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ORDINANCE NO. 2020-\_\_

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING ZONING CODE AMENDMENT P2020-0078-ZCA, AMENDING VARIOUS SECTIONS OF THE CULVER CITY MUNICIPAL CODE (CCMC), TITLE 17: ZONING CODE, RELATED TO FAMILY DAYCARE HOMES, RESIDENTIAL DEVELOPMENT STANDARDS, COMMERCIAL AND INDUSTRIAL STANDARDS AND USES, SMOKING REGULATIONS IN OUTDOOR DINING AND RETAIL AREAS, AND PARKING REQUIREMENTS.

(ZONING CODE AMENDMENT, P2020-0078-ZCA)

**WHEREAS** On April 22, 2020, after conducting a duly noticed public hearing on City-initiated Zoning Code Amendment P2020-0078-ZCA comprehensively amending various portions of Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), in order to correct and/or update several unintended discrepancies in the Zoning Code to effectively and consistently apply the Zoning Code, fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission determined, by a vote of 5 to 0, to recommend to the City Council approval of Zoning Code Amendment P2020-0078-ZCA, as set forth herein below; and

**WHEREAS** the proposed Zoning Code Amendment addresses the following topics:

- *Family Daycare Homes.* Provides new regulations to be consistent with State law; and
- *Residential Basements in R1.* Extend basement allowances in other residentially zoned areas;
- *Front Building Setback Area.* Clarify paving standards for pedestrian pathways in residential front yard setbacks;
- *Minimum Building Separation.* Provide minimum distances between detached primary dwelling units and accessory dwelling units;

- 1 • *Parking Update.* Parking ratio for single room occupancy units and micro  
2 units;
- 3 • *Building Setbacks.* Provide consistent application of alley credits for  
4 building setback requirements for mixed use structures and commercial  
5 structures;
- 6 • *Outdoor Dining Areas.* Provide smoking regulations in outdoor dining  
7 areas.
- 8 • *Parking Exclusive Use and Wheel Stops.* Establishes exclusive on-site  
9 parking use and eliminates use of wheel stops; and

10 **WHEREAS** on June 8, 2020, the City Council opened the public hearing on City-  
11 initiated Zoning Code Amendment P2020-0078-ZCA and continued it to June 22, 2020; and

12 **WHEREAS** on June 22, 2020, the City Council continued the public hearing on  
13 City-initiated Zoning Code Amendment P2020-0078-ZCA to July 13, 2020; and

14 **WHEREAS** on July 13, 2020, after conducting a duly noticed public hearing on  
15 City-initiated Zoning Code Amendment P2020-0078-ZCA amending various portions of the  
16 Zoning Code, as noted above, fully considering the Planning Commission’s recommendation  
17 and all reports, studies, testimony, and environmental information presented, the City Council  
18 determined, by a vote of 5 to 0, to introduce an ordinance to approve Zoning Code Amendment  
19 P2020-0078-ZCA (the “Ordinance”), as set forth herein below; and,  
20

21 **WHEREAS** on August 24, 2020, the City Council, by a vote of \_\_\_ to \_\_\_,  
22 adopted the Ordinance as set forth herein below.  
23

24 **NOW, THEREFORE,** the city council of the City of Culver City, California, DOES  
25 HEREBY ORDAIN as follows:  
26

27 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the  
28 CCMC, the following required findings for an amendment to the Zoning Code, as outlined in  
29 CCMC Section 17.620.030.A, are hereby made:

1                   **1. The proposed amendment ensures and maintains internal**  
2                   **consistency with the goals, policies and strategies of all elements of the**  
3                   **General Plan and will not create any inconsistencies.**

4                   There are several unintended discrepancies in the Zoning Code that require  
5                   correction and/or update to apply the Zoning Code effectively and consistently.  
6                   The proposed Zoning Code Amendments are intended to create consistency  
7                   between various residential and commercial development standards and bring  
8                   family daycare home regulations into compliance with State law. These  
9                   amendments implement the goals, objectives, and policies of the General Plan  
10                  and create internal consistency furthering General Plan Land Use Element  
11                  Implementation Measure 7 – Continue Current Planning Administration. The  
12                  measure states that Planning Staff will assist property owners and developers in  
13                  the day to day administration of General Plan policies and Zoning Code  
14                  regulations that implement those policies. These amendments will assist in that  
15                  administration and implementation.

16                  The proposed Zoning Code Amendments do not conflict with the goals, policies, and  
17                  strategies of any elements of the General Plan, nor create any inconsistencies.

18                   **2. The proposed amendment would not be detrimental to the public**  
19                   **interest, health, safety, convenience or welfare of the City.**

20                  There are several unintended discrepancies in the Zoning Code that require  
21                  correction and/or update to apply the Zoning Code effectively and consistently.  
22                  The proposed Zoning Code Amendments will help ensure that the Zoning Code  
23                  is clear and internally consistent regarding residential and commercial  
24                  development standards and bring family daycare home regulations into  
25                  compliance with State law. The amendments will serve to improve Current  
26                  Planning’s implementation of General Plan policies and Zoning standards  
27                  affecting residential and commercial property owners and developers. Further,  
28                  the proposed amendments will bring certain provisions into compliance with State  
29                  law. The amendments support the public interest, health, safety, convenience,  
30                  and welfare of the City.

31                   **3. The proposed amendment is in compliance with the provisions of**  
32                   **the California Environmental Quality Act (CEQA).**

33                  Pursuant to CEQA Guidelines Section 15061(b) (3), the proposed Project is exempt,  
34                  because it can be seen with certainty that there is no possibility that the Project will  
35                  have a significant effect on the environment. The Project by itself, does not result in  
36                  any physical changes in the environment because it only clarifies and updates  
37                  various discrepancies in the Zoning Code, and does not result in changes to existing  
38                  land use, density or an intensification of development beyond what the Zoning Code  
39                  currently allows.

1           **SECTION 2.** Pursuant to the foregoing recitations and findings, the City  
2 Council of the City of Culver City, California, hereby adopts the Ordinance approving Zoning  
3 Code Amendment P2020-0078-ZCA, as set forth in Exhibit A attached hereto and made a  
4 part thereof.

5           **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall  
6 take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the City  
7 Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall cause this  
8 Ordinance, or a summary thereof, to be published in the Culver City News and shall post  
9 this Ordinance or a summary thereof in at least three places within the City.  
10

11           **SECTION 4.** The City Council hereby declares that, if any provision, section,  
12 subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared  
13 invalid or unconstitutional by any final action in a court of competent jurisdiction or by  
14 reason or any preemptive legislation, then the City Council would have independently  
15 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases,  
16 or words of this Ordinance, and as such they shall remain in full force and effect.  
17  
18

19  
20           APPROVED and ADOPTED this 24<sup>th</sup> Day of August 2020.  
21  
22

23 \_\_\_\_\_  
24 GÖRAN ERIKSSON, Mayor  
25 City of Culver City, California

26 ATTESTED BY:

27 APPROVED AS TO FORM:

28 \_\_\_\_\_  
29 JEREMY GREEN, City Clerk  
A20-00244

  
\_\_\_\_\_  
CAROL SCHWAB, City Attorney

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The proposed Zoning Code Amendment P2020-0078 amends various sections of Title 17 – Zoning, of the Culver City Municipal Code (CCMC), as follows:

**CCMC Section 17.210.015.A.Table 2-2:**

TABLE 2-2 Allowed Uses and Permit Requirements for Residential Zoning Districts	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed						
<b>LAND USE (1)</b>	<b>PERMIT REQUIREMENT BY DISTRICT</b>						<b>See Specific Use Regulations:</b>
	R1	R2	R3	RLD	RM D	RH D	
<b>RESIDENTIAL</b>							
<u>Child day care - Large family day care homes (6)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Child day care - Small family day care homes (6)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b>SERVICE</b>							
<del>Child day care - Large family day care homes</del>	<del>AUP</del>	<del>AUP</del>	<del>AUP</del>	<del>AUP</del>	<del>AUP</del>	<del>AUP</del>	17.400.035
<del>Child day care - Small family day care homes</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	17.400.035

Notes:

(6) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

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**CCMC Section 17.220.015.A.Table 2-5:**

TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed						
LAND USE(1)	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations :
	CN	CG	CC	CD	CR R	CR B	
<b>RESIDENTIAL</b>							
<u>Child day care - Large family day care homes (12)(13)</u>	P	P	P	P	-	-	
<u>Child day care - Small family day care homes (12)(13)</u>	P	P	P	P	-	-	
<b>SERVICE</b>							
<del>Child day care - Large family day care homes</del>	AUP	AUP	-	-	-	-	17.400.035
<del>Child day care - Small family day care homes</del>	<del>P</del>	P	-	-	-	-	

Notes:

(12) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

(13) Use only allowed as part of a mixed-use project.

**CCMC Section 17.260.035.C.Table 2-11:**

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P Permitted Use
LAND USE (1)	Permit Requirement
RESIDENTIAL	
<u>Child day care - Large family day care homes (15)(16)</u>	P
<u>Child day care - Small family day care homes (15)(16)</u>	P

Notes:

(15) Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

(16) Use only allowed as part of a mixed-use project.

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**CCMC Section 17.320.020.H.Table 3-3:**

Table 3-3A	
Land Use Type: Residential	Vehicle Spaces Required
Multi-family dwellings and residential component of mixed-use development, includes supportive housing, <del>and</del> transitional housing units, <u>Large family day care homes, and Small family day care home</u> (1) (2)	Studio micro-units: 0.5 space. (4)
	Studio and 1 bedroom, up to 900 square feet: 1 space.
	Studio and 1 bedroom, greater than 900 square feet: 2 spaces.
	2-3-bedroom units: 2 spaces.
	4-bedroom units: 3 spaces.
	1 space for every additional bedroom greater than 4.
	Guest parking: 1 space for every 4 residential units.
Single-family, duplex and triplex units, includes supportive housing, <del>and</del> transitional housing units, <u>Large family day care homes, and Small family day care homes</u> (1) (2)	2 spaces per dwelling unit.

**Notes:**

- (1) See Subsection 17.320.035 .N. (Special Requirements for Residential Uses).
- (2) Any parking reductions not otherwise authorized by this Code or state law shall require approval by resolution of the City Council.

**CCMC Section 17.320.020.H.Table 3-3B:**

Table 3-3B	
Land Use Type: Commercial (1)(4)	Vehicle Spaces Required
Day care facilities	
Child or adult day care centers	1 space per 300 square feet of floor area.
Large family day care home	1 space per employee, in addition to required residential spaces.
Small family day care home	As required for the single-family dwelling (see parking requirement for residential uses).

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**CCMC Section 17.700.010:**

**Child Day Care Facilities.** Facilities that provide non-medical care and supervision of minor children for periods of less than 24 hours. These facilities include the following, all of which are also required to be licensed by the California State Department of Social Services.

**1. Child Day Care Center.** Commercial or non-profit child day care facilities designed, approved and licensed as a child care center with no permanent resident. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with another related facility, or as an independent land use.

**2. Large Family Day Care Home.** A day care facility located in a residence where a full-time resident provides care and supervision for 7 to 14 children ~~12 children (plus 2 additional children after school)~~. Children under the age of 10 years who reside in the home count as children served by the day care facility.

**3. Small Family Day Care Home.** A day care facility located in a residence where a full-time resident provides care and supervision for up to eight children. ~~6 or fewer children (plus 2 additional children after school)~~. Children under the age of 10 years who reside in the home count as children served by the day care facility.

**17.400.035 (RESERVED) ~~CHILD DAY CARE FACILITIES.~~**

~~This Section provides location, development, and operating standards for child day care facilities, in a manner that recognizes the needs of childcare operators and minimizes the effects on surrounding properties. These standards apply in addition to the other provisions of this Title and requirements imposed by the California State Department of Social Services. Licensing by the Department of Social Services is required for all facilities.~~

~~The establishment of a child day care facility shall comply with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards), and the following criteria and standards:~~

~~**A. Large Family Day Care Home – Administrative Use Permit Required.** A large family day care home requires approval of an Administrative Use Permit in compliance with Chapter 17.530 (Administrative Use Permits and Conditional Use Permits), and is subject to the following additional provisions:~~

~~**1.** Notice of filing of the application shall be in accordance with Chapter 17.630 (Public Hearings and Administrative Review), and the following additional requirements:~~

~~**a.** The notice shall include information on the right to request a hearing on the application.~~

~~**b.** The notice shall be mailed by the Director within 15 days after receipt of a complete application.~~

~~**2.** Except as provided in Subsection 17.400.035.A.3., immediately below, the Director shall have authority, without a hearing, to approve, conditionally approve, or disapprove the application, based on the required findings in Chapter 17.530 (Administrative Use Permits and Conditional Use Permits).~~



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~~— 3. If one of the property owners or occupants, notified in compliance with Subsection 17.400.035.A.1. above, files a written request with the Division within 15 days after the date the notice was mailed, the application shall be referred to the Commission for public hearing. The hearing shall be promptly scheduled by the Director. Notice of the hearing shall be in accordance with Chapter 17.630 (Public Hearings and Administrative Review). Any person may present oral or written testimony at the hearing. The Commission shall approve, conditionally approve, or disapprove the application, based on the required findings in Chapter 17.530 (Administrative Use Permits and Conditional Use Permits).~~

~~— 4. The decision on the application by the Director or Commission may be appealed in compliance with Chapter 17.640 (Appeals).~~

~~— **B. Large Family Day Care Homes - Development Standards.** The following standards shall apply.~~

~~— 1. The home shall be the principal residence of the childcare provider, and the child care use shall be incidental to the residential use.~~

~~— 2. A minimum 175-foot radius separation shall be provided from every other similar use. However, if the frontage of the proposed use is along the same street as the frontage of another similar use, the minimum separation shall be 300 linear feet.~~

~~— 3. A minimum of 600 square feet of open space shall be provided for an outdoor play area, none of which shall be located in the required front setback, and all of which may be satisfied by the minimum open space requirements identified in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).~~

~~— 4. Use of the outdoor play areas shall be limited to the hours of 8:00 a.m. to 6:00 p.m. only.~~

~~— 5. On-site advertising signs shall be prohibited.~~

~~— 6. In addition to the required residential parking, one additional on-site parking space shall be provided for each employee not residing on the site.~~

~~— 7. The traffic and noise generated by a large family day care home shall not adversely impact the residential character of the neighborhood in which it is located. The applicant shall provide the Director with information relating to traffic and noise on an environmental information form provided by the City. This information shall be used to determine whether adverse impacts will likely occur. If the applicable review authority determines adverse impacts will likely occur, the application may be approved, subject to development conditions (e.g., mitigation measures) that would reduce the identified impacts to acceptable levels.~~

~~— 8. Each operator shall secure and maintain a valid State-issued license for the operation of a large family day care home at the proposed location. The Use Permit shall not become effective until the applicant provides the Director with a copy of the State-issued license, nor shall it remain in effect unless the applicant maintains a current valid State-issued license.~~

~~— 9. The Fire Department shall conduct a fire clearance inspection for the facility, upon receipt of the appropriate paperwork from the California State Department of Social Services. Fire and life safety inspections will be conducted annually thereafter.~~

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**CCMC Section 17.210.020 Table 2-3:**

Table 2-3 Residential Districts Development Standards (R1, R2, R3)			
Development Feature	Requirement by Zoning District		
	R1	R2	R3
<b>Dwelling size</b>	<i>Maximum and minimum allowed floor area.</i>	<i>Maximum and minimum allowed floor area, not including any garage or other non-habitable space.</i>	
<b>Maximum floor area (6)</b>	.45 Floor Area Ratio (FAR) (6)	1,500 square feet plus 40% of net lot area for parcels less than 8,000 square feet; 60% of net lot area for parcels 8,000 square feet or more.	
<b>Setbacks (4)</b>	<i>Minimum setbacks required. See § 17.300.020 (Setback Regulations and Exceptions).</i>		
<b>Minimum distance between structures</b>	5 feet between accessory residential structures <u>and accessory dwelling units</u> ; 5 feet between primary dwelling units and <u>accessory residential structures and accessory dwelling units</u> . 8 feet between detached dwelling units.		

**Notes:**

- (4) For standards for Accessory Residential Structures, see § 17.400.100.
- (6) The floor area of basements shall not be included in the Maximum floor area FAR.

**CCMC Section 17.210.020 Table 2-4:**

Table 2-4 Residential District Development Standards (RLD, RMD, RHD)			
Development Feature	Requirement by Zoning District		
	RLD	RMD	RHD
<b>Setbacks (4)</b>	<i>Minimum setbacks required. See § 17.300.020 (Setback Regulations and Exceptions).</i>		
<b>Minimum distance between structures</b>	5 feet <u>between accessory residential structures, and accessory dwelling units</u> ; 5 feet between primary dwelling units and <u>accessory residential structures and accessory dwelling units</u> . 10 feet between detached dwelling units.		

**Notes:**

- (4) For standards for Accessory Residential Structures, see § 17.400.100.

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**CCMC Section 17.310.020.A**

Landscaping shall be provided in the locations specified below.

**A. Setbacks.** All setback and open space areas not occupied by driveways, parking areas, walkways, building projections and approved hardscape areas, shall be planted, except where a required setback is screened from public view, or it is determined by the Director that planting is not necessary to fulfill the purposes of this Chapter.

- a. For single-family, two-family and three-family residential projects, all street-facing setback areas shall be landscaped ~~within 6 months of occupancy~~. Such areas shall be landscaped with live plant materials for a minimum of 75% of the subject area, unless paving of a larger area is required to comply with Subsection 17.320.035.C. (Parking Space and Lot Dimensions), to provide a standard 16-foot, double-wide driveway for a two-car garage within the 20-foot front setback area, to comply with Table 3-5 of Subsection 17.320.035.N.3 (Residential Covered Parking Requirements), or unless such paving involves a circular driveway that is otherwise in compliance with Subsection 17.320.040.C. (Circular Drive), or unless such paving involves a pedestrian pathway subject to Section 17.310.020.A.b, subject to the discretion of the Director.
  
- b. In addition to the required driveway paving in single-family, two-family and three-family residential projects, additional paving in a street facing setback may be allowed for a pedestrian pathway provided it is not more than 4 feet in width. The pedestrian path shall be separated from the driveway by a minimum width of 3 feet and landscaped unless the pathway is designed to lead from the driveway to the dwelling entrance. In that case, the pathway connection shall not exceed 4 feet in width.

**CCMC Section 17.320.035.N.2:**

**N. Special Parking Requirements for Residential Uses.**

**2. Paving of street-facing setback.** Within residential zoning districts, no more than 25% of any required setback facing a street shall be paved to provide access to on-site parking, unless paving of a larger area is required to comply with Subsection 17.320.035.C. (Parking Space and Lot Dimensions) above (e.g., to provide a standard 16-foot, double-wide driveway for a two-car garage within the 20-foot front setback area), to comply with Table 3-5 of Subsection 17.320.035.N.3 (Residential Covered Parking Requirements), or unless such paving involves a circular driveway that is otherwise in compliance with Subsection 17.320.040.C. (Circular Drive). In addition to the required driveway paving in single-family, two-family and three-family residential projects, additional paving may be allowed for a pedestrian pathway leading to the entrance of the development provided the pedestrian path is not more than 4 feet in width. If the pedestrian path is not connected to the driveway, it shall be separated from the driveway by a minimum width of 3 feet and landscaped. If the pedestrian pathway is connected to

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the driveway, the maximum length of the connection shall not exceed 4 feet Vehicles shall not be parked between the street property line and the front or side of a residential unit except on a driveway leading to a garage or carport, on a designated uncovered parking space, or on a circular driveway.

**CCMC Section 17.320.035.N.3 (Table 3-5)**

**3. Covered parking.** All required parking shall comply with the requirements of Table 3-5 Covered Parking Requirements.

Table 3-5  
Residential Covered Parking Requirements

Zoning District	Residential Unit(s)	Uncovered	1/2 Covered	Fully Covered
R1 Zone (1)	Single family dwelling	[x]	[x]	[x]
R2, R3, RLD, RMD and RHD Zones (2)	Single family dwelling (alone)	[x]	[x]	[x]
R2, R3, RLD, RMD and RHD Zones (2)	Single family dwelling (plus one or more detached SFD, duplex or triplex)	[x]	[x]	[x]
R2, R3, RLD, RMD and RHD Zones	Duplex or triplex		[x]	
RLD, RMD and RHD Zones	Multiple family (4 or more units)		[x]	
CN, CG, CC, CD, and EWO Zones	Residential portion of a mixed use project			[x]
CN, CG, CC, CD, and EWO Zones	Live work unit		[x]	
All	Guest parking	[x]		

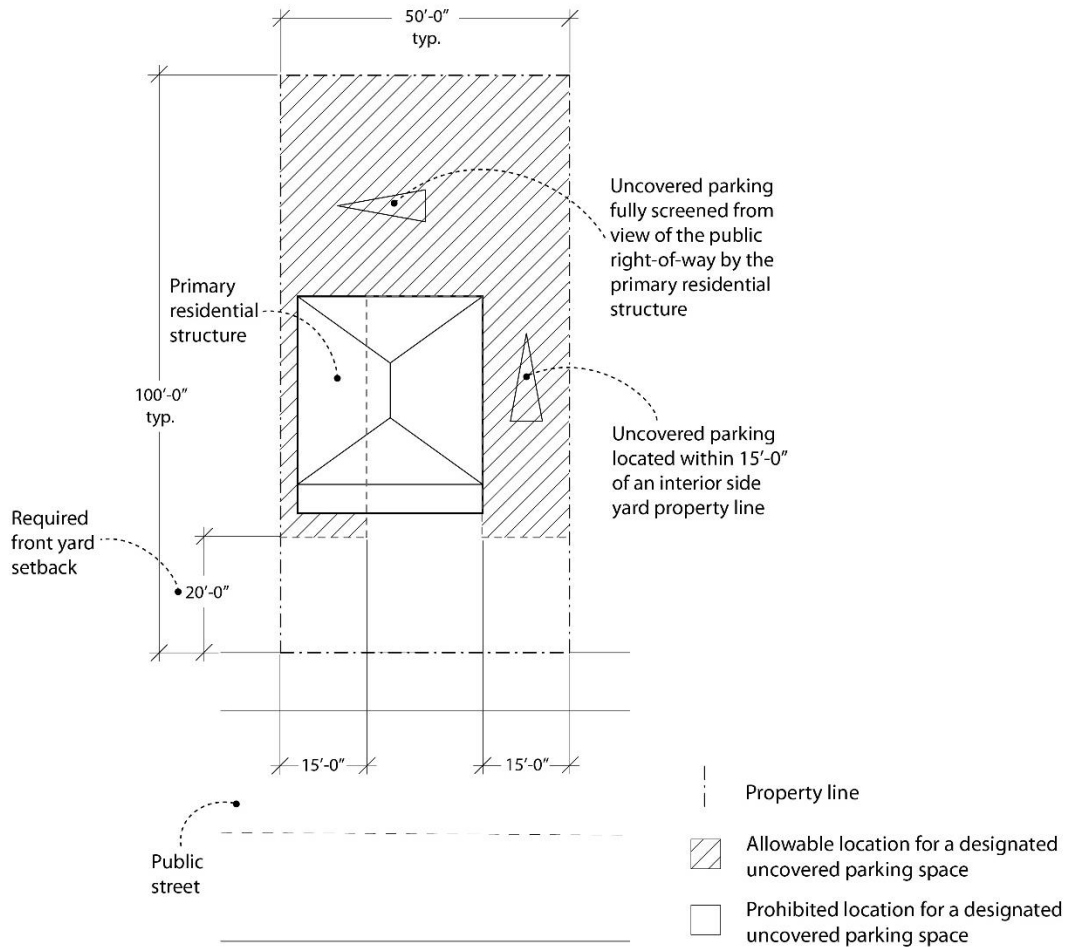
Notes

(1) In the R1 Zone, any uncovered parking located behind the front yard setback line shall be placed within 15 feet of a maximum of one interior side yard property line and/or shall be fully screened from view of the public right-of-way by the primary structure. Front yard-facing parking not located within 15 feet of an interior side yard property line shall be fully covered and enclosed. See Figure 3-11 (Allowable Residential Uncovered Parking Placement) below.

(2) In the R2, R3, RLD, RMD, and RHD Zones, any uncovered parking located behind the front yard setback line shall be placed within 15 feet of a maximum of one interior side yard property line and/or shall be fully screened from view of the public right-of-way by the primary structure. Front yard-facing parking not located within 15 feet of an interior side yard property line shall be fully covered and enclosed. See Figure 3-11 (Allowable Residential Uncovered Parking Placement) below.

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**Figure 3-11 Allowable Residential Uncovered Parking Placement**



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**CCMC Section 17.320.020 Table 3-3A:**

Table 3-3A	
Land Use Type: Residential	Vehicle Spaces Required
Single room occupancy units	<u>0.5 parking space per unit. (4)</u> <del>One (1) parking space per unit.</del>

**Notes:**

(4) Studio micro-units and single room occupancy units within the TOD District depicted in Map 4-1 of § 17.400.065.E are not required to provide parking.

**CCMC Section 17.400.106.G:**

This Section provides density, development, and operating standards for single room occupancy units in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards):

**G. Parking.** 0.5 ~~One~~ parking space shall be provided for each SRO unit. SRO units within the TOD District depicted in Map 4-1 of § 17.400.065.E are not required to provide parking.

**CCMC Section 17.220.020 Table 2-6:**

<b>Table 2-6 Commercial District Development Standards (CN, CG, CC, CD)</b>				
Development Feature	Requirement by Zoning District			
	CN	CG	CC	CD
Setbacks	Minimum setbacks required. See § 17.300.020 (Setback Regulations and Exceptions).			
Alley	2 feet <del>The width of an alley may be credited toward the setback requirement for properties adjacent to residential zones.</del> <u>One half (1/2) the width of an alley may be credited toward the setback requirement for properties adjacent to residential zones.</u>			

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**CCMC Section 17.220.020 Table 2-7:**

<b>Table 2-7 Commercial District Development Standards (CRR, CRB)</b>		
Development Feature	Requirement by Zoning District	
	CRR	CRB
Setbacks	Minimum setbacks required. See § 17.300.020 (Setback Regulations and Exceptions).	
Alley	2 feet The width of an alley may be credited toward the setback requirement for properties adjacent to residential zones. <u>One half (1/2) the width of an alley may be credited toward the setback requirement for properties adjacent to residential zones.</u>	

**CCMC Section 17.230.020 Table 2-9:**

<b>Table 2-9 Industrial District Development Standards</b>		
Development Feature	Requirement by Zoning District	
	IL	IG
Setbacks	Minimum setbacks required. See § 17.300.020 (Setback Regulations and Exceptions).	
Alley	2 feet The width of an alley may be credited toward the setback requirement for properties adjacent to residential zones. <u>One half (1/2) the width of an alley may be credited toward the setback requirement for properties adjacent to residential zones.</u>	

**CCMC Section 17.230.015.A Table 2-8:**

TABLE 2-8 Allowed Uses and Permit Requirements for Industrial and Special Purpose Zoning Districts			
AUP Administrative Use Permit Required			
LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See Specific Use Regulations:
	IL	IG	
<b>RETAIL TRADE</b>			
<u>Restaurants, outdoor dining (3)</u>	<u>AUP</u>	<u>AUP</u>	17.400.070

Notes:

(3) For permit requirements related to the sale of alcoholic beverages, see §17.400.015.

**EXHIBIT A  
ZONING CODE AMENDMENTS  
P2020-0078-ZCA**

**CCMC Section 17.400.070 OUTDOOR DINING:**

**CCMC 17.400.070.D**

**D. Conformance with Chapter 9.11: Smoking Regulations**

Outdoor dining shall conform to all standards and regulations pertaining to Outdoor Dining Areas, as set forth in Sections 9.11.100, et seq. of Chapter 9.11: Smoking Regulations of this Code.

**CCMC Section 17.400.075 OUTDOOR RETAIL SALES AND DISPLAY:**

**CCMC Section 17.400.075.B**

**B. Conformance with Chapter 9.11: Smoking Regulations.** Outdoor Retail Sales and Display shall conform to all standards and regulations pertaining to Outdoor Dining Areas, as set forth in Sections 9.11.100, et seq. of Chapter 9.11: Smoking Regulations of this Code.

**CCMC Section 17.320.015 GENERAL PARKING REGULATIONS:**

**CCMC Section 17.320.015.H**

**H. Off-street On-Site Parking Exclusive Use.** Except for City-approved covenants and/or development entitlements, all off-street on-site parking is for the exclusive use of the development, uses, and/or structure(s) that are located on the property that the on-site parking is located. Any proposed use of on-site parking by an off-site use/development may be approved pursuant to Section 17.320.025 provided the existing on-site parking includes surplus parking for the existing on-site use, or the City has approved a shared parking agreement pursuant to Section 17.320.025. Any excess parking, or the creation of new parking on a site, shall first satisfy the required parking for the on-site development, use, and/or structure(s) of that property, if it is deficient in required parking pursuant to Section 17.320.020, or is a legal non-conforming use due to parking.

**CCMC Section 17.320.035 PARKING DESIGN AND LAYOUT GUIDELINES:**

**CCMC Section 17.320.035.D.1 Curbing and Wheel Stops.**

1. Continuous concrete curbing at least 6 inches high and 6 inches wide, with breaks to allow on-site drainage, shall be provided along the edges of parking spaces adjacent to fences, walls, other structures, property lines, pedestrian walkways and planted areas. Curbing shall be placed within the parking space a minimum of 2 feet from the front of the space. ~~Alternatively, wheel stops can be placed to allow for 2 feet of vehicle overhang area within the dimension of the parking space. Wheel stops or c~~ Curbs are not required where 2 parking spaces are contiguous at the width ("head to head"). Alternative barrier designs to protect planted areas may be approved by the Director.