buildings as in a bungalow court or a residence with ancillary unit.
 5. One on-site parking space, which may be uncovered, to be provided for each guest room
 6. Serving and consumption of food and beverages shall be restricted to residents and guests of the facility. No restaurant open to the general public shall be permitted. No banquets.
 7. Signage: one wall-mounted or freestanding sign shall be permitted provided that such sign does not exceed 6 square feet, which may be double-sided. Sign shall not be lighted.

Use Issue: Second Units in R-1 Zones

- Current regs:** California State Law (AB 1866) mandates allowing second units in single family residential areas, and eases restrictions on allowing second units in areas without changing zoning.
- Until recently, Los Angeles County Code did not follow the State law. Second units, granny flats, guest units, etc., are now allowed in R-1 zones.+
- Discussion:** Second-units (AKA: in-law apartments, granny flats, accessory apartments or units) provide an important source of affordable housing.
- Altadena has a great many existing second units already in existence that predate or are not in compliance with the law. There is obviously a need and demand for second-units.
- Second-units provide income for homeowners.
- Second-units provide much needed rental housing.
- Second-unit facilitate multi-generational families to live together, provides housing for family members, and allows home care providers to live in a 2nd unit, facilitating aging in place.
- LA County Health Department requires septic systems to be sized based upon bedroom count so they are adequate to handle the extra load associated with a 2nd unit, and traffic is generally not a problem in Altadena, so these factors would not be a factor in prohibiting second units.
- Some Altadena residents may be opposed to allowing second units in some Altadena R-1 areas.
- Proposed:** The law that mandates 2nd unit should be explained to the community, and a clear policy should govern the issuance of building permits for 2nd units.
- Allow second units in R1 areas by-right with certain exceptions. For those exceptions, Director's Review is required versus a CUP. Only exceptions are:
- very high Fire Hazard Severity zone
 - Significant Environmental Area (SEA)
- Unit parking may be tandem, and parking surface to be pavement, mulch, gravel or other permeable surfaces, but no parking on landscaped areas.
- Note:** Property must still comply with all other County and CSD standards for R-1 Zoning

Use Issue: **Home Business in R-1 Zones**

Current regs: Indoor businesses in R-1 zoned properties are allowed from 8 AM to 8 PM, with a maximum of one employee who must have off-street parking. One visitor vehicle per hour is allowed. Only machines allowed are computers and office equipment. County code lists many businesses specifically excluded from R-1 zones.

Discussion: CSD Subcommittee concurred that rules for home-based businesses should be made more permissive:

1. To promote vocational diversity in a changing economy with diminishing opportunities for standard employment in commercially zoned buildings.
2. To allow opportunities for entrepreneurship, requiring less punitive start-up costs.
3. To reduce environmental costs of commuting for employment
4. To reduce costs and make it more convenient for Altadenans seeking services locally

Altadena currently has many small home based businesses that contribute to the community's economic opportunity and diversity, and should be encouraged. Regulations should not discourage home based businesses, yet should minimize impact on neighbors.

Currently, home based occupations cannot be in a garage, and only one business per home, only one employee, one client visit per hour and one car per client, 8:00 am to 8:00 pm, only computers and office equipment allowed as machines for home based businesses. County code lists many businesses specifically excluded from residential zones, and the CSD Subcommittee discussed them one-by-one.

Members discussed home businesses they have observed in residential neighborhoods, which for the most part have not caused problems: artist, jewelry maker, boarding horses, hairdresser/barber, contractor's yard, movie lighting, child care, parties & receptions, internet and technology businesses, consulting, machine shop, tax preparation.

We thought it best to retain prohibitions on adult entertainment, ambulance, auto repair, auto washing, and funeral home businesses

Classes, such as yoga, dance, art, etc., are currently not allowed, and the group felt that limited use of residences for classes should be allowed.

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Proposed: Following is a break down of group discussion with current regulations and suggested changes. No final recommendations are made.

Current regulation	Recommended change
One client per hour, one client at a time	Restricts holding classes (art, crafts, etc.) or group therapy. Number of clients per hour should not be limited, subject to noise regulations such as using the home as an entertainment venue.
Hours of operation limited to 8:00 am -8:00 pm	To allow classes or group sessions hours should be 7:00 am to 9:00 pm.
Client and staff parking is required on site	Staff parking should be required on site but clients should be allowed to park on street.
Equipment is restricted to office equipment (computers, printers, etc.)	Equipment use should be regulated on the basis of noise, smell or chemical fumes. Example: exercise and photography equipment should be permitted.
Businesses may not operate in a garage	Relax restrictions on use of garage for business, providing that off street parking space is adequate for size of house. Example: photography studio, yoga studio.
Many occupations and types of businesses in homes are currently prohibited by County Code, including beautician/barber, yoga, photography lab, recording and movie production, garment manufacturing.	Home businesses should be regulated primarily on the basis of noise, dust and fumes, not on the basis of type of occupation or service provided. Most professional and technical occupations should be permitted. Restrictions on adult entertainment, auto repair and washing, funeral home, limousine and ambulance services should be retained. Home beauty/barber businesses may need specific restrictions to deal with regular traffic throughout the day. Note: restrictions on parking on street are in the jurisdiction of county Roads Department. We cannot restrict street parking in residential areas.
Home businesses are restricted in R2 zones	Businesses conducted in R2 zones present a problem due to parking and crowded facilities in apartment or condos. We will consider leaving R@ restrictions as they stand.

County has restrictions on frequency of yard sales – 2 times per year, or more if obtaining a permit. County regulations are currently being revised.	County regulations are appropriate. Garage sales should be limited to one sale per calendar quarter. We recommend requiring signs to be taken down within 3 days of a sale, but no permit required.
Classes, yoga, painting, drawing, exercise, etc.	Consider allowing 10 people max size , twice weekly. 9 AM to 10 PM

Allow more types of home-based businesses, removing regulations limiting machinery to “light office equipment,” but still subject to limitations on noise, fumes and dust. For example, film editing, sound editing, wood shop, upholstery, picture framing, sewing machines, letter presses.

Relax limits on using garage for business (not living quarters), but maintain existing on-site parking requirements (i.e., home must still provide adequate off street parking on site).

Home businesses in R-3 (apartment) zones will continue to be limited to current County Code for number of employees, hours, and parking

Business operators must reside in the home (home would not be vacant at night).

Continue to prohibit certain businesses, but allow others currently prohibited. (listed below).

Businesses that would continue to be prohibited:

- Adult entertainment
- Ambulance
- Auto repair and work
- Auto washing
- Body piercing
- Funeral home
- Physician
- Restaurant
- Retail sales
- Veterinarian
- Dentist
- Tattoo parlor
- Welding or machine shop
- Garment manufacturing
- Tow truck services
- Recording or movie studio

Currently prohibited home-based businesses that would be permitted:

- Animal training (subject to number limit TBD)
- Seamstress and Tailor
- Photography lab
- Upholstery
- Dog & Cat grooming
- Yoga/spa/retreat center

(Home-based business Recommendations, continued)

More than one business may be conducted in a home, but for each home:

- Allow office visits and classes from 8 AM to 9 PM
- Allow one visitor/client per hour (except for classes)
- Limit classes to 2 per week, maximum of 10 persons per class
- Require staff parking on site, client parking allowed on street
- No business signage allowed

Use Issue: Urban Agriculture

Current regs: Health Dept. regulates animal husbandry in R1 zones. CSD cannot over ride health codes. However, numbers and types of animals that can be kept are regulated in zoning codes and can be modified.

Current code allows hoofed animals such as horses, mules, goats, sheep, llamas and cattle on any lot 15,000 sq. feet or greater, one animal per 5,000 sq. ft.

Discussion: CSD subcommittee concurs with the general interest in encouraging urban agriculture in Altadena as expressed at the visioning sessions.

We would like to see existing codes slightly less restrictive. Currently, keeping any hoofed animal requires a lot size of 15,000 sq. ft. or greater, which discriminates against people with small lots.

Bee keeping is not allowed. We believe that homeowners should be able to keep up to two beehives on their property.

Proposed:

- Allow owners of smaller properties to keep sheep and goats, one animal per 5,000 sq. ft.
- Allow owners of properties 10,000 sq. ft or more to have up to 2 llamas or alpacas per 5,000 sq. ft.
- Allow pot-bellied pigs as pets
- Allow bee keeping with some specific limits and conditions

Setback Issue: Fences, Walls and Hedges in Front Yard Setbacks

Current regs: Fences, walls or hedges over 42" in height are not allowed in R-1 front yard setbacks. Current Altadena CSD requires a Conditional User Permit (CUP) to build a taller fence or wall in a front setback. County Code requires only a Director's Review to change fence setback requirement for flag lots only.

A CUP requires notifying neighbors with a 1,000 ft. radius, a public hearing, currently costs over \$8,000, and takes about a year and a half.

A Director's Review currently costs about \$800, requires notifying neighbors within a 1,000 foot radius and requires no public hearing unless 2 or more neighbors object.

A 10-year moratorium on enforcing regulations on non-conforming fences, walls, and hedges was declared in 2000, and no action has been taken since the moratorium expired IN 2010.

Discussion: Shrubbery, fences, hedges and walls have become part of the rustic, non-uniform look in some neighborhoods in Altadena. An estimated 20% of homes in Altadena are currently out of compliance with regulations for front yard fences and hedges.

A 14 year moratorium on enforcement of setbacks has resulted in an estimated one thousand non-conforming fences and hedges.

County zoning and code enforcement need fair and enforceable rules, consistent with existing conditions.

Implementation of a "Grandfather clause" allowing existing non-conforming fences and walls to be "grandfathered in" is not feasible according to County Planning Dept.

Uses of front yards are changing as people annex front yards as outdoor rooms and extensions of their spaces. Traditional lawns are no longer feasible due to drought and restrictions on water usage, so the traditional American look of green lawns rolling down to the street is no longer feasible.

The CSD Subcommittee distinguished fences that present an attractive face to the street from others that are on or very close to the curb, aggressively unattractive and seem to shout "keep out". Fences judged more acceptable were set back from the street with landscaping and greenery in front. It was noted, too, that many walls, fences and hedges – particularly those judged unattractive -- are located within the County right-of-way.

Chain link fences are considered unattractive by the subcommittee. Barbed wire fences, fences with razor wire, and walls with broken glass are considered aggressively ugly and hostile to the neighborhood.

- Objectives:**
- Allow, by right, certain fences and hedges in the front yard setback that are currently not allowed.
 - Establish a streamlined application process for a Director's Review to consider allowing certain fences and hedges up to 6 feet high in front yards that meet established criteria, replacing the current process that requires a CUP.
 - Create a local committee to provide consistent guidelines and criteria to Director for review of applications.

- Proposed:**
- Allow by right:
 - bottom 42" can be solid (consistent with current rules)
 - see-through (85% or greater non-solid) fences higher than 42" up to six feet.
 - landscaped setbacks, greater than
 - 6 ft. minimum setback from street
 - 2-1/2 ft. from County sidewalk
 - 2-1/2 ft. from property line

- Allow certain non-conforming fences with a Director's Review:
 - notify residents within a 1,000 ft. radius (more than 3 objections may result in refusal – most weight given to adjacent neighboring homes each side of applicant)
 - Applicant to provide fence plan and front elevation, including landscaping

Criteria for approval/rejection:

Primary Criteria for Approval (must be met)

- Fence must not cause traffic visibility safety issue at corners and driveways
- Must ensure adequate room at driveway gate to pull in without obstructing traffic
- If there is a sidewalk, the fence or hedge must be set back at least 2-1/2 ft. from the sidewalk to ensure walkability

Secondary Criteria for Consideration

Landscaped setback the greater of the following:

- 6 ft. minimum setback from street, or
- 2-1/2 ft. from County sidewalk, or
- 2-1/2 ft. from property line

A fence may be determined to be consistent with neighborhood character if two immediately adjacent homes on both sides have similar fences or hedges.

Give special consideration to allow 6 ft. solid fences on some high traffic arterial streets for noise mitigation and privacy

- Determined by LA County ‘Level of Service’
- Major Arterial
- minor Arterial (may also consider input from County traffic personnel)
- Traffic safety and walkability provisions still apply

A Director’s Review (requiring notification of all neighbors within 1,000 feet) is applied for, and there are no more than three objections from these nearby properties.

Director should give special consideration to fences on blocks where 25% or more of homes have barriers in front setbacks.

Allow chain link only on 42” high fences with vine or hedge on street side of fence to block view of chain link

No broken glass, razor or barbed wire atop walls and fences.

No fences or hedges within County right-of-way.``

Setback Issue: Front Yard Setbacks: Blocks with Widely Varying Setbacks

Current regs: To determine the setback for new construction, all setbacks of existing properties are measured, and the average distance becomes the minimum setback for any new construction. This is called the “prevailing setback,” and is mandated by the existing CSD.

Discussion: Altadena has areas with widely varying lot sizes and setbacks, with small subdivided lots. There are cases where the prevailing setback **rule** makes it impossible for someone to add on to the front of their house, even if their house is set back farther than others on the block.

Proposed: Additions of 600 square feet or less should be exempt from the average setback rule if the required front setback is the same as, or deeper than, any other existing permitted building on the block. However, all new construction should have a minimum 20 foot setback.

Consider repealing the Average Setback Rule entirely. Minimum setback in Altadena is 20' from property line. Some blocks have uniform setbacks greater than 20', and these should be maintained.

Setback Issue: Encroachment in Side Yard Setbacks

Current regs: Minimum side yard setback is 5 feet for a single story dwelling, 10 feet for a 2-story dwelling. Per the current CSD, lots wider than 50', minimum side setback is 10% of lot width for single story, 15% for 2-story.

Discussion: Most Altadena homes were built prior to the CSD, and many have less than the required side yard setback. A common CUP request is to allow additions that continue the line of the side of the house along the existing setback, rather than requiring a new addition to jog, which often complicates construction, looks peculiar, and is inconsistent with the original architecture.

Proposed: "A single addition of 500 square feet or less may encroach into a required side yard setback if it continues in the plane of the existing building, or it has a greater setback than the existing building, so long as the remaining side setback is not less than 5feet, and the height of the addition does not exceed 15 feet. A 2-story addition higher than 15 feet is permissible if the addition extends the roof-line of an existing building."

Setback Issue: Setbacks on Flag Lots and Odd Shaped Lots with Narrow Street Frontage

Flag lots are properties connected to the street by long, narrow strips of land adequate to provide driveway access. There are a great many flag lots in Altadena.

There are also many other odd shaped lots in Altadena that may not be flag lots, technically speaking, but present similar setback issues. These odd shaped lots may have a relatively narrow street frontage (50 ft. or less), but have lot dimensions (length, width, or both)that are much longer than the street frontage, such that the lot does not naturally have a front yard that orients to the street in the same manner as a conventional rectangular lot. (ie: it ay be pie-shaped or trapezoidal with a narrow street front.

Current regs: Provisions for Flag Lot setbacks are made in the County Code (22.48.50 Flag Lots) allowing flexibility in determining front, side and rear yards, and allowing a 10' uniform setback for front, side, and rear yard setbacks.

Current CSD overrules provisions in County Code on flag lot properties of 7,500 square feet or greater(which, as a practical matter, means almost all lots, as 7500 sq. ft. is minimum lot size virtually everywhere in Altadena) and much of that square footage must be dedicated for a driveway.

Discussion: CUPs for flag lots have come before the LUC a number of times. It is not known why the drafters of the current CSD elected to override the County code Flag Lot, but with hindsight it does not appear this was a good idea.

The nature of flag lots (and other odd shaped lots with narrow street frontages) is that they do not readily adapt to standard setback rules, because what is considered a front yard may be adjacent to neighboring back yards, and sometimes side yards.

In Altadena, many flag lots and other odd shaped lots are situated in steep hillside areas where greater flexibility of siting structures can minimize grading and make it possible to take advantage of special site features.

Due to the peculiarity of flag lots and other odd shaped lots, which are usually situated in the middle of blocks, we feel that more, rather than less, flexibility should be given in siting structures on the lot to fit special site conditions.

Proposed: Strike the flag lot provision in the current CSD. Allow a uniform setback of 10 feet

Setback Issue: Front Yard Setbacks in Hillside Areas

Discussion: County code (22.48.080) allows for 50% reduction in setback on very steep sites in hillside areas. This is over-ridden by CSD: D.1.d.ii & iii. But we should allow smaller setbacks in hillside areas to reduce grading. Reducing grading and scarring of the hillsides was one of the prime movers of the Hillside Development amendments to the CSD made law in 2010.

Current regs: Must maintain existing or prevailing setback under the CSD

Proposed: Change language to allow reduced setback in hillside areas per County code.

Furthermore, we propose that permission should be at the discretion of the planner even in situations where grade is less steep than defined in the code, if reducing setback would result in significantly reducing the amount of grading required.

Setback Issue: Accessory Buildings in Hillside Areas

Discussion: County Code allows accessory buildings (garages & carports) to be built within front setbacks in steep hillside areas. When new CSD hillside regulations were adopted, this code was over-written.

Current Regs: Existing regulations allowing garages & carports in front setbacks as specified in County code should be reinstated.

Proposed: The standard for the County allowing garages & carports in front setbacks on steep sites reduces excessive grading for driveways and structures, lessens construction difficulties, and helps to preserve hillsides. It should be reinstated.

Setback Issue: Swimming Pools in Side & Rear Setbacks

Current regs: Swimming pools, in-ground spas or hot-tubs, and therapy pools are considered 'structures'. A pool or spa is allowed to be built in the rear setback as long as it is at least 5 feet from the rear property line, and may encroach on the mandated side setback as long as it is minimum 5' from the side property line, but cannot be located in both a rear and side setback.

Discussion: No reason could be found to prohibit a pool from encroaching into both setbacks at the same time. This offers flexibility to site the pool in the best possible place.

Proposed: "Swimming pools, spas and therapy pools are permitted in a rear yard setback and in a side yard setback, or both, provided that these structures are not closer than 5 feet to any lot line." (Section 22.2.150 of County Code)

Setback Issue: Rear Setbacks in R-3 Zones

Current regs: a 15' foot building setback is required, and a height of 35' is allowed (3 stories).

Discussion: R-3 zones are usually adjacent to R-1 zones, and a 3 story apartment house would loom over a small single story house.

In apartment houses, the setback area is frequently paved and used for parking.

Proposed: That in this setback, the 5' closest to the property line be dedicated as a landscape buffer.

Use Issue: **Limits on use of Leaf Blowers**

Current regs: none that we know of

Discussion: Leaf blower noise, dust and pollution are pervasive in Altadena, and other cities such as Pasadena have restricted hours of use and restricted noise levels.

Leaf blowers with 4-cyle engines that are much quieter than older models are now available, and, in fact, subsidized by the AQMD.

Proposed: Restrict hours of use of leaf blowers, reduce length of time that blower can be used on a job. Maximum allowable noise level should be 65 decibels at a distance of 50 feet.

Base new restrictions on Pasadena City code 9.37.030.