

RESOLUTION NO. 7272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, AMENDING REGULATIONS APPLICABLE TO PROPERTIES IN THE FIVE (5) SINGLE-FAMILY HOMEOWNERS' ASSOCIATION ARCHITECTURAL DESIGN ZONE AREAS

THE CITY COUNCIL OF THE CITY OF ARCADIA, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby repeals Resolution No. 6770 in its entirety.

SECTION 2. USE OF DESIGN GUIDELINES IN HOMEOWNERS' ASSOCIATION AREAS

The Arcadia General Plan stresses the importance of quality in design and the impact that site design and building form has on enhancing the visual image of Arcadia. The City's Single-Family Residential Design Guidelines, hereinafter referred to as the "Design Guidelines", protects and preserves the character and quality of the City's neighborhoods by requiring harmonious design, careful planning, and integration of sustainable principles. Primary objectives associated with developing a quality project within Arcadia include designing within the established neighborhood context and relationship to the street, reinforcing neighborhood compatibility and identity, creating visually pleasing streetscape character, maintaining the visual quality of the hillside areas, incorporating high-quality architecture consistent with the neighborhood character, and reducing water use in landscape design. To implement the Design Guidelines within the five, Single-Family Homeowners' Associations that are zoned as Architectural Design Overlay Zone (zoned as "D"), Architectural Review Boards are established for each Homeowners Association and are hereinafter referred to as the "ARBs". The five Homeowners' Associations are:

Arcadia Highlands Home Owners Association - "Highlands"

Rancho Santa Anita Property Owners Association - "Upper Rancho"

Santa Anita Oaks Homeowners Association - "Oaks"

Rancho Santa Anita Residents' Association - "Lower Rancho"

Santa Anita Village Community Association of Arcadia - "Village"

The boundaries for each Association are depicted in Exhibit "A." The ARB for each area is governed by the corresponding Homeowners' Association (HOA) Board for that area.

SECTION 3. REQUIREMENTS OF THE ARBs – The ARB shall be empowered to transact business and exercise powers herein conferred, only if the following requirements exist:

A. A formally organized property owner's organization exists in the applicable area described in Section 2.

B. The organization has adopted by-laws that authorize the establishment, appointment, duties, and authority of the ARB.

C. ARB members have been appointed or elected in accordance with the by-laws of the HOA.

D. A copy of the by-laws and any amendments thereto must be on file with the City Clerk.

E. The ARB shall designate a Custodian of Records who shall maintain said records and make them available for public review upon reasonable request.

F. Permanent written records of the meetings, findings, actions, and decisions of the ARB shall be maintained by the ARB and a copy shall be provided to the City. These documents shall be retained in accordance with the City's records retention

policies. In particular, minutes shall be made for each meeting of the ARB, and all minutes shall be filed with the City Clerk's office within fifteen (15) calendar days following the approval of minutes by the ARB.

G. Only ARB members present at the meeting can participate in making the decision.

H. Any decision by the ARB shall be made by a majority of the entire membership of the ARB present, and only the ARB members who considered the application shall render the decision.

I. All meetings of the ARB shall be open to the public in accordance with the Ralph M. Brown Act (California Open Meeting Law). All aspects of the Brown Act shall be adhered to by members of the ARB. This includes, but is not limited to, proper posting of meeting agendas, noticing requirements, no discussion of matters outside of public meetings, etc.

J. When required by the City of Arcadia, ARB members shall participate in additional training prior to making decisions during ARB meetings or on Short Review applications.

K. After notice and a reasonable period has been provided, failure to comply with the above mentioned requirements may result in the powers of the ARB to be rescinded and granted to the City of Arcadia until such a time that the ARB demonstrates compliance with these requirements.

SECTION 4. AUTHORITY AND RESPONSIBILITY OF THE ARBs

A. In order to protect and preserve the character and quality of the single-family neighborhoods and to protect the property values and architectural character of

such residential environments in those portions of the City in which the residents have formed a HOA, the below standards are hereby imposed upon all properties within said areas pursuant to the zoning regulations of the Arcadia Development Code:

1. ARCHITECTURAL DESIGN REVIEW PROCESS – To accomplish the purposes set forth in this section there are hereby established the following authority and responsibilities in which said associations may exercise the design review process. The Homeowners' Associations shall adhere to and apply the Design Guidelines as well as this Resolution during the Design Review Process.

i. Review and approval by the ARB shall be required prior to the construction of new structures, additions, alterations, or other façade improvements to existing structures, new or modified fences or walls visible from the public rights-of-way, or modifications to landscaping visible from the public rights-of-way, as stated in Division 7 of the Development Code.

ii. It is determined that each building or structure, and its landscaping, hardscape, fencing and walls on properties within each HOA area should exhibit a consistent and cohesive architectural style, and be harmonious and compatible with other neighborhood structures in terms of architectural style, scale, visual massing, height, width, length, and setbacks in relationship to site contours and architectural elements such as texture, color and building materials. To promote harmony and compatibility is not to promote sameness, uniformity, a specific architectural style, or a certain time period. It is acknowledged that architecture (and neighborhoods in general) evolve and change over time and this will be considered through the review process.

iii. Pursuant to Arcadia Municipal Code Chapter IX, of the Development Code, and the specified review process, the ARB shall apply the Design Guidelines that were established by Resolution of the Council to 1) determine the appropriate site planning, massing, scale, setbacks, architectural design, and exterior appearance of a proposed project; 2) determine whether the exterior appearance of the proposed project is compatible with the neighborhood; and 3) mitigate potential impacts a proposed project may have on adjacent properties. The Design Guidelines are intended to be used to generally influence the design of the single-family development, and the exterior alterations or re-development of land uses. The Design Guidelines should be used as a starting point for the creative design process and should not be looked upon as the only solution for the design.

2. SITE PLANNING AND NEIGHBORHOOD CONTEXT – The Design Guidelines encourage the location, configuration, size, bulk, mass, and design of new buildings and structures, or the alteration or enlargement of existing structures, to be visually harmonious with their respective sites and compatible with the character and quality of the surrounding neighborhood. Natural amenities such as views, trees, and other similar features unique to the site should be preserved and incorporated into development proposals. The proposed height and bulk of structures should respect existing structures on neighboring properties and not overwhelm them with disproportionate size and scale. In neighborhoods with an established architectural style or pattern(s), new homes or remodels should enhance the neighborhood character. The stronger the existing neighborhood pattern, the more important it is for an owner to reinforce and respect those existing patterns.

3. **STREETSCAPE** – The Design Guidelines encourage the continuation of established streetscapes that define a neighborhood or streets character. When viewed from the street, buildings and structures should blend and be harmonious with the other structures and landscaping on the street. This includes and is not limited to setbacks, structural mass and scale, height, roof forms, façades, entries, building materials that can be seen from the street.

4. **ARCHITECTURAL STYLE AND EXTERIOR BUILDING APPEARANCE** – The Design Guidelines encourage in neighborhoods with an established architectural style or pattern(s), that new homes, remodels, additions, alterations, and accessory structures enhance the neighborhood character. Consistency and/or complementary architectural styles should be maintained within an existing neighborhood context. A clear and distinctive architectural style should be selected and all design features, proportions, colors, materials, and detailing should be consistent with the chosen architectural style. The use of repeating colors and materials found in neighboring homes is encouraged. The Design Guidelines also encourage additions to existing homes or new accessory buildings/structures to be consistent with the architectural style and detailing of the home in terms of materials, finishes, colors, windows, doors, siding, or roof tiles, etc. Walls and fences for courtyards and the perimeter of a property should be designed in a style, material, and color that complement the residence and the overall project design.

5. **PRIVACY**– The Design Guidelines encourages that the potential impacts of new homes, remodels, additions, alterations, and accessory structures on adjacent properties be considered during the design review process, including impacts

on privacy and views. Construction of new homes and additions to existing homes should be designed and articulated to reasonably address these issues. Windows and second-floor balconies/decks should be located to minimize direct views into neighboring residences and actively-used outdoor spaces of neighboring properties. Structures should be positioned on a site to minimize the blocking of sun access to actively used outdoor areas on adjacent properties. Trees and/or screening hedges should be utilized along property lines to provide screening and enhance privacy. However, landscaping should not obstruct the views enjoyed by the adjacent properties.

6. LANDSCAPING AND TREES – The Design Guidelines encourage the preservation and incorporation of existing landscaping into development proposals. As such, all existing landscaping and trees with the potential to be impacted (i.e. removed, encroached upon, pruned, etc.) by new construction, additions, alterations, or other improvements shall be taken into consideration by the ARB or ARB Chairperson when reviewing the proposed project. While the ARB cannot approve or deny the removal of trees, any recommendations from the ARB or ARB Chairperson shall be included with the decision.

7. HISTORIC PRESERVATION – Any alterations, additions, repairs, removal, demolition, or new construction to potential historic resources, designated historic landmarks, designated historic districts (and their contributing resources), or potential historic landmarks, shall be subject to the requirements stated in the Arcadia Development Code (Arcadia Historic Preservation Ordinance).

8. ANIMALS – Wild animals, sheep, hogs, goats, bees, cows, horses, mules, poultry, or rabbits shall not be permitted or kept.

B. The above mentioned standards are hereby imposed upon all properties within said areas pursuant to the zoning regulations of the Arcadia Development Code, and all those in ownership or control of property within said areas are subject to this Resolution.

SECTION 5. APPLICABLE REVIEW AUTHORITY

A. The applicable Review Authority shall be as specified in Development Code Division 7 (Site Plan and Design Review: Homeowners' Association Areas). The three levels of review shall be further defined as follows:

1. City Review

i. For the review of very minor improvements to existing residences as specified in in Division 7 of the Arcadia Development Code.

ii. No public hearing is required for City Review applications. Decisions shall be made by the Development Services Director, or designee.

i. If the Development Services Director determines that a project proposed under the City Review process is not a cohesive design, not in harmony with the neighborhood, or might have an adverse impact on the neighborhood, they shall have the ability to require that the application be processed under the ARB's Short Review Process procedure.

2. Short Review

i. For the review of minor additions, alterations, and exterior improvements to existing residences as specified in Division 7 of the Arcadia Development Code.

- ii. No public hearing is required for Short Review applications.

Decisions shall be made by the ARB Chairperson or designee(s).

- iii. Only an ARB Chairperson or designee(s) who has been appointed in a manner consistent with the HOA's by-laws, whose names and contact information have been provided to the City, and who has completed any training that may be required by the City of Arcadia, shall be empowered to make decisions on Short Review applications.

- iv. If the ARB Chairperson or designee(s) determines that a project proposed under the Short Review process is not a cohesive design, not in harmony with the neighborhood, or might have an adverse impact on the neighborhood, they shall have the ability to require that the application be processed under the Regular Review Process procedure.

- v. All projects that are not listed as eligible to be processed by the City Review or Short Review process as specified in Division 7 of the Arcadia Development Code shall be processed under the Regular Review process.

3. Regular Review

- i. For the review of new single-family residences and major additions, alterations, and exterior improvements to existing residences as specified in Division 7 of the Arcadia Development Code.

- ii. A public hearing shall be required for the ARB Board's action on Regular Review applications. Notice of the public hearing shall be given in compliance with the Arcadia Development Code (Public Notices and Hearings).

iii. All decisions by the ARB Board on Regular Review applications shall be based upon required findings to ensure consistency with the Design Guidelines, this Resolution, City's General Plan, and any other City design guidelines. Notice of the decision shall be given in compliance with the Arcadia Development Code.

B. Additional requirements regarding Zoning, Allowable Uses, Additional Development Standards, Permit Processing, Appeals, Permit Implementation, Modifications, and Revocations, Time Limits, Extensions, and Public Notices and Hearings relating to a Short Review and Regular Review applications shall be as specified in Division 2, 7, and 8 of the Development Code.

SECTION 6. LIMITS OF THE ARB'S POWER

A. The ARB shall not review projects that consist of work only taking place inside a building that does not substantially change the external appearance of the building.

B. The ARB shall not review projects that only involve structures, roofs, wall, or fences that are less than or equal to two feet above the lowest adjacent grade. This limitation does not limit the ARB's review of projects that involve landscaping or hardscaping located within the front or street side yard areas.

C. The ARB shall not review projects that only involve a fence or wall (or multiple fences and walls) located between adjacent properties that are not visible from the public right-of-way. A fence or wall will not be considered visible from the public right-of-way if it is only within a rear yard area, is no higher than any fence fronting toward the public right-of-way, and no broad side of the fence or wall faces the public right-of-way.

D. The ARB shall have the power to establish requirements concerning the submittal of applications for the purpose of exercising its duties, subject to review and approval by the City. Copies of such requirements shall be kept on file with the Development Services Department, Planning Services. This does not apply to development standards.

E. The ARB's review shall be consistent with the City's ARB regulations contained in Division 2, Section 9102.01 (Residential Zones) of the Development Code and in the course of performing its review, the ARB shall not modify or to waive any provisions of the Arcadia Development Code or other established City regulations.

F. The ARB's review shall be consistent with and subject to the City's established zoning regulations applicable to the property.

G. The ARB may, however, make a recommendation regarding such regulations to the City staff, Planning Commission, or City Council.

H. The ARB shall review each project consistent with the provisions set forth in this Resolution and shall not create or apply its own standards or policies relating to design and development in the respective HOA area. This Section does not prevent the ARB from rendering advisory opinions to the City Council regarding design or development standards or formally applying to the City for adoption or modification of design or development standards.

SECTION 7. PUBLIC HEALTH, SAFETY, AND WELFARE FINDING

The City Council finds and determines that the public health, safety and general welfare of the community require the adoption of this Resolution. It is determined that the various land use controls, and property regulations as set forth herein are substantially

related to maintenance of Arcadia's environment, for the purpose of assuring that the appearance of structures will be compatible and harmonious with the use and enjoyment of surrounding properties. Design controls and aesthetic considerations will help maintain the beauty of the community, protect property values, and help assure protection from deterioration, blight, and unattractiveness, all of which can have a negative impact on the environment of the community, affecting property values, and the quality of life which is characteristic of Arcadia.

It is further determined that the purpose and function of this Resolution is consistent with the history of the City and continued efforts through various means to maintain the City's land use, environmental, and economic goals and to assure perpetuation of both the psychological benefits and economic interests concomitant to an attractive, well maintained community with emphasis on residential living.

All findings and statements of purpose in related resolutions which pre-existed this Resolution or prior covenants, conditions, and restrictions constitute part of the rationale for this Resolution and are incorporated by reference.

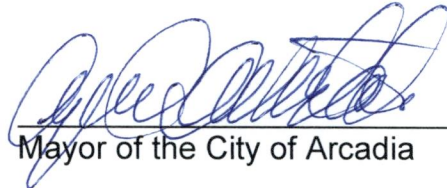
SECTION 8. SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have adopted this Resolution and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid.

SECTION 9. This Resolution shall take effect upon the effective date of Ordinance No. 2363.

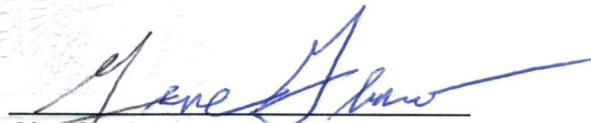
SECTION 10. The City Clerk shall certify to the adoption of this Resolution.

Passed, approved and adopted this 15th day of October, 2019.



Mayor of the City of Arcadia

ATTEST:



City Clerk

APPROVED AS TO FORM:



Stephen P. Deutsch
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF ARCADIA)

I, GENE GLASCO, City Clerk of the City of Arcadia, hereby certifies that the foregoing Resolution No. 7272 was passed and adopted by the City Council of the City of Arcadia, signed by the Mayor and attested to by the City Clerk at a regular meeting of said Council held on the 15th day of October, 2019 and that said Resolution was adopted by the following vote, to wit:

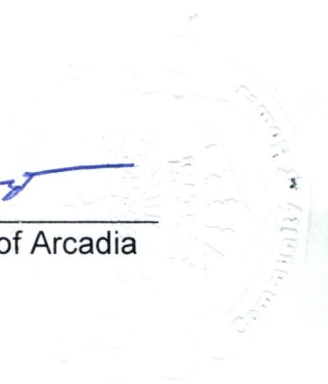
AYES: Amundson, Beck, Tay, Chandler, and Verlato

NOES: None

ABSENT: None



City Clerk of the City of Arcadia

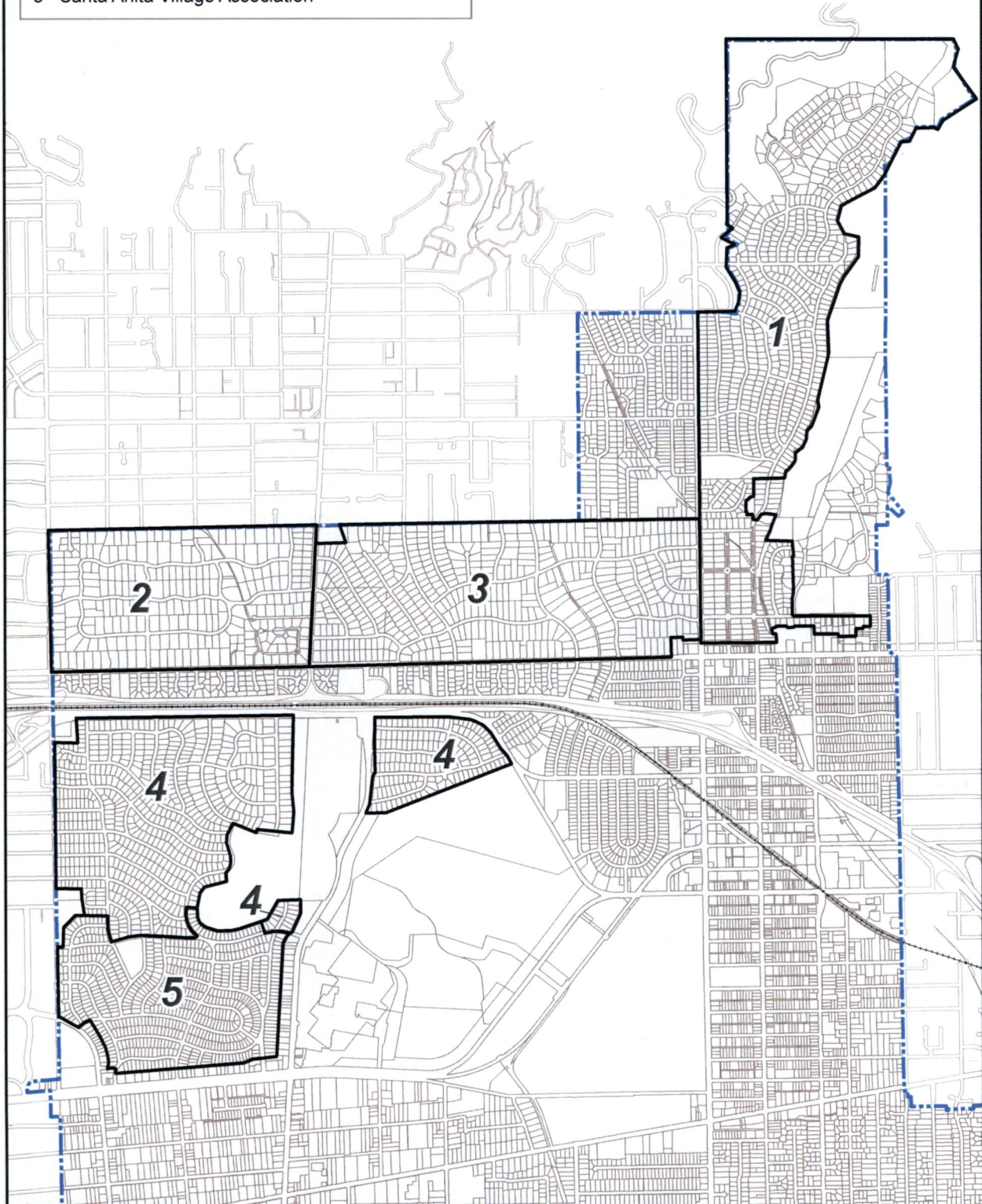


Homeowners Associations

- 1 - Highlands Homeowners' Association
- 2 - Rancho Santa Anita Property Owners Association
- 3 - Santa Anita Oaks Association
- 4 - Rancho Santa Anita Residents' Association
- 5 - Santa Anita Village Association

Exhibit "A"

HOA Map and Descriptions



Data Sources: City of Arcadia, 2019



Homeowner Associations
City of Arcadia, California



Highlands

The area north of the commercial properties fronting on Foothill Boulevard, south of the northerly City limit, east of Santa Anita Avenue, west of the Los Angeles County Flood Control District property, extending to the east end of Sycamore Avenue.

Excluding those properties located in Tract 15073 (1500 to 1538 & 1503 to 1537 Highland Oaks Drive) and 1501 Highland Oaks Drive and 307A, 307B, 307C & 307D East Foothill Boulevard.

Upper Rancho

The property bounded on the south by the centerline of Foothill Boulevard; on the west by the east line of Michillinda Avenue; on the east by the centerline of Baldwin Avenue; and on the north by the City limits.

Oaks

Beginning at a point at the intersection of the centerline of Baldwin Avenue and the centerline of Orange Grove Avenue; thence easterly along the centerline of Orange Grove Avenue to its intersection with the centerline of Oak Meadow Road; thence southerly along the centerline of Oak Meadow Road to its intersection with the centerline of Hacienda Drive; thence westerly along the centerline of Hacienda Drive to its intersection with the centerline of San Carlos Road; thence southerly along the centerline of San Carlos Road to its intersection with the centerline of Foothill Boulevard; thence westerly along the centerline of Foothill Boulevard to its intersection with the centerline of Baldwin Avenue; thence northerly along the centerline of Baldwin Avenue to the point of beginning.

Beginning at a point at the intersection of the centerline of Oak Meadow Road and the centerline of Orange Grove Avenue; thence easterly along the centerline of Orange Grove Avenue to its intersection with the centerline of Santa Anita Avenue; thence southerly along the centerline of Santa Anita Avenue to its intersection with the easterly prolongation of the southerly property line of Lot No. 76 of Tract No. 11074; thence westerly along said easterly prolongation and said southerly property line to its intersection with the westerly property line of Lot No. 76 of Tract No. 11074; thence southerly along the prolongation of said westerly property line to its intersection with the centerline of Foothill Boulevard; thence westerly along the centerline of Foothill Boulevard to its intersection with the centerline of San Carlos Road; thence northerly along the centerline of San Carlos Road to its intersection with the centerline of Hacienda Drive; thence easterly along the centerline of Hacienda Drive to its intersection with the centerline of Oak Meadow Road; thence northerly along the centerline of Oak Meadow Road to the point of beginning.

Beginning at a point at the intersection of the centerline of Santa Anita Avenue and the easterly prolongation of the southerly property line of Lot No. 76 of Tract No. 11074; thence westerly along said easterly prolongation and said southerly property line to its

intersection with the westerly property line of Lot No. 76 of Tract No. 11074; thence southerly along the prolongation of said westerly property line a distance of 65 feet; thence easterly along a line parallel to the southerly property line of Lot 76 of Tract No.

11074 to its intersection with the centerline of Santa Anita Avenue; thence northerly along the centerline of Santa Anita Avenue a distance of 65 feet to the point of beginning.

Lower Rancho

Area #1 Beginning at a point on easterly line of Michillinda Avenue, said point being the southwesterly corner of Lot 36, Tract No. 15928; thence easterly along the southerly boundary of said Tract No. 15928 and Tract No. 14428 to a point which is the northwesterly corner of Lot 12, Tract No. 15960; thence southerly along the westerly line of said Lot 12 and its prolongation thereof to its intersection with the centerline of De Anza Place; thence southerly and easterly along said centerline to its intersection with the centerline of Altura Road; thence southerly along said centerline to its intersection with the centerline of Hugo Reid Drive; thence easterly along said centerline to its intersection with the centerline of Golden West Avenue; thence northwesterly along said centerline to its intersection with the centerline of Tallac Drive; thence easterly along said centerline to its intersection with the easterly line of Tract No. 13312; thence northerly and easterly along the easterly and southerly boundary of said tract to the southeasterly corner of Lot No. 1 to its intersection with the easterly line of Golden West Avenue; thence northerly along said easterly line to its intersection with the southerly line of Vaquero Road; thence easterly along said southerly line to its intersection with the easterly terminus line of said Vaquero Road; thence northerly along said easterly line to its intersection with the southerly line of Lot 17 of Tract No. 11215; thence easterly along said southerly line to its intersection with the easterly line of aforementioned Tract No. 11215; thence northerly along said easterly line and its prolongation thereof to its intersection with the centerline of Colorado Street; thence westerly along said centerline to its intersection with the centerline of Altura Road; thence southerly along said centerline to its intersection with the easterly prolongation of the northerly line of Tract No. 17430; thence westerly along said northerly line to its intersection with the easterly line of Michillinda Avenue; thence southerly along said easterly line to the point of beginning, said point being the southwesterly corner of Lot 36 of Tract No. 15928.

Area #2 Beginning at the northwesterly corner of Lot No. 62 of Tract No. 12786; thence southerly along the westerly line of said Lot and its prolongation thereof to its intersection with the centerline of Hugo Reid Drive; thence easterly along said center line to its intersection with the southerly prolongation of the easterly line of Tract No. 14460; thence northerly along said easterly line to its intersection with the northerly line of said tract; thence westerly along said northerly line to its intersection with the westerly line of said Tract No. 14460; thence southwesterly along said westerly line, and its southwesterly prolongation thereof, to its intersection with the northeasterly corner of Lot No. 61 of Tract No. 12786; thence westerly along the northerly line of said tract to the point of beginning, said point being the northwesterly corner of Lot 62 of Tract No. 12786.

Area #3 All properties with that area bounded on the west by Baldwin Avenue, on the north and east by Colorado Street and on the south by the southerly tract boundaries of Tract Nos. 14940 and 15318.

Village

Beginning at a point on easterly line of Michillinda Avenue, said point being the southwesterly corner of Lot 36, Tract No. 15928; thence easterly along the southerly boundary of said Tract No. 15928 and Tract No. 14428 to a point which is the northwesterly corner of Lot 12, Tract No. 15960; thence southerly along the westerly line of said Lot 12 and its prolongation thereof to its intersection with the centerline of De Anza Place; thence southerly and easterly along said centerline to its intersection with the centerline of Altura Road; thence southerly along said centerline to its intersection with the centerline of Hugo Reid Drive; thence easterly along said centerline to its intersection with the centerline of Golden West Avenue; thence northwesterly along said centerline to its intersection with the centerline of Tallac Drive; thence easterly along said centerline to its intersection with the easterly line of Tract No. 13312; thence southerly along the easterly and northerly lines of Lots 11 through 19 of said tract to be northeast corner of said Lot 19; thence easterly along the easterly prolongation of said Lot 19 to its intersection with the northwesterly corner of lot 74, Tract No. 12786; thence easterly along the northerly line of said tract to the northwesterly corner of Lot 62 of said Tract No. 12786; thence southerly along the westerly line of said lot and its prolongation thereof to its intersection with the centerline of Hugo Reid Drive, thence easterly along said centerline to its intersection with the northeasterly prolongation of the easterly line of Tract 12786; thence southerly along said easterly line and also the easterly line of Tract No. 12104 to the southeast corner of Lot 129 of said Tract 12104; thence westerly along the southerly lines of Tract No. 12104, Tract 11688, and Tract No. 11932 and its westerly prolongation to its intersection with the centerline of Cortez Road; thence northerly along said centerline to its intersection with the centerline of distance a 150' more or less to a point; thence northerly to a point on the northerly line of Portola Drive, said point being 140' westerly from the northwesterly corner of Portola Drive and Cortez Road, thence northerly to the southwest corner of Lot 28, Tract 11932; thence northerly along the westerly line of said tract and its prolongation thereof to its intersection with the centerline of Balboa Drive; thence westerly along said centerline to its intersection with the centerline of Sunset Boulevard; thence northwesterly along said centerline to its intersection with the southerly prolongation of the easterly line of Michillinda Avenue; thence northerly along said easterly line to the point of beginning, said point being the southwesterly corner of Lot 36, Tract No. 15928.