

# 3

## Land Use and Zoning

### DUARTE TOWN CENTER SPECIFIC PLAN

CITY OF DUARTE

# 3

## Land Use and Zoning

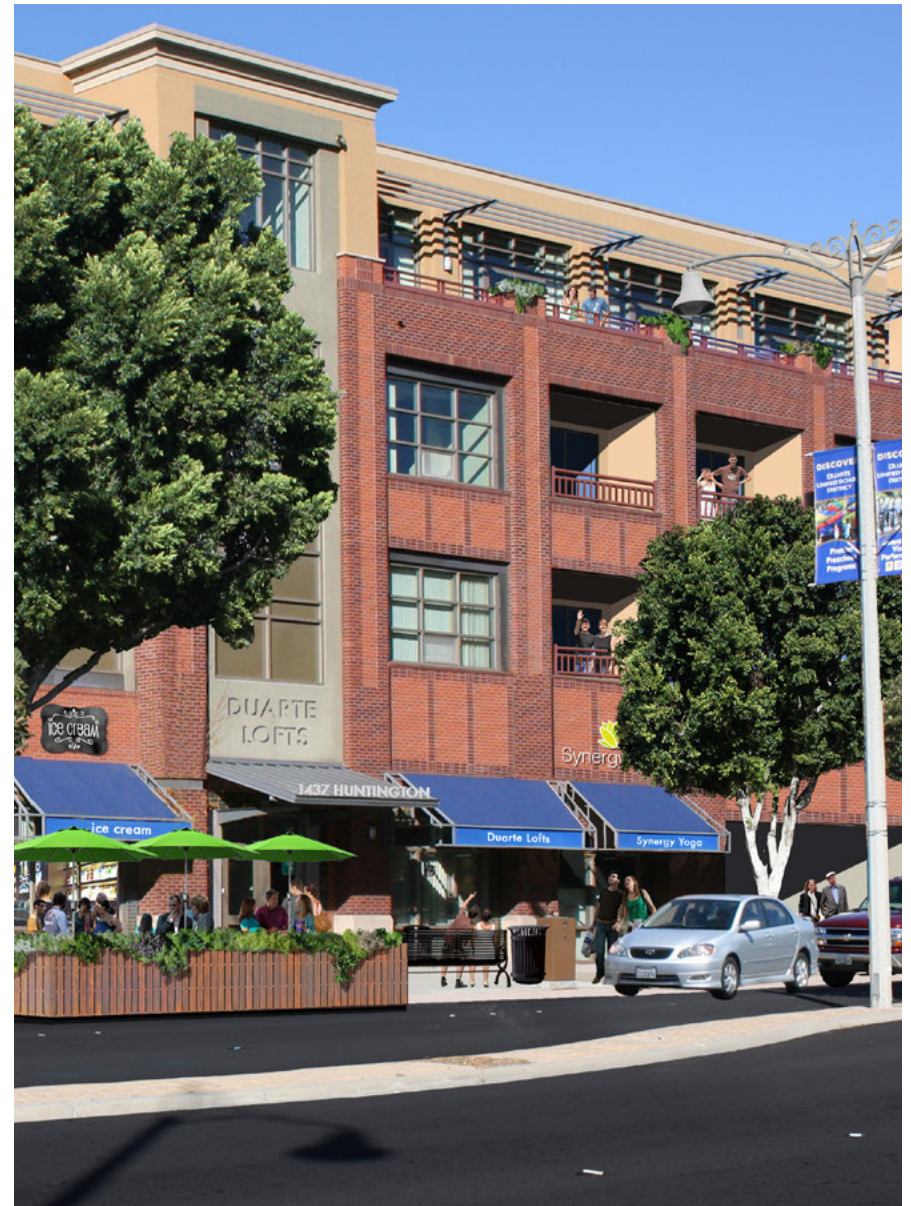
**This Specific Plan** aims to create a vibrant, active Town Center that offers desirable experiences for living, working, and shopping in Duarte.

Duarte is defined by its rich history, stunning San Gabriel Mountain backdrop, bustling medical industry, proximity to major employment centers, and residential neighborhoods.

Despite these amenities, Duarte has historically lacked a town center or central gathering spot. It lacks a place where pedestrians can comfortably shop or stroll along storefronts, relax with friends in a plaza, or come together for community events. This Specific Plan presents new opportunities to stimulate economic development and rebrand the area as the heart of the city – the Duarte Town Center.

A mix of land uses is critical to support and enable a diverse Town Center environment. A dynamic range of uses and activities will include **restaurants and cafes opening onto sidewalks, paseos, and public plazas; increased residential, and mixed-use projects to provide support for local businesses; and an enhanced built environment through unified urban design and streetscape amenities.**

Land use and zoning form the regulatory foundation to support and advance these changes in the Town Center. The Land Use and Zoning chapter describes the type, location, and intensity of specific land uses allowed within the Town Center. Specific Plan **land use designations** are established to regulate allowed uses in the Town Center and transform the area into a bustling mixed-use center with an active pedestrian environment. Building on use regulations, development standards tailor and shape building form to add new vibrancy to the entire Town Center. **The development standards, organized by a series of area plans,** and design guidelines (detailed in Chapter 4: Design Guidelines and Standards), should be used when designing new development,





*An active pedestrian atmosphere attracts more people to shops and restaurants.*



*Parklets create the opportunity to provide flexible open space within the existing built environment.*

renovations, and building additions within the Town Center. To further advance the vision of this Specific Plan, and in conjunction with the development standards and design guidelines, the Specific Plan uses an **incentive-based bonus system** in specific areas to encourage the provision of **community benefits**. Additional development standards are applicable to all types of development in the Town Center (Section 3.6).

The use and development standards of this chapter **apply to all subdivisions, new land uses and structures, and substantial rehabilitation, alterations, and/or remodeling of existing land uses and structures**. Each of these shall be designed, constructed, and established in compliance with this chapter. General maintenance and repair or other minor construction activities that do not result in an intensification of the use will not be regulated by this Plan but may be subject to other City permits and approvals prior to commencement.

Where a provision contained in this chapter does not discuss a specific condition or situation that arises, the provisions set forth in the **Duarte Municipal Code** shall apply. In the event of a conflict between these provisions and the provisions of the Duarte Municipal Code, the **provisions set forth in the Town Center Specific Plan shall govern**. In addition to these standards, all uses within the Town Center Specific Plan boundaries shall comply with all applicable local, state, and federal laws, ordinances, and regulations.

### 3.1 OVERARCHING OBJECTIVES

The following overarching objectives present Duarte Town Center's long-term land use direction. The recommendations are broad policy statements that will guide future City decisions related to land use in the Town Center. These recommendations expand upon goals outlined in the 2007 General Plan.

- Facilitate the creation of a balanced community with a mix of residential, commercial, retail, services, civic, and cultural uses.
- Develop an appropriate mix of housing and commercial development to sustain the needs of the Duarte community.
- Accommodate higher densities and a range of activities in the Town Center.
- Develop Huntington Drive as a mixed-use corridor with uses that reflect market conditions.
- Develop flexible spaces with the ability to respond to shifts in the market.
- Ensure new uses and development is compatible, harmonious, and complements the surrounding area.
- Revitalize existing development and transform vacant and underutilized properties to create a synergistic and lively Town Center.

As part of the vision for the Duarte Town Center, a diverse mix of businesses, services and activities, along with capital investments, will be focused in the area.

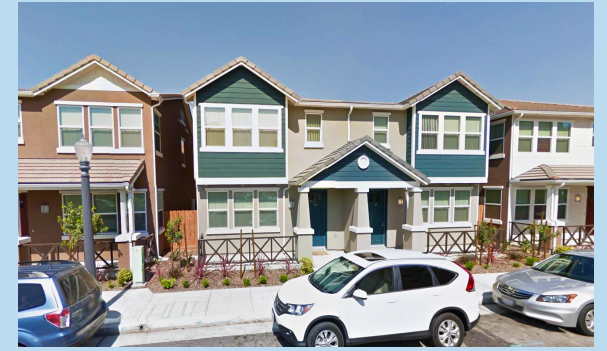
## 3.2 TOWN CENTER LAND USE DESIGNATIONS

### 3.2.1 LAND USE DESIGNATIONS

The Town Center Specific Plan land use designations are established to regulate the allowable uses within the Plan area (Figure 3-1: Allowed Land Uses). The intensity and density of development, along with specific development standards such as setbacks and parking requirements, are regulated through the area plans (see Section 3.4: Town Center Development Area Plans and Section 3.5: Incentives and Community Benefits) and Section 3.6: Development Standards Applicable to All Area Plans. Building form descriptions for each land use designation below reflect future conditions, utilizing Tier 3 development standards and provision of community benefits. Base standards allow lower-scale development and may not allow residential uses.

#### Residential Town Center (RTC)

The Residential Town Center area includes a mix of existing medium-density, single-family, and multi-family residential uses. The primary intent of the Residential Town Center designation is to foster a compatible mix of medium-density housing. Allowable residential formats include apartments, condominiums, townhomes, and small lot single-family developments.



*Residential Town Center*

#### Mixed Use Neighborhood (MUN)

The primary intent of the Mixed Use Neighborhood designation is to facilitate a diverse base of commercial, retail, office, and service-oriented businesses to serve the daily needs of nearby residences and visitors. The inclusion of commercial uses is generally encouraged on the ground floor, with frontage along Huntington Drive. For developments that contain residential uses, the inclusion of a commercial component is required at key intersections, regardless of allowable density. This new designation provides an appropriately scaled transition of intensity and compatible uses between existing residential neighborhoods and higher density areas of the Town Center. Within any lot consolidation overlay area, the minimum lot consolidation is required to allow residential and/or mixed-use development. (continued on next page)



*Mixed Use Neighborhood*

### MUN Overlay: Lot Consolidation Requirement A

The intent of this Overlay is to encourage the consolidation of lots by allowing mixed-use development if a project achieves a minimum lot size. Stand-alone residential projects are not allowed within this Overlay. Residential uses, as part of a mixed-use development, are not permitted within the Lot Consolidation Requirement A Overlay unless the project:

1. Provides a commercial component along Huntington Drive, and
2. Achieves a minimum lot size of 55,000 square feet.

Combined lots shall be adjacent to each other and have no other parcel or real property that bisects, interferes, or is located between them in any way.

### MUN Overlay: Lot Consolidation Requirement B

The intent of this Overlay is to encourage the consolidation of lots by allowing mixed-use or stand-alone residential development if a project achieves a minimum lot size and lot frontage. Residential uses are not permitted within this Overlay unless the project:

1. Includes property with a total of 185 linear feet fronting Huntington Drive or Santo Domingo Avenue, and
2. Achieves a minimum lot size of 50,000 square feet.

Combined lots shall be adjacent to each other and have no other parcel or real property that bisects, interferes, or is located between them in any way.

### Mixed Use Corridor (MUC)

The primary intent of the Mixed Use Corridor designation is to accommodate a variety of commercial and retail uses and higher-density mixed-use residential development with prominent storefront/commercial activity along the major corridors. A commercial component is required along Huntington Drive and at key intersections. Within any lot consolidation overlay area, the minimum lot consolidation is required to allow mixed-use development.

### MUC Overlay: Lot Consolidation Requirement C

The intent of this Overlay designation is to encourage the consolidation of lots by allowing mixed-use development if a project achieves a minimum lot size. Stand-alone residential projects are not allowed within this Overlay designation. Residential uses, as part of a mixed-use development, are not permitted within the Lot Consolidation Requirement C Overlay unless the project:

1. Provides a commercial component along Huntington Drive, and
2. Achieves a minimum lot size of 32,000 square feet.

Combined lots shall be adjacent to each other and have no other parcel or real property that bisects, interferes, or is located between them in any way.



*Mixed Use Corridor*

**MAJOR CORRIDORS** include Huntington Drive, Buena Vista Street, and Highland Avenue.

**KEY INTERSECTIONS** are defined as Huntington/Buena Vista and Huntington/Highland.



*Mixed Use Town Center*

### **Mixed Use Town Center (MUTC)**

The primary intent of the Mixed Use Town Center land use designation is to concentrate development along Huntington Drive and redefine the existing development pattern. The regulatory framework allows for a mix of active ground-floor retail and commercial use (such as boutiques, restaurants, cafes, and offices). With the provision of community benefits, upper-floor residential and commercial uses are allowed, which will draw people to the Town Center during the day, evening, and on weekends. Over the long term, a small public plaza is envisioned at or near the northeast corner of Huntington Drive and Buena Vista Street, nestled within ground-floor retail. To maximize active street frontages on Huntington Drive, parking must be tucked behind or under buildings. Tier 3 development standards for this designation allow for a dynamic mix of commercial and retail uses and higher-density residential uses, with an emphasis on walkable urban form. Development generally maintains a streetwall of at least two stories, and up to three or four stories may be permitted, as appropriate and subject to design standards and guidelines outlined in this Specific Plan.



*Town Center Commercial Core*

### **Town Center Commercial Core (TCCC)**

The primary intent of the Town Center Commercial Core designation is to encourage a diverse mix of commercial uses, including retail and services, office, research and development, hotels (west of Buena Vista Street only), restaurants, and other similar business activities. Building design will emphasize walkable form.

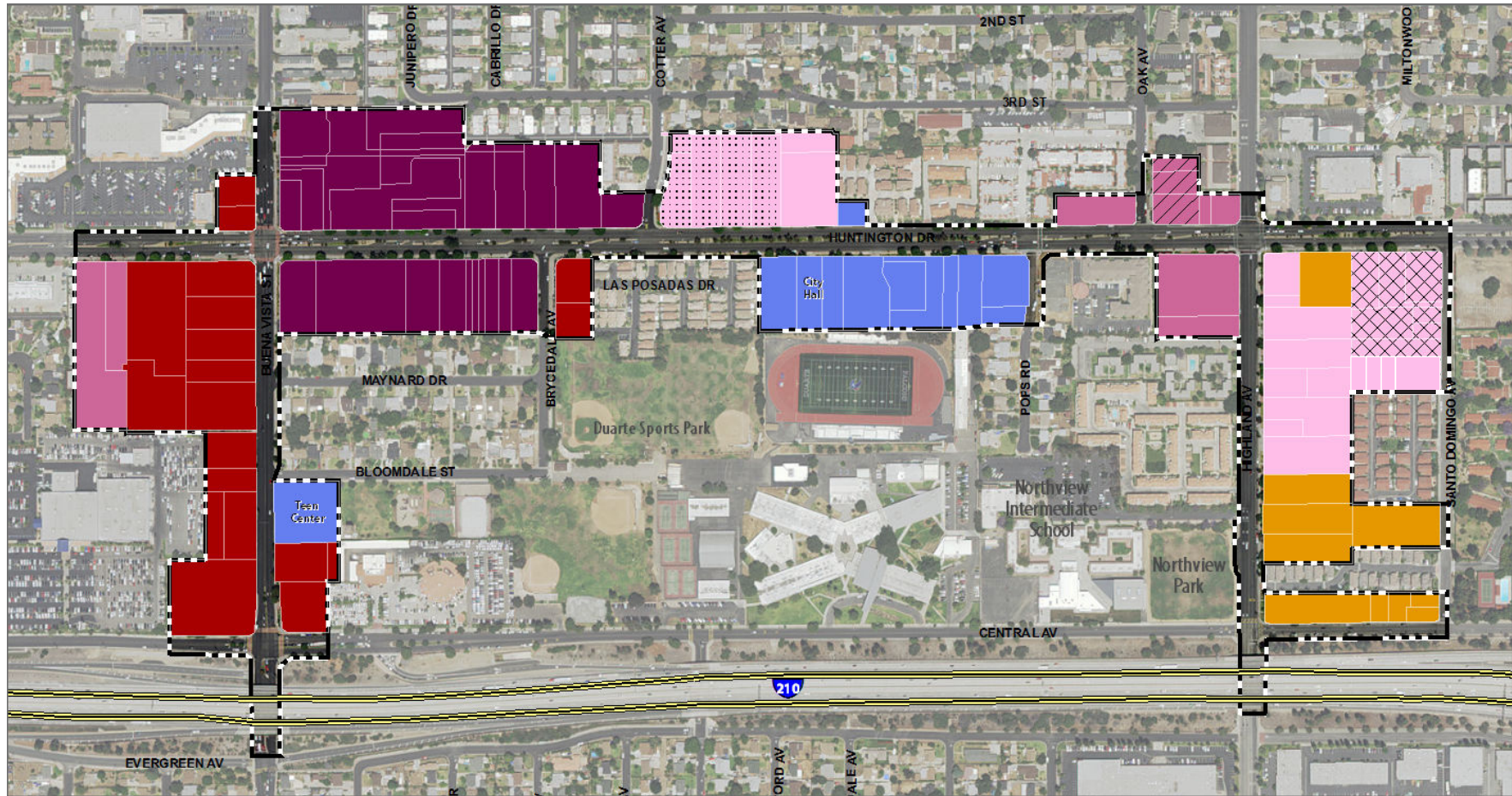


*Public Facilities*







### **Public Facilities (PF)**

The primary intent of the Public Facilities designation is to provide property for public land uses necessary to support community needs within the City, including libraries, community facilities, schools, and utilities. A limited amount of commercial, retail, recreation, education, and care uses are allowed within the Public Facilities designation, usually through a conditional use permit (CUP) or minor use permit (MUP) process.




Figure 3-1: DUARTE TOWN CENTER ALLOWED LAND USE



Land Use Designations

-  Residential Town Center
-  Mixed Use Neighborhood
-  Mixed Use Corridor
-  Mixed Use Town Center
-  Town Center Commercial Core
-  Public Facilities

Overlay

-  Lot Consolidation Requirement A
-  Lot Consolidation Requirement B
-  Lot Consolidation Requirement C

\* See Area Plans for overlay requirements and allowable uses

 Town Center Specific Plan Boundary





### 3.3 ALLOWABLE LAND USES

#### 3.3.1 ALLOWED USES BY LAND USE DESIGNATION

Allowed land uses within the Town Center are listed in Table 3-1. Certain uses may be subject to special conditions regarding the location, operation, design, or special permitting requirements of the use. Following an application submittal, the Community Development Director (Director) or his or her designee shall make a determination as to whether the proposed use is permitted, conditionally permitted, prohibited, or allowed as a temporary or accessory use to a permitted use.

- A Permitted Use (P) is allowed without discretionary approval and subject to all applicable provisions of this Specific Plan.
- A Minor Use (MUP) requires discretionary approval in the form of a Minor Use Permit authorized by the Planning Commission and subject to the requirements outlined in Chapter 19.114 of the Development Code.
- A Conditionally Permitted Use (CUP) requires discretionary approval in the form of a Conditional Use Permit authorized by the Planning Commission and subject to the requirements outlined in Chapter 19.114 of the Development Code.
- An accessory use (A) refers to a use that is customarily incidental and subordinate to a primary use of the land or building and

located on the same lot with the primary use or building.

- Any use not specifically listed in the Table 3-1 shall be interpreted as not allowed in the Town Center.
- Uses specifically not allowed in this Specific Plan are indicated by (—).

It is not possible to anticipate every land use that might be proposed and suitable in the future. Where a proposed land use is not listed but is largely similar to one of the listed uses, the process set forth in the Duarte Municipal Code (Section 19.04.040) shall apply.

#### 3.3.2 PROHIBITED USES

The following uses are prohibited within the Town Center:

- Liquor Stores
- Secondhand and Thrift Stores
- Fortune-Telling and Psychic Services
- Internet/Cyber Cafes

All existing nonconforming uses that are listed as prohibited in this Section shall be subject to the procedures outlined in Section 7.4.1 of this Specific Plan (Expiration of Prohibited Nonconforming Uses).



*Active, pedestrian-oriented uses are encouraged in the Town Center.*

**Table 3-1 Land Uses and Permit Requirements**

LAND USES	P = Permitted by Right		CUP = Conditional Use Permit				
	A = Permitted as Accessory Use		T = Temporary Use Permit				
	MUP = Minor Use Permit		— = Not Allowed				
	RTC = Residential Town Center		TCCC = Town Center Commercial Core				
	MUN = Mixed Use Neighborhood		PF = Public Facilities				
	MUC = Mixed Use Corridor						
	MUTC = Mixed Use Town Center						
	RTC	MUN	MUC	MUTC	TCCC	PF	Additional Regulations
EATING AND DRINKING ESTABLISHMENTS							
Alcohol Production with On Site Tasting (Winery/Brewery)	—	CUP	CUP	CUP	CUP	—	
Bars, Lounges, Nightclubs, and Taverns	—	CUP	CUP	CUP	CUP	—	
Outdoor Dining and/or Patio Seating	—	MUP	MUP	MUP	MUP	MUP	See Development Code Section 19.60.120 (Outdoor Dining).
Restaurant, Sit-down or Fast Food (without onsite alcohol)	—	P	P	P	P	A	
Restaurant, Sit-down or Fast Food (with on site alcohol)	—	MUP	MUP	MUP	MUP	—	
Take-Out Service	—	P	P	P	P	P	
EDUCATION, RECREATION, AND PUBLIC ASSEMBLY USES							
Assembly/Meeting Facilities - Private	—	—	CUP	CUP	CUP	CUP	
Commercial Recreation and Entertainment	—	—	MUP	MUP	MUP	MUP	
Cultural Institutions	—	MUP	MUP	MUP	MUP	MUP	
Educational Facilities (Institution)	—	—	CUP	CUP	CUP	—	
Health/Fitness Facilities							
Small — 2,000 sq. ft. or less	P	P	P	P	P	—	
Large — 2,001 sq. ft. or greater	—	—	MUP	MUP	MUP	—	
Movie Theater and Live Theater	—	—	—	MUP	MUP	—	
Places of Religious Assembly	CUP	CUP	CUP	CUP	CUP	CUP	See Development Code Section 19.60.140 (Places of Religious Assembly).

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	RTC	MUN	MUC	MUTC	TCCC	PF	Additional Regulations
Schools – Public and Private	CUP	CUP	—	—	—	—	
FINANCIAL AND PROFESSIONAL OFFICE USES							
Office – Business or Corporate, Financial Institutions, and Related Services	—	P	P	P	P	MUP	
Research and Development	—	—	—	P	P	MUP	
MEDICAL-RELATED AND SOCIAL SERVICES							
Emergency/Urgent Care Clinic	—	—	—	—	CUP	CUP	
Medical, Dental Clinics/Offices	—	—	P	P	P	MUP	
Medical Supplies	—	—	P	P	P	MUP	
Outpatient Surgery/Care Facilities	—	—	—	—	P	MUP	
Pharmacy	—	P	P	P	P	MUP	
MIXED-USE							
Mixed-Use	—	P	P	P	P	—	Tier 2 Lot Consolidation and/or Tier 3 Community Benefits may be required for residential uses – See Table 3-2 and 3-3. See Section 3.4 Town Center Development Area Plans for additional requirements.
PUBLIC / INSTITUTIONAL USES							
Government Facilities	—	—	MUP	MUP	MUP	P	
Parks and Recreational Facilities	P	P	P	P	P	P	
Utilities	CUP	CUP	CUP	CUP	CUP	CUP	

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	RTC	MUN	MUC	MUTC	TCCC	PF	Additional Regulations
RESIDENTIAL USES							
Day Care General – 15 or more children	—	—	—	—	MUP	—	
Home Occupations	A	A	A	A	—	—	
Live/Work Units	MUP	MUP	MUP	MUP	—	—	Allowed as a required component of a mixed-use development along minor arterials only.
Multi-family Dwellings	P	P	P	P	A	—	A commercial component and Tier 2 Lot Consolidation and/or Tier 3 Community Benefits may be required for residential uses – See Table 3-2 and 3-3.  When multi-family dwellings are permitted as an accessory use, they shall be accessory to a Hotel.
Single-Family Dwellings	P	—	—	—	—	—	Single family dwellings shall comply with all Duarte Development Code standards for the R-4 zone.
RETAIL							
Convenience Store	—	—	CUP	CUP	CUP	—	Off site sale of alcoholic beverages restricted to beer or wine only. Off site sale of liquor is prohibited.
Nurseries and Garden Supply Store	—	—	—	—	CUP	MUP	
Retail Store (Up to 20,000 sq. ft.)	—	P	P	P	P	MUP	

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	MUC = Mixed Use Corridor						
	MUTC = Mixed Use Town Center						
	RTC	MUN	MUC	MUTC	TCCC	PF	Additional Regulations
Retail Store (Greater than 20,000 sq. ft.)	—	MUP	P	P	P	MUP	
Wine and Beer, off sale	—	—	CUP	CUP	CUP	—	Off site sale of alcoholic beverages restricted to beer or wine only. Off site sale of liquor is prohibited.
SERVICE USES – GENERAL							
Animal Grooming	—	MUP	MUP	MUP	P	—	
Catering Services	—	P	P	P	P	—	
Maintenance and Repair Services (other than vehicle)	—	P	P	P	P	—	
Personal Services, General	—	P	P	P	P	—	
Postal Services	—	P	P	P	P	—	
Printing and Duplicating Services (Commercial)	—	P	P	P	P	—	
Studio – Art, Dance, Martial Arts, Music	—	P	P	P	P	—	
Vehicle Services							
Automobile Washing/Detailing	—	—	A	—	A	—	Accessory to parking facilities or fueling stations.
Fueling Stations	—	—	—	—	CUP	—	
Vehicle Repair - Limited (Minor Repair/Maintenance)	—	—	CUP	CUP	—	—	
Services Uses – Restricted							
Personal Services, Restricted	—	—	CUP	CUP	CUP	—	
Tobacco Smoking Establishments	—	—	—	CUP	—	—	See Development Code Section 19.60.165 and 19.60.167.

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	RTC	MUN	MUC	MUTC	TCCC	PF	Additional Regulations
Visitor Accommodations							
Hotels/Motels	—	CUP	CUP	—	CUP	—	1.5 acre minimum lot size required for all new visitor accommodations. Visitor Accommodations are only permitted in Development Areas 1, 4, and 5 (Figure 3-2).
Long-Term Hotel (Extended Stay)	—	—	—	—	P	—	
TEMPORARY USES							
Carnivals (Outdoor), Arts and Crafts Fairs	—	T	T	T	T	T	See Development Code Section 19.124 (Temporary Use Permits)
Concerts, Food Markets/Events	—	—	MUP	MUP	MUP	MUP	
Other Uses							
Drive-Through or Drive-Up Facilities	—	—	—	CUP	CUP	—	See Development Code Section 19.60.050. In MUTC, no new drive-throughs that were not already in existence as of the adoption date of this Specific Plan are permitted.
Late Night and/or 24-Hour Use within 200 feet of any property zoned exclusively for residential use	—	CUP	CUP	CUP	CUP	—	See Development Code Section 19.60.110 Late night and/or twenty-four hour uses.
Wireless Telecommunication Facilities	—	—	—	—	—	P	See Development Code Section 19.60.190 Wireless communications facilities.

Notes: Some uses may be further restricted. See referenced Additional Regulations in the Duarte Development Code and Section 3.4 Town Center Development Area Plans for additional use restrictions and requirements.

Any existing use or building that becomes nonconforming as a result of this Specific Plan shall comply with all rules and regulations set forth in the Duarte Municipal Code Chapter 19.96: Nonconforming Uses.

### 3.4 TOWN CENTER DEVELOPMENT AREA PLANS

The Town Center development standards are organized by a series of distinct area plans that provide the regulatory framework for the Town Center Specific Plan. To establish the physical form and identity of the urban space in Duarte, development standards have been tailored to each Development Area (see Figure 3-2: Area Plan Map). These standards address new buildings and site improvements and are essential to achieve the vision of the Specific Plan. Site improvements will be evaluated on a case-by-case basis to determine which regulations shall apply to the portion of the site being improved.

Standards are intended to promote an enriched pedestrian environment through coordinated building form, complete with a wide range of available uses are legible site design, they provide compatibility between areas of varying levels of intensity. In addition to Development Area Plan standards, additional standards apply to all properties in the Town Center: These are outlined in Section 3.6: Development Standards Applicable to All Area Plans.

This Specific Plan uses an incentive-based bonus system in specific areas to advance the vision and encourage provision of additional community benefits. This system will allow the City to capture a portion of the market value added to properties/developments through the Specific Plan policies and regulations by providing incentives

#### WHAT IS THE DIFFERENCE BETWEEN DEVELOPMENT STANDARDS AND DESIGN GUIDELINES?

**STANDARDS:** Development standards are measurable criteria for building elements such as setbacks, step-backs, building heights, floor area and residential density. The standards are considered prescriptive and quantitative and are applied to all properties in each Development Area consistently. Development standards are mandatory, and projects may only be approved if the proposed improvements are consistent with the development standards, unless otherwise allowed by a variance or Administrative Adjustment.

**GUIDELINES:** Design guidelines outlined in Chapter 4 are discretionary and qualitative. They are intended to serve as criteria for reviewing projects during the application and approval process. Design guidelines address elements that cannot easily be measured or quantified, but are important aspects of the design and quality of a building or development. The design guidelines contain recommendations on design aspects that are more open to interpretation such as texture, materials, style and overall design character. In certain circumstances, design guidelines are mandatory – these are indicated with clear terminology such as “shall” and “must”.

When used in conjunction, the development standards and design guidelines will shape future development to achieve the community’s vision of the Duarte Town Center as a desirable place to live, work, shop, and visit.

for projects to contribute community benefits and/or community benefit funds in exchange for additional floor area and height and/or the inclusion of a residential component for qualified projects. Available bonuses are discussed in the Area Plans.

To reflect differences in local scale and neighborhood context, the boundaries of each Area Plan do not correspond exactly to the land use districts. Two separate blocks may provide the same allowed land uses, but different property development standards, to reflect differences in

## DEVELOPMENT STANDARDS TIERS

The development standards are organized by three tiers. Each tier describes the development standards that apply to a project. The base allowable development standards are described in Tier 1. If a developer wants to take advantage of increased density, FAR, residential/mixed use, and height, the developer is required to comply with the provisions of each subsequent tier (Tier 2 or Tier 3), as described in Table 3-2 and Table 3-3. The three tiers are as follows.

**TIER 1 – BASE STANDARDS.** Tier 1 represent the base allowable development standards, with no incentives or bonuses applied. Base projects are not required to provide community benefits but still must meet minimum project requirements for setbacks, design, and open space.

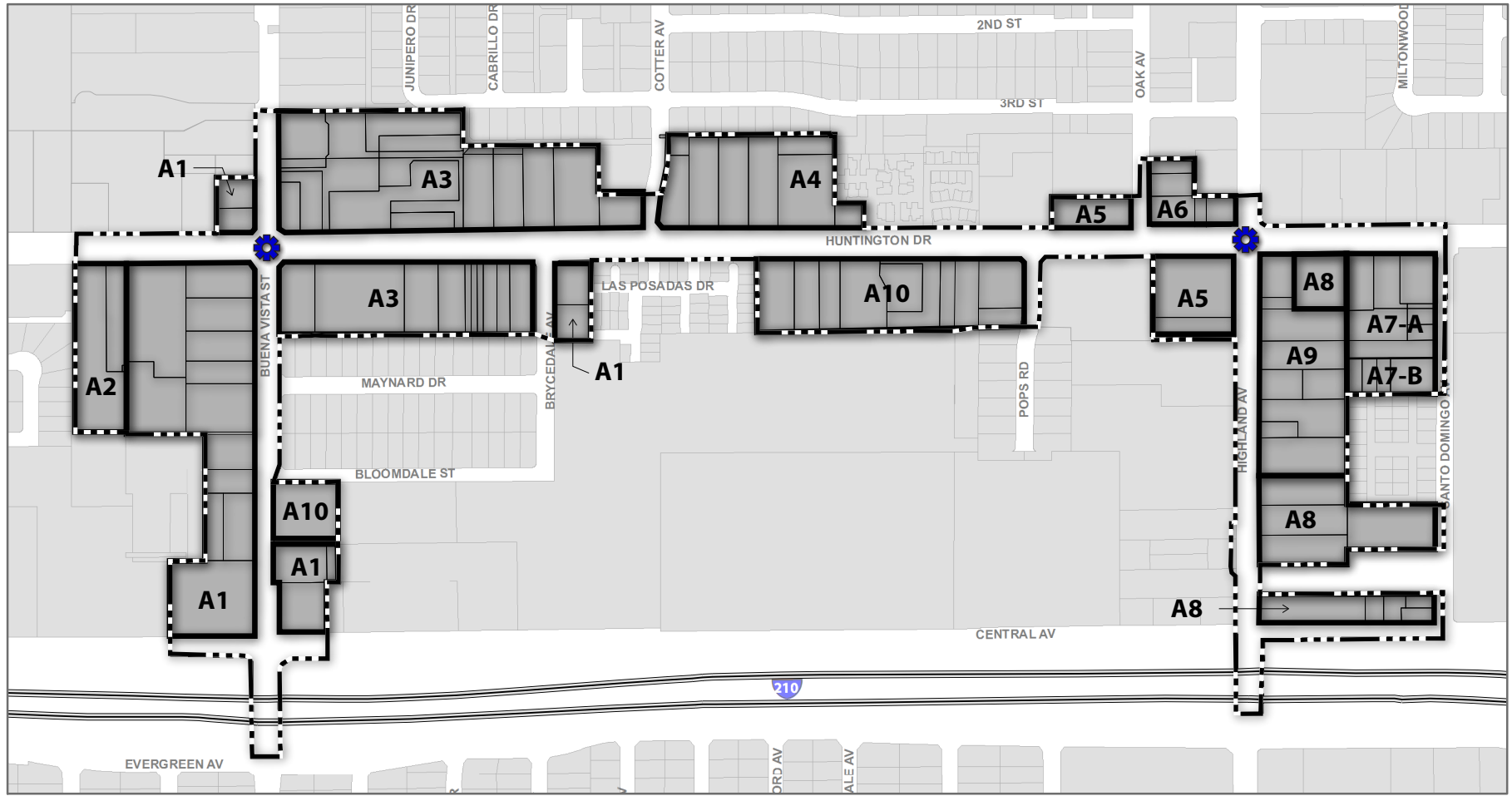
**TIER 2 – LOT CONSOLIDATION BONUS.** Tier 2 projects are projects located within Lot Consolidation Overlay Areas that include a proposal to consolidate lots (meeting a minimum lot size and other requirements specific to the Overlay) and thus are allowed to include residential and/or mixed-use development, depending on the area. Tier 2 bonuses are allowed only in Lot Consolidation Overlay Areas within Areas 4, 6, and 7. Tier 2 standards represent total maximum limits for buildings and structures and are not cumulative with Tier 1 Base Standards.




**TIER 3 – COMMUNITY BENEFIT BONUS.** Tier 3 projects are projects that look to incorporate height and FAR above the Tier 1 or Tier 2 standards. Projects located within Lot Consolidation Overlay Areas must meet Tier 2 in addition to Tier 3 requirements to achieve Tier 3 bonus height, density, and/or intensity. Tier 3 projects are required to contribute to the community benefits program at Tier 3 levels (see Table 3-2 and Table 3-3 for the number of required benefits in each area). The menu of available community benefits are outlined in Section 3.5: Incentives and Community Benefits. Tier 3 standards represent total maximum limits for buildings and structures, and are not cumulative with Tier 1 and/or Tier 2 Base Standards.

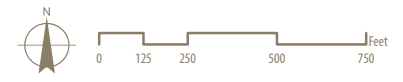
scale and local context, and to achieve a desired outcome consistent with the overarching goals of the Specific Plan. Each area includes specific objectives to guide future redevelopment of the area to better achieve the Specific Plan vision. Primary development standards are summarized in Table 3-2 (Summary of Building Form Standards in Areas 1-5) and Table 3-3 (Summary of Building Form Standards in Areas 6-10). Additional standards that apply to all projects and standards for specific uses or areas follow in Sections 3.6, including setback requirements.



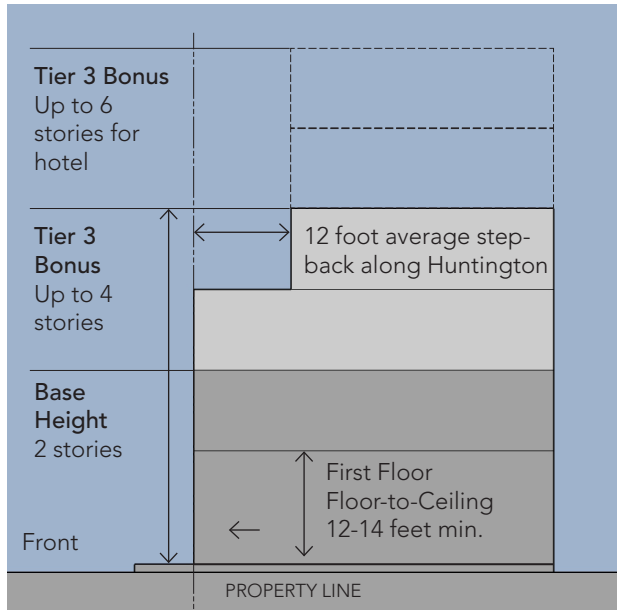
Figure 3-2: Town Center Development Area Map



-  Town Center Specific Plan Boundary
-  Area Plan Boundary
-  Key Intersection



# AREA 1



## 3.4.1 AREA 1

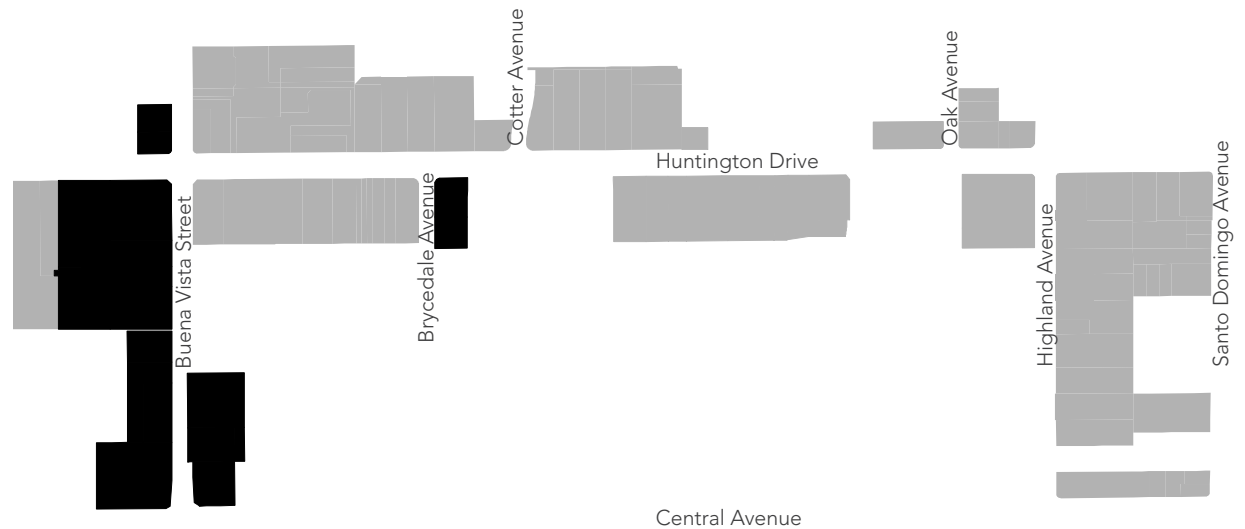
### Corresponding Land Use Designation – Town Center Commercial Core

Area 1 represents a critical gateway to the Town Center along Buena Vista Street. The area maintains a diverse array of commercial uses, including a restaurant housed in the historic school house building, and provides freeway frontage and visibility. Freeway access and location along a major corridor provide for an active retail and commercial environment. Building form and setbacks encourage buildings to engage with the street (locating parking in less visible areas) to create a continuous street wall and more defined streetscape.

#### Area 1 Objectives:

- Encourage the development of a high-quality, multiple-story hotel to catalyze complementary development and provide additional lodging space to support the Town Center and surrounding areas.
- Promote high-quality commercial development throughout the plan area, including retail, office, and hotel uses at a scale that gives presence to this area as the entrance to the Town Center.
- Encourage development that is pedestrian friendly, with buildings forming a comfortable street wall near the sidewalk.
- Establish a gateway to direct people toward the Town Center from Central Avenue and the I-210 freeway.
- Protect and retain the historic Duarte School (existing Old Spaghetti Factory) building.

#### Applicable Bonus: Tier 3



### 3.4.2 AREA 2

#### Corresponding Land Use Designation – Mixed Use Corridor

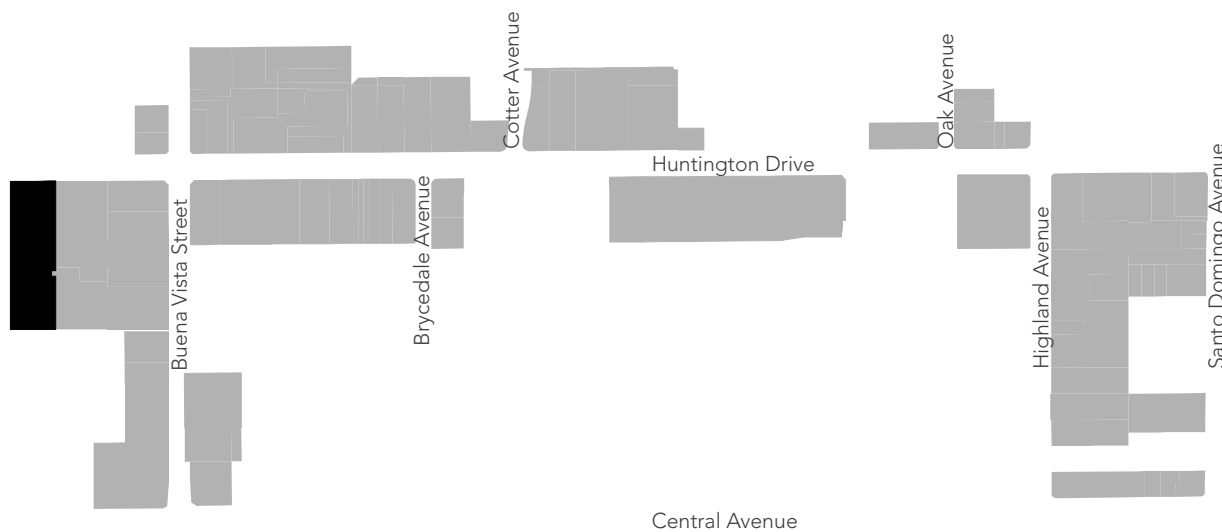
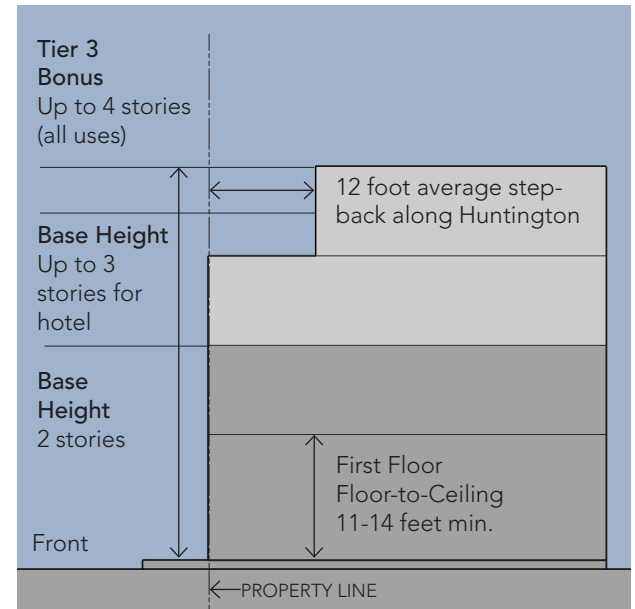
Area 2 is the westernmost segment of the Town Center. The area has a narrow frontage along Huntington Drive and contains a mix of uses. Building form is intended to intensify uses and develop an enhanced relationship along Huntington Drive through pedestrian-oriented development.

#### Area 2 Objectives

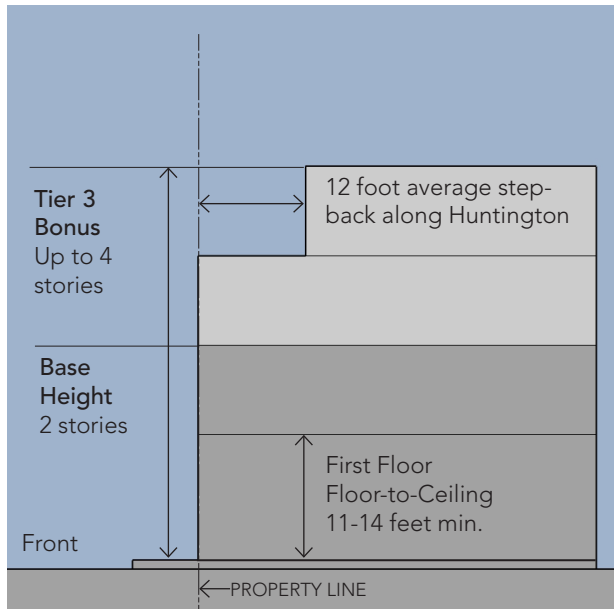
- Promote mixed-use development throughout the area, with retail emphasis on ground floors nearest to Huntington Drive to activate building edges, and housing or office above.
- Ensure adequate signage to enhance economic development opportunities for uses located farther from Huntington Drive.

#### Applicable Bonus: Tier 3

## AREA 2



## AREA 3



### 3.4.3 AREA 3

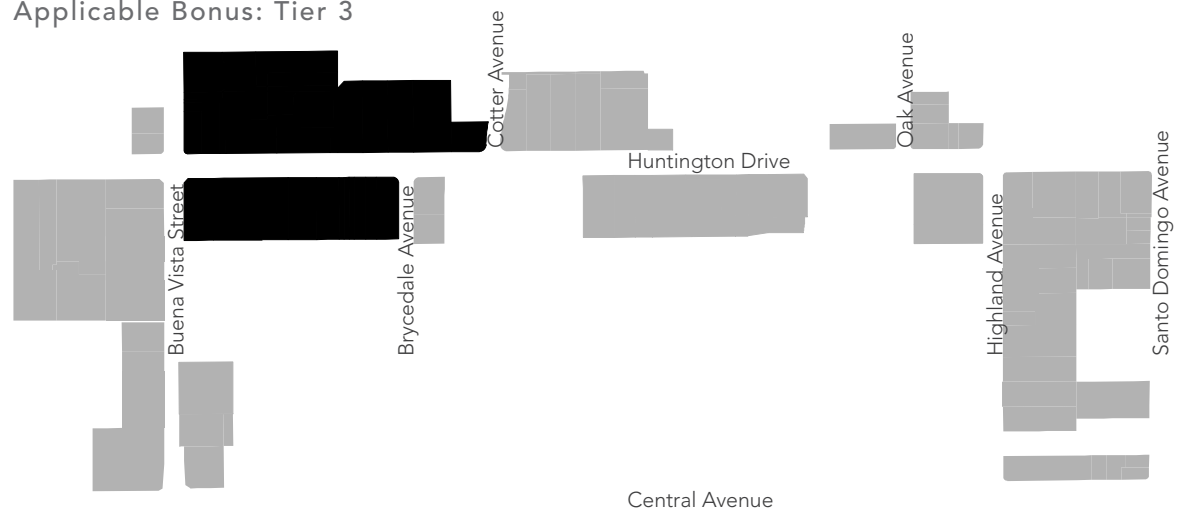
#### Corresponding Land Use Designation – Mixed Use Town Center

Area 3 is located between Buena Vista Street and Cotter Avenue on the north side of Huntington Drive and between Buena Vista Street and Brycedale Avenue on the south side of Huntington Drive. This area offers some of the greatest transformative potential in the Town Center. Its size, configuration, and proximity to the I-210 create the opportunity for impactful new development with a broad range of uses. The area's strategic location at the intersection of Buena Vista Street and Huntington Drive presents a unique opportunity to develop an attractive retail center and plaza where people can enjoy outdoor dining, café seating, and other pedestrian amenities. Uses should include mixed-use infill development with residential units on top of retail shopfronts along Huntington Drive.

#### Area 3 Objectives:

- Encourage redevelopment of properties at the intersection of Buena Vista Street and Huntington Drive with active uses such as a plaza with space for outdoor gathering and dining surrounded by retail uses.
- Enhance the area with the development of an active outdoor dining and café space, with the goal of establishing Duarte's restaurant row in this area.
- Provide additional housing options to consist of three- to four-story residential development with open space and parking (subject to Tier 3 – Community Benefits Bonus minimum requirements).
- Increase walkability through concentrated development of service and entertainment uses.

#### Applicable Bonus: Tier 3



### 3.4.4 AREA 4

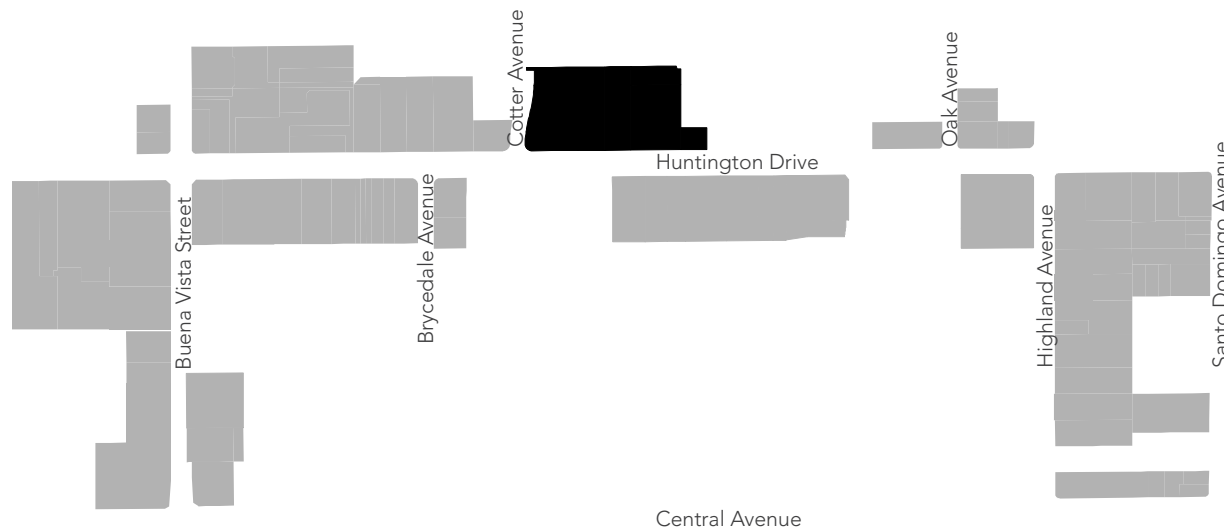
#### Corresponding Land Use Designation – Mixed Use Neighborhood

Area 4 is located at the northeast corner of Huntington Drive and Cotter Avenue. Over the long term, building form in this centrally located area should consist of mixed use, with frontages along Huntington Drive devoted to retail. Assembly of lots is encouraged to promote revitalization. Within the Lot Consolidation Overlay area, consolidated lots achieving a minimum lot size are allowed to develop with residential uses in conjunction with commercial. Without consolidating lots, commercial uses are permitted, but are limited to two stories.

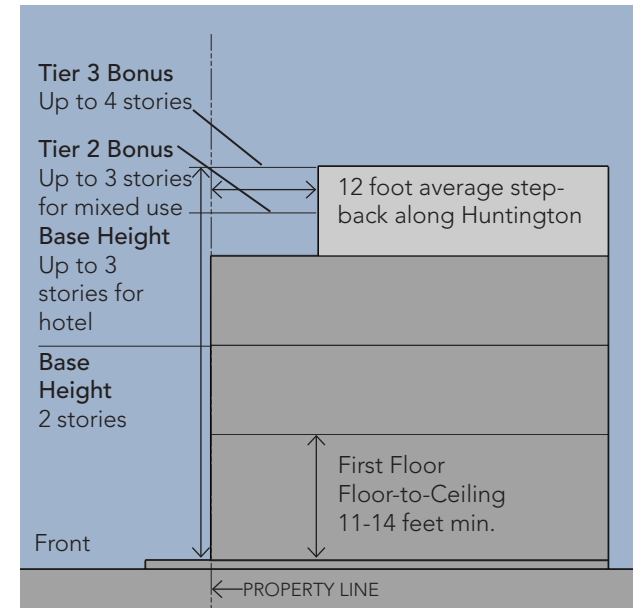
#### Area 4 Objectives

- Encourage the improvement of underutilized properties through lot consolidation and higher density mixed-use development.
- Allow residential uses as part of a mixed-use development, subject to Lot Consolidation Overlay requirements where they may apply.
- Allow mixed use commercial/office at two stories.
- Promote ground-floor retail with two- to three-levels of residential above.
- Ensure new development is compatible with surrounding residential properties.

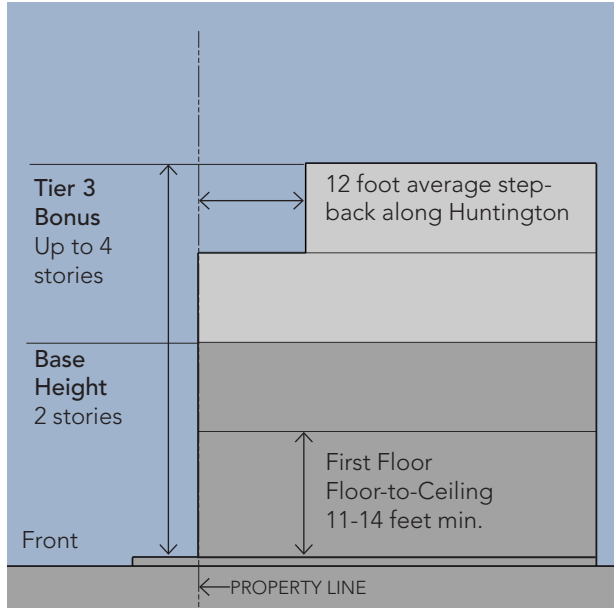
#### Applicable Bonuses: Tier 2 and Tier 3



## AREA 4



# AREA 5



## 3.4.5 AREA 5

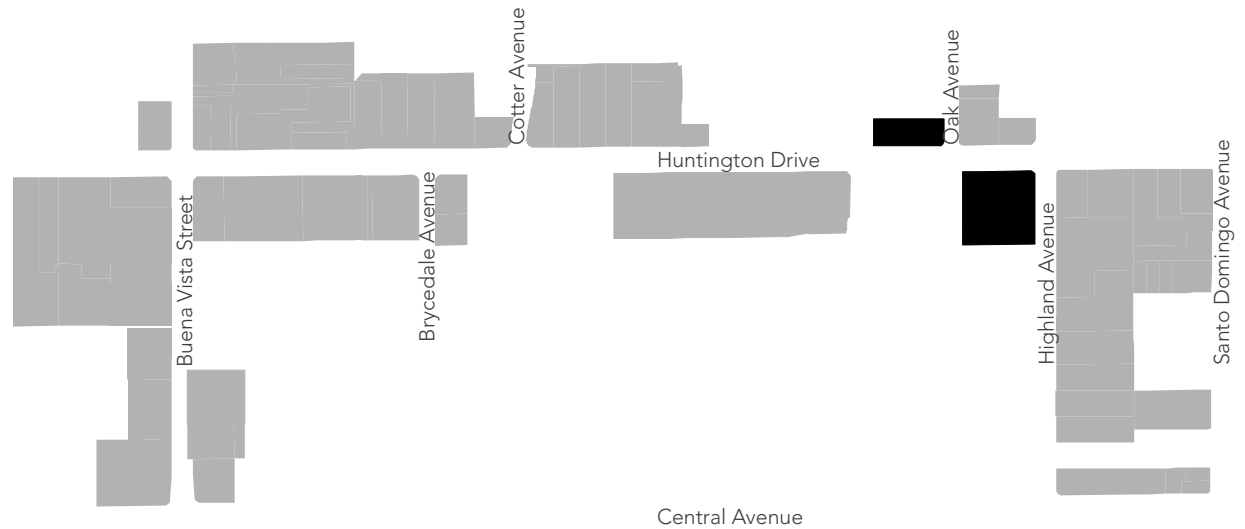
### Corresponding Land Use Designation – Mixed Use Corridor

Area 5 is located on the northwest corner of Huntington Drive and Oak Avenue and on the southwest corner of Huntington Drive and Highland Avenue in the Mixed Use Corridor zoning designation. This area is envisioned as a node for intensified commercial and retail uses. Building form should provide sufficient height, floor area and density to accommodate a variety of uses – from mixed-use combinations of residential with ground-floor commercial development, to a hotel with active storefronts and a variety of commercial uses.

### Area 5 Objectives

- Enhance existing development and ensure new development orients retail frontages toward Huntington Drive, with parking located in the rear or underneath.
- Activate the corner of Highland Avenue and Huntington Drive with new uses and active storefronts.
- Allow flexibility in parking regulations to facilitate the development of restaurants and retail uses in the short term.
- Explore the feasibility of a hotel or multi-story mixed use project to provide a gateway feature to the Town Center.

### Applicable Bonus: Tier 3



**Table 3-2 Summary of Building Form Standards in Areas 1-5**

BUILDING FORM STANDARDS	AREA 1	AREA 2	AREA 3	AREA 4	AREA 5
LAND USE DESIGNATION	Town Center Commercial Core	Mixed Use Corridor	Mixed Use Town Center	Mixed Use Neighborhood	Mixed Use Corridor
<b>TIER 1 – BASE STANDARDS</b>					
Maximum Height: Residential and Mixed Use	N/A	2 stories, 35 feet	N/A	N/A	N/A
Maximum Height: Commercial (except hotel)	2 stories, 35 feet	2 stories, 35 feet	2 stories, 25 feet	2 stories, 35 feet	2 stories, 35 feet
Maximum Height: Hotel	2 stories, 35 feet	3 stories, 45 feet	N/A	3 stories, 45 feet	2 stories, 35 feet
Maximum Floor Area Ratio <sup>3</sup>	0.75	0.75	0.75	0.75	0.75
Maximum Residential Density (du/ac)	N/A	28	N/A	N/A	N/A
<b>TIER 2 – LOT CONSOLIDATION BONUS<sup>1</sup></b>					
Tier 2 bonuses are allowed only in Lot Consolidation Overlay Areas (see Figure 3-1) that are located within Areas 4, 6, and 7.					
Minimum Lot Consolidation Requirement Overlay	N/A	N/A	N/A	55,000 sf consolidated lot size	N/A
Maximum Bonus Residential Density (du/ac)	N/A	N/A	N/A	30	N/A
Maximum Tier 2 Height Limit: Mixed Use	N/A	N/A	N/A	3 stories, 40 feet	N/A
<b>TIER 3 – COMMUNITY BENEFIT BONUS<sup>2</sup></b>					
For a list of available community benefits, see Section 3.5: Incentives and Community Benefits					
Minimum Number of Community Benefits Required to Qualify for Tier 3 Bonuses <sup>2</sup>	3 for non-hotel use; 2 for hotel use	2	3	2	2
Maximum Bonus Height: Residential and Mixed Use	N/A	4 stories, 50 feet	4 stories, 50 feet	4 stories, 50 feet	4 stories, 50 feet
Maximum Bonus Height: Commercial (except hotel)	4 stories, 60 feet	4 stories, 60 feet	4 stories, 60 feet	4 stories, 60 feet	4 stories, 60 feet
Maximum Bonus Height: Hotel	6 stories, 90 feet	4 stories, 60 feet	N/A	N/A	4 stories, 60 feet
Bonus Floor Area Ratio <sup>3</sup>	2.5	1.5	2.0	1.5	1.5
Maximum Bonus Residential Density (du/ac)	N/A	40	55	40	40

Notes:

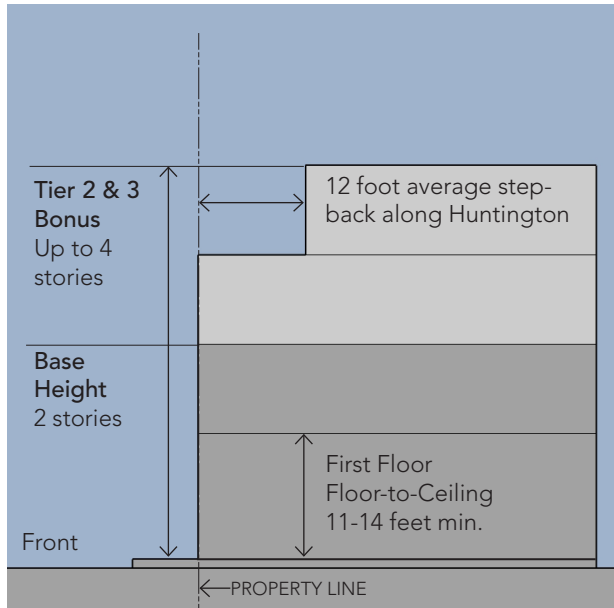
<sup>1</sup> Areas with a lot consolidation requirement shall first apply a lot consolidation bonus to unlock a community benefit bonus. No community benefit bonus (Tier 3) shall be applied without the application of a lot consolidation bonus (Tier 2).

<sup>2</sup> For a complete list of community benefits, a project may elect to pursue to receive development bonuses see Section 3.5: Incentives and Community Benefits.

<sup>3</sup> Floor area ratio shall apply only to commercial components of projects.

<sup>4</sup> N/A means not applicable, generally because the use is not allowed or the applicable tier does not apply. N/A should not be interpreted to mean no limit for any development standard.

# AREA 6



## 3.4.6 AREA 6

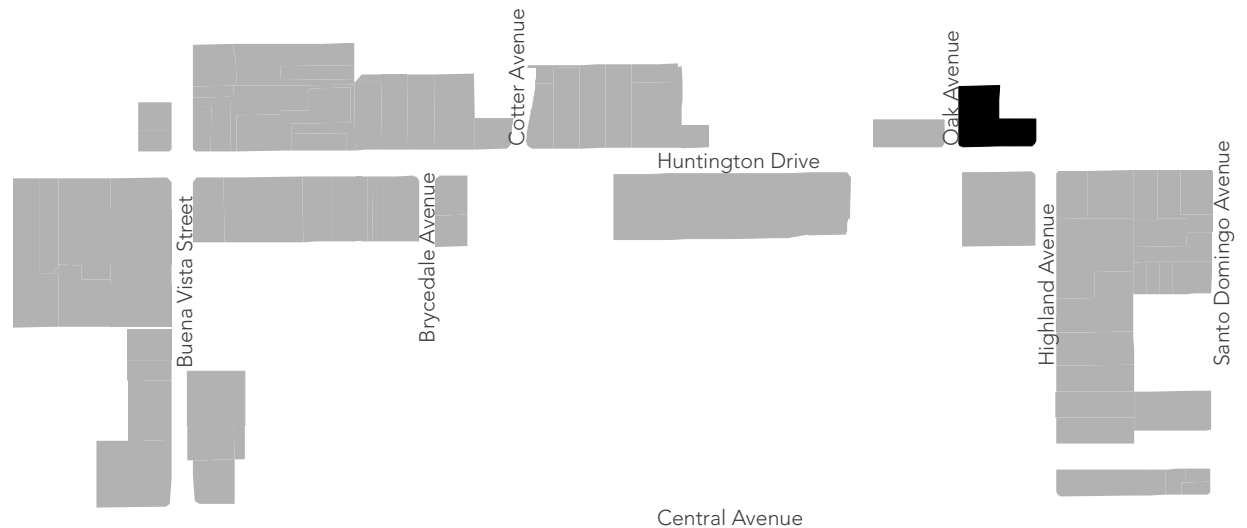
### Corresponding Land Use Designation – Mixed Use Corridor

Area 6 is located at the northwest intersection of Huntington Drive and Highland Avenue. This high-profile corner is especially visible to travelers heading north on Highland Avenue from the Duarte Metro Gold Line Station. Building form should announce the entrance to the Town Center.

### Area 6 Objectives

- Create a gateway mixed-use development at the corner of Highland Avenue and Huntington Drive.
- Enhance existing development with façade and landscaping improvements.
- Promote mixed-use development, with retail emphasis on ground floors to activate building edges and housing and/or office above.
- Provide incentive to remove and replace under maintained residential property on Oak Avenue.

### Applicable Bonuses: Tier 2 and Tier 3





# AREA 7

## 3.4.7 AREA 7

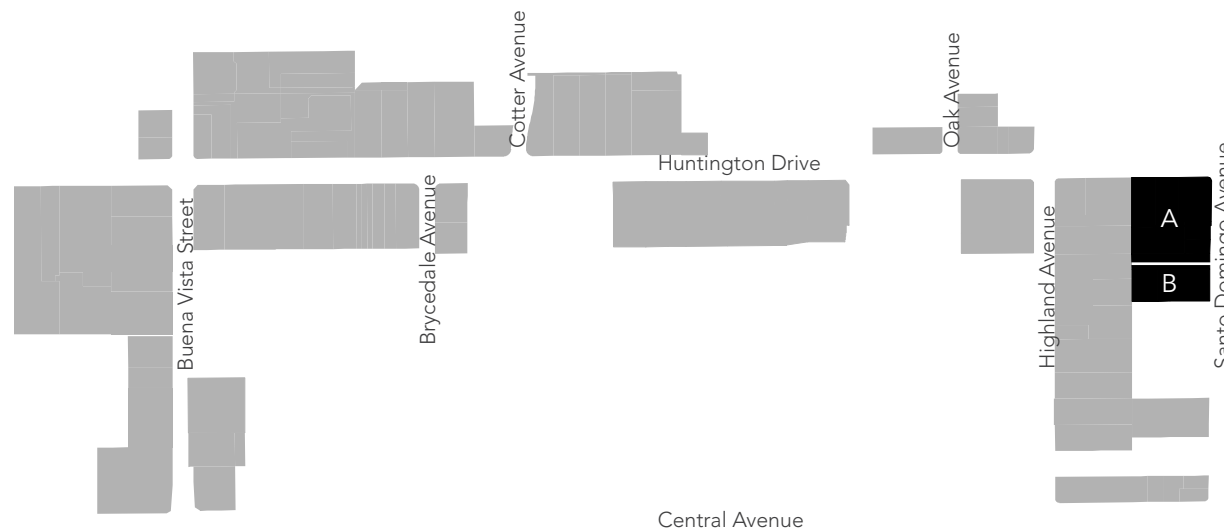
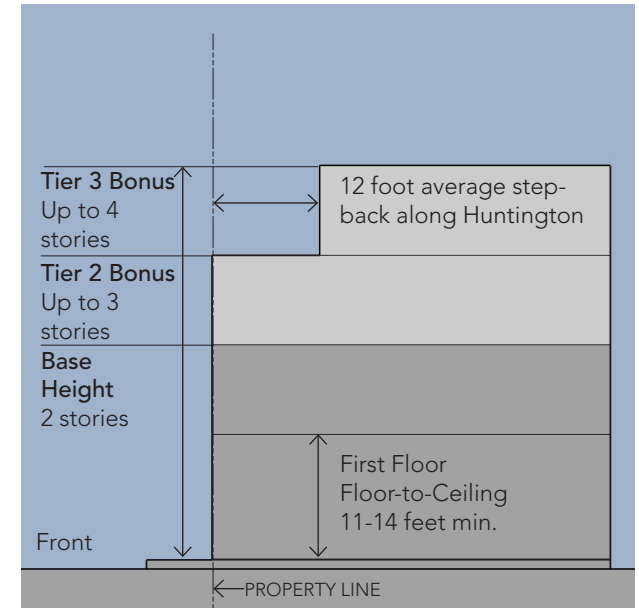
### Corresponding Land Use Designation – Mixed Use Neighborhood

Area 7 is located at the southwest corner of Huntington Drive and Santo Domingo Avenue. This area can support higher density residential development at the edge of the Town Center, within walking and biking distance of the Duarte Metro Gold Line Station. Building form should provide the necessary height, floor area, and density needed to accommodate residential and some mixed use and/or commercial development. This area is further divided into two sub-areas: 7A and 7B.

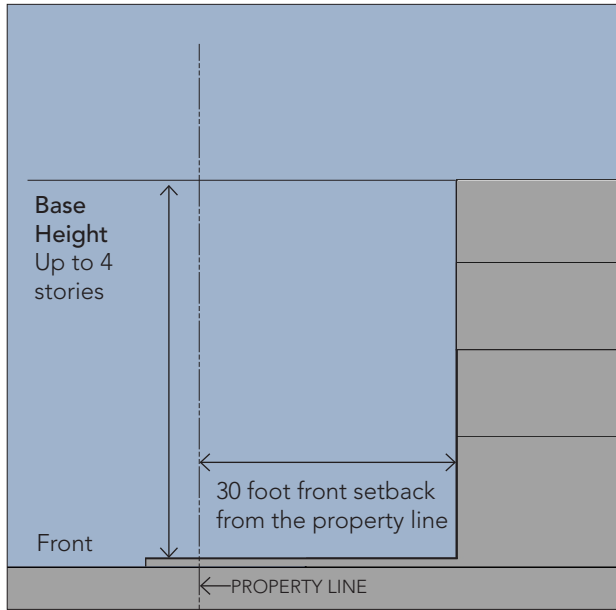
### Area 7 Objectives

- Encourage lot consolidation and improve underutilized space to transform the area into a vibrant residential node by providing strong bonus incentive.
- Ensure that building massing along large blocks is broken up to allow passage or circulation through them, with paths leading to destinations, including outdoor plazas and outdoor spaces.

### Applicable Bonuses: Tier 2 and Tier 3



# AREA 8



## 3.4.8 AREA 8

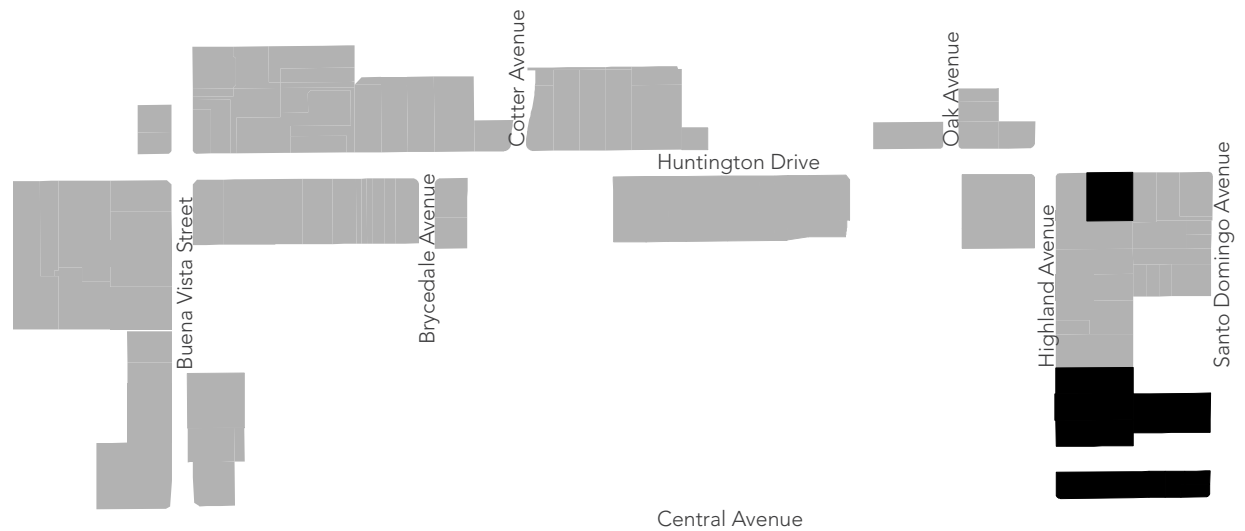
### Corresponding Land Use Designation – Residential Town Center

Area 8 is located between Santo Domingo Avenue and Highland Avenue. Proximity to the Duarte Metro Gold Line station offers an attractive transportation option for higher density housing. Building form should accommodate residential development and facilitate access to the Duarte Metro Gold Line Station. All development in Area 8 shall comply with the Multiple Family Residential (R-4) Zone regulations set forth in the Duarte Development Code (Article 2 Zones, Allowable Uses, and Development Standards).

### Area 8 Objectives

- Preserve and enhance residential uses in the area.
- Strengthen the mix of residential densities, and promote higher density development in proximity to the Duarte Metro Gold Line Station.

Applicable Bonus: N/A



### 3.4.9 AREA 9

#### Corresponding Land Use Designation – Mixed Use Neighborhood

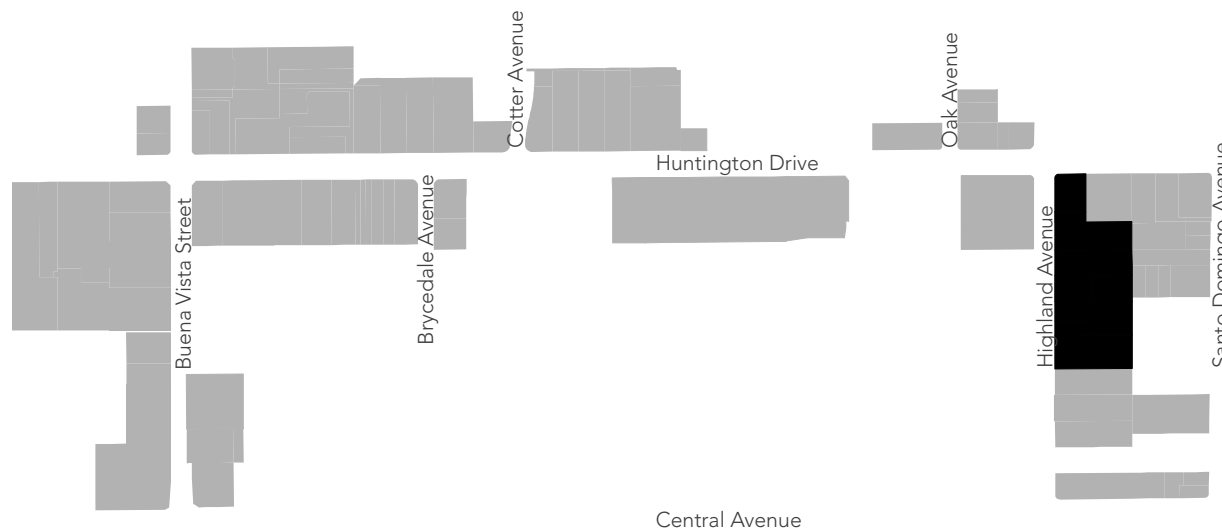
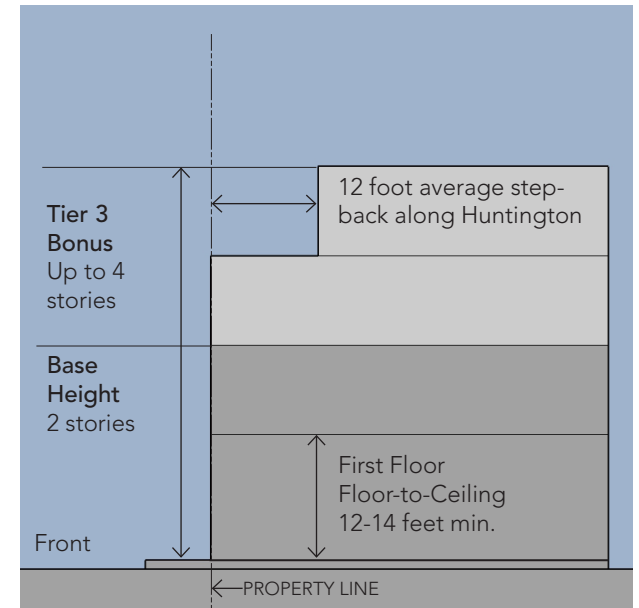
Area 9 is located at the southwest corner of Huntington Drive and Highland. This area has a direct path to the Duarte Metro Gold Line station and this allows for more intensive development. Building form should provide sufficient height, floor area, and density to accommodate a dynamic mix of residential and commercial uses.

#### Area 9 Objectives

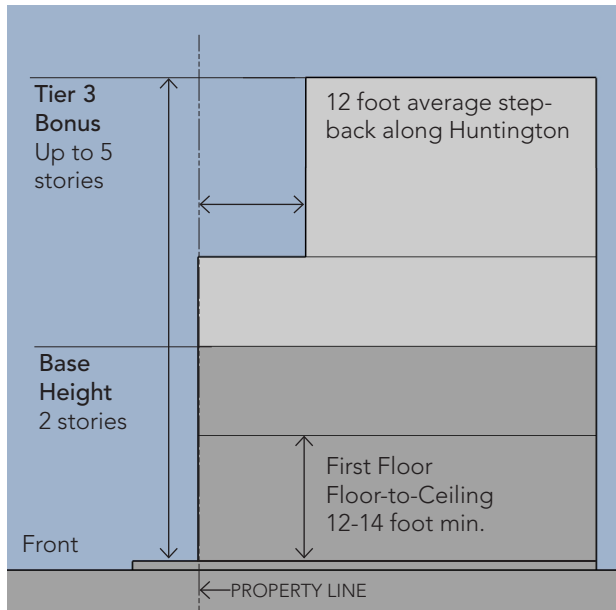
- Stimulate property improvements that provide for underutilized and vacant parcels to support two- to four-story multi-family residential or invigorated commercial uses.
- Promote the development of mixed use at the corner of Huntington Drive and Highland Avenue.
- Allow higher density housing in proximity to the Duarte Metro Gold Line Station.

Applicable Bonus: Tier 3

## AREA 9



# AREA 10



## 3.4.10 AREA 10

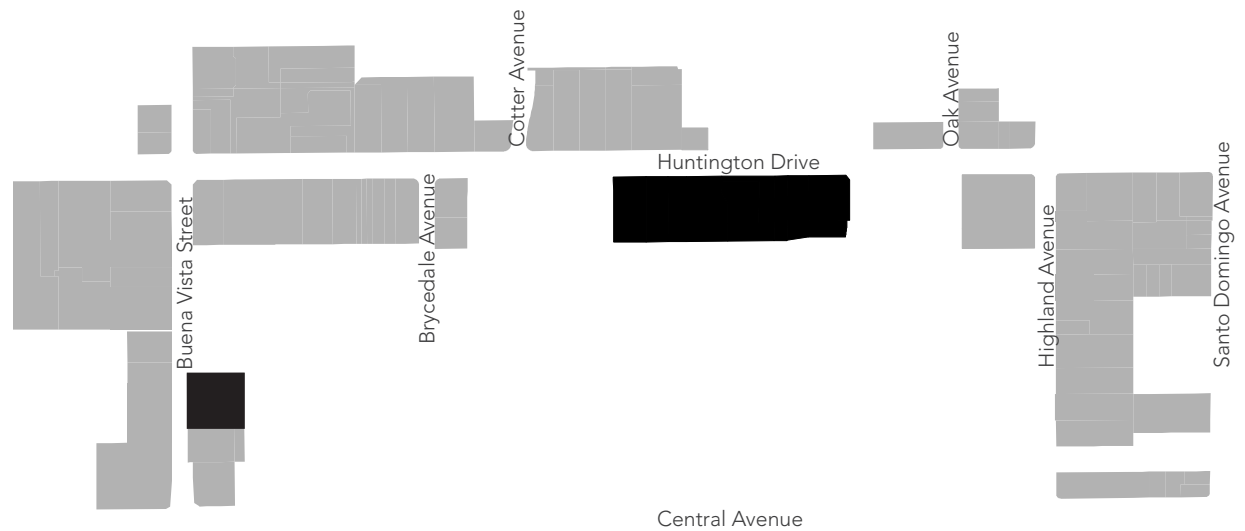
### Corresponding Land Use Designation – Public Facilities

Area 10 is located in the heart of the Town Center along Huntington Drive. The area contains the Civic Center, including City Hall and Duarte Community Center. Building form should have sufficient height, floor area, and density to accommodate civic, office, and commercial uses.

### Area 10 Objectives

- Continue to centralize civic uses.
- Maintain and improve public amenities (plazas, aquatic center) within the Civic Center area.
- Allow for a variety of uses on underutilized Civic Center lands.

### Applicable Bonus: Tier 3



**Table 3-3 Summary of Building Form Standards in Areas 6-10**

BUILDING FORM STANDARDS	AREA 6	AREA 7A	AREA 7B	AREA 8 <sup>4</sup>	AREA 9	AREA 10
LAND USE DESIGNATIONS	Mixed Use Corridor	Mixed Use Neighborhood	Mixed Use Neighborhood	Residential Town Center	Mixed Use Neighborhood	Public Facilities
<b>TIER 1 – BASE STANDARDS</b>						
Maximum Height: Residential and Mixed Use	2 stories, 35 feet	N/A	2 stories, 35 feet	4 stories, 50 feet	2 stories, 35 feet	N/A
Maximum Height: Commercial (except hotel)	2 stories, 35 feet	2 stories, 35 feet	2 stories, 35 feet	N/A	2 stories, 35 feet	2 stories, 35 feet
Maximum Height: Hotel	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Floor Area Ratio <sup>3</sup>	0.75	0.75	0.75	N/A	0.75	2.5
Maximum Residential Density (du/ac)	21	N/A <sup>6</sup>	21 <sup>6</sup>	28	21	N/A
<b>TIER 2 – LOT CONSOLIDATION BONUS<sup>1</sup></b>						
Tier 2 bonuses are allowed only in Lot Consolidation Overlay Areas (see Figure 3-1) that are located within Areas 4, 6, and 7.						
Minimum Lot Consolidation Requirement Overlay	32,000 sf consolidated lot size	50,000 sf consolidated lot size and 185 ft street frontage	N/A	N/A	N/A	N/A
Maximum Bonus Residential Density (du/ac)	30	35	N/A	N/A	N/A	N/A
Maximum Bonus Height: Residential and Mixed Use	4 stories, 50 feet	3 stories, 40 feet	N/A	N/A	N/A	N/A
<b>Tier 3 – Community Benefit Bonus</b>						
For a list of available community benefits, see Section 3.5: Incentives and Community Benefits						
Minimum Number of Community Benefits Required to Qualify for Tier 3 Bonuses <sup>2</sup>	2	3	3	N/A	2	2
Maximum Bonus Height: Residential and Mixed Use	4 stories, 50 feet	4 stories, 50 feet	4 stories, 50 feet	N/A	4 stories, 50 feet	N/A
Maximum Bonus Height: Commercial	4 stories, 60 feet	4 stories, 60 feet	4 stories, 60 feet	N/A	4 stories, 60 feet	5 stories, 75 feet
Bonus Floor Area Ratio <sup>3</sup>	1.5	2.0	2.0	N/A	1.5	N/A
Maximum Bonus Residential Density (du/ac)	40	50	50	N/A	40	N/A

**Notes:**

<sup>1</sup> Areas with a lot consolidation requirement shall first apply a lot consolidation bonus in order to unlock a community benefit bonus. No community benefit bonus (Tier 3) shall be applied without the application of a lot consolidation bonus (Tier 2).

<sup>2</sup> For a complete list of community benefits a project may elect to pursue to receive development bonuses see Section 3.5: Incentives and Community Benefits.

<sup>3</sup> Floor Area Ratio shall apply only to commercial components of projects.

<sup>4</sup> All development in Area 8 shall comply with the Multiple Family Residential (R-4) Zone requirements outlined in the Duarte Development Code.

<sup>5</sup> N/A means not applicable, generally because the use is not allowed or the applicable Tier does not apply. N/A should not be interpreted to mean no limit for any development standard.

<sup>6</sup> Any existing single-family property in Area 7A and Area 7B may continue the existing use, expand the use, or construct a new single family use without lot consolidation, subject to R-1 development requirements, pursuant to Chapter 19.10 of the Development Code. In Area 7B, under Tier 1 standards, new multi-family uses shall comply with R-3 development requirements, pursuant to Chapter 19.10 of the Development Code.

## 3.5 INCENTIVES AND BONUSES

To achieve the desired long-term vision for the Town Center Specific Plan, the City will allow certain bonuses necessary to incentivize development in particular Plan Areas. The availability of land, constrained parcel proportions, and existing land use regulations present a unique planning challenge. To promote the desired development scenarios in the Town Center, this Specific Plan is formulated on the basis of incentive zoning (development bonuses and their respective incentives, structured under three tiers) and an overarching maximum allowable development cap (see Section 7.2: Development Opportunity Reserve).

Table 3-2 and Table 3-3 establish the maximum allowable development standards associated with each tier and number of required community benefits that must be provided to achieve those development standards.

### Tier 1 – Base Standards

Tier 1 represents the base allowable development standards, with no incentives or bonuses applied. Tier 1 projects are not required to provide community benefits but still must meet minimum project requirements for setbacks, design, and open space.

### Tier 2 – Lot Consolidation Bonus

Tier 2 projects are projects located within Lot Consolidation Overlay Areas that propose to

consolidate lots (meeting a minimum lot size and other requirements specific to the Overlay) and thus are allowed to develop with residential and/or mixed-use development, depending on the area.

Assembly of lots is critical to developing high-quality projects of sufficient size to provide a catalytic impact to the Town Center area. Projects that propose to consolidate lots (meeting a minimum lot size and other requirements specific to the Overlay) are deemed to meet Tier 2 requirements. Tier 2 bonuses are allowed only in Lot Consolidation Overlay Areas within Areas 4, 6, and 7.

### Tier 3 – Community Benefit Bonus

Tier 3 projects are projects that propose additional density and intensity above the Tier 1 or Tier 2 standards. Projects located within Lot Consolidation Overlay Areas must meet Tier 2 in addition to Tier 3 requirements to achieve Tier 3 bonus height, density, and/or intensity. Tier 3 projects are required to contribute to the community benefits program at Tier 3 levels (see Table 3-2 and Table 3-3 for the number of required benefits in each area). A menu of potential community benefits are provided in Section 3.5.2: Menu of Tier 3 Community Benefits. Applicants may also propose other community benefits that are not included in this menu, as part of a Community Benefits Plan.

### 3.5.1 TIER 3 COMMUNITY BENEFITS PLAN REQUIRED

All projects proposing development above the Tier 1 base standards shall prepare a Community Benefits Plan as part of the application process. Community benefits will be reviewed for compatibility with the intent of the Specific Plan.

### 3.5.2 MENU OF TIER 3 COMMUNITY BENEFITS

This section identifies a menu of community benefits that may be provided by projects to achieve Tier 3 development standards. (The specific number of required community benefits is identified in Tables 3-2 and 3-3). In addition, projects may propose other community benefits for review and consideration by the City through a Community Benefits Plan.

#### Community Benefits Fund

To fully realize the Duarte Town Center Specific Plan, significant streetscape and mobility improvements are envisioned. Streetscape improvements include bulbouts along Huntington Drive, additional traffic signal and pedestrian crossing on Huntington Drive, parklets, among other improvements.

#### Provisions:

To qualify for the Community Benefits Fund bonus, a project must contribute funds for facilities and right-of-way improvements identified in the

Specific Plan Implementation Action Plan (Table 7-2) or enter into a Development Agreement to provide funds to the City's Economic Development Fund.

### Public Open Space

Public open space is a vital community resource and often provides a place to sit and relax, gather, enhance pedestrian circulation, and host community events. Public open space can be created on both public and private land and includes well-designed parks, plazas, paseos, and other outdoor spaces. These outdoor amenities contrast the built environment and help to create quality, attractive, and usable space.

#### Provisions:

To qualify for the Public Open Space bonus, a project must satisfy the following provisions:

- Public open space shall follow the standards and guidelines outlined in Chapter 4 Design Standards and Guidelines.
- Public open space shall be a minimum of 2,000 contiguous square feet and shall be in addition to any required open space.
- Public open space shall be accessible to pedestrians from the sidewalk.

### Restaurant Row

To drive economic vitality, a dynamic and animated restaurant row with outdoor dining is encouraged within the Town Center.

#### Provisions:

- The Restaurant Row shall contain a minimum of two establishments with either individual or consolidated outdoor facilities for lounging and dining.
- Combined, the two restaurants shall have a total minimum seating capacity of at least 50 persons.
- Parking for Restaurant Row restaurants is reduced to one required parking space per 275 square feet.

### Public Art

Public art engages the community through an artist's work. Public art provides a space for the community to engage, create dialogue, educate, foster enjoyment, celebrate culture and history, or establish identity and values. Public art provides the opportunity to create a unique place within the Town Center and attract tourism and economic investment.

#### Provisions:

- Public art shall maintain the primary purpose of the display of visual art, including but not limited to paintings, prints, photographs, fountains, and sculptures. Public art shall not be commercial in nature.

- Public art shall be an original, creative work by an individual or group.
- Public art shall be placed in a highly visible and accessible location either on public or private property.
- Public art shall be valued at one-half of one percent (0.5%) of the cost of construction over \$100,000. Optionally, developers may contribute an amount equal to the value of the required art to the City or donate a comparably valued piece of art to the City.

### Event Programming

Projects that provide space for temporary events such as community festivals, food truck fairs, farmers' markets, artisan fairs, and antique shows attract visitors, tourists, and patrons to the Town Center and its businesses.

#### Provisions:

Events shall submit an annual operating plan that includes the following:

- Parking Management/Circulation Strategy
- Compliance with all applicable local, state, and federal laws for the proposed type of event
- Safety plan

### Mid-Block Pedestrian Passageway

A permeable Town Center allows people to move fluidly through accessible and walkable pedestrian passageways. Passageways located mid-block provide convenient through access for pedestrians.

#### Provisions:

- The minimum width of any paseo, passageway, walkway, alley, or arcade shall be no less than 10 feet at any point.
- The passageway shall be an integral part of a project and be configured to provide access to rear parking lots, commercial storefronts, restaurants, and mid-block pathways.
- The passageway shall incorporate a variety of pedestrian amenities and features that include seating, shaded areas, lighting, landscaping, tree plantings, textured paving, and/or additional design elements to enhance the overall pedestrian environment and provide a high level of security and convenience.

### High-Quality Entertainment Use

Community Benefit: Entertainment uses attract visitors, tourists, and patrons to the Town Center and its businesses. Additionally, such entertainment uses promote the arts, recreation, and foster day and nighttime activities.

#### Provisions:

- The following qualify as high-quality entertainment uses: performing arts theatres or venues, recreational facilities (bowling alley, ice skating, swimming, soccer, basketball, softball and baseball), live entertainment venues, movie theaters, hotels with banquet space, and similar entertainment activities.
- The entertainment use shall include daytime, evening, and weekend hours of operation.

### Enhanced Transportation Demand Management

A connected Town Center allows the community to have access to additional services and amenities. Through enhanced transportation demand management features, traffic volumes can be reduced.

#### Provisions:

- Projects shall provide a Transportation Demand Management Plan with a five-year commitment required. Possible components of the plan may include:
  - *Free transit passes for residents and/or employees.*
  - *Projects with a significant employment component may provide bike lockers and showers and/or guaranteed rides home for carpoolers.*
  - *Projects with a residential component may create a shuttle program to existing Duarte Transit stops or the Duarte Metro Goldline Station.*
  - *Projects may provide spaces designated exclusively for car sharing.*
  - *Projects may provide incentives or restrictions to limit residents to the use or parking of only one car in the parking structure.*
  - *Hotel projects may provide free shuttles to access nearby amenities and regional airports.*



### Affordable Housing

A Town Center that promotes housing for residents of all income categories supports the goal of providing equal access to the desirable amenities found within the Specific Plan area.

#### Provisions:

- A minimum of 25% of the percent of the units of a project that shall be affordable, as rounded up to the next highest number.
- A mix of affordability levels is encouraged, but affordable units shall be provided at least at the moderate level.
- Market-rate units shall not receive building occupancy prior to the affordable units.

### 3.5.3 TRANSFER OF DEVELOPMENT RIGHTS

The transfer of development rights to another property is a supplemental option for a Tier 3 bonus that can be awarded. Rights can only be transferred from properties under common ownership and within the Duarte Town Center Specific Plan area. Developments shall be completed by the same developer or as part of a development partnership, and the development arrangement shall be specifically described in a development agreement or other agreement to be determined by the City. Tier 3 projects are required to contribute to the community benefits program at Tier 3 levels.

#### Provisions:

##### Sending Sites

- Developed at a lower density with remaining available density transferred to receiving site.
- Existing buildings shall be fully redeveloped to meet all design and building standards in place at the time of transfer; or shall be reconstructed into a commercial or office or mixed use within a new building.
- May be converted into public open space.

##### Receiving Sites

- Residential at market rate; or
- Affordable housing (the density transfer sets a new base density and may be increased by State mandated density bonus); or
- Residential/commercial mixed use with market rate or affordable housing.

The transfer of density rights process is subject to approval of a conditional use permit and a deed restriction on the sending property. The City may also require a development agreement or other agreement to be determined by the City.

### 3.6 DEVELOPMENT STANDARDS APPLICABLE TO ALL AREA PLANS

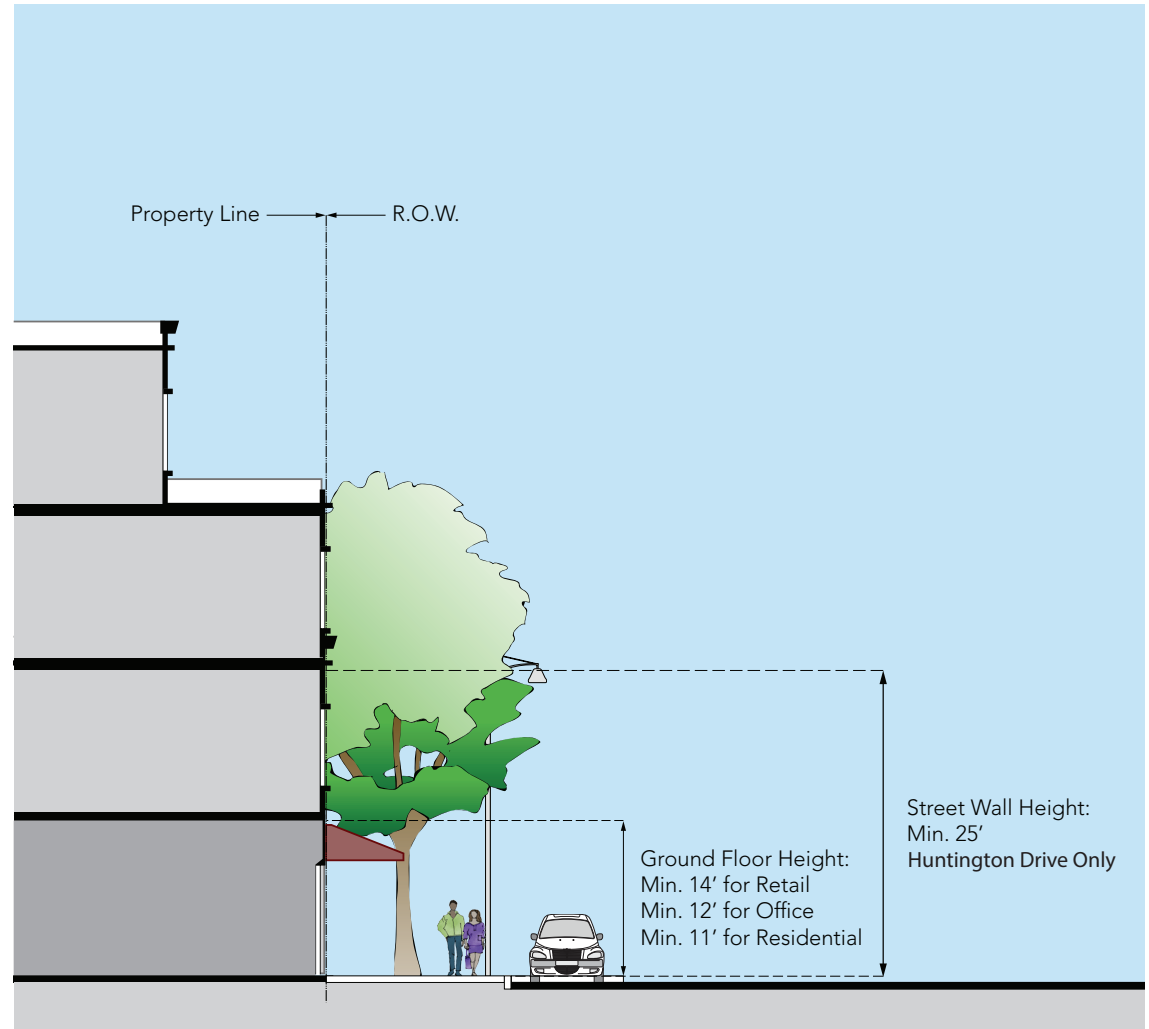
The Duarte Town Center's character is determined by the user's experience of the streets, as defined by the street wall, building frontages, setbacks, and the streets themselves. Collectively, these elements shape the pedestrian experience by creating a sense of spatial enclosure, well-defined pedestrian pathways, and interesting things to see.

#### 3.6.1 REQUIRED MINIMUM STREET WALL AND GROUND FLOOR HEIGHTS

Maximum building heights are denoted in each development area plan. Simultaneously, to encourage a consistent street wall, minimum heights are also required. (Where minimum heights are required, the minimum height only applies to buildings wholly or partially located within 15 feet of the front property line.)

- Minimum Ground Floor Height: 14 feet for Retail, 12 feet for Office, 11 feet for Residential (Conversions of use in existing buildings shall not be required to meet this requirement.)
- Minimum Street Wall Height: 25 feet on Huntington Drive only

Figure 3-3: Street Elevation



### 3.6.2 ARCHITECTURAL FEATURES- PROJECTIONS ABOVE MAXIMUM HEIGHT

Architectural features are allowed to project up to a maximum of 10 feet above the maximum allowed height, subject to Design Review. Architectural features include rooflines (balustrades, pediments, statuary, dormer windows, cross gables), masts, towers, turrets, eaves, rafters, nonhabitable building façade, skylights or roof windows, utilities, utility penthouses, and solar panels. Such height exception will not exceed the allowable number of stories permitted pursuant to regulations in this Specific Plan.

### 3.6.3 SETBACK STANDARDS

Setback dimensions directly affect the scale of development at the street level and thus establish the pace and quality of the pedestrian

experience. Generally, to enhance the pedestrian experience it is important that commercial uses engage the street, rather than hiding behind a sea of parking. On the other hand, residential uses benefit from a setback from the sidewalk, to allow for enhancements such as stoops and stairs and increased privacy. All development in the Town Center shall comply with the setback standards outlined in Table 3-4 below, unless a commercial front setback exception is approved. All required setback areas shall be used for landscaping and/or private open space.

#### Key Intersection Maximum 18-inch Setback Requirement

Where a key intersection is identified in this Plan, the setback of each new corner building or addition to existing corner buildings shall be no more than 18 inches from the adjoining property

line. The key intersection setback is required for the first 100 feet of building frontage along both intersecting streets.

Key Intersections are identified as any property located at any corner intersection of the following streets:

- Buena Vista Street and Huntington Drive
- Highland Avenue and Huntington Drive

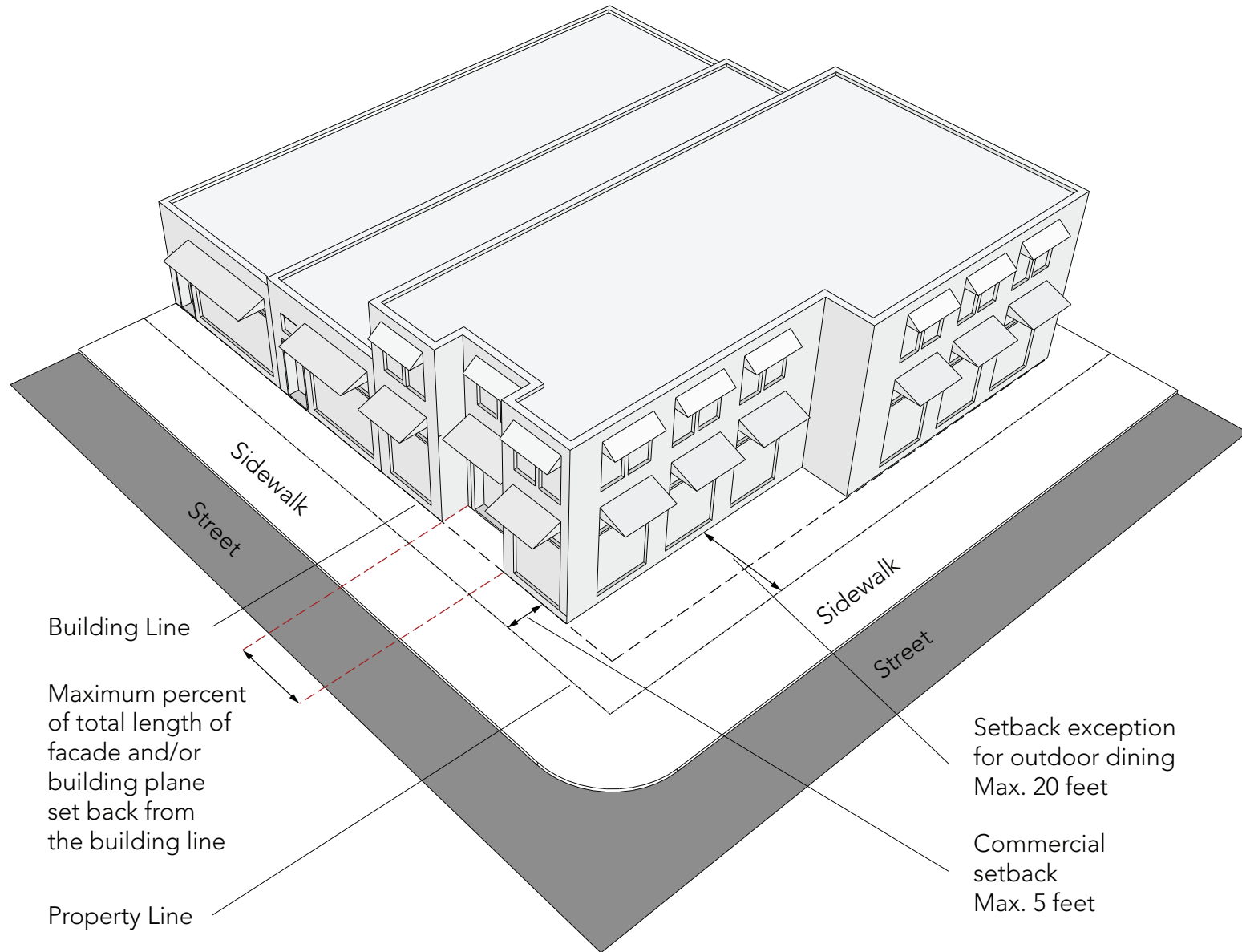
#### Commercial Front Setback and Key Intersection Setback Exceptions

1. *Building Plan Interruptions Exception.* To allow for the inclusion of recessed entries, breaks in the building plane, passages to courtyards, and other similar breaks in the street wall; up to 30% of the length of a façade and/or front building plane may be interrupted or set back from the maximum setback requirement to accommodate recessed entries, breaks in building plane, passages to courtyards, and other similar breaks in the street wall.
2. *Outdoor Dining Exception.* Where a building has a ground-floor commercial use, a maximum setback exception may be permitted of up to 20 feet for outdoor cafes and small plazas.
3. *Plaza Exception.* At any Key Intersection, no maximum setback is required if a large quasi-public plaza space is constructed with direct access and frontage on Huntington Drive.

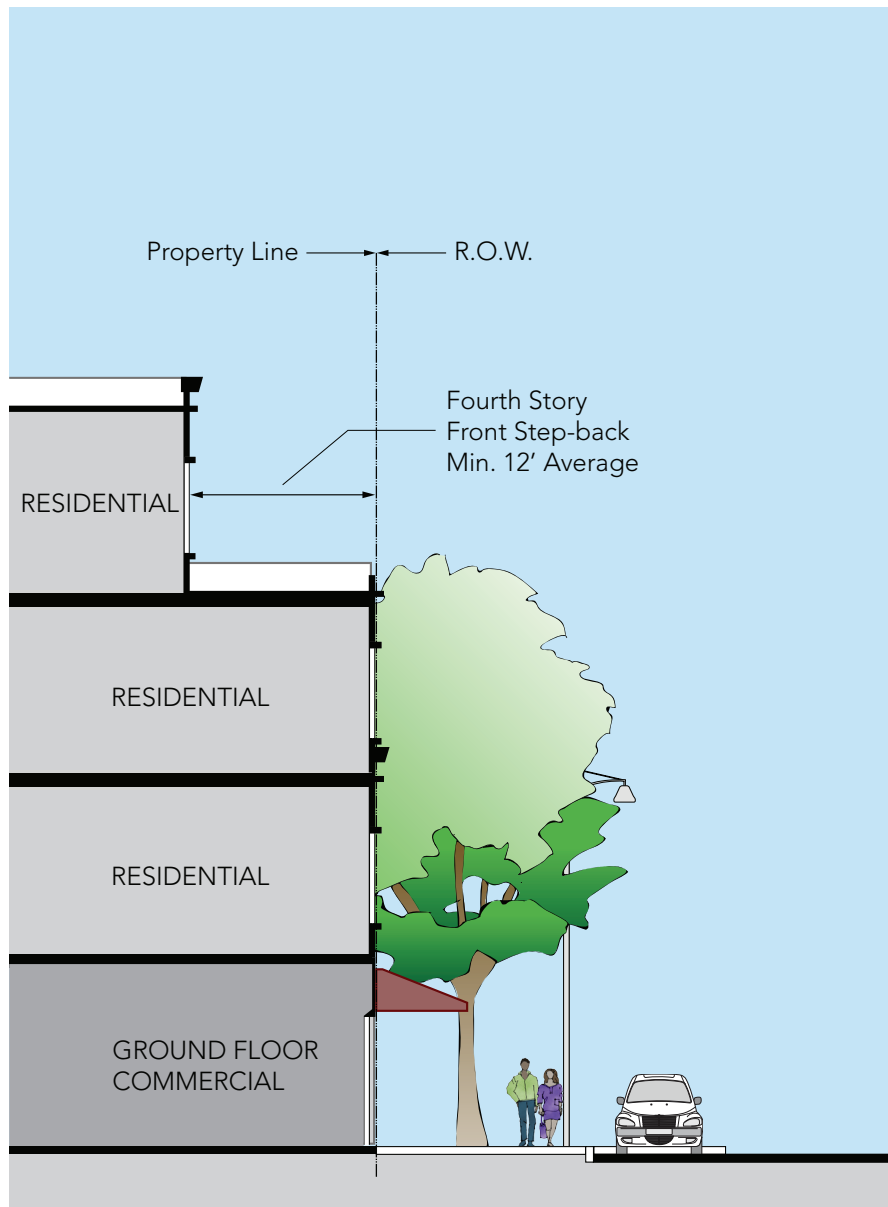
**Table 3-4 Setback Standards**

STANDARD	GROUND FLOOR COMMERCIAL USE	GROUND FLOOR RESIDENTIAL USE
Front Setback	No minimum; 5 feet maximum	10 feet minimum
Side Setback	No requirement	5 feet minimum
Rear Setback	No requirement	15 feet minimum

**Figure 3-4: Maximum 5-foot Commercial Setback**



**Figure 3-5: Required Step-Backs - Front**



### **3.6.4 REQUIRED UPPER-STORY STEP-BACK: PUBLIC STREET**

Buildings taller than three stories fronting on public streets shall include building height modulation to reduce building scale at the street edge. Any and all stories above the third story shall maintain an average setback of at least 12 feet from the front property line. The required upper story setback shall create usable outdoor space, such as a rooftop garden or similar amenity.

The Community Development Director/Designee is authorized to allow a reduction through the modification process of the required upper story setback by no more than five feet subject to the following:

1. *Offset.* Each square foot of additional building area proposed within the setback is offset with an additional square foot of public or quasi-public open space (excluding area required for sidewalk dedication or easement) at the street level.
2. *Location.* The public/quasi-public open space is located along the sidewalk frontage and is not covered by buildings.
3. *Design.* The design and location is consistent with applicable design guidelines.

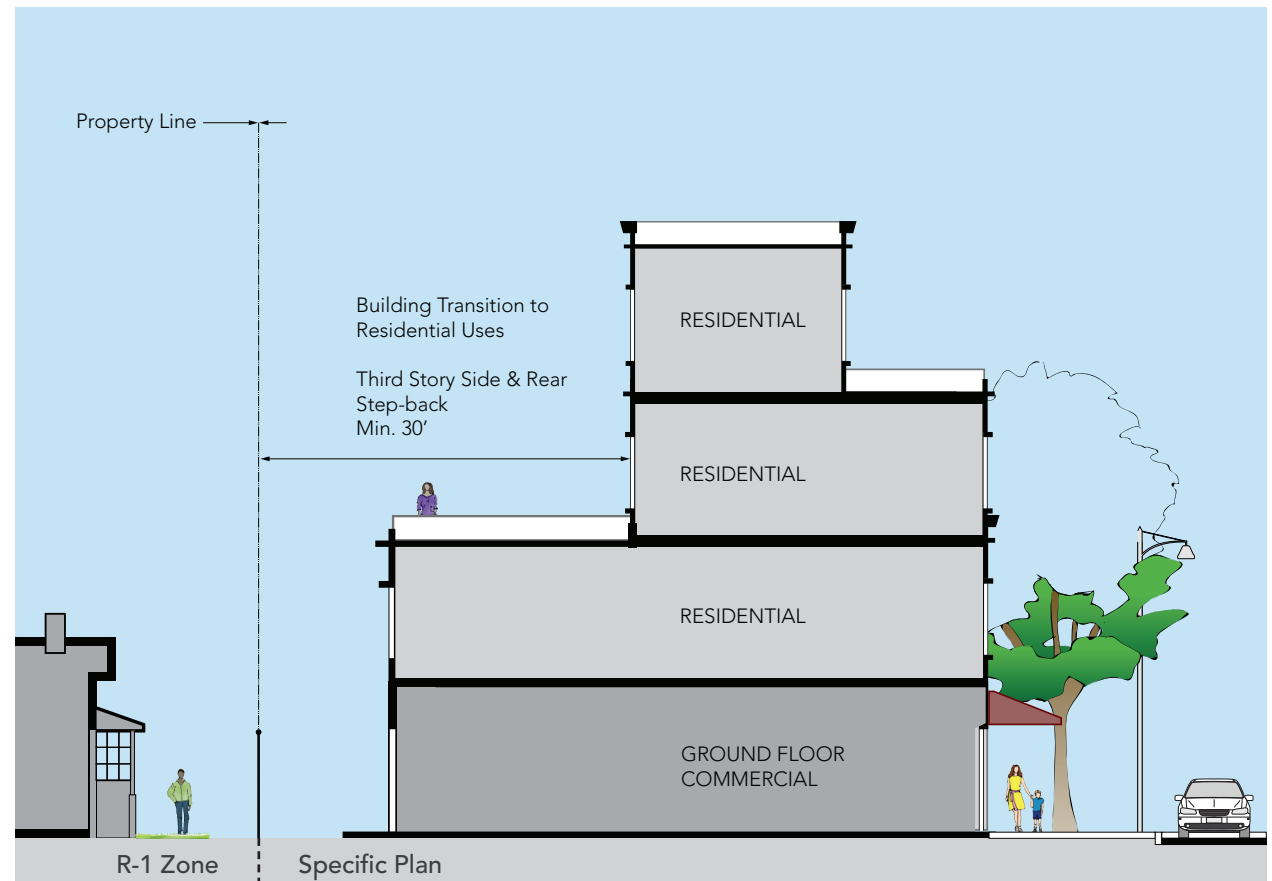
### 3.6.5 SIDE/REAR STEP-BACK RELATION TO SINGLE FAMILY RESIDENTIAL (R-1) ZONE

A relational height limit to properties located next to the Single Family Residential (R-1) Zone is established to create an appropriate height relationship where new development is adjacent to an existing R-1 Zone. This limit is applied to new development on any parcels that abut another parcel with a R-1 Zone designation. Where a building is adjacent to an existing R-1 Zoned parcel along its side and/or rear property lines, the first two stories of a structure shall be set back a minimum of 10 feet from the side and/or rear property line. The building shall step back a minimum of 30 feet from the adjacent side and/or rear property line for the third story and any story above.

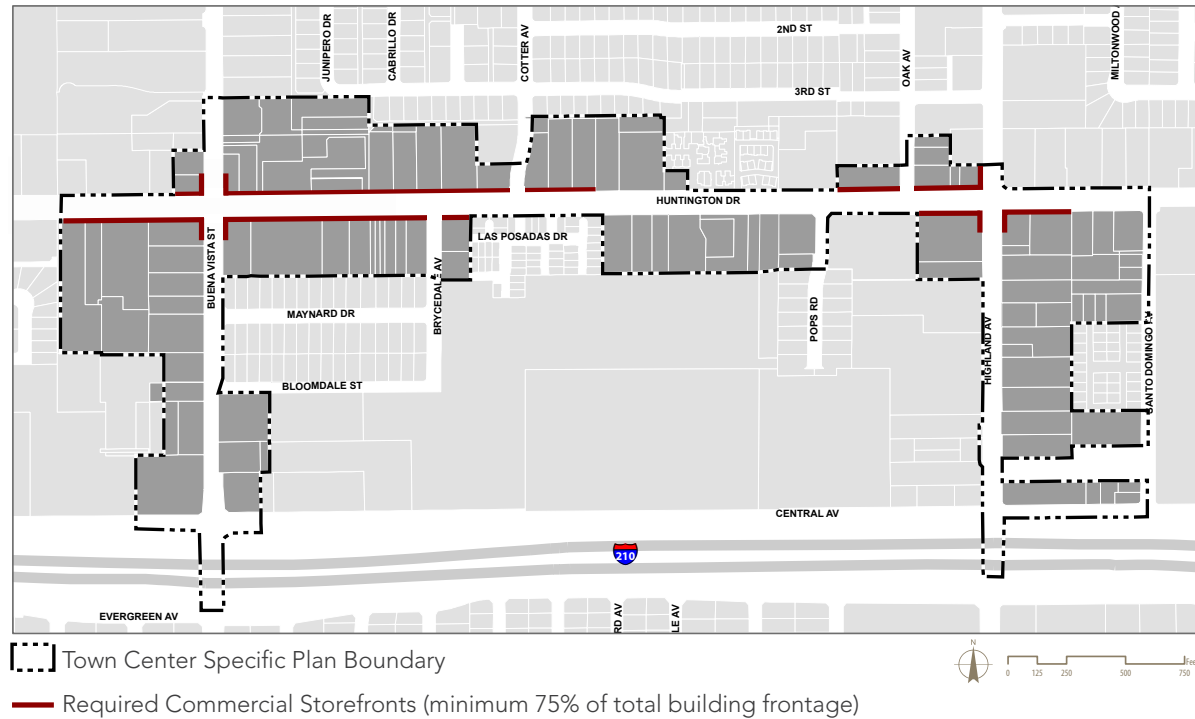
### 3.6.6 ARCHITECTURAL FEATURES PROJECTIONS INTO SETBACKS

Lobbies, porches, stoops, and other entry-related architectural features may extend up to four feet into the required front setback area. Upper-floor balconies may extend up to two feet into the setback area; up to three feet may be considered depending on design and Director approval. Where an upper-story stepback is required pursuant to Section 3.6.4 and/or 3.6.5, upper-floor balconies may extend up to two feet into the required setback; up to three feet may be considered or up to five feet for rear setbacks depending on design and Director approval.

**Figure 3-6: Required Step-Backs when Adjacent to Single Family Residential (R-1) Zone**



**Figure 3-7: Required Commercial Storefronts**



### COMMERCIAL AND RESIDENTIAL USE LOCATION

As indicated in Figure 3-7, commercial storefronts are required along portions of Huntington Drive and at key intersections. In these locations, a minimum of 75 percent of ground floor space shall be occupied by commercial uses. Where commercial storefronts are required and residential uses are allowed, residential uses shall be located above ground-floor commercial uses, or behind a commercial building that fronts Huntington Drive. Certain projects may be allowed an administrative exception to the minimum commercial ground floor space requirement through the Minor Modifications process (Chapter 7).

### 3.6.7 REQUIRED COMMERCIAL STOREFRONTS

Ground-floor commercial uses are required along the streets identified in Figure 3-7 (Required Commercial Storefronts). Along the streets identified, a building shall devote a minimum of 75 percent of its street-side building frontage to commercial storefronts. Certain projects may be allowed additional non-commercial building frontage through an administrative exception detailed in the Minor Modifications process (Chapter 7).

Retail, service, office, and hotel uses shall count toward the 75 percent required commercial storefronts. However, the ground floor space within 150 feet of a key intersection shall be designed specifically for retail, service-oriented businesses, and/or restaurant uses. Up to 50 percent of any required commercial storefront (linear) located beyond 150 feet of a key intersection may be occupied by live-work uses.

**Figure 3-8: Sidewalk Width Requirements**

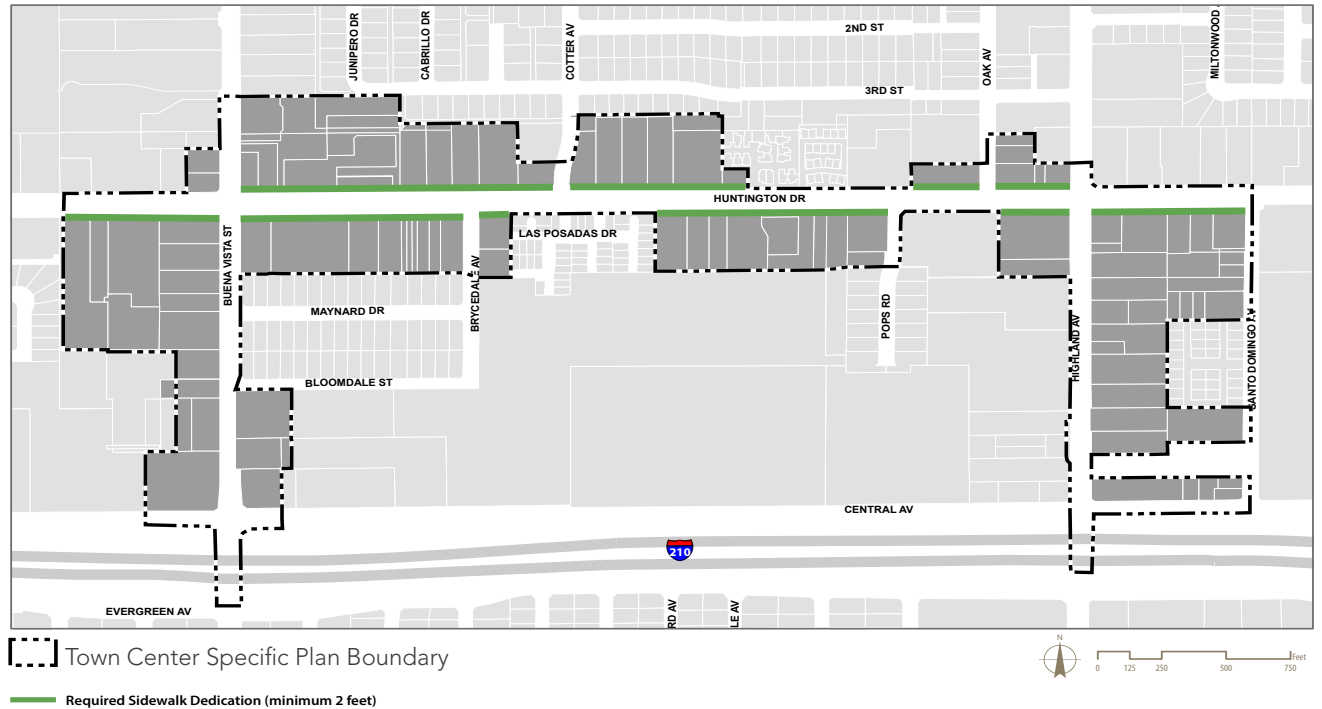
**3.6.8 REQUIRED SIDEWALK WIDTH ON HUNTINGTON DRIVE**

As identified in Figure 3-8 (Sidewalk Width Requirement), at certain locations on Huntington Drive sidewalks shall be 10 feet in width. New projects and those that substantially rehabilitate existing buildings shall provide a dedication or easement to increase the existing sidewalk width to 10 feet, unless modified or waived through an Administrative Adjustment (see Section 7.3.4: Review and Approval Process).

**3.6.9 RESIDENTIAL OPEN SPACE REQUIRED**

The required minimum amount of open space shall be 125 square feet per residential unit. The minimum open space may be met through a combination of common, private, and/or quasi-public open space provided on site. All required open space shall be usable. Usable open space shall be improved to support residents’ passive and/or active use. Such open space shall be located on the same parcel as the dwelling units for which it is required. The computation of such open space shall include no obstructions other than devices and structures designed to enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.

Usable open space does not need to be located on the ground. Rooftop gardens and rooftop





landscaping, including rooftops above parking structures, may be used to satisfy the open space requirement. The requirement for open space shall not be satisfied through the utilization of required setbacks, parking areas, driveways, or service areas. Areas designed to accommodate storm water retention may satisfy a portion of the requirement for open space if additional pedestrian amenities are provided near the space in a manner that provides for usability. Compliance with this requirement shall be evaluated by the Director in the review process.

Mixed-use buildings shall be arranged to create opportunities for open space for the residential uses. In general, open space areas for residential uses shall be separated from nonresidential uses on the site. However, the sharing of open space may be permitted by the responsible review authority when it is clear that the open space will provide direct benefit to residents of the project and subject to the following limitations:

1. *Horizontal Mixed Use Share.* Up to 30 percent of the required open space for residential uses in a horizontal mixed-use project may be provided within the nonresidential component.
2. *Vertical Mixed Use Share.* Up to 50 percent of the required open space for residential uses in a vertical mixed-use project may be provided within the nonresidential component.

### **3.6.10 MIXED-USE DEVELOPMENT MARKET ANALYSIS**

Each applicant for a mixed-use project shall conduct a market analysis (at the applicant/developer's expense) to determine the viability of the required commercial space and associated commercial rents necessary to maintain high levels of occupancy. This analysis shall be provided by the City.

### **3.6.11 OFF-STREET PARKING REGULATIONS**

Projects within the Town Center shall comply with the off-street parking regulations of Chapter 19.38 of the Duarte Development Code unless otherwise specified in Table 3-5: Town Center Off-Street Parking Regulations. Town Center off-street parking regulations are designed to allow flexibility for uses appropriate to a Town Center environment.

#### **Area 3 Parking Allowances**

Area 3 represents the heart of the Town Center, as identified in the 2003 Vision Plan. To further incentivize creation of a sense of place in this critical location, minimum parking standards may be reduced by the Planning Commission.

Upon approval by the Planning Commission, the minimum parking requirement for a project may be reduced in Area 3 if all of the following findings are made:

- The project provides exemplary design and directly implements objectives of the Specific Plan.
- The project provides transportation demand measures that are intended to reduce vehicle trips, such as, but not limited to bicycle racks beyond those required by City codes, parking spaces dedicated to car-sharing, or enhanced transit shelters.
- A parking study has concluded that adequate on-site and nearby parking can accommodate the project's parking need or that other parking methods have been used to ensure adequate parking for the project.

#### **Mixed-Use Parking Allowances**

- The first 1,000 square feet of gross commercial floor area in a mixed-use development is exempt from providing off-street parking.
- Guest spaces for residential uses may be fulfilled through required commercial parking (shared).
- Parking requirements may be reduced up to 50 percent, subject to a conditional use permit and required parking study completed by the City and paid for by the applicant/developer.

Requests for a reduction in minimum parking requirements shall require a transportation demand management plan or other adequate survey data as requested by the City and will be evaluated on a case-by-case basis by the Community Development Director/Designee.

### Residential Parking Operational Requirements

Parking requirements for residential uses are modestly reduced in the Town Center, under the understanding that many local residents will have fewer cars due to the proximity of the Duarte Metro Gold Line Station and nearby employer, City of Hope. However, to ensure conformance with parking requirements and reduce the potential for overflow parking, all residents of developments built under these requirements shall be required to provide information verifying that any vehicles owned in excess of parking standards are maintained in an off-site private location (i.e., not on the street). Each multi-family residential leasing office or applicable homeowners' association shall monitor the number of cars owned and maintained by residents and annually report compliance to the Community Development Department.

### Off-Site Parking Requirements

Off-site parking for new nonresidential uses may be permitted on either a privately owned property or public property through the site plan review process or other applicable discretionary review permit process for an individual use or development project, subject to the following regulations:

1. *Location of Off-Site Parking.* In no event shall any off-site parking facility be located more than 1,000 feet from the applicable use.

2. *Deed Restriction Required.* Where off-site parking for an individual use or development project is approved, a deed restriction, subject to the review and approval of the City Attorney, shall be recorded against all affected properties. Such deed restriction shall indicate the restrictions on the properties relative to future use and development due to the off-site parking arrangement.

3. *Irrevocable Access and/or Parking Easement.* If parking is provided on a site other than the subject site, an irrevocable access and/or parking easement shall be obtained on the other site for use and benefit of the site in issue. Such access and/or parking agreement, when fully exercised, shall not diminish the available parking capacity of the site subject to the easement to less than required by this section.

**Table 3-5 Town Center Off-Street Parking Regulations**

USE	SPACES REQUIRED
<b>COMMERCIAL USES</b>	
Hotel	0.9 spaces per guest room, plus applicable requirement for additional uses, or as otherwise determined by a parking study completed by the City at the developer's expense.
Outdoor Dining and Seating	When the outdoor dining/seating area exceeds 75% of the gross interior floor area, 1 parking space for each 200 square feet of floor area exceeding the 75% interior floor area shall be provided. Otherwise, no additional parking shall be required for outdoor dining area(s).
Restaurant	1 space for each 200 square feet of floor area
Restaurant as an integrated component of a Hotel	1 space for each 300 square feet of floor area
<b>RESIDENTIAL USES</b>	
Live-Work Unit	2 spaces per unit and 1 guest parking space per each 2 units
Multi-Family Dwellings:	
Studio and 1-bedroom units	1 space per dwelling unit, plus 1 guest parking space per each 4 units
2-bedroom units	2 spaces per dwelling unit with 2 bedrooms, plus 1 guest parking space per each 4 units
3-bedroom+ (includes 2-bedroom with den)	Parking requirements are to be determined through required parking analysis.

### Tandem Parking

For multi-family development projects, tandem spaces shall not constitute more than 50 percent of all required spaces within a development. Tandem spaces shall not be permitted for guest spaces.

For commercial projects, tandem spaces may be permitted to constitute up to 20 percent of the required parking, subject to a Minor Use Permit and the applicant can demonstrate that the parking lot can be successfully used with the tandem design as proposed.

Tandem parking spaces shall comply with the parking space dimensions prescribed in the Duarte Development Code (see Section 19.38.100). Adequate maneuvering room for both vehicles and pedestrians shall be provided around the tandem spaces as necessary.

Tandem parking spaces are allowed for Hotel valet with the amount of valet spaces to be determined through a conditional use permit and traffic, circulation, and parking study.

### 3.6.12 OUTDOOR DINING

Chairs and tables for outdoor dining and carts for merchant display are allowed in the public right-of-way (i.e., in sidewalk and parklet areas) with a required minor use and encroachment permit. Uses shall maintain a minimum five-foot-wide unobstructed portion of public sidewalk corridor

that is clear and unimpeded for pedestrian traffic. The use shall keep the full width of the building entrance clear and unimpeded for building access.

Outdoor furniture, including but not limited to chairs, tables, umbrellas, heat lamps, windscreens, busing stations, partitions, planters, etc., shall not be permanently fixed into the public right-of-way without prior approvals from the City (i.e., a revocable encroachment permit issued by the Building Department and/or the City Council).

### 3.6.13 BICYCLE PARKING

#### Commercial Uses - Bicycle Parking Requirements

Permanently anchored bicycle parking shall be provided for five percent of the required vehicular parking for the use, with a minimum of one two-bike capacity rack, as defined in California Green Building Code Section 5.106.4.1. Bicycle racks shall be located within 200 feet of a visitor entrance and readily visible to passers-by. See Section 5.106.4.1.1 of the California Green Building Code.

#### Residential Uses - Bicycle Parking Requirements

For all residential buildings containing more than three dwelling units, long-term bicycle parking shall be provided at a rate of one per dwelling unit. Developments that include individually accessed private garages for each unit shall not be required to provide separate long-term bicycle parking.

Acceptable examples of long-term bicycle parking include bicycle lockers, bicycle rooms, and bicycle cages. Long-term bicycle parking spaces shall be a minimum of 18 inches wide.

### 3.6.14 SIGN STANDARDS

Well-crafted sign regulations are integral to the economic development, local investment, and aesthetic appeal of the Town Center. The sign standards outlined in this Specific Plan serve to encourage the creation and maintenance of well-designed signs that complement the structures and uses to which they relate.

#### Standards for Specific Sign Types

Signs shall be regulated per Development Code Chapter 19.42 (Signs) with exceptions as specified in this Section 3.6.14 (Sign Standards).

1. Signs in the Town Center Specific Plan shall comply with Development Code Section 19.42.130 Signs for the C-G zone, unless otherwise specified in this Specific Plan.
2. *Design Review.* All signs in the Town Center are subject to design review to encourage scale-specific design based on building location and orientation (i.e., pedestrian-scaled sign design is required for buildings oriented toward the street).
3. *Awning Signs.* Signs where the sign copy is painted on, printed on, or attached to the surface of an awning are allowed. Sign copy shall be located on the street facing side of the valance parallel to the face of the building.

No sign copy is allowed on the sloping portion of the awning. The owner of the building where an awning sign is located is required to provide copy of a cleaning and maintenance contract as an attachment to the required sign permit. Awning signs are allowed to project into the public right-of-way with a minimum eight-foot clearance between the bottommost portion of the sign and the immediately adjacent finished ground surface with an approved encroachment permit.

### Prohibited Signs

The following types of signs are prohibited within the Town Center:

1. Pole or Freeway signs unless located within 100 feet of the I-210 freeway
2. Freestanding signs
3. Can signs

### 3.6.15 TRASH AND RECYCLING FACILITIES

Trash enclosures for individual units and/or common facilities should be sized to accommodate separate bins for recyclable trash and regular trash, as well as green/yard waste (when appropriate).

All waste and recycling receptacles areas shall be screened from view from any public street and all adjacent properties, and screening shall be designed to be architecturally compatible and integral to the overall project design.

### 3.6.16 HISTORIC PRESERVATION

Any alteration, physical modification or change to the exterior or interior of a historic property listed in the National Registers of Historic Places shall be subject to the Secretary of the Interior's Standards for Rehabilitation. This includes, but is not limited to, one of the City's oldest buildings, the 1909 school house, which is now home to the world-renowned Old Spaghetti Factory Restaurant, located in Area 1.

### 3.6.17 SUSTAINABLE DEVELOPMENT PRACTICES

The City of Duarte's Sustainable Development Practices implement State laws regarding reduction in greenhouse gas emissions, water conservation, and other conservation efforts. These practices are designed to encourage conservation of natural resources, increase energy efficiency, and utilize sustainable practices in the development process. All new construction in the city is required to apply Section 19.52 Sustainable Development Practices. In addition, projects will also comply with all regulations set forth in California Building Standards Code known as Title 24.

## 3.7 INCENTIVES FOR FAÇADE ENHANCEMENTS AND SITE IMPROVEMENTS

Significant façade, landscape, and hardscape renovations improve the aesthetics and physical qualities of an area. Renovations promote an economically viable, attractive, and harmonious Town Center that will attract and provide for businesses, residents, visitors, and shoppers. Renovations also contribute to the elimination of visual blight and code violations. Incentives are available throughout the Plan area, as described in this section, to encourage near-term improvements to existing buildings and properties.

### 3.7.1 FAÇADE, LANDSCAPE, AND HARDSCAPE RENOVATION INCENTIVE - PARKING

Upon completion of property improvements that meet the provisions of Section 3.7.2 (Façade, Landscape, and Hardscape Renovation Provisions), parking for a new commercial use shall be permitted at one space per 300 square feet, regardless of use.

### 3.7.2 FAÇADE, LANDSCAPE, AND HARDSCAPE RENOVATION INCENTIVE - DESIGN ASSISTANCE

The City will consider providing design and architecture assistance for property owners who choose to make substantial facade, landscape, lighting, and/or hardscape improvements.

### 3.7.3 FAÇADE, LANDSCAPE, AND HARDSCAPE RENOVATION PROVISIONS

To qualify for the parking reduction identified in Section 3.7.1, a project must satisfy the following provisions:

- Façade, landscape, and/or hardscape improvements that qualify for the bonus must significantly enhance the appearance of the property, furthering the Vision of the Specific Plan, and may include: complete exterior façade, landscape and/or hardscape rehabilitation; repair or replacement of façade tile, brick, and/or woodwork; repair or replacement of exterior lighting; removal of existing exterior material to expose original building materials; scraping, priming, and painting of window frames, cornices, and storefront; repair or replacement of windows and doors; repair or replacement of worn awning and/or canopies; repair or replacement of signage and brackets; replacement of existing landscaping with a drought-tolerant plant pallet; use of low-impact development techniques; and complete hardscape repair and/or replacement.
- All façade, landscape, and hardscape renovations shall comply with the Town Center Design Guidelines (Chapter 4) and be approved in advance by the City.
- The façade, landscape, and hardscape renovation bonus is only applicable for existing buildings constructed prior to September 13, 2016.
- All façade, landscape, and hardscape renovations shall meet all applicable local and state building codes, Specific Plan, and Development Code requirements.
- To apply for the façade, landscape, and hardscape renovations, the applicant shall be the property owner or a business tenant with written permission from the property owner.



*Significant facade enhancements and renovations support an attractive, harmonious, and economically viable Town Center.*