

ORDINANCE NO. 2008-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA AMENDING TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE FOR THE PURPOSE OF IMPLEMENTING THE NEW LAND USE ELEMENT BY CREATING NEW ZONING CLASSIFICATIONS, (RETAIL CORRIDOR COMMERCIAL AND RETAIL CORRIDOR MIXED USE) FOR THE PURPOSE OF ACHIEVING CONSISTENCY WITH THE CITY'S GENERAL PLAN

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA does ordain as follows:

SECTION 1. On December 12, 2007, the Planning Commission of the City of Monrovia held a duly noticed public hearing to consider Ordinance 2008-01. Following the close of the public hearing, the Planning Commission adopted Resolution No. 2007-16 recommending approval of Ordinance 2008-01.

SECTION 2. On January 15, 2008 the City Council held a duly noticed public hearing on Ordinance 2007-16.

SECTION 3. In accordance with California Environmental Quality Act (CEQA), a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) was filed with the State Clearinghouse, which assigned State Clearinghouse Number 2007021135. The NOP and an Initial Study were distributed to all responsible and trustee agencies and other interested parties for a 30-day public review period commencing on February 27, 2007 and ending on March 28, 2007. During this review period the City conducted a Scoping Session on March 26, 2007 to receive comments on the scope on the EIR. On October 26, 2007 a Notice of Completion (NOC) of the DEIR was filed with the State Clearinghouse and the DEIR was distributed to agencies, interested organizations, and interested individuals by the City. A 30-day public review period for the Draft EIR was established pursuant to state law, which commenced on October 26, 2007 and ended on December 10, 2007. During the review period, the Planning Commission conducted a public hearing to allow the public an opportunity to comment on the adequacy of the DEIR.

SECTION 4. On January 15, 2008, the City Council adopted a resolution (2008-03) certifying the Final Environmental Impact Report for the General Plan Update (GPA2008-01), adopting the Mitigation Monitoring Plan and making certain findings and facts as required by the California Environmental Quality Act ("ceqa"), adopting a Statement of Overriding Considerations and adoption of an Amendment of the General Plan Land Use and Circulation, Elements.

SECTION 5. Title 17, Chapter 17.04, Section 17.04.030 of the Monrovia Municipal Code is hereby amended by deleting Section 17.04.030 DISTRICTS ESTABLISHED in its entirety and replacing it with following section to read as follows:

§ 17.04.030 DISTRICTS ESTABLISHED.

In order to carry out the provisions of this title, the city is hereby divided into the following zones designated as follows:

Residential

RF	Residential Foothill
RE	Residential Estate
RL	Residential Low Density
RM4000	Residential Medium Density
RM3500/PUD	Residential Medium Density/Planned Unit Development
RM3500	Residential Medium Density
RM3000/PUD	Residential Medium Density/Planned Unit Development
RM3000	Residential Medium Density
RM2500	Residential Medium Density
RM/RH	Residential Medium/Residential High
RH	Residential High Density

Commercial/Industrial

NC	Neighborhood Commercial
HCD	Historic Commercial Downtown
CRS	Commercial-Regional/Subregional
RCC	Retail Corridor Commercial
RCM	Retail Corridor Mixed Use
O/RD/LM	Office/Research and Development/ Light Manufacturing
BE	Business Enterprise
M	Manufacturing

Planned Development

PD	Planned Development
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Specific Plan and Planned Development

PD	Planned Development
SP	Specific Plan

Community Facility Designation

P/QP	Public/Quasi-Public
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Open Space

HWP	Hillside Wilderness Preserve
HR	Hillside Recreation
ANF	Angeles National Forest

SECTION 5. Title 17, Chapter 17.04, Section 17.04.080 of the Monrovia Municipal Code is hereby amended deleting the following definitions from subsection (B):

- “Building site”
- “Compact car”
- “Foster home”
- “Half story”
- “Home for the aged”
- “Hotel”
- “Motel”

- “Permittee”
- “Planned development”
- “Senior citizen housing”
- “Service station”
- “Single tenant occupancy”
- “Stock cooperative apartment”
- “Street line”
- “Street, local”
- “Universal Parking Stall”

SECTION 6. Title 17, Chapter 17.08, of the Monrovia Municipal Code is hereby amended by replacing Section 17.08.010 in its entirety with the exception that the existing table titled “F. Special References Use/Activity” shall become a separate Section which shall numbered 17.08.020 which shall be titled “Special References Use/Activity”. The “F” in the heading of the table shall be deleted and the following sections shall be renumbered accordingly. Section 17.08.010 shall now read as follows:

17.08.010 Uses Permitted in Each Zone.

(A) *ANF Zone.* Properties in the ANF zone are subject to the requirements in Chapter 17.18.

(B) *HR and HWP Zone.* Properties in the HR or HWP zone are subject to the provisions of the Land Use Element of the General Plan.

(C) *PD Zones.* Properties in PD Zones are subject to the provisions in the Land Use Element of the General Plan.

(D) *All Other Zones.* Use types permitted in each zone shall be as shown in the following tables. Designations shall have the following meanings:

Legend:	
Blank	Means the use is not permitted
“P”	Means the use is permitted
“C”	Means the use requires a major conditional use permit
“Cm”	Means the use requires a minor conditional use permit
“S”	Means certain specific uses <u>may not</u> be permitted on street level in the HCD Zone (see §17.08.020)
“LUE”	See the Land Use Element of the General Plan
<ol style="list-style-type: none"> 1. The minor conditional use permit process is not permitted when the subject property is directly adjacent to any residentially zoned property. A major conditional use permit shall be required. 2. All new construction and additions (regardless of use) over 10,000 square feet in area and/or with an occupant load of 30 persons or more shall require a conditional use permit. 3. Theaters in the HCD Zone and PD-5 Zone shall not exceed a maximum of 12 screens. 4. Any business that operates between the hours of 12:00 a.m. and 6:00 a.m. shall be subject to the provisions of § 17.44.103 	

Use	Reference	RF RE RL	RM RM/RH	RH	HCD	NC	CRS RCC	RCM	O/RD/L M	BE	M	P/QP
Automobile rentals on-site							Cm				P	
Automobile repair (light)							C		C		Cm	
Automobile repair (heavy)									C		C	
Automobile sales	LUE											
Automobile service station	17.44.180					C	C		C		Cm	
Bar	17.44.025						C	C		C	C	
Business support services				C	PS	P	P	P	P	P	P	
Car wash	17.44.180(N)						C	C			C	
Child care services				C		C	C	C	C	P	Cm	C
Communication services									P	P	P	C
Construction services									C	C	P	
Entertainment facilities	17.44.055				CS	C	C		C	C	C	
Family day care home: Small/large	17.44.060	P	P	P	P	P		P				
Financial institutions					P	P	P	P	P	P		
Firearms/ammunition Retail Wholesale							C		C		C C	
Food and beverage sales						P	P	P		P		
Fortunetelling	5.76					C						
Funeral services	5.60					C						
Hotel/Motel					C		C	C				
Instructional services					Cm	P	P	P	P	P	P	
Medical Laboratory services									P	P	P	
Medical out-patient						Cm	Cm	Cm	Cm	P	Cm	
Recreational facilities					C		C	C	C	C	C	
Restaurant					P	P	P	P	Cm	P	P	
Retail (indoor)					P	P	P	P		P	C	
Retail (outdoor)							C	C		C	C	
Second hand dealers/Pawnshop	5.56.020					C				C	C	

Use	Reference	RF RE RL	RM RM/RH	RH	HCD	NC	CRS RCC	RCM	O/RD/L M	BE	M	P/QP
Service Commercial					P	P	P	P	Cm	P	C	
Swap meet (indoor)	17.44.190										C	
Tattoo Parlor						C						
Theme shopping					C	C				C	C	
Veterinary services						C	C	C	C	P	P	
<i>Industrial Uses</i>												
Hazardous waste facilities											C	
Heavy manufacturing											C	
Light manufacturing									P	P	P	
Plant cultivation											P	
Postal Services					P	P	P	P	P	P	P	P
Recycling collection facilities Large Small							Cm	Cm		Cm	C P	
Recycling processing facilities											C	
Research and development					CS				P	P	P	
Salvage operations											C	
Truck and equipment yards											C	
Warehousing/Wholesaling							C		P	P	P	
Wireless communication facilities on existing structures	17.44.220						P	P	P	P	P	P
Wireless communication facilities: freestanding antennae	17.44.220						C	C	C	C	C	C
<i>Institutional Uses</i>												
Cemeteries												C
Club and lodge facilities					CS	C	C	C		Cm	Cm	C
Convalescent and recovery facilities				C		C				C	C	
Cultural exhibits				C	PS	P	P	P	P	P	P	P
Educational institutions				C		C			C	C	C	C

SECTION 7. Title 17, Chapter 17.08, Section 17.08.040 of the Monrovia Municipal Code is hereby amended by renaming the definition for “Affordable Housing Development” to “Affordable Housing”. The definitions for “Mobile Home”, “Multiple-Family Dwelling, Detached”, and “Two Family Dwelling” shall be deleted. The definition for “Multiple Family Dwelling”, below, shall replace the definition for “Multiple Family Dwelling, Attached”.

MULTIPLE FAMILY DWELLING. A dwelling unit on a lot containing more than one dwelling unit, each unit designed as a complete, independent living facility with provisions for living, sleeping, cooking, and dining.. A dwelling unit within a **PLANNED UNIT DEVELOPMENT** shall be considered a **MULTIPLE FAMILY DWELLING**.

SECTION 8. Title 17, Chapter 17.08, Section 17.08.040 of the Monrovia Municipal Code is hereby amended by replacing the following definitions in their entirety which shall read as follows:

AUTOMOBILE PARKING, TRANSITIONAL. A lot located in the RM, RM/RH, or RH Zone which abuts a commercial, manufacturing, public/quasi-public or planned development zone, and is suitable for development for parking lot purposes for an adjacent commercial or industrial use.

CHILD CARE SERVICES. Establishments providing for the part-time care of children.

CULTURAL EXHIBITS. A use providing for display, performance, or enjoyment of heritage, history, or the arts. This use includes but is not limited to museums, cultural centers, or interpretive sites, but does not include live performance or motion picture theaters.

FAMILY DAY CARE HOME. A home or dwelling unit, which regularly provides care, protection and supervision of children for periods of less than 24 hours per day per Cal. Health and Safety Code and consists of the following two types. **SMALL FAMILY DAY CARE** shall mean such homes which provide family day care to eight (8) or fewer children, including the owner’s children. **LARGE FAMILY DAY CARE** shall mean such homes which provide family day care to 9 to 14 children, including the owner’s children.

RECREATIONAL FACILITIES. An establishment primarily engaged in the provision of sports and recreation by and for participants. Any spectators would be incidental and on a nonrecurring basis. Typical uses shall include bowling alleys, billiard parlors, batting cages, driving ranges and miniature golf courses, and skating rinks.

SINGLE FAMILY DWELLING. A building containing one dwelling unit located on a lot containing only one dwelling unit. A dwelling unit within a **PLANNED UNIT DEVELOPMENT** shall be considered a **MULTIPLE FAMILY DWELLING**.

SECTION 9. Title 17, Chapter 17.08.040 of the Monrovia Municipal Code is hereby amended by inserting alphabetically the following definitions:

ADULT DAY CARE. A facility providing non-medical care for adults on a less than 24-hour basis.

AUTOMOBILE PARKING STRUCTURE. A public or private building or portion of a building designed for the parking of operable motor vehicles on a temporary basis.

HOTEL/MOTEL. A facility offering transient lodging accommodations for compensation to the general public additional services provided may include amenities such as restaurants, meeting rooms and recreational facilities.

SECTION 10. Title 17, Chapter 17.16 of the Monrovia Municipal Code is hereby amended by deleting Section 17.16 in its entirety and replacing it with following section to read as follows:

CHAPTER 17.16

COMMERCIAL INDUSTRIAL DEVELOPMENT STANDARDS

Sections:

- 17.16.010** Lot Size.
- 17.16.020** Setbacks.
- 17.16.030** Fences, hedges and walls.
- 17.16.040** Additional regulations for the South Myrtle Avenue Corridor

§ 17.16.010 LOT SIZE.

(A) *Sizes.* The minimum lot areas and dimensions in the various commercial and industrial zones shall be as shown in the following tables:

ZONE	MINIMUM LOT AREA (in square feet)	MINIMUM LOT WIDTH (in feet)	MINIMUM LOT DEPTH (in feet)
NC	15,000	100	100
HCD	10,000	50	100
CRS*	30,000	150	150
RCC/RCM	30,000	150	150
O/RD/LM	20,000	100	100

BE	15,000	100	100
M	15,000	100	100
PD	As determined by the Land Use Element of the General Plan.		
Note: Where the Land Use Element provides no minimum lot size, the Committee shall identify the site or use as belonging to one of the above zones and require the accompanying lot size.			
* A lot in the CRS Zone may be reduced to 15,000 square feet, with minimum dimensions, if it remains as an integral part (vis-a-vis reciprocal parking + ingress/egress + CC & Rs) of a development that totals 30,000 square feet or more.			

§ 17.16.020 SETBACKS.

(A) Setback requirements in the NC, CRS, RCC, RCM, O/RD/LM, BE, M and PQP Zones shall be as follows:

LOT LINE	BOUNDED BY	A BUILDING MUST BE SET BACK (IN FEET)
Front	A street	10
Side	A street	10 ¹
Side	An alley or another lot	No setback required ^{2,3}
Rear	An alley or another lot	No setback required ^{2,3}
Rear	A street	5

¹Cornices, eaves, sills and similar architectural features may project up to five feet into the required setback.

²Where a building is provided with a vehicle access door, the building shall be set back 25 feet from the opposite side of the alley.

³For buildings greater than 18 feet in height and where a building is adjacent to a residential zone, the residential zone setback for the abutting yard shall apply.

(B) No setback is required for buildings in the HCD zone.

§ 17.16.030 FENCES, HEDGES AND WALLS.

Requirements for fences, hedges, and walls in all commercial and industrial zones used for decorative barriers and solid screening shall be as follows:

(A) *Permitted fences, hedges and walls.*

(1) *Setbacks.* Fences and walls shall be set back from the property line the same distance as is required for buildings in the same zone it is placed.

(2) *Height.*

(a) Fences and walls shall not exceed eight feet in height.

(b) If located adjacent to a residential zone, fences and walls shall not exceed the maximum height permitted in the adjoining residential zone.

(c) Hedges shall not exceed three feet in height when located in the required setback area.

(3) *Materials.* Fences and walls shall be composed of the following:

(a) Masonry wall: decorative block (i.e. split face, slump stone) shall be required on all walls visible to the street;

(b) Concrete tilt-up walls if of adequate aesthetic quality;

(c) Wrought iron; or

(d) Other materials if of adequate aesthetic and structural quality and durability as approved by the Committee. Chain link fencing shall not be permitted.

(B) *Required (solid screening) fences, hedges, and walls.*

(1) *Locations.* Solid screening shall be provided around storage yards and outside industrial operations or between industrial and commercial development abutting a residential zone or residential development.

(2) *Setbacks.* Solid screening shall be set back from the property line the same distance as is required for buildings in the same zone it is located.

(3) *Height.*

(a) Required solid screening shall be six feet in height; a higher screening may be required based on the field conditions.

(b) If located adjacent to a residential zone, the solid screening shall be approved by the Committee.

(4) *Materials.* All solid screening shall be composed of the following:

(a) *Masonry walls.* Decorative block shall be required on walls visible to the street (i.e. split face or slump stone block).

(b) Concrete tilt-up walls if of adequate aesthetic quality.

(c) Other materials approved by the Committee after giving consideration to appearance, screening capability, structural quality and durability.

(C) *Fences, hedges and walls—height determination.* The height of any fence, hedge or wall shall be measured as follows:

- (1) For street property lines, at sidewalk grade;
- (2) For interior property lines, at sidewalk grade or adjacent finished grade.

(D) *Fences, hedges and walls—nonpreemption.* Nothing in divisions (A) through (E) of this section shall be deemed to set aside or reduce the requirements established for security fencing by local, state or federal law.

(E) *Barbed wire.*

(1) Barbed wire shall be permitted in the M (Manufacturing) zone subject to the following conditions:

- (a) A building permit shall be required prior to installation.
- (b) It shall only be located on a fence that is a minimum of six feet in height.
- (c) It shall not be located in required front setback or street side yard areas.
- (d) It shall be installed and maintained on a 45-degree angle into the property, measured from the vertical axis representing the fence. It shall not protrude or extend over adjacent private or public property.
- (e) It shall not be installed on a fence abutting a residential zone.

(2) The use of barbed wire in other zones may be approved by the Development Review Committee. The Committee shall base its decision on whether the barbed wire will impact surrounding neighbors, cause hazardous conditions, or be aesthetically unattractive. The Committee may impose conditions on its approval to minimize such impacts, hazardous conditions, or unattractiveness.

(3) That form of barbed wire commonly known as “razor wire,” and any barbed wire in which broken glass is a component, shall not be permitted in any zone.

(F) *Setbacks—physical obstructions.* In all zones, no buildings, walls, fences, hedges, shrubs, ground signs or the physical obstruction higher than three feet above grade shall be located in the triangular areas defined by the intersections diagramed in § 17.12.040 (the diagrams are not to scale).

(G) *Trash areas.*

(1) All outside trash and garbage collection areas shall be enclosed or screened with a six-foot high wall with metal opaque gates and shall be located so as to allow for convenient pickup and disposal.

(2) All trash containers shall be provided with lids.

(3) Trash containers shall be provided with a sufficient capacity to contain all refuse generated by the use.

(H) *Mechanical equipment.* Ground-mounted mechanical equipment, including but not limited to heating and air conditioning devices, shall be screened from public view. Roof-mounted mechanical equipment and/or duct work which projects above the roof or roof parapet

of a building and is visible from adjacent property or a public street shall not be permitted. Exceptions: The Development Review Committee may permit an enclosure that screens mechanical equipment if the material is durable and consistent with the architecture of the building.

§ 17.16.040 ADDITIONAL REGULATIONS FOR THE SOUTH MYRTLE AVENUE CORRIDOR.

(A) *Purpose.* The provisions in this section are intended to provide development policies and standards for properties located within South Myrtle Avenue Corridor.

(B) *Area defined.* Notwithstanding any other provision of this title, the regulations set forth in this section shall apply to all properties depicted in Figure 1 of the City of Monrovia General Plan Land Use Element, approved by the City Council on January 15, 2007 (Resolution No. 2008-01), and on file in the Office of the City Clerk, and titled "Figure 1 – South Myrtle Avenue Corridor Planning Area. Said Figure 1 is incorporated herein by this reference as though set forth in full.

(C) *Old Town Extension.* For areas delineated as Old Town Extension depicted in Figure 1 of the City of Monrovia General Plan Land Use Element, approved by the City Council on January 15, 2007 (Resolution No. 2008-01), and on file in the Office of the City Clerk, and titled "Figure 1 – South Myrtle Avenue Corridor Planning Area. The following development standards are created to ensure new development in the Old Town Extension Planning Area is compatible and complementary with the historic downtown of Monrovia.

(1) *Applicable Regulations.* The provisions of this chapter shall supersede the corresponding regulations of the underlying zones, except as provided below.

(2) *Option to Use Underlying Zone.* The provisions of this chapter shall not apply to parcels that have been or are proposed to be developed entirely under the underlying zone, provided that all requirements of the underlying zone are met by the project except as specifically approved otherwise by variance or other official action by the City.

(3) *Option to Use Specific Plan Overlay Zone.* The provisions of this chapter shall apply to parcels that are proposed to be developed entirely under the Specific Plan Overlay Zone.

(a) *Specific Plan required.* A specific plan district shall be established upon application of a property owner, in accordance with the procedure set forth in Section 17.54 of the Monrovia Municipal Code.

(b) *Uses.* The Specific Plan Overlay Zone allows a mix of residential and office uses to be built as integrated, cohesive developments with approval of a Specific Plan. Development proposals will be reviewed block by block to ensure integration with established uses and compatibility with adjacent lower-scale residential neighborhoods. All lots fronting Myrtle Avenue must have ground-floor commercial uses, office, service, or retail facing Myrtle Avenue, with either office uses or residential units on the floors above. Parcels without Myrtle Avenue frontage may be developed exclusively with residential uses.

(c) *Minimum Development Size.* To be eligible for the Specific Plan Overlay Zone a development proposal shall encompass a minimum area of 2 acres.

(d) *Development Density.* A maximum residential density of 54 units to the acre is established. For non-residential uses the Maximum Floor Area Ratio shall not exceed .2 to 1.

(e) *Public Plaza.* New developments on the southeast or southwest corners of Myrtle and Olive Avenues must provide a public plaza area with minimum dimensions of twenty feet by twenty feet.

(f) *Building Height.* New developments fronting Myrtle Avenue will be limited to three stories in height; all other buildings may have a maximum height of four stories. A fourth story will be allowed on Myrtle Avenue if it is setback a minimum of

(g) *Residential Component.* If the development has a residential component, it must include Myrtle Avenue frontage of at least 50 percent of the block

(h) *Setbacks.* The following setbacks are established for development proposals subject to the Specific Plan process:

LOT LINE	A BUILDING MUST BE SET BACK (IN FEET)
Myrtle Avenue Frontage	0 but no greater than 5.
Side Street Frontage	5
Primrose/Ivy Frontage	25' and cannot exceed two stories in height for 50' from the Street Lot line.

(D) *Crossroads District.* For areas delineated as Crossroads District depicted in Figure 1 of the City of Monrovia General Plan Land Use Element, approved by the City Council on January 15, 2007 (Resolution No. 2008-01), and on file in the Office of the City Clerk, and titled "Figure 1 – South Myrtle Avenue Corridor Planning Area. The following development standards are created to ensure new development in the Crossroads District Planning Area is compatible and complementary with the surrounding residential properties as well as the land uses established on Huntington Drive.

(1) *Applicable Regulations.* The following provisions are intended to supplement the development standards outlined in Chapter 17.16 of the Monrovia Municipal Code.

(a) *Development Density.* The Maximum Floor Area Ratio shall not exceed .75 to 1. However, as an incentive to provide underground and/or parking structures as part of a development, an increase in FAR to 2.5 to 1 will be allowed.

(b) *Building Height.* New developments within the Crossroads District shall be allowed a maximum height of 65 feet from existing grade. New development having only frontage on Myrtle Avenue shall not exceed 40 feet in height.

(c) *Building Setbacks.* In addition to applicable setbacks established in Section 17.16, buildings adjacent to residential zoned property shall maintain a 30 foot setback on buildings greater than 35 feet height.

(E) *South Myrtle Corridor.* For areas delineated as South Myrtle Corridor depicted in Figure 1 of the City of Monrovia General Plan Land Use Element, approved by the City Council on January 15, 2007 (Resolution No. 2008-01), and on file in the Office of the City Clerk, and titled "Figure 1 – South Myrtle Avenue Corridor Planning Area. The following development standards are created to ensure new development in the South Myrtle Corridor Planning Area is

compatible and complementary with the surrounding residential properties adjacent to the Myrtle Avenue properties.

(1) *Applicable Regulations.* The following provisions are intended to supplement the development standards outlined in Chapter 17.16 of the Monrovia Municipal Code.

(a) *Development Density.* The Maximum Floor Area Ratio shall not exceed .75 to 1.

(b) *Building Height.* Development fronting Myrtle Avenue only shall not exceed three stories and/or 40 feet in height.

(c) *Building Setbacks.* In addition to applicable setbacks established in Section 17.16, buildings adjacent to residential zoned property shall maintain a 30 foot setback on buildings greater than 35 feet height. Buildings shall be setback 10' from the front property line to provide landscaping and hardscape entrances.

(d) *Building Orientation.* Buildings shall be built to face on Myrtle Avenue with parking in the rear.

(F) *Nonconforming uses.* Existing structures containing uses that become non-conforming upon the adoption of these regulations may be expanded subject to the approval of a conditional use permit if the Commission can determine that the proposal is consistent with the goals and objectives outlines in the South Myrtle Avenue Corridor Land Use Plan contained in the City of Monrovia General Plan Land Use Element, approved by the City Council on January 15, 2007 (Resolution No. 2008-01), and on file in the Office of the City Clerk.

§ 17.16.050 ADDITIONAL REGULATIONS FOR THE WEST HUNTINGTON DRIVE CORRIDOR.

(A) *Purpose.* The provisions in this section are intended to provide development policies and standards for properties located within West Huntington Drive Corridor that have the Retail Corridor Commercial (RCC) and the Retail Corridor Mixed Use (RCM) zoning designation.

(B) *Applicable Regulations.* The following provisions are intended to supplement the development standards outlined in Chapter 17.16 of the Monrovia Municipal Code.

(1) *Retail Corridor Commercial (RCC) Zone.* The provisions of this section shall apply to parcels that are zoned with the Retail Corridor Commercial Zoning Designation.

(a) *Development Density.* The maximum intensity of development with surface parking is a floor-area ratio (FAR) of 2.0. New developments are encouraged to provide parking away from the street frontage (i.e., structured, subterranean, behind street-facing retail stores). Retail Corridor Commercial land use classification provides a floor area ratio (FAR) bonus for the removal of surface parking lots and relocation to a subterranean parking structure. The maximum intensity of development with subterranean and/or structured parking is a floor-Area ratio (FAR) of 3.0

(b) *Building Height.* Where adjacent to single-family residential development, building and site design must be sensitive to these neighborhoods, avoiding multi-story buildings and appropriately locating loading docks and other service areas away from these areas.

(c) *Building Setbacks.* Buildings shall be setback 10 feet from the front property line to provide landscaping and hardscape entrances. The 10 foot setback can be reduced to less than 10 feet subject to approval by the Development Review Committee.

(d) *Building Orientation and Use.* Developments must incorporate ground-level retail uses along Huntington Drive and pedestrian connections throughout. Buildings shall be built facing Huntington Drive..

(2) *Retail Corridor Mixed Use (RCM) Commercial Zone.* The provisions of this section shall apply to parcels that are zoned with the Retail Corridor Mixed Use zoning designation.

(a) *Development Density.* The maximum intensity of development with surface parking is a floor-area ratio (FAR) of 2.0. New developments are encouraged to provide parking away from the street frontage (i.e., structured, subterranean, behind street-facing retail stores). Retail Corridor Commercial land use classification provides a floor area ratio (FAR) bonus for the removal of surface parking lots and relocation to a subterranean parking structure. The maximum intensity of development with subterranean and/or structured parking is a floor-Area ratio (FAR) of 3.0. This designation also permits residential developments at a maximum density of 54 dwelling units to the acre.

(a) *Building Orientation and Use.* The scale and character of new development is intended to support and reinforce the image of West Huntington Drive as a retail corridor. Buildings shall be at least two stories, oriented to streets and pedestrians with subterranean and/or structured parking lots. Developments should emphasize ground-level retail uses along Huntington Drive and pedestrian connections throughout. Buildings shall be built to face on Huntington Drive. Residential uses are not permitted along the parcels fronting Huntington Drive.

(C) *Nonconforming uses.* Existing structures containing uses that become non-conforming upon the adoption of these regulations may be expanded subject to the approval of a conditional use permit if the Commission can determine that the proposal is consistent with the goals and objectives outlines in the West Huntington Drive Corridor Land Use Plan contained in the City of Monrovia General Plan Land Use Element, approved by the City Council on January 15, 2007 (Resolution No. 2008-01), and on file in the Office of the City Clerk.

SECTION 11. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 12. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage.

INTRODUCED this 15th day of January 2008. **PASSED, APPROVED, AND ADOPTED** this 5th day of February 2008 by the following vote: **AYES:** Councilmembers Adams, Garcia, Lutz, Mayor Pro Tem Kirby, Mayor Hammond

/s/ LINDA B. PROCTOR, MMC, City Clerk

Publish February 11, 2008