

CITY OF PICO RIVERA COMPREHENSIVE ZONING CODE UPDATE

Meeting Summary

Date:	December 6, 2023
Time:	6:00 PM
Subject:	Round #2 Working Group Study Session
Attendees:	City and Project Team: Estefany Franco, Alvie Betancourt, Julia Gonzalez, Janet Rodriguez, Elizabeth Dickson Community Group: Miguel Perez, Lauren Talbott, Jennifer Rocci, Bret Ilich, Chris Courtney

SUMMARY

This working group meeting built upon previous meetings on the City of Pico Rivera's (City) existing zoning code and related issues that were identified by the consulting team, Dudek, and potential opportunities and strategies to streamline development procedures and processes. Recommendations for updates to the zoning code are detailed in the Diagnostic Memo developed for this project.

One key recommendation of the Diagnostic Memo includes organizing the City's existing zoning code notes system into distinguished chapters of the zoning code. Such chapters will include permit procedures, zone specific standards, a use and permit table, definitions, and regulations for special uses. This Round #2 Working Group Study Session focused specifically on regulations for special uses, including an overview of the project, details on what special use regulations entail and why they are important, and details on specific use regulations for a variety of uses.

The presentation provided included detailed information on the notes system within the adopted zoning code and the project strategy for reorganizing the notes, information on strategies for the use and permit table, and an overview of regulations for the following uses:

- Adult Oriented Businesses
- Animals as Pets
- Alcohol Sales
- Automobile Service Stations
- Cottage Food Operations
- Emergency Shelters
- Single Room Occupancies
- Family Day Care Homes
- Home Occupations
- Telecommunication Facilities
- Automobile Washing and Detailing
- Automobile Repair Facilities
- Drive-Through Establishments
- Massage Establishments
- Outdoor Dining
- Recycling Facilities
- Retail/Shopping Centers

Key takeaways from the meeting include, although standards for special uses are focused on commercial activity, residential developments seem to adjust to adjacent commercial where commercial does not seem to be required to be sensitive to planned residential; and private open space requirements for residential is not clear.

Full Discussion Notes:

Posed Question: Do you have any experience in permitting or in general with the uses presented?

Chris: Was not part of the original working group session. He has had some experience but not in the city of Pico Rivera. Primarily a residential developer but has built residential uses adjacent to commercial uses and has had experience with some of the uses discussed but would need to look at old products to identify opportunities and concerns.

Re: Automobile Washing/ Draining

Chris: Automobile washing – recycling of water is a big issue on the residential side. On site retention and recapture/recycling should be considered for car washes.

Re: Specific Use Standards and Permitting Procedures

Chris: When processing a CUP the regulations aren't always clear on what you need to submit or what the requirements for the use are. Would these use regulations be considered in the CUP process?

Elizabeth: Yes, these are additional regulations that would apply in addition to any site-specific concerns the planning commission may address through additional conditions as part of the CUP.

Re: Conversion of Retail to Residential

Brett: Has worked on projects where they convert a portion of a commercial/retail lot into residential which requires CC&Rs with ingress and egress and buy-off to get a certain percentage to approve the project.

Re: Drive through Regulations

Chris: Has dealt with issues on the residential side when you are building adjacent to commercial areas. Has received complaints that the drive through speaker is loud. Noise should be a concern for nearby residential uses.

Re: Residential Development Burden

From experience, residential builders bear a larger burden of the regulations compared to commercial development. Residential seems to adjust to adjacent commercial where commercial does not seem to be required to be sensitive to planned residential, specifically in terms of wall heights and such whenever these services are close.

For example, if you are building residential next to a commercial space, the residential development requires building a 10 ft. wall to reduce noise from the commercial uses and activity. However, when commercial services are planned near planned or existing residential – it would be beneficial to have regulations in place to require commercial development to place some of those safeguards for nearby residential uses since their activities are usually more intensive.

Another consideration for commercial regulations is light glare or light pollution – businesses that have lights cast on adjacent properties cause a disruption for adjacent residential uses.

Elizabeth: There is a lot of state law that is allowing more residential in commercial zones – it is helpful to know where the burden lies. Given that it is not as clear where future residential uses may be built, it makes sense to proactively require commercial development to be sensitive to potential future residential uses.

Brett: There is an effort to get people out of their cars and as developers, when building adjacent or near commercial areas there are a lot requirements to create pedestrian corridors or integration/connectivity with commercial uses and creating a path of travel for residents, but commercial development gets breaks in this connectivity. Commercial provides services that residents need, but the residential developers are providing the business base for the commercial services. When it comes to connectivity to commercial or parks residential and commercial should both consider VMT to reduce the amount of vehicle traffic.

Question Posed: How easy or hard it was to implement the code?

Brett: the notes/chart system is difficult, but he figured it out. The private open space for residential was not clear, there are open space requirements for ground floor units and open space requirements for second floor. Because they were building 3 story townhomes, city staff required a combination of open space for both ground floor and second floor units, however they were one unit with multiple floors.

Chris: Regarding the outdoor living requirement – even if they didn't have a living space on the first floor/there wasn't any residential on the ground floor they had to comply with certain open space requirements – it put their project in a bind to comply with that part of the code—they had to scrap the project and redesign.

The requirements for satisfying existing homeowners was also stringent. Development and rezone and new construction is going to happen – and although they can help reduce some of the impacts, there should be flexibility in the standards. Complete and absolute privacy for adjacent homeowners is not a fair expectation. Privacy of existing homeowners should be looked at. For example, a two story home next to an existing single-family home wouldn't have to install so much landscaping as was required for the project.

Overall, the City has been good to work with and is responsive and is flexible with what they can and can't do with the design of project.

City: The City has to balance incentivizing new development and protecting the neighboring uses which is one of the challenges of infill development. Particularly when you have a developer going into a space that was underutilized and vacant – the City wants to support the project but also needs to anticipate community interest, NIMBYism, and groups that don't want change. It's the City's job in forecasting and mitigating risk but it is not the City's philosophy to add to their proforma and make a project infeasible. The City has to consider what is the best project for the community while not being overburdensome so that the project can move forward.

The planning department doesn't believe in bureaucracy for bureaucracy's sake – and is also supported in this philosophy by the city manager.

Chris: Appreciates staff's responsiveness – has been a good process. How to fit residential projects in existing commercial areas – understanding what the uses are and how they would be impacted.

Brett – City has been flexible and solution oriented – and has been flexible where they can in conditions of approval.