

ORDINANCE NO. 1465

AN ORDINANCE OF THE CITY OF SIERRA MADRE, CALIFORNIA  
AMENDING CHAPTER 17.22 (ACCESSORY DWELLING UNITS) TO  
TITLE 17 (ZONING) OF THE SIERRA MADRE MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY  
RESOLVE:

**WHEREAS**, ADUs offer a benefit to homeowners in the form of supplementary income by renting out their ADUs, which can help many modest-income and elderly homeowners afford to remain in their homes;

**WHEREAS**, ADUs can offer an important opportunity to help Sierra Madre address its regional housing needs while maintaining the community's small-town character;

**WHEREAS**, on September 28, 2022, Governor Gavin Newsom signed into law Senate Bill (SB) 897, amending Section 65852.22, adding Section 65852.23, and repealing and amending Section 65852.2 of the Government Code, and Assembly Bills (AB) 2221 repealing and amending Section 65852.2 of the Government Code, relating to land use;

**WHEREAS**, the City desires to establish objective zoning and design standards to promote the development of housing under SB 897 and AB 2221; and

**WHEREAS**, the Planning Commission held a properly noticed public hearing on March 2, 2023, and adopted Planning Commission Resolution 23-03 recommending approval of this Ordinance to the City Council.

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

**SECTION 1. Recitals.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2. Addition.** Section 17.22.015 (Applicability of other zoning standards) is added to Chapter 17.22 (Accessory Dwelling Units) of Title 17 (Zoning) to read as follows, with additions denoted by underlined text:

Section 17.22.015 Applicability of other zoning standards.

Nothing in this chapter shall be construed to mean that an accessory dwelling unit or junior accessory dwelling unit is at all times exempt from any other section of this Code, as applicable.

Although this chapter permits the new construction of an accessory dwelling unit or junior accessory dwelling unit that may exceed otherwise allowable zoning requirements for lot coverage, open space, floor area and front setback, or structure conversion, such an accessory dwelling unit or junior accessory dwelling unit, once permitted and built, may preclude the addition, expansion or enlargement of the primary dwelling unit or accessory structure otherwise permitted or conditionally permitted prior to the permitting of said accessory dwelling unit.

Section Footnotes:

Example 1: The new construction of an eight hundred square foot accessory dwelling unit increases the gross floor area of a property in the R-1 zone to a number equal to the maximum allowed in the R-1 zone. Future additions, expansions and enlargements are no longer possible without removal of floor area to compensate the addition, expansion or enlargement.

Example 2: The conversion of a two-car garage to an accessory dwelling unit or junior accessory dwelling unit, located on a lot in the R-1 zone, creates a nonconformity with the Parking Code (Chapter 17.68) where the minimum requirement for parking is the provision for two covered spaces. Bedroom additions in the R-1 zone are required to meet compliance with the Parking Code and thus the size of the bedroom addition would be limited or entirely precluded to necessitate the additional area for a garage or carport.

**SECTION 3. Amendment.** Section 17.22.020 (Eligibility) of Chapter 17.22 (Accessory Dwelling Units) of Title 17 (Zoning) is amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck-through~~ text:

Section 17.22.020 Eligibility.

One accessory dwelling unit and one junior accessory dwelling unit shall be permitted within zones that permit or conditionally permit residential uses with the following limitations:

- (i) Except as provided by Government Code Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence;
- (ii) The lot includes a proposed or existing dwelling;
- (iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling;
- (iv) Neither the primary residential dwelling unit nor the accessory dwelling units shall be a mobile home, trailer, or vehicle; and
- (v) Manufactured homes and modular dwelling units mounted to a permanent foundation shall be permitted as an accessory dwelling unit, and/or as a junior accessory dwelling unit when proposed as part of a primary dwelling that is a manufactured home or modular dwelling unit.

**SECTION 4. Amendment.** Section 17.22.030 (Development Standards) of Chapter 17.22 (Accessory Dwelling Units) of Title 17 (Zoning) is amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck through~~ text:

Section 17.22.030 Development Standards

A. Building and Design Standards.

1. For an attached unit, the exterior materials, windows and other architectural features shall match the existing structure by employing the same building form, color tones, window design, door and window trims, roofing materials and roof pitch, except as stated otherwise in this subsection.
2. No roof decks are permitted on any accessory dwelling unit or junior accessory dwelling unit.

B. Fire Safety Standards.

1. Fire Sprinklers. The construction of an accessory dwelling unit or junior accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing single family, multifamily, or primary dwelling. Unless otherwise required by the Fire Department, the installation of a fire sprinkler system in an accessory dwelling unit or junior accessory dwelling unit shall not be required except in the following circumstances.
  - (i) Where a fire sprinkler system has been installed in the primary residence.
  - (ii) Where a fire sprinkler system is required to be installed in the primary residence.
2. All new dwelling units are required to comply with Chapter 15.24 of this Code.
3. Where two dwelling units are configured as sharing a common wall, a one-hour fire wall between the units is required.
4. All new accessory dwelling units are required to use fire-resistant building materials.
5. All new accessory dwelling units are required to comply with ~~Section 15.32.030 (Section 4907 Defensible Space)~~ Chapter 8.36 (Hazardous Brush Clearance). ~~and maintain defensible space around these units.~~

C. Floor Area Standards.

1. An attached accessory dwelling unit shall not exceed fifty percent of the existing living area (including a habitable basement and attic) of the single family dwelling.
2. The total floor area for a detached or attached accessory dwelling unit shall not

exceed one thousand two hundred square feet.

3. The maximum floor area for a junior accessory dwelling unit shall not exceed five hundred square feet.
4. The minimum floor area for a detached or attached accessory dwelling unit shall be governed by California Building Code Section 1207.
5. Except as provided by Section 17.22.060, the total floor area of all buildings on the lot, including the accessory dwelling unit, shall not exceed the maximum floor area otherwise allowed in accordance with this title.

D. Height Standards.

1. ~~Except as provided in paragraph 2 of this subsection~~For a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit, the height shall not exceed 16 feet.
2. Where the height of an existing building exceeds sixteen feet, the conversion of that building to an accessory dwelling unit, in whole or in part, shall not exceed the existing height.
3. For a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, the height shall not exceed 18 feet. An additional two feet in height shall be permitted to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
4. A detached accessory dwelling unit shall be allowed an additional two feet of height, not to exceed 18 feet in total, if all of the following conditions are met:
  - a. There is more than one dwelling unit on the property; and
  - b. The main building on the property is more than one story
5. For an accessory dwelling unit that is attached to a primary dwelling, the height shall not exceed the lesser of 25 feet or as governed by the applicable zoning requirements.
6. This section shall not be construed to allow an accessory dwelling unit to exceed two stories.

E. Lot Coverage Standards. Except as provided by Section 17.22.060, the lot coverage standards in this chapter shall be governed by the lot coverage standards in the underlying zone.

F. Parking Standards.

1. One on-site parking space shall be designated for each accessory dwelling unit. In order to accommodate required parking on site, parking for an accessory dwelling unit may be allowed in setback areas (in locations determined by the city) and through tandem parking. In no event shall parking be allowed in a designated front yard landscaped area.
2. When a garage, carport, or other covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or is converted to an accessory dwelling unit, the required off-street parking for the primary unit need not be replaced.
3. Exemptions. No additional parking space is required for the accessory dwelling unit if any of the following is true:
  - (i) The unit is located within one-half mile of a regularly scheduled public transit stop.
  - (ii) The unit is located within a city council designated historic district.
  - (iii) The unit is part of the existing legal primary residence or an existing legal accessory structure.
  - (iv) On-street parking permits are required by the city but not offered to the occupant of the unit.

- (v) A publicly accessible and presently operating car share vehicle parking facility is located within one block of the unit.
- (vi) The unit is proposed in accordance with section 17.22.060.
- (vii) The unit is a junior accessory dwelling unit.
- (viii) The unit is located in the R-1 (One-family Residential) or R-H (Hillside Management) zone.
- (ix) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies at least one other criteria for exemption listed in this paragraph.

G. Setback Standards.

- 1. No setback shall be required for the conversion of an existing structure that is built to the same dimensions, including height, as the existing structure.
- 2. A setback of no less than four feet from the side and rear lot lines shall be required for new construction or replacement structures.
- 3. ~~Front Yard Setback. The front yard setback standards in this chapter shall be governed by the front yard setbacks standards in the underlying zone.~~

**SECTION 5. Amendment.** Section 17.22.050 (Junior Accessory Dwelling Units) of Chapter 17.22 (Accessory Dwelling Units) of Title 17 (Zoning) is amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck through~~ text:

- A. The owner must reside in either the single-family dwelling or within the newly created junior accessory dwelling unit.
- B. All junior accessory dwelling units shall include, at a minimum, an efficiency kitchen and living area. It may include separate sanitation facilities or may share sanitation facilities with the existing structure.
- C. The junior accessory dwelling unit must include a separate entrance from the main entrance to the proposed or existing single-family residence.
- D. A junior accessory dwelling unit shall be constructed within the walls of a proposed or existing single-family residence. For purposes of this paragraph, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.

**SECTION 6. Amendment.** Section 17.22.060 (Exemptions) of Chapter 17.22 (Accessory Dwelling Units) of Title 17 (Zoning) is amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck through~~ text:

Section 17.22.060 Exemptions

- A. Notwithstanding any section of this chapter, the city shall approve an application for a building permit within areas zoned to allow single-family or multi-family dwelling residential use to create any of the following:
  - 1. One accessory dwelling unit and/or one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following conditions are met: ~~(i) the accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than one hundred fifty square feet beyond the same physical dimensions as the existing accessory structure (an expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress); (ii) the space has exterior access from the proposed or existing single-family dwelling; (iii) the side and rear setbacks are sufficient for fire and safety; and (iv) the junior accessory dwelling unit complies with the requirements of Section 17.22.050.~~
    - (i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family

dwelling or accessory structure and may include an expansion of not more than one-hundred fifty square feet beyond the same physical dimensions as the existing accessory structure (an expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress);

- (ii) The space has exterior access from the proposed or existing single-family dwelling;
  - (iii) The side and rear setbacks are sufficient for fire and safety; and
  - (iv) For a junior accessory dwelling unit, that it complies with the requirements of Section 17.22.050.
2. One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks, a total floor area of eight hundred square feet, and a height ~~of sixteen feet~~ as defined in Section 17.22.030(D) of this Chapter for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in paragraph (1).
3. Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. One accessory dwelling unit within an existing multifamily dwelling and up to 25 percent of the existing multifamily dwelling units may be permitted.
4. Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit ~~of sixteen feet~~ as defined in Section 17.22.030(D) of this chapter and four-foot rear yard and side setbacks. If the existing multifamily dwelling has a rear or side setback of less than four feet, no modification of the existing multifamily dwelling shall be required as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this paragraph.
- B. A permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit shall not require the correction of existing nonconforming zoning conditions.
- C. The installation of fire sprinklers shall not be required in an accessory dwelling unit or junior accessory dwelling unit if sprinklers are not required for the primary residence.
- ~~D. The rental of the accessory dwelling unit created pursuant to this subsection be for a term longer than 30 days.~~

**SECTION 7. Amendment.** Section 17.22.100 (Application Review) of Chapter 17.22 (Accessory Dwelling Units) of Title 17 (Zoning) is amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck through~~ text:

Section 17.22.100 Application Review.

- A. Application Contents. A complete application for an accessory dwelling unit permit shall include the following:
- 1. A vicinity map reflecting a one-half mile radius street system surrounding the project site, with the project site identified;
  - 2. A project data table containing the following information:
    - (i) Total area of the site in square feet;
    - (ii) Gross and net building area calculations of (a) existing and proposed square footage, and (b) existing and proposed number of buildings and dwelling units;
    - (iii) Existing building construction dates;
    - (iv) Existing and proposed vehicular parking spaces reflecting the minimum number required by this title;

- (v) Existing and proposed floor area ratio, including the maximum allowed by this title. Floor area ratio is the total floor area of all buildings including garages and other non-habitable areas, and each floor within, divided by the total area of the lot, as a percentage;
  - (vi) Existing and proposed lot coverage, reflecting the maximum allowed by this title;
  - (vii) Existing and proposed building heights and number of stories;
  - (viii) Total area of the project site proposed to be dedicated towards landscaping, if any;
  - (ix) Total area of the project site proposed to be dedicated towards hardscape/paving, if any;
  - (x) Existing zoning and land use designation;
  - (xi) Existing and proposed Universal Building Code occupancy group classifications and construction types for each building;
3. A site or plot plan of the existing conditions of the subject property drawn to a scale no greater than one-quarter inch to one foot and not less than a scale of one inch to one hundred feet, reflecting the following information:
- (i) Property lines and adjoining sidewalks and streets.
  - (ii) Existing structures - location, outside dimensions and use of all existing buildings and structures including building features such as elevated porches and outside stairs.
  - (iii) Existing trees with accurate canopies depicted, numbered to correspond to the tree survey provided and indicating those that are protected by the Tree Preservation and Protection Ordinance and those that are proposed to be removed, retained or relocated.
  - (iv) Existing landscaped areas.
  - (v) Existing paved areas.
  - (vi) Existing fences, walls or retaining walls.
  - (vii) Footprints of adjacent buildings on abutting property.
4. A site or plot plan of the proposed conditions of the subject property drawn to a scale no greater than one-quarter inch to one foot and not less than a scale of one inch to one hundred feet, reflecting the following information:
- (i) All information listed on the existing site plan that is proposed to remain.
  - (ii) If on-site structure or tree relocation is proposed, depict the proposed new locations.
  - (iii) For additions and new construction, clearly indicate location, outside dimensions and use of proposed new construction.
  - (iv) Indicate proposed location of electrical vault, gas and electrical meters, fire sprinkler valves, backflow preventer, HVAC condensers, and any other ground-level mechanical equipment, including proposed method of screening from public view.
5. Existing floor plan for each floor of buildings proposed to be affected by the project, including the following information and clearly indicating any walls, windows, doors or other building elements proposed to be removed or altered (not required for projects proposing demolition of all existing structures):
- (i) Exterior and interior walls of the affected structure
  - (ii) Attached exterior features such as awnings, canopies or balconies
  - (iii) Locations and sizes of all window and door openings
6. Proposed Floor Plan for each floor of buildings proposed to be affected by the project or for proposed new buildings, including the following information:
- (i) All information listed on the Existing Floor Plan that is proposed to remain or

- for each floor of proposed new buildings.
  - (ii) Clearly indicate all proposed new walls, windows, doors or other features.
  - (iii) Include callouts to locations of building sections provided.
- 7. Existing Roof Plan for buildings proposed to be affected by the project, including the following information and clearly indicating any areas or features of the roof proposed to be removed or altered (not required if no changes are proposed to be made to the roof or for projects proposing demolition of all existing structures).
  - (i) Ridges and valleys of the existing roof
  - (ii) Direction and pitch of roof slopes
  - (iii) Existing roof materials
  - (iv) Existing eaves or parapets, including any exposed rafters, beams, brackets fasciae, gutters and other features of the roof
- 8. Proposed Roof Plan for buildings proposed to be affected by the project, including the following information, if changes to the roof are proposed or for proposed new construction:
  - (i) All information listed on the Existing Roof Plan that is proposed to remain or that is proposed for new construction.
  - (ii) Clearly indicate new roof areas and new roof features.
  - (iii) Proposed locations of all exterior rooftop mechanical equipment.
- 9. Existing Building Elevations for building facades proposed to be affected by the project, including the following information and clearly indicating any features proposed to be removed or altered (not required for projects proposing demolition of all existing structures):
  - (i) Accurate depiction of affected facades including roof form, eaves or parapets, building walls, window and door openings and detailing, foundations and all architectural features including awnings, canopies, bulkheads, cornices, gutters, downspouts and other architectural details on the façade.
  - (ii) Depict and call out all existing exterior façade materials and features
  - (iii) Call out building heights
  - (iv) For projects proposing replacement of historical exterior materials, provide accurate representation, dimensions and finishes of existing materials proposed to be replaced.
- 10. Proposed Building Elevations in color and black and white including courtyard or other secondary elevations with the following information:
  - (i) All information listed on the Existing Building Elevations that is proposed to remain or for proposed new construction.
  - (ii) For alterations of existing buildings, clearly indicate new façade elements, window or door openings, light fixtures, etc.
  - (iii) For additions, clearly demarcate the location of existing walls and new walls.
  - (iv) For new construction, provide:
    - (a) Elevations of existing buildings adjacent to front elevation
    - (b) Locations of through-the-wall mechanical vents
    - (c) Locations of downspouts and drainage outlets or scuppers
    - (d) Locations of lighting fixtures
  - (v) Include callouts to locations of wall sections provided.
  - (vi) Street elevation drawing or photographic rendering of proposed elevation and adjacent building(s) on abutting property, to scale.
- 11. Proposed Building and Site Sections (cross and longitudinal, for new construction, referenced to callouts provided on the Proposed Floor Plans)
  - (i) Building walls (including freestanding walls)



- (ii) Floor-to-floor dimensions
- (iii) Cut, fill, and spot elevations, as required

12. Phasing Plan (for multi-phased projects) depicting all elements of the project proposed to be completed within each construction phase.

13. Proposed Landscape Plan (not required for projects not proposing any changes to landscaping or hardscaping)

- (i) Planting plan showing location, spacing, common name, botanical name, container size, quantity of all proposed new plant material, with distinct plant symbols for each specimen
- (ii) Landscape construction plan with dimensions, materials, finishes (drawings, manufacturer specifications, and/or photographs of an existing installation)
- (iii) Hardscape details including paving, trash enclosure, raised planters, water features, fences, walls, site furniture, etc.
- (iv) Exterior lighting including type of fixture and manufacturer specifications
- (v) Existing trees proposed to remain (trees with a 4-inch diameter or greater shall be identified by species and diameter-at-breast height.)
- (vi) Tree Protection Plan if existing public or private protected trees are proposed to be retained during construction.

14. Manufacturer's Specifications (e.g., brochures/cut-sheets) for new manufactured features including new windows, doors, light fixtures, vent/drain caps, etc. including materials, finishes and colors.

15. Materials Palette (digital) including images, manufacturer and product name/number and finishes and textures for all proposed exterior materials including cladding, accent materials, proposed color/paint and fabric swatches.

16. Project Site Context: Color photographs of the existing project site taken from various vantage points from the street and from within the project site showing the existing structure(s), tree(s), and other existing site improvements. Provide full elevation photographs of all site structures including detailed images of affected architectural features proposed for alteration.

17. Neighborhood Context: Color photographs of existing buildings on both sides of the street on which the project is proposed, between two cross streets. Photographs should identify the address of the property depicted and should be taken perpendicular to the building. If the project is on a corner lot, photographs should include both streets.

18. Photographic Key Map indicating from where and at what angle the photographs were taken. All photographs provided should be labeled to correspond to the locations on the photographic key map.

AB. Procedure. The director shall complete the review of the application for an accessory dwelling unit permit within sixty days of receipt of a complete submission. Review of, and the granting or denial of, an application for an accessory dwelling unit permit by the city is a ministerial action. The director shall not approve an application for an accessory dwelling unit permit or issue an accessory dwelling unit permit unless the proposed accessory dwelling unit complies with the requirements of this chapter. All proposed accessory dwelling units are subject to review for compliance with the terms of this chapter by the director of planning and community preservation.

1. The director shall complete the review of the application for an accessory dwelling unit permit and/or junior accessory dwelling unit within sixty days of receipt of a complete submission. Review of, and the approval or denial of, an application for an accessory dwelling unit permit by the city is a ministerial action. The director shall not approve an application for an accessory dwelling unit permit or issue an accessory dwelling unit permit unless the proposed accessory dwelling unit complies with the requirements of this chapter. All proposed accessory dwelling units are subject to review for compliance with the terms of this chapter by the director of planning and community preservation.

2. If the director denies an application for an accessory dwelling unit or junior



accessory dwelling unit, the director shall, within the time period described in this subsection, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

3. If the applicant has taken no action to remedy the defective or deficient application within one year from the date the written comments were provided to the applicant, the application shall be considered abandoned and withdrawn from consideration.
4. If the director has not approved or denied the application within 60 days, the application shall be deemed approved.
5. For the purposes of this subsection, an application being deemed incomplete has the same effect as an application being denied.

B. The decision of the director shall be final and conclusive. An applicant who obtains an accessory dwelling unit permit shall be required to obtain a building permit for the accessory dwelling unit.

C. A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit shall be reviewed, in accordance with Code Section 15.04.115 (Section 105.7 Demolition Permits), with the application for the accessory dwelling unit and issued at the same time.

CD. A certificate of occupancy for an accessory dwelling unit or junior accessory dwelling unit shall not be issued before the issuance of a certificate of occupancy for the primary dwelling.

**SECTION 8. Amendment.** Section 17.22.130 (Rental Restriction) of Chapter 17.22 (Accessory Dwelling Units) of Title 17 (Zoning) is amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck-through~~ text:

Section 17.22.130 – Rental Restrictions

~~No accessory dwelling unit shall be used as a short-term rental.~~

- A. An accessory dwelling unit or junior accessory dwelling unit may be rented for terms no less than thirty days. The person or party responsible for ownership of property that has an accessory dwelling unit or junior accessory dwelling unit shall obtain and maintain an annual business license, in accordance with Title 5, for dwelling accommodations when actively renting or advertising the rental of the dwelling unit.
- B. No accessory dwelling unit or junior accessory dwelling unit shall be used or advertised as a short-term rental.

**SECTION 9. California Environmental Quality Act.** Pursuant to Government Code section 65852.21, subdivision (j), and Government Code section 66411.7, subdivision (n), the City Council finds the adoption of this Ordinance is not a project for purposes of the California Environmental Quality Act (CEQA) and is statutorily exempt.

**SECTION 10. Severability.** If any sections, subsections, subdivisions, paragraph, sentence, clause or phrase of this Ordinance or any part hereof or exhibit hereto is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Ordinance or any part thereof or exhibit thereto. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that anyone or more sections, subsections, subdivisions, paragraph, sentences, clauses or phrases be declared invalid.

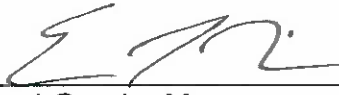
**SECTION 11. Submittal.** The City Clerk is directed to submit a copy of this Ordinance to the Department of Housing and Community Development within 60 days after adoption in accordance with Government Code section 65852.2, subdivision (h)(1).

**SECTION 12. Publication.** The City Clerk shall cause this Ordinance to be published or posted in accordance with California Government Code Section 36933. She shall certify to the adoption of this Ordinance and her certification, together with proof of the publication, will be entered in the book of Ordinances of the City Council.

**SECTION 13. Effective Date.** This Ordinance shall take effect thirty days after its

adoption pursuant to California Government Code Section 36937.

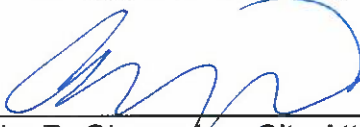
**PASSED, APPROVED, AND ADOPTED** this ~~14<sup>th</sup>~~<sup>28<sup>th</sup></sup> day of March 2023.

  
\_\_\_\_\_  
Edward Garcia, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Laura Aguilar, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Aleks R. Giragosian, City Attorney

I **HEREBY CERTIFY** that the foregoing Ordinance was duly adopted by the City Council of the City of Sierra Madre, California, at a regular meeting held on the ~~14<sup>th</sup>~~<sup>28<sup>th</sup></sup> day of March 2023 by the following vote:

**AYES:** Mayor Edward Garcia, Mayor Pro Tem Kelly Kriebs, Council Member Gene Goss, Council Member Kristine Lowe, Council Member Robert Parkhurst

**NOES:** None

**ABSENT:** None

**ABSTAINED:** None