

Minor Amendments

1. **Hours of Operation.** This amendment is to correct the references to specific parts of the Code as it relates to the application of the hours of operation for commercial uses that are within 150 feet of a residential district. This correction will identify that Articles 2 and 3 reference the allowed hours of operation for uses (currently Articles 3 and 5 are identified).
2. **East Colorado Specific Plan (ECSP) Development Tables.** When the East Colorado Specific Plan was adopted in June of 2003, it created a series of subdistricts. Subdistrict-1 was known as the Mid-City area while Subdistrict -2 was called the College District. As shown in Attachment - 3 (the original ordinance implementing the specific plan) the maximum height of buildings in Subdistrict -1 is 60 feet while Subdistrict - 2 is 45 feet. When the new Zoning Code was adopted in 2005, the heights of these two subdistricts were switched. This amendment would correct the East Colorado Specific Plan development table to show the correct heights for Subdistricts 1 and 2 (see attachment B for the correct heights language from the Specific plan and Table showing the incorrect heights).
3. **Walnut Street Urban Village Precinct.** In Table 3-1, Section 17.30.030, of the CD (Central District) Land Uses and Permit Requirements, is a note #11 reads "Not permitted 140 feet north or south of Walnut Street in the Walnut Street Urban Village Precinct. It is proposed to revise this sentence to simply make it clearer as the current language confuses the public. The amendment will change footnote #11 to read, "In the Walnut Street Urban Village Precinct this use is permitted only when within 140 feet north or south of Walnut Street."

Codifications and Corrections:

1. Codifications of Interpretations

- A. **Affordable Senior Housing Definition.** The Zoning Code has a use called, "Affordable Senior Housing." This use is limited to the PS District and was added to the Zoning Code to allow for Senior Housing Projects that are within close proximity to medical offices or hospitals to be in the PS District. Section 17.50.280 outlines the requirements for this use. The definition of this use is unclear as to whether all units in such a project must be affordable senior housing. The Zoning Administrator has interpreted that units constructed under the provisions of affordable senior housing located in the PS District shall be 100 percent affordable. This was the intent of the amendment when the Council adopted this amendment back in 2000. This amendment will codify this interpretation and is only applicable in the PS Zoning District. It does not impact senior housing outside of the PS Zoning District since this use is only applicable in the PS Zoning District.
- B. **Definition of Enlargement.** This is a Zoning Administrator interpretation that "enlargement" means a change in gross square footage or a change in lot coverage

as it relates to non-conforming uses. The Zoning Code uses the terms expansion and enlargement. Expansion has meant any additional square footage to a building or use. The Zoning Code does not define “enlargement.” The Zoning Administrator has interpreted this to mean not just a change in square footage but also any change in lot coverage. The intent of the interpretation is to clarify when a legal non-conforming use undergoing an enlargement which may require a Minor Conditional Use Permit (MCUP).

- C. All CEQA (California Environmental Quality Act) Decisions are Subject to the 10 Day Appeal Period.** Section 17.64.020.A of the Zoning Code states that decisions (i.e., Planning Director, Board of Zoning Appeals, etc.) are subject to a 10-day appeal period. This section also states that certification of an EIR shall become effective on the 11th day following the date of decision. The Zoning Administrator has interpreted this provision to mean that all CEQA decisions are subject to the 10-day appeal period not just certification of an EIR. This will codify that interpretation.
- D. Master Plans with Entitlements (e.g. variance or conditional use permits).** In Section, 17.61.050.1.5 of the Zoning Code there is a provision for the renewal for Master Plans. It allows an approved Master Plan to be renewed for a period as approved by the Planning Commission. Other types of entitlements can be approved in conjunction with a Master Plan, such as variances. It is the Zoning Administrator’s interpretation that if the Planning Commission approves a specific time period for the Master Plan that this approval applies to all entitlements reviewed and approved by the Council (and reviewed by the Planning Commission) as part of the Master Plan. This amendment will codify this interpretation.
- E. Primary Building Frontage.** In addition to the standard glossary in the Zoning Code, Chapter 17.48 (Signs) contains a series of definitions relating to signage located in Section 17.48.170. The definition of primary building frontage will be modified to read that a sign shall be located on a parking area, pedestrian plaza, courtyard or arcade that is located *on the same site*. The new language added to this definition will maintain that intent that signage be based on the subject property or site and not a neighboring lot’s driveways or parking lots.

2. Corrections

The proposed amendments will correct a number of errors. Most of these errors are minor and include: references to incorrect sections or figures, numbering of subsections, misspellings and corrections to recent ordinances. These corrections include:

- A. Bicycle Parking Standards (Section 17.46.320.A).** This correction removed a comma from the applicability provisions of the bicycle parking requirements. Currently the language reads, “**A. Applicability.** Bicycle parking facilities shall be provided for any new structure, or an addition to any existing structure, that

exceeds 15,000 square feet in gross floor area.” The second comma is confusing because it makes the sentence read as if bicycle parking is only required with new structures or additions that exceed 15,000 square feet. Removing the second comma will allow the correct interpretation that bicycle parking applies to all new structures regardless of size and those additions that exceed 15,000 square feet.

- B. Single Housekeeping Unit.** Modify the definition for single housing keeping unit to remove the repetition of the word, “meals” which occurs twice in the definition. The definitions read as follows:

“The functional equivalent of a traditional family; whose members are a non-transient interactive group of persons jointly occupying a single dwelling unit, including the joint use of common areas and sharing household activities and responsibilities (e.g., meals, chores, expenses, and meals). This does not include a boarding house.”

- C. Correction Tables 3-5 and 3-6 of the East Pasadena Specific Plan to Table 3-5.** This amendment makes two corrections to Tables 3-5 and 3-6 of the East Pasadena Specific Plan. This Table uses the term, “Public maintenance & service facilities” when the correct wording of the use is “Maintenance & service facilities.” This will be consistent with the Zoning Code definition found in the glossary. The other correction is a correction to the amendments of the Sexually Oriented Businesses ordinance. This use was approved as a permitted use in the CG portions of Subarea d2 and Subarea d3. Table 3-6 currently shows this use permitted only in Subarea d2. The City Council approved this use in the CG district of Subarea d3. This correction will implement what was approved by the City Council.

- D. Antenna Array.** The Zoning Code uses the term Accessory Antenna Array for antenna array that is located on buildings. The Zoning Code still uses this term. However, the definition was not carried over into the new Zoning Code. It has been the Zoning Administrator’s interpretation that this use is still defined as it was in the previous code. The definition is as follows:

“Accessory Antenna Array. Accessory antenna array means an antenna array that is mounted on an existing building and is intended to provide wireless telecommunications services solely for the occupants of that building.”