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CITY OF IRWINDALE ANNOTATED ZONING CODE



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TABLE OF CONTENTS

SECTION 1

Annotated Irwindale Zoning Code Report	1
1.1 Introduction	1
1.2 Next Steps	1
1.3 Approaches to Land Use and Development Regulation	2
1.4 What Type of Zoning Does the City of Irwindale Have?	2
1.5 Zoning Approach for Irwindale	3

SECTION 2

Organizing the Zoning Code	4
2.1 General Guidelines for Organization	4
2.2 Hierarchy of Importance and Frequency of Use	4
2.3 Logical Sequence	4
2.4 Title 17 Zoning Code Organization	5

SECTION 3

Annotated Outline of the New Zoning Code	6
3.1 Division I: Purpose and Interpretation of the Code	6
3.2 Division II: Zoning District Regulations	6
3.3 Division III: Citywide Regulations	10
3.4 Division IV: Administration and Development Permits	15
3.4 Division V: Terms and Definitions	21

ANNOTATED IRWINDALE ZONING CODE REPORT

1.1 INTRODUCTION

The City of Irwindale formally initiated the Zoning Code Update in March 2020 as an effort to comprehensively update the regulations that govern land use and development within the City. This is long overdue as the City updated its General Plan in 2008 and the current Zoning Code has not been comprehensively updated in more than 50 years. Because of piecemeal amendments over time, it is not easy to navigate and has outdated references and internal inconsistencies.

The updated Zoning Code should clearly communicate and effectively implement the General Plan's policies through carefully crafted development, urban form, design, and performance standards. The Update should increase efficiency and predictability in the project development process, correct technical deficiencies identified by City staff and others, and incorporate clear graphics to illustrate key concepts.

One of the most important tasks in any 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.

PURPOSE OF ANNOTATED OUTLINE

The purpose of this annotated outline report is to present a recommended framework for updating the City's Zoning Code. It presents an overall organization structure for the updated Code, focusing on usability, so that Staff and the public can easily navigate through the document. Title 17 of the Zoning Code contains 35 separate chapters. In addition to an Annotated Outline representing a recommended approach to the organizational structure of the new Zoning Code, this paper includes a disposition table showing how the contents of the existing code would be reorganized in the new code.

A sample graphics layout page and sample base district chapter are included as Appendices to illustrate the intended format and style of the new Zoning Code.

1.2 NEXT STEPS

This annotated outline report will be reviewed and considered by City staff. The City will then determine how to proceed with the update to the Zoning Code and work with the consultant team on next steps moving forward with the writing of the individual chapters, sections, and sub-sections.

1.3 APPROACHES TO LAND USE AND DEVELOPMENT REGULATION

Cities in the U.S. use land use and development regulations to accomplish a number of purposes. Some of these purposes are well established—such as maintaining stable residential areas and preventing health and safety hazards. Others—such as maintaining aesthetic values, encouraging infill development, and creating walkable communities—are newer. All purposes and powers of land use and development regulations are rooted in the police powers that the State grants to local governments. Overall, land use and development codes are intended to implement City plans, visions, and goals by translating them into parcel-specific regulations.

PRINCIPLES FOR GOOD DEVELOPMENT REGULATIONS

The following principles represent “best practices” in developing land use and development regulations; they helped frame the concepts presented in this paper.

VIABILITY – Zoning Codes should foster development that supports city goals for housing and employment growth and helps create vibrant neighborhoods, corridors, and business districts.

PREDICTABILITY – Zoning Codes should offer a high degree of predictability regarding development outcomes for the City, neighbors, businesses, and the development community.

FLEXIBILITY – Zoning Codes should provide opportunities to accommodate reasonable adjustments in standards to secure better outcomes and community “fit”.

QUALITY – Zoning Codes should enable good design that positively affects the public realm and is long-lasting.

CONTEXTUAL SENSITIVITY – Zoning Codes should respond to the context and community character of neighborhoods, corridors, and districts where development is occurring.

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EQUITY – Zoning Codes should ensure that the benefits and burdens of development are equitably shared across the community, expand opportunities for affordable housing and commercial space, and support a diversity of businesses.

CLARITY – Zoning Codes should be clear and understandable to community members, developers, and City officials and staff, and enable consistent interpretation at the planning counter.

1.4 WHAT TYPE OF ZONING DOES THE CITY OF IRWINDALE HAVE?

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.

While there are numerous development standards in the current Zoning Code, the existing Code would not be considered ‘form-based’ as it also highly regulates uses and does not address the relationship of buildings to the street or public realm.

1.5 ZONING APPROACH FOR IRWINDALE

As part of the Zoning Update, the City of Irwindale may want to consider adopting a more hybrid approach to zoning regulation. Having some specific form-based standards may be helpful to implement certain General Plan goals, particularly related to commercial, mixed-use, and infill development. Fewer restrictions on use can foster economic development. Additional performance-based standards can help address potential incompatibilities between residential uses and industrial development. Incentive zoning can be used to encourage development that implements General Plan goals. With this in mind, it makes sense to consider the ability of various zoning approaches to achieve the goals of the General Plan, while keeping in mind the differing levels of flexibility offered by each of these approaches.

ORGANIZING THE ZONING CODE

2.1 GENERAL GUIDELINES FOR ORGANIZATION

The City of Irwindale should employ a few basic rules for the Zoning Code Update to ensure that textual organization reflects regulatory intent and is logical and consistent. These guidelines are summarized below. Each section of the code should employ one or more of these organizational principles that fits best with the particular content.

2.2 HIERARCHY OF IMPORTANCE AND FREQUENCY OF USE

Where appropriate, divisions, chapters, and sections of the Code should be organized to place those parts of highest importance at the beginning. The measure of importance might be defined as the frequency with which code users need to reference each section, or the centrality that a particular standard has in the character of the City. Giving these sections a place of prominence at the beginning of a chapter or division will have a number of positive effects. The organization enhances usability, as those searching the Code are more likely to find the information they need quickly and efficiently. By adopting a hierarchy of importance, the code also implicitly communicates to users the aspects of development that the City has determined to be most central to its stated goals and policies.

2.3 LOGICAL SEQUENCE

Zoning Codes are complex, with elements building upon, refining, supplementing, and providing exceptions to each other. They are also living documents that change over time as new amendments become law and further alter the existing regulatory framework. Due to this level of intricacy, it is crucial that the structure of the Zoning Code reflect the logical relationships between individual elements. Without a logically consistent organization, the intent of regulations is obscured, and users must work to understand what is required of them.

Provisions that establish base rules and regulations should be included at the beginning of each section, followed by provisions that refine or qualify them. Sections of the code given the same organizational primacy (chapter, section, subsection) should also have the same degree of importance and follow parallel construction with the other elements of that organizational level. In the existing code, this rule is not always followed; for example, alcoholic beverage establishments (Chapter 17.58) are given the same organizational importance as the chapter covering the C-1 Commercial Zone (Chapter 17.36).

The structure and order of the chapters in Title 17 are not working well today for many users of the Code, including City staff. A major reorganization, including a new level in the organizational hierarchy, is recommended for Title 17 as the current overall organization is not sufficiently intuitive to meet the needs of users who do not know which information is

most important or how to find it even if they do. Important information is not always located where experienced ordinance users would expect to find it, and the sheer volume of the regulations make the document difficult to navigate.

2.4 TITLE 17 ZONING CODE ORGANIZATION

A new level in the organizational hierarchy—Division—is proposed to organize the numerous chapters into logical groups. Within each Division, chapters and sections are ordered to flow logically from one idea to the next, typically beginning with statements regarding their purpose and applicability, next list general provisions and then move progressively to more specific provisions and related regulations. Generally, the most frequently consulted sections appear towards the beginning of the ordinance, while more specific and less frequently used parts are located at the end. The updated Zoning Code could be organized in the following order:

- Division I:** Purpose and Interpretation of the Code
- Division II:** Zoning District Regulations
- Division III:** Citywide Regulations
- Division IV:** Administration and Permits (could be called Land use and Development Permits)
- Division V:** Terms and Definitions

The organizational framework proposed for Title 17, Zoning, is intended to provide a logical structure to the updated Zoning Code so that it will be easy to use and amend over time. The City may want to consider adding some reserved chapters, in case new chapters or sections are needed to be added after it is adopted. This would help to keep the consistency of the numbering of the Zoning Code chapters in the future.

SECTION 3

ANNOTATED OUTLINE OF THE NEW ZONING CODE

3.1 DIVISION I: PURPOSE AND INTERPRETATION OF THE CODE

CHAPTER 17.01 - PURPOSE AND EFFECT OF THE ZONING CODE

This chapter establishes the overall purposes of the Zoning Code, its authority, and the general rules that govern applicability and use.

CHAPTER 17.02 - INTERPRETATION OF THE ZONING CODE PROVISIONS

This chapter provides guidance for how to interpret the code including rules for interpretation and measurement.

CHAPTER 17.03 - ZONES AND ZONING MAP

This chapter provides an overview of all the zoning districts, with a table that identified which zoning districts are allowed in each General Plan land use designation. In addition, overlay districts and specific plan districts in the City will be identified. It also provides guidance on updating the Zoning Map. Furthermore, this chapter will emphasize the supremacy of the General Plan as the underlying basis for all land use and development policies and regulations.

3.2 DIVISION II: ZONING DISTRICT REGULATIONS

The regulations in Division II will specify allowed and conditionally allowed uses in table form and development standards for each of the base and overlay districts within the City. Existing zoning districts have been evaluated for consistency with the General Plan. In the interest of creating a concise and user-friendly code, the total number of zoning districts within the City will be minimized and districts that are no longer needed will be removed. Each district will have a purpose statement, a list of allowed uses specifying the level of review required, development standards applicable to those uses, and supplemental regulations addressing any additional concerns. Use regulations and development standards will be presented in a table format, with cross-references to applicable standards in other sections.

Existing overlay districts have been evaluated for their usefulness in implementing General Plan policies and whether standards could be incorporated into base district standards. There may be a need for creating a new overlay district along a corridor, for example, along Arrow Highway or Irwindale Avenue, at some point but not anticipated to occur with the update of the Zoning Code at this time.

CHAPTER 17.04 - RESIDENTIAL ZONES

Regulations for all residential zoning districts will be grouped in one chapter to enhance usability. The Residential Districts will consist of the following:

- **R-1** - Single Family Residential
- **R-2** – Two-Family Residential
- **R-3** – Multi-Family Residential

All residential zoning districts, except the A-1 Agricultural district, will be carried forward. The residential districts will be renamed slightly, revised and reformatted consistent with the structure and format of the new Zoning Code. Development standards and use regulations will be updated to reflect the character of each district and current land use and design trends, consistent with the General Plan.

SECTIONS

- 17.04.010 - Purpose and Applicability
- 17.04.020 – Permitted Use Regulations
- 17.04.030 - Development Standards
- 17.04.040 - Supplemental Regulations

Other applicable standards will be updated as necessary based on the purposes of the districts and General Plan direction.

CHAPTER 17.05 - COMMERCIAL ZONES

Regulations for all Commercial Districts will be consolidated into a single chapter to enhance usability. The commercial zoning districts will consist of the following:

- **C-1** - Neighborhood Commercial
- **C-2** – General Commercial
- **C-3** – Commercial/Mixed Use

The C-1, C-2, and C-3 commercial zoning districts will be carried over into the new Zoning Code (with new district names). The CP and CM zoning districts will be retired, although some aspects of these zoning districts (particularly uses) will be carried into other zoning districts. For example, the CP zone uses will be incorporated into the C-1, C-2, and new BP Business Park zones. Uses in the C-M district will be reviewed and incorporated into the M-1 and M-2 districts.

The C-3 district, which allows both commercial and residential uses today, will be revised to allow horizontal and vertical mixed use (residential over retail). This will help to allow more pedestrian-friendly development in the Town Center area of the City, as called out in the General Plan.

The commercial districts will be revised and reformatted to be consistent with the structure

and format of the new Zoning Code. Development standards and use regulations will be updated to reflect the character of each district and current land use and design trends, consistent with the General Plan. Where appropriate, development standards will focus on establishing clear standards for mixed-use, pedestrian friendly development as well as appropriate transition standards for commercial and mixed-use development adjacent to lower- density residential areas.

SECTIONS

- 17.05.010 - Purpose and Applicability
- 17.05.020 - Permitted Use Regulations
- 17.05.030 - Development Standards
- 17.05.040 - Supplemental Regulations

CHAPTER 17.06 - INDUSTRIAL ZONES

Regulations for the Industrial Districts will be consolidated into a single chapter to enhance usability. The industrial and manufacturing districts will consist of the following three zoning district classifications:

- **M-1** - Light Industrial
- **M-2** - Heavy Industrial
- **BP** – Business Park

Industrial districts will consist of newly named districts for the M-1 and M-2 zones. They will be renamed light industrial district (M-1) and heavy industrial district (M-2), and a new Business Park (BP) zoning district category will be created. The Business Park zoning district will be used for new business park uses that would include a mix of light industrial, professional office, or flex-space uses. This would implement the business park category in the 2020 General Plan.

Regulations for these districts will be consolidated into a single chapter with permitted uses and development standards presented in a table format with cross- references to applicable standards in other sections. Regulations in other districts will be updated to support and accommodate the changing nature of industrial development while minimizing impacts and incompatibilities.

SECTIONS

- 17.06.010 - Purpose and Applicability
- 17.06.020 – Permitted Use Regulations
- 17.06.030 - Development Standards
- 17.06.040 - Supplemental Regulations

CHAPTER 17.07 - PUBLIC AND SEMI-PUBLIC ZONES

Regulations for the Public and Semi-Public Uses Districts will be located in one chapter. Standards will be updated as necessary based on the purposes of the districts and General Plan direction. This will consist of the following three zoning district classifications:

- **P/SP** – Public/Semi-Public
- **OS/E** – Open Space and Easements
- **RP** – Recreation and Parks

Currently, there is only one zone in the Code today for public or semi-public uses and it is focused solely on open space and easements (the OS district). This will be retained in the new Zoning Code and revised to include habitat protection, drainage/flood control, mitigation, and passive recreation.

Since there is no public institutional category in the Code today for institutional uses and active recreational uses, two new zoning classifications are proposed to be created in the new Code. This will include a Public/Semi-Public (P/SP) zone which is proposed for a range of governmental, institutional, educational, and assembly uses. This would implement the Public/Institutional land use category in the General Plan.

A Recreation and Parks (RP) zone is proposed for existing and planned active recreation and parks in the City. This would implement the Parks land use category in GP.

SECTIONS

- 17.07.010 - Purpose and Applicability
- 17.07.020 - Permitted Use Regulations
- 17.07.030 - Development Standards
- 17.07.040 - Supplemental Regulations

CHAPTER 17.08 – SPECIFIC PLAN ZONES

The purpose of this Chapter is to describe how Specific Plans relate to the Zoning Code and which Specific Plans are in existence today.

SECTIONS

- 17.08.010 – Purpose
- 17.08.020 - Applicability
- 17.08.030 - Adopted Specific Plans

CHAPTER 17.09 – PLANNED DEVELOPMENT OVERLAY ZONE

The purpose of this Chapter is to establish a Planned Development (PD) Overlay Zone that provides for one or more properties to be developed under a plan that provides for better coordinated development and incorporates development standards crafted to respond to site conditions. It also promotes the development of a cohesive and aesthetically pleasing urban environment in the City.

SECTIONS

- 17.09.010 – Purpose and Applicability
- 17.09.020 Zoning Map Designation
- 17.09.030 Land Use Regulations
- 17.09.040 Development Standards
- 17.09.050 Procedures
- 17.09.060 Required Findings
- 17.09.070 Conditions
- 17.09.080 Expiration and Extension
- 17.09.090 Amendments of Approved Plans
- 17.09.100 Project Review

CHAPTER 17.10 - AUTO DISMANTLING OVERLAY ZONE

The Auto Dismantling Overlay Zone applies to the area of the City encompassing all of Alpha Street, west of Buena Vista Street, south of Meridian Street, ranging from 700 – 800 block of Alpha Street, as depicted on the Zoning Map. The establishment of an automobile dismantling land use is permitted within this area until such time as these uses on the parcel(s) are ceased and the parcel(s) is converted to an alternative land use consistent with the underlying industrial base zoning. The Automobile Dismantling Overlay zoning district is consistent with the Industrial/Business Park land use designation of the General Plan.

SECTIONS

- 17.10.010 - Purpose and Applicability
- 17.10.020 - Land Use Regulations
- 17.10.030 - Development Standards
- 17.10.040 - Supplemental Regulations

CHAPTER 17.11 - QUARRY OVERLAY ZONE

The Quarry Overlay Zone applies to areas of the City used for quarries and is intended to allow for the continued operations of quarries within these areas until such time as quarry activities

are ceased and the parcel is converted to an alternative land use consistent with the underlying zoning for the parcel. The QO zoning district is consistent with the Quarry Overlay land use designation of the General Plan.

SECTIONS

- 17.11.010 - Purpose and Applicability
- 17.11.020 - Land Use Regulations
- 17.11.030 - Development Standards
- 17.11.040 - Supplemental Regulations

3.3 DIVISION III: CITYWIDE REGULATIONS

Division III, Citywide Regulations, includes specific use regulations, general site design and planning standards, performance standards, and other requirements that are applicable in some or all zoning districts. This division also includes provisions regarding fencing, parking, landscaping, and treatment of nonconforming development.

CHAPTER 17.12 - SPECIFIC USE STANDARDS AND REGULATIONS

This chapter will establish specific standards and requirements applicable to particular uses that are allowed in some or all districts. It will consolidate requirements applicable to specific uses, currently located throughout the Code, including within chapters related to use category definitions, district standards, land use permits and approvals, and supplemental standards. In addition to incorporating standard conditions for such uses, the requirements may include special review procedures. However, procedures for specific land use and development permits will be located in Division IV. The following list is illustrative and will be modified as necessary:

SECTIONS

- 17.12.010 - Purpose
- 17.12.020 - Applicability
- 17.12.030 - Accessory Uses in Non-Residential Zones
- 17.12.040 - Accessory Dwelling Units
- 17.12.050 - Adult Business Uses
- 17.12.060 - Alcoholic Beverage Sales
- 17.12.070 - Automobile/Vehicle Sales and Services
- 17.12.080 - Cannabis Operations
- 17.12.090 - Day Care, General
- 17.12.100 - Day Care, Limited – Large Family (9-14 children)
- 17.12.110 - Day Care, Limited – Small Family (8 or fewer children)
- 17.12.120 - Drive-Thru and Drive-Up Facilities
- 17.12.130 - Emergency Shelters
- 17.12.140 - Hazardous Waste Facilities
- 17.12.150 - Home Occupations
- 17.12.160 - Manufactured Home Parks
- 17.12.170 - Mobile Food Vending
- 17.12.180 - Outdoor Display and Sales

- 17.12.190 - Outdoor Dining and Seating
- 17.12.200 - Personal Services
- 17.12.210 - Recycling Facilities
- 17.12.220 - Residential Care Facilities, for Seven or More Persons
- 17.12.230 - Service/Fueling Stations
- 17.12.240 - Solar Energy Systems
- 17.12.250 - Storage Containers – Temporary Portable
- 17.12.260 - Temporary Uses
- 17.12.270 - Urban Agriculture, Small Animal and Fowl
- 17.12.280 - Vending Machines
- 17.12.290 - Tobacco Sales
- 17.12.300 - Wireless Telecommunication Facilities

CHAPTER 17.13 - GENERAL SITE DESIGN AND PLANNING STANDARDS

This chapter will contain general site regulations applicable to all land within some or all districts, regardless of use. It consolidates provisions currently repeated in multiple district regulation chapters and those located in 17.68, Yard, Area, and Height Requirements.

SECTIONS

- 17.13.010 - Purpose and Intent
- 17.13.020 - Measuring Distances
- 17.13.030 - Measuring Floor Area and Floor Area Ratio
- 17.13.040 - Measuring Lot Coverage
- 17.13.050- Height Measurements and Exceptions
- 17.13.060 - Setback Measurements and Exceptions
- 17.13.070 - Vehicular Visibility Standards
- 17.13.080 - Mechanical and Electrical Equipment
- 17.13.090 - Access
- 17.13.100 - Solar Energy System
- 17.13.110 - Solar Energy System, Small Residential Rooftop
- 17.13.120 - Exterior Lighting
- 17.13.130 - Trash Enclosures
- 17.13.140 – Walls and Fences

CHAPTER 17.14 – OBJECTIVE DESIGN STANDARDS

This chapter will include newly written objective design standards to meet recent state legislation from SB 35. It will supplement the development standards in the Zoning Ordinance and serve as minimum requirements for multi-family residential development, as well as for mixed-use development that contains residential uses. The Objective Design Standards also further the goals, policies, and actions of the General Plan. Objective Design Standards are those that involve no personal or subjective judgment by the plan reviewer and are uniformly verifiable by reference to an external and uniform benchmark.

SECTIONS

- 17.14.010 - Purpose
- 17.14.020 - Applicability
- 17.14.030 - Approval Authority
- 17.14.040 - Site Planning
- 17.14.050 - Landscaping and Lighting
- 17.14.060 - Architectural Design
- 17.14.070 - Accessory Features

CHAPTER 17.15 - AFFORDABLE HOUSING, DENSITY BONUSES, AND INCENTIVES

The City updated its Affordable Housing and Density Bonuses section of the Code in 2013. There is new State guidance since 2013 that will affect the review of affordable and/or multi-family housing projects and will be included in this chapter. The existing chapter in the Zoning Code will be carried forward with revisions and additional refinements for consistency with the new Zoning Code structure and format.

SECTIONS

- 17.15.010 - Purpose
- 17.15.020 - Applicable Zones
- 17.15.030 - Qualifications
- 17.15.040 - Density Increase and Other Incentives
- 17.15.050 - Application
- 17.15.060 - Retention
- 17.15.070 - Denial of Affordable Housing Projects

CHAPTER 17.16 - PARKING AND LOADING

Regulations governing parking and loading facilities in the existing Code (Chapter 17.64 Off Street Parking) will be revised, clarified, and updated. Parking and loading standards and calculations will be evaluated and updated to reflect actual parking demand. Standards will focus on best practices that encourage reuse of existing sites, reflect and support pedestrian friendly development in the City's Town Center area, and facilitate infill development in desired areas. New provisions may include expanded opportunities for shared parking, particularly in commercial districts; allowances for reduced parking requirements; guidelines for alternative compliance, including the use of on-street spaces in certain situations; and requirements for bicycle and/or motorcycle parking spaces.

SECTIONS

- 17.16.010 - Purpose
- 17.16.020 - Applicability
- 17.16.030 - General Provisions
- 17.16.040 - Required Automobile Parking Spaces
- 17.16.050 - Bicycle Parking
- 17.16.060 - Alternative Parking Strategies
- 17.16.070 - Parking Area Design Standards (Parking Design Criteria)
- 17.16.080 - Loading

CHAPTER 17.17 – LANDSCAPING

Regulations governing landscaping are in Chapter 17.68 of the existing Code. They will be revised, clarified, and updated and placed in a new Chapter. The recommended sections are below:

SECTIONS

- 17.17.010 - Purpose
- 17.17.020 - Applicability
- 17.17.030 - General Requirements
- 17.17.040 - Screening
- 17.17.050 - Buffers
- 17.17.060 - Parking Area Landscaping

CHAPTER 17.18 - NONCONFORMING USES, SITES, AND BUILDINGS

This chapter will consolidate provisions for nonconforming uses, structures and lots which are currently spread out in various areas of the Code (Chapters 17.04, 17.59, and 17.76). Nonconforming provisions will be revised and reformatted for usability and clarity and to allow the reconstruction and re-establishment of nonconforming residential uses in all zoning districts consistent with State law. Provisions may be included to allow more flexibility for nonconforming uses that are not contrary to public health and safety to continue and expand, while restricting those that are a public nuisance. This chapter will also incorporate provisions to reflect common nonconforming structure situations and regularly approved adjustments to accommodate these nonconforming situations.

SECTIONS

- 17.18.010 - Purpose
- 17.18.020 - Applicability
- 17.18.030 - Right to Continue
- 17.18.040 - Nonconforming Sites and Lots
- 17.18.050 - Nonconforming Structures
- 17.18.060 - Nonconforming Uses
- 17.18.070 - Abandonment

CHAPTER 17.19 – SIGNS

Regulations for permanent signs on private property are currently located in each of the

individual commercial zone chapters. effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. A new signage chapter will be created to improve the ease of use in the Code.

SECTIONS

- 17.19.010 - Purpose
- 17.19.020 - Applicability
- 17.19.030 - General Provisions
- 17.19.040 - Exempt Signs
- 17.19.050 - Prohibited Signs
- 17.19.060 - Allowable Area for Identification
- 17.19.070 - Permanent Signs by Zone – Locations and Allowed Sign Area
- 17.19.080 - Regulations Specific to Types of Permanent Signs
- 17.19.090 - Signs for Specific Uses
- 17.19.100 - Iconic Signs
- 17.19.110 - Procedures for Sign Permits, Exemptions and Revocations
- 17.19.120 - Comprehensive Sign Program
- 17.19.130 - Enforcement
- 17.19.140 - Nonconforming Signs
- 17.19.150 - Illegal Signs
- 17.19.160 - Definitions

CHAPTER 17.20 - PERFORMANCE STANDARDS

This chapter will include applicable performance standards found throughout the current Zoning Code. Performance standards are intended to establish clear, measurable standards for determining if a use or activity creates a nuisance on adjoining property. Where an impact is also addressed in another part of the municipal ordinance, the regulations will reference the applicable code.

SECTIONS

- 17.20.010 - Purpose and Intent
- 17.20.020 - Dust and Dirt
- 17.20.030 - Smoke
- 17.20.040 - Electromagnetic Disturbances and Radiation
- 17.20.050 - Hazardous Materials
- 17.20.060 - Heat and Humidity
- 17.20.070 - Light and Glare
- 17.20.080 - Vibration
- 17.20.090 - Odors
- 17.20.100 - Noise

CHAPTER 17.21 - SURFACE MINING AND RECLAMATION PLANS

The purpose and intent of this chapter is to ensure the continued availability of important mineral resources, while regulating surface mining operations as required by California's Surface Mining and Reclamation Act of 1975 and State Mining and Geology Board regulations for surface mining and reclamation practices. This will ensure that adverse environmental effects are prevented or minimized and mined lands are reclaimed to a usable condition and are readily adaptable for alternative land uses.

SECTIONS

- 17.21.010 - Purpose
- 17.21.020 - Applicability
- 17.21.030 – Application Procedures and Review Process
- 17.21.040 – Vested Rights
- 17.21.050 – Standards for Reclamation
- 17.21.060 – Required Findings
- 17.21.070 – Interim Management Plans
- 17.21.080 – Annual Report Requirements
- 17.21.090 – Inspections
- 17.21.100 - Violation and Penalties
- 17.21.110 – Appeals
- 17.21.120 – Mineral Resource Protection

CHAPTER 17.22 – RESERVED

CHAPTER 17.23 – RESERVED

3.4 DIVISION IV: ADMINISTRATION AND DEVELOPMENT PERMITS

Division IV: Administration and Development Permits contains procedures for specific approval processes, listed from ministerial approvals, such as obtaining zoning clearances, to more technical and substantive approvals, including use permits and variances.

CHAPTER 17.24 – PLANNING AUTHORITIES

Chapter 17.24 lays out the basic roles, responsibilities, and functions of all planning authorities, including the City Council, Planning Commission, Community Development Director, and Planning Manager. In addition, a table will be shown that summarizes the powers and duties that each Review Authority has.

SECTIONS

- 17.24.010 - Purpose
- 17.24.020 - City Council
- 17.24.030 - Planning Commission
- 17.24.040 - Community Development Director
- 17.24.050 - Planning Manager
- 17.24.060 - Summary of Review Authority for Decisions and Appeals

CHAPTER 17.25 – COMMON PROCEDURES

The purpose of this chapter is to establish uniform procedures that are common to the application and processing of a variety of different permits and approvals such as Use Permits, Variances, and Zoning Code and Map Amendments. This chapter will include everything from filing an application to time limits and extensions through to post-decision provisions (e.g. expiration, extension, and modification of approvals). Environmental review procedures will refer to the State CEQA Guidelines for administrative regulations governing implementation of the California Environmental Quality Act.

SECTIONS

- 17.25.010 - Purpose
- 17.25.020 - Application Forms and Fee
- 17.25.030 - Pre-application Review
- 17.25.040 - Review of Applications
- 17.25.050 – Ministerial Review of Multi-Family projects
- 17.25.060 - Environmental Review
- 17.25.070 - Public Notice
- 17.25.080 - Conduct of Public Hearings
- 17.25.090 - Findings and Decision
- 17.25.100 - Conditions of Approval
- 17.25.110 - Expiration and Extension
- 17.25.120 - Revisions or Revocation to Permits
- 17.25.130 - Appeals

CHAPTER 17.26 - ZONING CLEARANCE

This chapter establishes procedures for ensuring that all permits or licenses issued by the City conform to the provisions of the Irwindale Zoning Code. The chapter would describe the process the City uses for reviewing applications for building permits and other entitlements to ensure that the proposed use or structure is either permitted by right and conforms to all applicable zoning standards or conforms to the requirements and conditions of any discretionary approval that the City has granted under the zoning ordinance. This ministerial review process has broad applicability and is proposed to replace the need to establish a separate permit type for every type of project which undergoes ministerial review when they meet all ordinance requirements such as accessory dwelling units, home occupations, and family day care.

SECTIONS

- 17.26.010 - Purpose
- 17.26.020 - Applicability
- 17.26.030 - Review Authority
- 17.26.040 - Procedures

CHAPTER 17.26 - DESIGN REVIEW

This chapter will establish provisions for design review, identifying first which projects are subject to design review and then the review authority, scope of review, and procedures. The chapter will include refinements to the existing review procedures in Chapter 17.26, Land Use Permits and Approvals, Design Review, to clarify review criteria, establish a ‘major’ and ‘minor’ review process, and clearly define the respective roles of the Planning Commission and staff.

SECTIONS

- 17.25.010 - Purpose
- 17.25.020 - Applicability
- 17.25.030 - Review Authority
- 17.25.040 – Design Review Criteria

CHAPTER 17.27- CERTIFICATE OF OCCUPANCY

This chapter will establish procedures for ensuring that each new or expanded use of a structure or site complies with all applicable provisions of the Zoning Code before any structure is occupied or used.

SECTIONS

- 17.26.010 - Purpose
- 17.26.020 - Applicability
- 17.26.030 - Certificate Required
- 17.26.040 - Application
- 17.26.050 – Issuance

CHAPTER 17.28 – LAND USE PERMITS AND APPROVALS

This chapter will include a description of the purpose and processes for Conditional Use Permits which require Planning Commission review and a new type of use permit, Minor Use Permits, which require review by the Director. This chapter is organized so that action by the appropriate authority is listed first, followed by the application and public hearing provisions. The chapter will include cross- references to provisions in Chapter 17.22, Common Procedures, that describe specific requirements for appeals, expiration, extension, modification, and other procedures common to use permits as well as other approvals.

SECTIONS

- 17.27.010 - Purpose
- 17.27.020 - Applicability
- 17.27.030 - Review Authority
- 17.27.040 - Application
- 17.27.050 - Public Notice
- 17.27.060 - Public Hearing
- 17.27.070 - Required Findings
- 17.27.080 - Conditions of Approval

CHAPTER 17.29 - TEMPORARY USE PERMITS

Regulations governing temporary uses on private property will be consolidated and listed in Chapter 17.10, Specific Use Standards and Regulations. Chapter 17.10 will classify temporary uses as those requiring a permit and those permitted by right, subject to specific standards and time limits. This chapter will detail the permit procedures for those temporary uses that require a permit. Alternatively, these Temporary Use Permit procedures could be located in Chapter 17.10 along with standards for temporary uses.

SECTIONS

- 17.28.010 - Purpose
- 17.28.020 - Application
- 17.28.030 - Required Findings
- 17.28.040 - Conditions of Approval

CHAPTER 17.30 - ADMINISTRATIVE MODIFICATIONS

This chapter is intended to provide a means of granting relief from codified locational, developmental, and operational standards when doing so would be consistent with ordinance objectives and the General Plan. The ability to allow limited relief from zoning requirements provides flexibility to promote development consistent with General Plan objectives. There are a variety of cases, particularly for infill development, where adjustments to set standards may be consistent with General Plan objectives and warranted by special circumstances that may not meet the requirements for approval of a variance based on physical hardship.

SECTIONS

- 17.29.010 - Purpose
- 17.29.020 - Applicability and Review Authority
- 17.29.030 - Application
- 17.29.040 - Public Notice
- 17.29.050 - Public Hearing
- 17.29.060 - Required Findings
- 17.29.070 - Conditions of Approval

CHAPTER 17.31 - VARIANCES

Consistent with Chapter 17.25, Land Use Permits and Approvals, this chapter will incorporate provisions for Variances that are applicable to situations where a variation to development

standards is necessary due to physical hardship and the variation exceeds the thresholds established in Chapter 17.27, Administrative Modifications, or are not otherwise entitled to adjustment under those rules or other regulations. Where procedures are the same as for use permits and other approvals, the chapter will refer to relevant requirements in Chapter 17.21, Common Procedures.

SECTIONS

- 17.30.010 - Purpose
- 17.30.020 - Applicability
- 17.30.030 - Review Authority
- 17.30.040 - Application
- 17.30.050 - Procedures
- 17.30.060 - Required Findings
- 17.30.070 - Conditions of Approval

CHAPTER 17.32 – REASONABLE ACCOMMODATION

This chapter will include procedures to ensure compliance with State and Federal laws that require accommodation of certain protected uses. The Code currently allows exterior accessibility retrofitting for reasonable accommodation, subject to administrative design review. This chapter will more broadly allow the Director to grant waivers when necessary to comply with the Federal Fair Housing Act, the Americans with Disabilities Act, and the California Fair Employment and Housing Act, and provide reasonable accommodation to persons with disabilities seeking fair access to housing through of waiver of the application of the City’s zoning regulations.

SECTIONS

- 17.31.010 - Purpose
- 17.31.020 - Applicability
- 17.31.030 - Review Authority
- 17.31.040 - Application
- 17.31.050 - Required Findings
- 17.31.060 - Conditions of Approval

CHAPTER 17.33 - DEVELOPMENT AGREEMENTS

Chapter 17.33, Development Agreements, establishes a process for consideration and review of Development Agreements consistent with Section 65864 et seq., of the Government Code. Development Agreements are legally binding agreements that grant assurance that an applicant may proceed with development in accord with policies, rules, and regulations in effect at the time of approval subject to conditions to promote the orderly planning of public improvements and services, allocate costs to achieve maximum utilization of public and private resources in the development process, and ensure that appropriate measures to enhance and protect the environment are achieved. While concerns have been raised with the use of Development Agreements, the procedures for their consideration and review are appropriate. Substantive changes beyond revisions for consistency with the new Zoning Code structure and format are not recommended.

SECTIONS

- 17.32.010 - General Provisions
- 17.32.020 - Application Process
- 17.32.030 - Approval Process
- 17.32.040 - Execution, Recordation, and Effect of Development Agreement
- 17.32.050 - Adopted Development Agreement

CHAPTER 17.34 - AMENDMENTS TO THE GENERAL PLAN, ZONING CODE, AND ZONING MAP

This Chapter establishes procedures for consideration and review of Amendments to the General Plan, Zoning Code, and/or Zoning Map, when needed. More specifically, this Chapter addresses amendments to the General Plan, to address changes in State or Federal law and problems and opportunities that were unanticipated at the time of adoption or the last amendment. It also provides the procedures for review of amendments to the Zoning Code and Zoning Map, when needed, which are to be consistent with the General Plan.

SECTIONS

- | | |
|---------------------------------------|---|
| ■ 17.33.010 - Purpose | ■ 17.33.060 - Planning Commission Hearing and Recommendation |
| ■ 17.33.020 - Applicability | ■ 17.33.070 - City Council Hearing and Action |
| ■ 17.33.030 - Review Authority | ■ 17.33.080 - General Plan Consistency Required for Zoning Amendments |
| ■ 17.33.040 - Initiation of Amendment | |
| ■ 17.33.050 - Procedures | |

CHAPTER 17.35 - SPECIFIC PLANS

This chapter will establish the City’s requirements for specific plans and the procedures for their review and adoption. These provisions are intended to augment the detailed requirements in Government Code 65450. These provisions are currently located in Chapter which also includes provisions for Policy Plans. Policy Plan provisions are proposed to be deleted as existing Policy Plan provisions are anticipated to be moved into district regulations, where appropriate, and the City does not intend to adopt new Policy Plans.

SECTIONS

- | | |
|---------------------------------|--|
| ■ 17.34.010 - Purpose | ■ 17.34.060 - Expiration and Renewal |
| ■ 17.34.020 - Applicability | ■ 17.34.070 - Amendments of Approved Plans |
| ■ 17.34.030 - Procedures | ■ 17.34.080 - Revocation |
| ■ 17.34.040 - Required Findings | |
| ■ 17.34.050 - Conditions | |

CHAPTER 17.36 - ENFORCEMENT

This Chapter establishes the responsibilities of various departments, officials, and public employees of the City to enforce the requirements of this Zoning Code and establishes uniform procedures the City will use to identify, abate, and remove uses, buildings, or structures that are deemed to be in violation of the Zoning Code.

SECTIONS

- 17.35.010 - Purpose
- 17.35.020 - Enforcement Responsibilities
- 17.35.030 - Revocation
- 17.35.040 - Nuisance Defined
- 17.35.050 - Penalties
- 17.35.060 - Remedies
- 17.35.070 - Abatement of Nuisances

3.5 DIVISION V: TERMS AND DEFINITIONS

CHAPTER 17.36 - USE CLASSIFICATIONS

Use classifications streamline zoning by grouping together similar uses that are to be regulated in the same manner, rather than repeatedly listing each individual type of use. They provide more flexibility than use lists, particularly in commercial and industrial areas where a broad range of uses is permitted. By not listing uses specifically, but instead identifying use types, a new use can simply be placed into the appropriate classification by administrative determination and regulated accordingly.

Use classifications also provide the basis for clarifying regulation of uses. The classifications can then be regulated under a simplified set of use permit procedures. In combination with specific purpose statements for each zoning district, use classifications can help clarify the character of each zoning district. For example, in a light industrial zoning district, establishing a defined “limited industry” classification as a permitted use enhances the clarity and flexibility of the district

CHAPTER 17.37 - LIST OF TERMS AND DEFINITIONS

This chapter contains a list of all the terms used in the Zoning Code. It also provides a comprehensive list of definitions for uses, activities, and planning concepts used in the Code.