

## ORDINANCE NO. 1336

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE AMENDING CHAPTERS 17.20 “ONE FAMILY RESIDENTIAL ZONE” AND 17.68 “PARKING” OF TITLE 17 OF THE SIERRA MADRE MUNICIPAL CODE.**

**WHEREAS**, the R-1 One Family Residential Zoning Ordinance (Chapter 17.20 of the Municipal Code) was adopted for numerous reasons including to encourage development that preserves the small town character of the community, and to promote architectural diversity while maintaining neighborhood consistency;

**WHEREAS**, the Parking Ordinance (Chapter 17.68 of the Municipal Code) was adopted to regulate parking in the City with respect to number of required parking spaces for various land uses, location of parking spaces, design of parking facilities, parking lot landscaping, and other related provisions.

**WHEREAS**, the proposed amendments to Chapters 17.20 and 17.68 of the Municipal Code have been drafted to address a number of development standards that have been proven to be contradictory, difficult to apply, or inconsistent with the City’s development goals.

**WHEREAS**, staff has worked with the Planning Commission during the course of several meetings regarding R-1 development standards, which have culminated in the subject municipal code text amendment to address these concerns;

**WHEREAS**, the Planning Commission at its February 7, 2013 regular meeting recommended the amendments to Chapters 17.20 and 17.68 of Title 17 of the Municipal Code to address those issues;

**WHEREAS**, these proposed changes are consistent with the General Plan in that they will help preserve the City’s neighborhoods characterized by single-family dwellings;

**WHEREAS**, the amendments are generally consistent with the goals, policies, and objectives of the General Plan in that it would help protect low-density single-family residential uses in the City.

**WHEREAS**, the Initial Study for this Ordinance concluded that the amendments will not have any significant effect on the environment;

**WHEREAS**, a Negative Declaration was prepared pursuant to the provisions of Section 15070 of the California Environmental Quality Act (CEQA); and

**WHEREAS**, the City Council held a public hearing at its regular meeting of March 26, 2013 and continued it to April 9, 2013, to take public testimony on the proposed amendments.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES ORDAIN AS FOLLOWS:**

**Section 1.** *Code Amendment.* Chapter 17.20, entitled “R-1 One-Family Residential Zone”, is hereby replaced with Chapter 17.20 as provided herein as Exhibit “A.”

**Section 2.** *Code Amendment.* Subsection A.1 of section 17.68.020 of the Municipal Code, entitled “Parking spaces required”, is revised to provide:

For R-1 Zones: Two spaces per dwelling unit in a garage or carport; Three spaces per dwelling unit in a garage or carport for dwelling units with five or more bedrooms; Each space in a garage or carport shall have a minimum interior dimension of 10’ x 20’, with a minimum floor-to-ceiling height of 7 feet.

**Section 3.** *Code Amendment.* New subsections S, T and U to section 17.68.080 of the Municipal Code, are hereby added to provide:

S. Properties subject to the R-1 zoning standards: All driveways and parking spaces shall be paved with either asphaltic or concrete pavement, or a pervious paving material subject to the approval of the Development Services Director. Asphaltic pavement shall be placed to a minimum depth, after compaction, of two and one-half inches and a seal coating of coal tar pitch emulsion shall be applied to all asphaltic surfaces. This requirement shall not exclude the utilization of brick or special stones for decorative purposes.

T. Properties subject to the R-1 zoning standards: The planned circulation of vehicles in parking areas shall be arranged to permit vehicles to move into and out of the parking area. For residential parking spaces, a minimum 24 feet of unobstructed back-up distance shall be provided; the back-up distance shall include the combination of private property and public right-of-way (street or alley) to allow for sufficient maneuvering. For garages that are located at the rear of the lot, minimum back-up clearance shall be provided as shown on Exhibit D.

U. Unless otherwise noted in this Chapter, a tandem parking arrangement shall not satisfy the required off-street parking requirements for properties subject to the R-1 zoning standards.

**Section 4.** *California Environmental Quality Act.* The City Council has considered all of the evidence in the record, including the staff reports, the initial study, the testimony received during the public hearings on the matter held by the Planning Commission and the City Council, and hereby determines that pursuant to CEQA Guidelines section 15070, there is no possibility of a significant impact on the environment, and hereby adopts the Negative Declaration.

**Section 5.** *Severability; Continuation of Provisions.* If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted hereby. The City Council of the City of Sierra Madre hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable. To the extent the provisions of the Sierra Madre Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**Section 6.** *Effective Date.* This Ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

**Section 7.** *Certification.* The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

**PASSED, APPROVED AND ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Josh Moran, Mayor

ATTEST:

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Nancy Shollenberger, City Clerk

APPROVED AS TO FORM:

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Teresa Highsmith, City Attorney

I, NANCY SHOLLENBERGER, CITY CLERK of the City of Sierra Madre, do hereby certify that Ordinance No. 1336 was introduced at the regular meeting of the City Council on March 26, 2013, and was thereafter adopted and passed at the regular meeting of the City Council held on \_\_\_\_\_, 2013, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

I DO FURTHER CERTIFY that within 15 days of the date of its passage, I caused a copy of Ordinance No. 1336 to be published or posted as required by law a locally adjudicated paper.

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Nancy Shollenberger, City Clerk