

# CITY OF IRWINDALE ZONING CODE ASSESSMENT



By

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# INTRODUCTION

## BACKGROUND AND PURPOSE

The City of Irwindale adopted its first Zoning Code (“Code”) in 1966 and the document has only been amended incrementally over the past 50 years. Previously, the City had relied on the County’s zoning that existed prior to incorporation. Many of the findings in this report reflect the age of the Code and the numerous amendments that have occurred over time, which have led to inconsistencies and complicated the Code’s organization. The need for a comprehensive update is evident. The Code must be updated to not only incorporate current best practices, industry standards, and legal mandates, but also to reflect the goals and policies of the City’s General Plan and be internally consistent and user-friendly.

The purpose of the diagnostic analysis is to evaluate the Code, identify broad deficiencies, and provide a foundation for the Code update. The evaluation is based on the relationship (either positive or negative) to achieving the City’s objectives for the Code update. As identified in the City’s Zoning Ordinance Update Request for Proposals, the main objectives for the Code update are:

- Implement the General Plan vision
- Ensure the Code is user-friendly
- Update the Code’s format
- Modernize land uses and development standards
- Comply with legal State requirements

## OVERVIEW OF CODE ASSESSMENT

As the first step of updating the City’s Zoning Code, Irwindale’s consultant team, Interwest Consulting Group, is evaluating the City’s current approach to regulating development and determining if there are alternative approaches that would better implement the General Plan, attract high quality development meet community needs, and respond to State and federal mandates. This working paper summarizes the principal findings and conclusions of an assessment of existing regulatory tools, field reconnaissance of current development, and discussions with code users and City staff. The six topic areas below are reviewed in this document:

- Code Usability
- Zoning Districts
- General Plan Implementation
- Development Review Process
- Subdivision Regulations
- Compliance with State and Federal Laws

# CODE USABILITY

## STRUCTURE OF EXISTING ZONING CODE

Irwindale’s Zoning Code primarily follows a Euclidean scheme with limited use of performance standards and incentive provisions. The majority of zoning districts within Irwindale’s zoning classification system separate types of uses based on their function (residential, commercial, etc.). There are also some instances of incentive and performance-based provisions in the existing Code today, such as Chapter 17.59, Special Uses, and Chapter 17.15, Density Bonus.

The Zoning Code is organized as Title 17, Zoning, in the City of Irwindale (“City”) Municipal Code. Title 17 is separated into 35 separate chapters which can be seen below:

- Chapter 17.04 General Provisions and Regulations
- Chapter 17.08 Definitions
- Chapter 17.12 Establishments of Designation of Zones
- Chapter 17.14 Planned Development District
- Chapter 17.15 Density Bonus
- Chapter 17.16 R-1 Single-Family Residential Zone
- Chapter 17.18 O-S Open Space Zone
- Chapter 17.20 R-2 Light-Multiple Residential Zone
- Chapter 17.24 R-3 Heavy Multiple Residential Zone
- Chapter 17.28 A-1 Agricultural Zone
- Chapter 17.32 C-P Commercial Professional Zone
- Chapter 17.36 C-1 Commercial Zone
- Chapter 17.40 C-2 Heavy Commercial Zone
- Chapter 17.44 C-3 Heavy Commercial-Residential Zone
- Chapter 17.48 C-M Commercial Manufacturing Zone
- Chapter 17.52 M-1 Light Manufacturing Zone
- Chapter 17.56 M-2 Heavy Manufacturing Zone
- Chapter 17.58 Alcoholic Beverage Establishments
- Chapter 17.59 Special Uses
- Chapter 17.60 Q Quarry Overlay Zone
- Chapter 17.62 X Exclusive Zone
- Chapter 17.63 Surface Mining and Reclamation Plans
- Chapter 17.64 Off-Street Parking
- Chapter 17.66 Trip Reduction and Travel Demand Measures
- Chapter 17.68 Yard, Area, and Height Requirements
- Chapter 17.70 Site Plan and Design Review
- Chapter 17.72 Billboards
- Chapter 17.76 Nonconforming Uses
- Chapter 17.80 Zone Variances and Conditional Use Permits
- Chapter 17.84 Amendments

- Chapter 17.88 Temporary Uses and Special Permits
- Chapter 17.90 Wireless Communications Facility
- Chapter 17.100 Automotive Dismantling Planned Development Overlay Zone
- Chapter 17.110 Marijuana Uses and Activities Prohibited

## ORGANIZATION AND HIERARCHY

One of the most important tasks in any zoning code update is determining how to reorganize and reformat the regulations to create a logically organized document to achieve the jurisdiction's objectives. Users should be able to navigate the document and find out what can be built, what the rules are, and how to get approval for permits.

Overall, the current Code lacks a user-friendly structure with clear hierarchy. With over 30 chapters and no divisions to separate chapters, the Code is not organized in a logical manner of general provisions, establishment of zoning districts, administration of the code, etc. In addition, the Code overall lacks a user-friendly structure with a clear hierarchy. The Code does not organize or group regulations in an intuitive manner, requiring users to sift through each chapter to find the information. Currently, the Code presents definitions in 13 separate locations. A consolidated definitions section would make the document more user friendly and reduce the potential for internal inconsistencies.

The Zoning Code also has a numbering system that is inconsistent throughout with non-sequential numbering. Chapter numbering in the Code is non-sequential, making it difficult to quickly turn to cross-referenced sections or subsections. Between the chapters, the numbering of subsections differs (sometimes starts with A, B, C... and sometimes 1,2,3...). The use of bold or italic text may help further differentiate hierarchy within long sections.

## LAYOUT AND FORMAT

A well-organized code is easy to use, navigate, and understand, reducing the possibility of overlooking important information or misinterpretations. The organization of Irwindale's Zoning Code can be improved in several ways. First, the City should combine, consolidate, and reorganize its numerous sections into chapters, sections, and subsections so that they flow more logically and have a consistent structure. Overall, the Code can progress from the most often referenced to the least—with basic provisions and administrative chapters in the beginning, followed by regulations of specific zones, then use regulations of specific zones, and then use and performance standards.

The City should supplement the organizational strategies mentioned above with improvements to the appearance of the text itself. This would include formatting considerations, such as chapter layout, headings, use of numbering and bullets, and wider spacing. Different fonts, including the use of bold and italics for differentiating sections and the main text would help the appearance of the document. In addition, consistent indentation will also help the reader distinguish between sections and subsections of the Code.

## UNDERUTILIZED TABLES

The existing Zoning Code contains very few tables to help users identify applicable regulations quickly and easily. Tables greatly enhance the ordinance’s usability, and they should be used more extensively to organize the information presented in the Zoning Code. The Code should rely more extensively on tables and cross references to convey use regulations and development standards, provide quick access to all relevant regulations for a particular topic, and to avoid unnecessary repetition of provisions. Tables and cross-references greatly improve the readability of complex regulations. This method also helps to facilitate searching with hyperlinks in a Web-based version of the code.

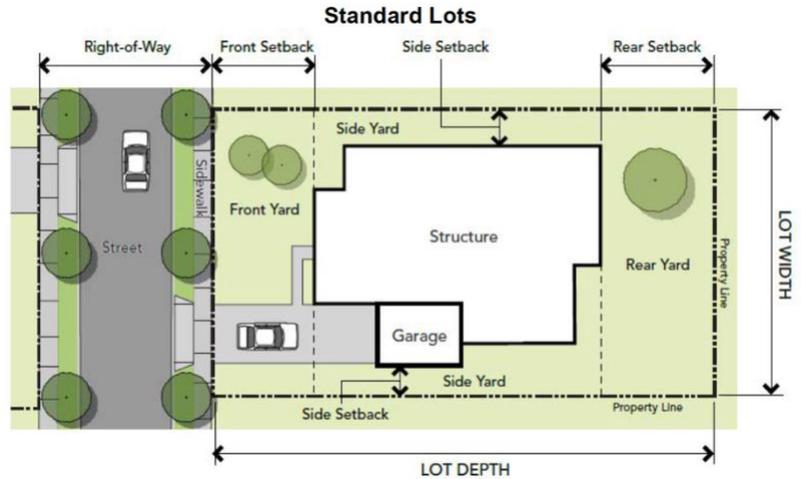
The example below shows a table that organizes development standards and references Additional Regulations for residential uses. Such consolidation of information streamlines the Zoning Code and makes it easier to find important information.

TABLE 17.08.030: DEVELOPMENT STANDARDS – RESIDENTIAL ZONES							
<i>Standard</i>	RE	RRA	R-1	R-2	R-2.5	R-3	Additional Regulations
<b>LOT AND DENSITY STANDARDS</b>							
<b>Maximum Density (Units/acre)</b>	0.4	1	6	12	20	50	
<b>Minimum Lot Size (square feet, unless otherwise indicated)</b>	2.5 Acres (A)	1 acre	R-1A: 5,000 R-1B: 6,000	5,000	10,000	20,000	In the R-1, R-2, R-2.5 and R-3 Zones; smaller lots may be allowed through Conditional Use Permit Approval pursuant to §17.08.040.C., Single Unit Small Lot Development
<b>Minimum Lot Width (feet)</b>	100	100	50	50	80	100	
<b>Corner Lot (feet)</b>	110	110	60	60	90	110	
<b>Minimum Lot Depth to Width Ratio</b>	3:1	3:1	3:1	3:1	3:1	3:1	
<b>Maximum Lot Coverage (% of lot)</b>	25%	25%	50%	50%	60%	70%	

## ABSENCE OF ILLUSTRATIONS

The current Zoning Code provides very few graphic examples or illustrations of standards. Without clarifying visual examples of measurement standards, development standards, and other complex provisions, these sections are highly vulnerable to misinterpretation, which further complicates understanding and enforcement. In many instances, graphics can communicate development regulations more clearly and in less space than written standards. For example, images can clearly depict standards for measuring building height or yard setbacks, while verbal equivalents are prone to misinterpretation and uncertainty. With visual

clarification, fewer sections of the Zoning Code will be subject to competing or incorrect interpretations, and regulations can be cleared of much of the jargon that can obscure the Code’s intent. Graphics are practical in illustrating and defining development standards, such as those related to lot types, setbacks, parking, signs, and landscaping/screening.



**UNCLEAR LISTS OF ALLOWED USES**

Each base zone currently contains a list of allowed uses by right or by review and approval of a Conditional Use Permit. Many of the listed uses are not defined. Other times, users need to reference another part of the code to determine if a use is allowed. The Code at times, also employs archaic language and references, such as “telephone operators”.

Many jurisdictions have adopted a flexible system for use regulation to accommodate new development and minimize the need for Zoning Code amendments to accommodate new and changing uses. Typically, this strategy includes the formulation of “use groups” that classify all land uses and activities according to common characteristics. For example, the Zoning Code currently lists many types of sales separately, including clothing stores, book shops, photography and camera shops, among others. A use group system would consolidate all of these types of sales into one category—retail sales—because they share common physical requirements.

The Zoning Code should consolidate use types into a clearly defined modern classification system, which places land uses and activities into groups based on common functional, product, or physical characteristics. There are many advantages to this type of use classification system. Listing use groups instead of specific uses help streamline the use regulation parts of the code. Categories are also broad enough to allow classification of new, unanticipated uses, so that the City does not need to amend these sections or make interpretations as frequently. This system can still allow for standards for problematic uses, such as tattoo parlors, smoke shops, or auto repair.

**LACK OF CLEAR DEFINITIONS AND RULES OF MEASUREMENT**

Though the Zoning Code does currently include a section of definitions, many are overly specific and include development standards. Definitions should convey the meaning of a term and not contain standards; they should be located in the body of the regulations. The definitions should be updated to include modern terminology and be made more general so

that they will apply to terms as they are used throughout the Zoning Ordinance and other City codes and ordinances.

The Zoning Code does not include a chapter on rules of measurement, which ensures that all ordinance users are able to determine the way that standards should be applied in the same manner in order to arrive at the same conclusion. A set of rules of measurement should also be incorporated into the Zoning Code to ensure consistent interpretation and application of standards.

### **PERFORMANCE STANDARDS ARE LIMITED**

Performance standards deal with the operational impact of certain uses, and often include standards related to smoke, odor, dust, and glare. Performance standards are limited in the Zoning Code today and are spread throughout different chapters. Performance standards should not be included in a specific zoning district or under a specific use regulation. For example, the Automobile Dismantling Planned Overlay Zone discusses odors under Setbacks, Building, and Material storage. To reduce confusion of applicability of the performance standards in Irwindale city-wide, these standards should be prepared and put in a single section and adequately referenced where applicable for environmental consideration.

Performance standards should also be referenced by use classification in the Permitted Use Table. For example, for a welding shop there can be a reference to find the performance standards section where glare and noise can be found.

### **PHYSICAL FORM AND DESIGN RELATED STANDARDS**

The physical form of development is not addressed in an organized or complete fashion in the current Zoning Code. The current Code gives dimensional requirements with regards to height limits, lot coverage and density, setbacks and yard widths. However, specific design standards are not handled consistently among the different zoning districts. Also, there are no all-inclusive set of design standards that apply citywide in the Code today. There are commercial and industrial guidelines that exist and will be updated as a part of the Zoning Code update process.

The Zoning Code will be updated to allow multi-family housing by right with objective design and development standards to meet recent State housing legislation passed in 2019. The City should also consider adopting new development regulations to address the form and design of new infill and redevelopment of commercial, industrial, and mixed use development. They should promote a desirable physical form and ensure that more intense uses of land do not become public nuisances. For commercial and potential mixed-use infill sites in the town center area or near the Gold Line transit station, for example, standards should focus on the creation of an attractive pedestrian environment and promote transit-oriented development.

Irwindale should consider adopting clear development standards to achieve quality design, including the following:

- Location of a building on a lot – where a building may or must be built to the street and where setbacks are required
- Façade design and articulation
- Orientation of building entries
- Transparency – pedestrian level windows offering views into buildings and displays
- Limitations on blank walls
- Number of stories; minimum building height
- Relation to adjoining sites
- Location and screening of parking
- Landscaping

Establishing minimum design standards will set the tone for the type of development the City hopes to attract. These standards will allow developers to know exactly what is expected of them. At the same time, flexibility can still be achieved by allowing a modification of standards as long as certain findings and criteria are met. For instance, setback requirements could be modified if a wider sidewalk area or outdoor dining area is provided and enhances a pedestrian-oriented feel. In single-family residential areas, the City should adjust standards carefully to maintain compatibility with surrounding development.

## ZONING DISTRICTS

Zoning districts or “Zones” create the framework for implementation of General Plan policies and land use designations. The Irwindale Zoning Code today has eleven base zones and three overlay zones in the City of Irwindale. The base zones include three residential zones, five commercial zoning districts, two manufacturing/industrial districts, an agricultural district, and open space district. There are three overlay zones in the City: the Planned Development Overlay Zone, the Quarry Overlay Zone, and the Automotive Dismantling Planned Development Overlay Zone.

### RESIDENTIAL ZONES

Approximately 60 acres of the City’s total land area is committed to residential development. According to the Los Angeles County’s Assessor’s office and the City’s inventory, 422 of 1,091 parcels in the City of Irwindale have a single-family zoning designation (or designation that allows for single family homes). Residential is predominantly single-family detached residential, with the exception of the Las Casitas senior apartments. The Zoning Code contains three residential zoning districts and two additional zone districts that permit residential uses (Agriculture and Heavy-Commercial Residential Zone).

#### R-1 Single Family Residential Zone

This zone district is the most restrictive residential zone, permitting one single-family home per lot. This zone also contains base standards that are applicable to the remaining zone districts. The R-1 district allows a maximum of 8 dwelling units per acre. This zone also contains base standards that are applicable to the remaining residential zone districts, as well as the C-3 zone. Accessory dwelling units are also permitted in this zone today.

#### R-2 Light/Multiple Residential Zone

In addition to permitting uses allowed under the R-1 zoning, the R-2 Light/Multiple Residential Zone also permits two dwelling units on a lot. The minimum lot size for a single-family dwelling is 6,000 square feet. The R-2 zone (light-multiple residential) requires a minimum land area size of 3,000 square feet per unit for duplexes, which translates into a development density of 14 units per acre.

#### R-3 Heavy/Multiple Residential Zone

The R-3 Heavy/Multiple Residential zoning district allows multi-family development including apartments and condominiums. The R-3 (medium-multiple residential) zone district requires a minimum land area of 2,000 square feet per unit that translates into a development density of 21 units per acre. The Las Casitas senior housing complex is the only area of the City that is zoned R-3. The project was approved for 26 units on 33,710 square feet of land, with a density of 33.6 dwelling units per acre. Phase 1 of the project, which consists of 16 units was completed in 1996 and Phase 2 was completed in 2012 consisting of 10 units.

## **A-1 Agricultural Zone**

Permitted residential uses under the R-1 zone are also permitted in the A-1 zoning district. In addition, the keeping of certain farm animals and livestock is also allowed in the A-1 zone. The majority of the residential-developed parcels in the City are classified under this zoning district.

## **COMMERCIAL ZONES**

There are approximately 77 acres of commercial development in Irwindale. Commercial zoned properties are spread throughout the City, primarily along Irwindale Avenue and Arrow Highway. Small family-owned businesses traditionally served the community for many years until the early 2000s. Most of the newer commercial development after 2010 has occurred along Arrow Highway just west of the Town Center area, consisting of neighborhood commercial serving uses as well as dining uses. Most of the commercial zones identify two designations for minimum lot size of either 5,000 SF or 10,000 SF. It is not clear why this distinction is established. The commercial zones in the City are shown below:

### **CP Commercial Professional Zone**

The Commercial Professional Zone allows office-oriented businesses, such as accountants and medical doctors. This includes single tenant uses as distinguished from business parks where office use is interspersed with other types of land use activities, such as light industrial uses.

### **C-1 Neighborhood Commercial Zone**

The Neighborhood Commercial Zone allows uses that typically cater to the daily household needs of the area residents, such as grocery stores and dry cleaners. Restaurants and parking lots are allowed as a conditional use in the C-1 zone. The zoning district distinguishes C-1 by two lot sizes that are allowed. A minimum lot size of 5,000 square feet for properties designated as C-1 5,000 and a minimum lot size of 10,000 square feet is required for properties designated as C-1 10,000. Setbacks are the same for both C-1 zones.

### **C-2 Heavy Commercial Zone**

The C-2 zone district allows neighborhood commercial uses from the C-1 district and more general retail uses such as clothing stores and furniture stores. It also allows for administrative and professional offices, including medical and dental offices (such as those listed in the C-P zone). Drive-in restaurants, automobile repair shops, automobile sales, car washes and assembly uses are allowed with a conditional use permit. Similar to the C-1 zone, the Heavy Commercial Zone is broken into C-2 5,000 and C-2 10,000, allowing different minimum lot sizes for specified lots in the City.

### **C-3 Heavy Commercial-Residential Zone**

This zone district permits either of the uses that are permitted in the C-2 and R-1 zoning districts. Similar to the C-1 zone, the Heavy Commercial-Residential Zone is broken into C-3 5,000 and C-3 10,000, allowing different minimum lot sizes for specific lots.

### **C-M Commercial Manufacturing Zone**

The C-M district allows the assembly and manufacturing of goods and parts for equipment. Permitted uses include manufacturing assembly, catering establishments, optical manufacturing and packaging businesses. Warehouses, wholesale businesses, and storage buildings are also permitted, except they cannot have outside storage. Uses requiring a conditional use permit include ceramic products manufacturing, testing laboratories, and parcel delivery terminals. Only four properties today are zoned as C-M.

## **INDUSTRIAL ZONES**

There are two industrial and manufacturing base zones in the City of Irwindale today. A summary is below:

### **M-1 Light Manufacturing Zone**

The M-1 Light Manufacturing zone is intended to accommodate a diverse range of light industrial and workplace uses and provide protection with incompatible uses. This zone provides for industrial parks, warehouses, light manufacturing, and similar and compatible uses. Approximately 186 acres of the City's total land area is designated for light manufacturing purposes.

### **M-2 Heavy Manufacturing Zone**

The M-2 Heavy Manufacturing zone allows for intensive industrial operations that can also include outdoor storage of materials and equipment as an ancillary use. This also includes concrete and asphalt batch plants. Most of the developable land in the City is zoned M-2, including many of the City's quarry sites and landfills. Approximately 164 acres of the City's total land area is committed to heavy manufacturing uses.

## **OVERLAY ZONES**

### **Planned Development Overlay Zone**

This zone encourages a creative and more efficient approach to the use of land by allowing innovative commercial development for residential development that serves a variety of household types. This overlay zone permits a maximum density of 21 dwelling units per acre for a residential use. Although this district is not being utilized often by developers, it should be retained and encouraged for properties that will see infill or redevelopment and creative site planning or design solutions are needed. This will reduce the need for drafting specific plans on properties that are not major new developments or spanning multiple properties and large acreages.

### **Quarry Overlay Zone**

Roughly 1,630 acres of the City's total land area is committed to quarries. Sites in the Quarry Overlay Zone include uses where extracted sand and gravel is separated and processed into

various products. These sites may also include batch plants as well as truck yards and maintenance areas.

The Quarry Overlay Zone applies to areas of the City used for quarries and is intended to allow for the continued operations of quarries until such a time as quarry activities are ceased and the parcel is converted to an alternative land use consistent with the underlying zoning for the parcel or rezoned to another zoning designation.

#### **Auto-Dismantling Planned Development Overlay Zone**

This is an overlay zone for auto dismantling uses located within the M-2 (Heavy Manufacturing) zoning district. It applies to the area of the City encompassing all of Alpha Street, as depicted on the Zoning Map.

The Auto-Dismantling Planned Development Overlay Zone establishes site planning, development, abatement and/or operating standards for these types of automobile dismantling uses. It is the City's intent, in establishing these standards, to mitigate the existing and potential impacts of these uses and activities on adjacent and surrounding land uses by applying special location and design requirements beyond those otherwise required in the underlying zoning district.

# GENERAL PLAN CONSISTENCY

The 2020 Irwindale General Plan defines the community’s vision for the future. Overall, the General Plan promotes the development of its town center and protects the character of existing residential neighborhoods. The challenge now is to translate the policies related to zoning and subdivision controls into a user-friendly, legally adequate, and effective set of regulations and procedures, responding to the community’s desire to maintain and improve Irwindale as a safe, vibrant, livable, and prosperous community with a vibrant town center, active corridors, and healthy neighborhoods.

The Zoning and Subdivision Codes should clearly communicate and effectively implement the General Plan’s policies and incorporate the direction specified in the Plan for the development, maintenance, and improvement of land and properties. This section contains observations and strategies for improving regulations to be more conducive and effective in achieving the vision articulated in the General Plan.

## EXISTING ZONING DISTRICTS COMPARED WITH GENERAL PLAN

The Irwindale Zoning Code identifies allowed uses and development standards for each zoning district. The table below lists each zone, its purpose, the General Plan land use designation associated with each zoning district, and the density and intensity described in the General Plan.

ZONE DISTRICT		DESCRIPTION	GENERAL PLAN DESIGNATION	GENERAL PLAN DENSITY/FAR
<b>R-1</b>	Single Family Residential	This zone district is the most restrictive residential zone, permitting one single-family home per lot. This zone permits a maximum density of 8 dwelling units per acre.	Residential	8 dwelling units per acre
<b>R-2</b>	Light Multiple Residential Zone	The R-2 zone allows single-family dwellings, as well as duplexes. It requires a minimum land area size of 3,000 square feet per unit which translates into a maximum development density of 14 units per acre.	Residential	14 dwelling units per acre
<b>R-3</b>	Heavy Multiple Residential	This zone district permits multiple family development including apartments and condominiums. This zone permits a maximum density of 21 dwelling units per acre.	Residential	Up to 21 dwelling units per acre.

<b>A-1</b>	Agricultural	Residential uses corresponding to that permitted under the R-1 zone are also permitted in this zone district. In addition, the keeping of certain farm animals and livestock is also permitted in the A-1 zone. Many of the residential-developed parcels in the City are in this zoning category.	Residential	Up to 8 dwelling units per acre.
<b>C-P</b>	Commercial Professional	This district allows uses where the principal activity consists of an office-oriented business.	Commercial	0.5 to 1.0 FAR
<b>C-1</b>	Neighborhood Commercial Zone	This land use category is characterized by smaller neighborhood retail activities and businesses that typically cater to the daily household needs of the area residents.	Commercial	0.5 to 1.0 FAR
<b>C-2</b>	Heavy Commercial	This zone district allows neighborhood commercial uses and more general retail uses such as clothing stores and furniture stores. It also allows for administrative and professional offices, including medical and dental offices.	Commercial	0.5 to 1.0 FAR
<b>C-3</b>	Heavy Commercial-Residential	This zone district permits either of the uses that are permitted in the R-1 and C-2 zone districts.	Commercial	0.5 to 1.0 FAR
<b>C-M</b>	Commercial Manufacturing	This district allows the assembly and manufacturing of goods and parts for equipment.	Industrial/Business Park	0.5 to 1.0 FAR
<b>M-1</b>	Light Manufacturing	This zone is intended to accommodate a diverse range of light industrial and workplace uses and provide protection with incompatible uses. This zone allows light industrial uses such as warehouses and light manufacturing uses.	Industrial/Business Park	1.0 FAR

<b>M-2</b>	Heavy Manufacturing	This zone is intended to accommodate manufacturing, processing, storage, and similar industrial uses. This zone provides for manufacturing, processing, assembly, research, wholesale and storage uses, trucking terminals, and similar and compatible uses.	Industrial/Business Park	1.0 FAR
<b>OS</b>	Open Space	Provides zoning standards and requirements to regulate open space areas that are consistent with the open space/easements land use that is designated by the General Plan.	Open Space; Parks	Parks: 0.5 to 1.0 FAR
<b>PD</b>	Planned Development District	This zone allows a creative approach to residential development that serves a variety of household types. This overlay zone permits a maximum density of 21 dwelling units per acre.	All residential and all non-residential zones.	Up to 21 dwellings per acre.
<b>Q</b>	Quarry Overlay	The Quarry Overlay Zone applies to areas of the City used for quarries and is intended to allow for the continued operations of quarries until the use is ceased and the parcel is converted to an alternative land use.	Quarry/Quarry Overlay	None.
<b>AD</b>	Automotive Dismantling Planned Development Overlay Zone	An overlay zone for automobile dismantling uses located within the M-2 (Heavy Manufacturing) zoning district along	Industrial/Business Park	1.0 FAR

The Zoning Code is generally consistent today with the General Plan, but there are six General Plan land use categories that do not have zoning districts that implement the land use districts. This includes Public Institutional, Regional Commercial, Commercial/ Recreation, Industrial/Commercial, Parks, and Open Space/Easements. Although these types of uses are addressed in varying forms within existing zoning districts, a new public institutional district should be considered being added as a zoning category for civic buildings and public institutions such as schools.

## GENERAL PLAN DIRECTION AND GUIDANCE

The 2020 Irwindale General Plan (“General Plan”) was adopted in 2008. The General Plan delineates a vision for Irwindale’s future and includes a land use map together with policies and implementation measures to achieve that vision. Certain policies and implementation measures specify amendments to the Zoning Code – the primary tool to implement the General Plan. While many General Plan policies and implementation measures will influence the Code update, key direction and guidance is summarized in Table 2, below.

Direction or Guidance	General Plan Policy or Measure	Proposed Actions to Be Taken
Update zoning and development standards to be consistent with the General Plan.	California Government Code Section 65300, et. seq. Infrastructure and Resource Management Elements.	New zoning districts will be modified or created to be consistent with the General Plan.
Plan for land use and development patterns that allow succession of use and economic development	Community Development Element Policy 7; Community Development Element Policy 9; Community Development Element Policy 10	Modify Zoning Code districts/regulations to allow for infill and redevelopment in the City.
Provide adequate buffers, screening, and landscaping; retain trees and plantings; require replacement trees and plantings	Resource Management Element Policy 29	Create a new landscaping chapter, so all landscaping regulations are in one place in the Code.
Minimize conflicts of industrial uses with residential neighbors, including noise, dust, and odor	Resource Management Element Policy 19; Resource Management Element Policy 20; Resource Management Element Policy 21	Performance standards will be created. Additional site design regulations will be prepared.
Address regulatory impediments to new businesses and business expansions, such as sign regulation issues	Community Development Element Policy 16.	Update development standards, nonconforming regulations, and sign code regulations.
Encourage varied housing types, sizes, and tenure opportunities compatible with surrounding uses	Housing Element Policy 17, Housing Element Policy 16	Update residential lot requirements and development standards; allow new housing types; update ADU regulations.
Encourage creative and efficient residential site developments	Housing Element Policy 20; Resource Management Element Policy 11; Program No. 9: Promotion of Energy and Water	Update residential lot requirements and development standards; allow new housing types; update ADU regulations.

	Conservation to Existing Residents and in City Sponsored Housing Projects	
Codify inclusionary housing requirements and associated policies	Housing Element Policy 4;	Update residential development standards; allow new housing types.
Update the Zoning Code to comply with State mandates.	Housing Element Policy 14; Housing Element Policy 19	Update Code to meet recent legislation changes with SB 35, 330, HAA, and ADU requirements.

# DEVELOPMENT REVIEW PROCESS

The City implements the goals and policies laid out in its General Plan through its development review and administrative process. It can promote the type of development a community would like to see happen by providing a clear, predictable path to project approval. However, vague review processes with unclear requirements can cause developers uncertainty, make community residents uneasy, and dampen a City’s ability to attract the type and quality development it would like to see occur in the City.

Typically, developers value three central qualities in any administrative code section. Clear and unambiguous requirements and review procedures, a streamlined review process that allows decisions by Planning staff, and flexibility to adjust development standards for individual projects for requirements that constitute a substantial burden. Certainty about the types of development they can expect to see in their community is also important to residents. The degree to which Irwindale can incorporate these qualities into its Zoning Code will help improve its ability to compete for development. This section contains general observations about the existing development review procedures and strategies to streamline development review and approval processes.

## DISCRETIONARY REVIEW

The flexibility of a Zoning Code is largely defined by its hierarchy of uses and their required permits. This hierarchy establishes the different levels of review the Code requires to make various types of decisions. These decisions typically range from a relatively informal over-the-counter staff review of proposed uses and structures for compliance prior to the issuance of a building permit or business license to more formal and complex procedures requiring public notice and a hearing before the Planning Commission and/or City Council prior to issuance of a use permit or other discretionary approval.

One of the first items to identify in the hierarchy of uses is whether the proposed use is permitted "by right", allowed subject to a discretionary staff approval, or whether a Conditional Use Permit, with review by the Planning Commission, is required. Decisions about where an application fits in the hierarchy is a reflection of the community’s values and concerns. It is often possible to reduce the review threshold for a particular type of application (i.e. place it lower in the hierarchy), by increasing the specificity of development standards and performance-based criteria.

The Zoning Code Update provides an opportunity to adjust review thresholds based on analysis of the types of issues and projects in the City that have typically generated the most interest and concern. Generally speaking, responsibilities should be assigned with a view toward minimizing the number of players involved in making any given decision, while maintaining opportunities for meaningful public input for important issues.

The number of uses that require discretionary review can be reduced by including carefully crafted standards and restrictions that are specific to specific uses throughout the City or in

particular zoning districts into the Zoning Code. As a result, the community and decision-makers may be confident the City's vision is being implemented and may reduce its watch over individual projects, allowing more projects to be approved administratively.

The City can take several paths to reduce the number of uses requiring discretionary review, including permitting more uses by right subject to:

- Compliance with development and design standards that could be added to the Code based on the General Plan's goals for quality urban design;
- Compliance with specific limitations on location, floor area, hours of operation, and features that are the source of potential adverse impacts.
- Compliance with new standards and requirements that reflect "standard conditions" that are typically imposed when such uses have been conditionally approved by the Director or Planning Commission.

The incorporation of specific development standards makes it possible to eliminate discretionary review for those uses that meet specific standards and limitations and do not exceed specified threshold criteria.

## REVIEW AND APPROVAL PROCEDURES

The new Code should set forth clear procedures to be followed for in the review of all types of entitlements. The level and extent of the review process required for different types of projects will vary. However, for even the simplest administrative procedures, the Code should at a minimum establish unambiguous authority for approval. The approval process can be streamlined simply by consolidating and clarifying procedures and permit approval criteria. Decision-making protocols should be clearly defined so that it is clear how approvals are processed, and the intent of these regulations should be included to help the regulation.

## RELIEF FROM STANDARDS

The updated Zoning Code can provide options for relief from standards where they impose undue hardship or limit attainment of General Plan policies, particularly for infill development. This could be done in the form of additional provisions for approval of waivers and exceptions from required development standards, which would prevent the approval of a desirable project that doesn't quite fit within City regulations. The City may allow such waivers or exceptions by either the City Council, Planning Commission or staff, depending on the nature of the waiver or exception.

The City should create additional opportunities for granting relief from codified locational, developmental, and operational standards in cases where modifications are consistent with General Plan objectives and warranted by special circumstances that may not meet the strict requirements for approval of a variance. This may include minor modifications related to setbacks, lot coverage, parking requirements or other accommodations that would have a negligible impact and are non-controversial in nature.

## SUBDIVISION REGULATIONS

The division of property is a critical function of local land use agencies that allows the creation of individual parcels. Division of land is often required for all types of development and the Subdivision Regulations ensure such divisions are completed consistent with the requirements of State law and the Subdivision Map Act. Compared to the Zoning Code, Subdivision regulations are much more mechanical and identify the submittal requirements and procedures for land divisions. Among the important functions of the Subdivision process are requiring dedication of land, assuring public improvements are designed consistent with City standards and assuring that public improvements are constructed.

Since the City first adopted regulations and standards for the subdivision of real property in 1966, it has incrementally amended the requirements on several occasions. In 2015, the City's subdivision regulations were updated to maintain compliance with State law and conform with the Subdivision Map Act. There are still some additional changes that could be made to make the subdivision regulations easier to use and understand and to implement the General Plan including:

- Reorganization and consolidation of the content and other format changes to make it easier to identify applicable provisions;
- Updating development standards to conform with the General Plan;
- Assuring any standards established in the Subdivision Regulations are consistent with the Zoning Code and City improvement standards; and
- Adding enforcement provisions in the Subdivision Regulations

Since very little land area of the City remains vacant, in the future more infill development will likely occur for new residential development. The City may wish to consider adding specific standards for small-lot subdivisions and address the unique development characteristics of specific development types, such as townhomes. Additionally, the City may want to establish standards to ensure consistency and compatibility between new subdivisions and existing adjacent neighborhoods. The review authority could be required to make a finding that the development is compatible with the neighborhood.

## COMPLIANCE WITH STATE AND FEDERAL LAW

### LAND USE COMPLIANCE WITH STATE PLANNING MANDATES

The Irwindale Zoning Code is not fully compliant with a variety of State and federal laws, as shown in the table below. Additionally, various Housing Element policies and measures reflect legal mandates, which must also be included in the Code update although not specifically listed (e.g., reasonable accommodations, single room occupancies, etc.).

TITLE	CITATION	DESCRIPTION	CODE IN COMPLIANCE
<b>Accessory to Residential</b>			
<b>Community Care Facilities</b>	Cal. Health and Safety Code §1566.3	A residential care facility that serves 6 or fewer people is considered a residential use and its occupants, regardless of legal relation, are considered a family for purposes of residential use laws and zoning ordinances. Further, such a use shall not be included within the definition of a boarding house, rooming house, institution or home for the care of minors, the aged, or persons with mental health disorders, foster care home, guest home, rest home, community residence, or other similar term that implies that the residential facility is a business run for profit or differs in any other way from a family dwelling.	Not in compliance.
<b>Family Day Care Home</b>	Cal. Health and Safety Code §§1597.30 et seq.	Small family day care homes in a single-family home (6-8 children) is a residential use and is not subject to a fee or business license. Large family day care homes may not be prohibited in single-family zones, but a city or county shall do one of the following: Classify the use as a permitted residential use, grant a non-discretionary permit for the use, or require a permit for the use.	Not in compliance.
<b>Cottage Food Operations</b>	Cal. Gov't Code §51035	A city or county may not prohibit cottage food operation (homemade and packaged food defined in Cal. Health & Safety Code §113758) in any residential dwelling, but shall do one of the following: Classify the use as a permitted use in any residential zone, grant a non-discretionary permit for the use, or require a permit for the use.	Not in compliance.
<b>Housing</b>			
<b>Density Bonus Law</b>	Cal. Gov't Code	Encourages development of affordable and senior housing by offering incentives including a project density increase of up to 35%. Because the Density	Adopted in 2013. Will need to

	§§65915 et seq.	Bonus Law is a state mandate, applicants who successfully meet the law's requirements must be awarded the appropriate bonus. Projects entitled to a density bonus include those that consist of certain portions and levels of affordable units, donate at least one acre of land to city or county for affordable units, or are senior housing projects. Projects must consist of at least 5 total dwelling units to qualify. Affordable units must remain affordable for at least 55 years. For projects entitled to a density bonus, a local government may not require more parking spaces than specified in Cal. Gov't Code §65915(p).	review closely to determine consistency with State law.
<b>Emergency Shelters</b>	Cal. Gov't Code §65589.5	A local government may not deny supportive, emergency, or transitional housing absent certain findings, including that the jurisdiction meets its affordable housing needs, the housing would have an unmitigable impact on public health or safety, the denial is unavoidably required by state or federal law, the housing is proposed on land zoned for and surrounded by agriculture, the housing is inconsistent with the zoning and land use designations.	In compliance.
<b>Legal Nonconforming Multifamily Dwellings</b>	Cal. Gov't Code §65852.25	Local agencies may not prohibit the reconstruction, restoration, or rebuilding of a multifamily dwelling that is involuntarily damaged or destroyed by fire or other catastrophic event, unless certain findings are made. These findings include that the reconstruction, restoration or rebuilding would be detrimental to public health or safety, and the existing nonconforming use would be more appropriately moved to a zone that allows the use.	Not addressed in existing Code.
<b>Local Manufactured Housing</b>	Cal. Gov't Code §§65852.3-.5	Local agencies must allow the installation of manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§5401 et seq.) on a foundation system, pursuant to Cal. Health & Safety Code §1855, on lots zoned for single-family dwellings. Manufactured homes must be subject to the same development standards and permit requirements as a single-family home and subject to the same permit requirements as a conventional single-family dwelling. However, a local agency may impose additional requirements for manufactured homes for roof overhang (not to	Not addressed in existing Code.

		exceed 16 inches), roofing material, and siding material only.	
<b>Streamlined Affordable Housing (SB 35)</b>		SB 35 requires cities which do not meet their Regional Housing Needs Assessment (RHNA) goals to provide streamlined, ministerial review of qualifying infill housing projects. Objective design standards for multi-family must be provided to developers seeking a ministerial process.	Not in compliance with recent State law changes.
<b>Housing Crisis Act of 2019 (SB 330)</b>		Reduces the time it takes to obtain building permits, limits fee increases on housing applications, and bars local governments from reducing the number of homes that can be built.	Not in compliance with recent State law changes.
<b>Accessory Dwelling Units</b>	Cal. Gov't Code §65852.2	A local agency may adopt an ordinance that provides for the creation of accessory dwelling units in single-family and multi-family residential zones. Cities and counties may establish maximum ADU size requirements, but the minimum size cannot be less than 800 square feet for an attached unit or 1,000 square feet for a new detached unit with more than one bedroom. Cities also cannot prohibit any lot coverage, minimum lot size, etc.	ADU ordinance not in compliance with new state laws.
<b>Transitional and Supportive Housing</b>	Cal. Gov't Code §65582	Updated definitions for "supportive housing," "target population," and "transitional housing" to be more specific to housing element aw.	Not in compliance.
<b>Landscape</b>			
<b>Drought Tolerant Landscaping</b>	Cal. Gov't Code §53087.7	Cities or counties may not enact any regulation that substantially increases the cost of installing, effectively prohibits, or significantly impedes the installation drought tolerant landscaping, synthetic grass, or artificial turf on residential property.	In compliance.
<b>Water Conservation in Landscaping Act of 2006</b>	Cal. Gov't Code §65597	Requires local agencies to adopt the updated Department of Water Resources (DWR) Model Ordinance or a local landscape ordinance that is at least as effective in conserving water as the updated model ordinance.	In compliance.

<b>Procedures</b>			
<b>Approval of Solar Energy Systems</b>	Cal. Gov't Code §65850.5	Solar energy systems shall be approved administratively through a non-discretionary permit (e.g., building permit or similar). Requirements will be limited to health and safety requirements per local, State, and federal law and those necessary to ensure systems will not have a specific, adverse impact on public health or safety. A use permit may be required if the building official makes a finding based on substantial evidence that a specific, adverse impact on public health or safety would result. By September 30, 2015, every city and county shall have an ordinance expediting permitting for small residential rooftop solar energy systems.	In compliance.
<b>Development Agreements</b>	Cal. Gov't Code §§65864 et seq.	Specify procedures and requirements for development agreements.	In compliance, but may need minor revisions.
<b>General Plan Consistency</b>	Cal. Gov't Code §65860	A City's or County's zoning ordinance must be consistent with its General Plan.	Current Zoning Code not in compliance with 2020 General Plan.
<b>Permit Streamlining Act</b>	Cal. Gov't Code §§65920 et seq.	Specifies permit review requirements and timelines (e.g., 30-day completeness review).	Not shown in the existing ordinance.
<b>Public Hearings</b>	Cal. Gov't Code §§65090 et seq.	Specify public hearing noticing requirements applicable to CUPs or equivalent and revocation or modification of a variance or use permit or equivalent.	In compliance but may need adjustments.
<b>Variances</b>	Cal. Gov't Code §§65900 et seq.	Specifies findings and requirements for variances. The board of zoning adjustment or zoning administrator can be authorized to act on variance requests without a public hearing on the application via ordinance approval (§65905). The ordinance must specify the types of variances may be granted without a public hearing.	Not in compliance.
<b>Zoning Amendment Procedures</b>	Cal. Gov't Code §§65853 et seq.	Specify procedures for zoning ordinance amendments.	In compliance.

Signs			
<b>Advertisers – Just Compensation</b>	Cal. Bus. And Prof. Code §5412	The government may not compel removal or restrict use or maintenance of a lawfully erected advertising display, unless the government provides just compensation under the California's Eminent Domain Law (Cal. Code Civ. Proc. § 1230.010).	Not in compliance.
Telecommunication Facilities			
<b>Telecommunications Act of 1996</b>	47 U.S.C. § 332(c)(7)(B)	Limits state or local governments' authority to regulate placement, construction, and modification of personal wireless service facilities. State or local governments must not unreasonably discriminate against providers of functionally equivalent services and not prohibit or effectually prohibit use of personal wireless devices. Further, state or local governments shall not regulate placement, construction, and modification of personal wireless service facilities based on the environmental effect of radio frequency emissions, to the extent that such facilities comply with FCC regulations. The state or local must act on applications in a reasonable time and all denials must be in writing supported by substantial evidence.	Not in compliance.
<b>Colocation Facility</b>	Cal. Gov't Code §65850.6	A colocation facility is a permitted use not subject to discretionary review if the facility is consistent with the requirements of the wireless facility where located and the wireless facility where located was subject to a discretionary permit.	In compliance.
<b>Wireless Telecommunication Facilities Review</b>	Cal. Gov't Code §65964.1	A collocation or siting application for a wireless telecommunications facility will be deemed approved if the city or county fails to approve the application in a reasonable time (based on FCC decisions), the applicant provided all required public notices, and the applicant provided notice to the city or county that the reasonable time period lapsed.	In compliance.
Other			
<b>Religious Land Use and Institutionalized Persons Act</b>	42 U.S.C. §2000cc	Prohibits governments from implementing or imposing a land use regulation that creates a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government can show that the regulation furthers a compelling government	Places of assembly is defined in the Code, but the term is not used in the code. Places

		interest and is the least restrictive means of furthering the compelling government interest.	of assembly need to be allowed in all zoning districts where assembly uses are allowed.
<b>Cannabis Sales and Cultivation</b>		California state regulation SB94 allows cities and counties in California to regulate land use and zoning in relation to cannabis within their jurisdictions.	Needs further review with most recent State laws.
<b>Adult-Oriented Businesses</b>	Cal. Gov't Code § 65850.4	Local agencies may regulate, pursuant to a content-neutral ordinance, the time, place, and manner of operation of sexually oriented business when the ordinance serves a substantial government interest, does not unreasonably limit alternative avenues of communication, and is based on narrow, objective, and definite standards.	In compliance, but may need minor revisions.

**SIGN REGULATIONS**

The sign regulations in the Irwindale Zoning Code have been reviewed in respect to recent federal case rulings on signs and laws pertaining to signage. The following assessment of sign regulations is below.

**Sign Ordinances Must be Limited to Time, Place, and Manner Regulations**

Time, place, and manner regulations for signs are acceptable provided they are content neutral (i.e., they do not vary based on the message of a sign), narrowly tailored, and serve a legitimate government interest such as public safety. Off-premise signs may be regulated differently than on-premise signs (e.g., a municipality can still prohibit off-premise commercial signs).

**Sign Exemptions Should be Minimized**

A city cannot exempt certain categories of signs to avoid review based on content. Exempting a category of signs, such as political or real estate signs, is regulating them differently than other categories of signs containing noncommercial speech. Since the distinction is content based, such an exemption is presumptively unconstitutional. It is acceptable to have some exempt signs that are truly content neutral, but care must be taken as often sign codes will exempt signs that have equivalent rights to signs that are not exempted. An example of legitimate exempt signs are government signs or “signs required by law” because of their obvious association with public health and safety. Other examples of appropriate exempt signs

are flags of national, state, and local government, historic plaques, seasonal decorations, etc. Typically, the shorter the list of exempt signs, the less at risk the code will be.

Extensive changes will be required to Irwindale's sign regulations to achieve a sign code consistent with the content neutral standards established in the Reed vs. Town of Gilbert decision. Signs regulated by content (e.g., institutional signs, real estate signs, subdivision model home signs, community activities signs, etc.) will have to be regulated in a content neutral manner.

The following items should be addressed in the sign code chapter of the new Zoning Code:

- The structure of the sign code chapter should be organized in a more clear, easy to use fashion with types of signs, size requirements, and where they are allowed.
- Graphics and illustrations should be provided to show different sign types and applications.
- The use of tables should be used to compare different sign types across different zones.
- The review procedure of signs should be described clearly.