

# Title 17. Zoning Code

## Article 1. ZONING CODE APPLICABILITY

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#### 17.100.005 TITLE.

This Title is and shall be cited as the Culver City Zoning Code, Title 17 of the Culver City Municipal Code, hereafter referred to as “this Title.”

(Ord. No. 2005-007 §1 (part))

#### 17.100.010 PURPOSE.

This Title carries out the policies of the Culver City General Plan by classifying and regulating the uses of land and structures within the City. This Title is adopted to protect and promote the public health, safety, and general welfare of residents and businesses in the City. More specifically, it is the purpose of this Title to:

- A. Provide standards that will guide the orderly growth and development of the City;
- B. Preserve and protect the integrity and character of the City's residential neighborhoods;
- C. Maintain vital areas for business activities that serve the community and protect the quality of life;
- D. Require thoughtful planning and design that enhances the visual character of the City and avoids conflicts between land uses;

- E. Respect the City's physical setting and constraints, and protect and preserve its natural resources;
- F. Create a comprehensive and stable pattern of land uses for which public services and infrastructure can be efficiently and adequately planned; and
- G. Ensure that property within the City is well maintained by requiring each owner, occupant, or other person in charge of any property to keep it in good repair and in compliance with the provisions of this Title.

(Ord. No. 2005-007 § 1 (part))

#### 17.100.015 AUTHORITY, RELATIONSHIP TO GENERAL PLAN.

- A. **Authority.** This Title is enacted based on the authority vested in the City of Culver City (hereafter referred to as the “City”) by the City Charter and the Culver City Municipal Code (hereafter referred to as “CCMC”); and by the State of California, including but not limited to: the State Constitution; the State Planning and Zoning Law (Cal. Gov’t Code §§ 65800 et seq.); the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000 et seq.); the California Health and Safety Code; and other applicable statutory provisions.
- B. **General Plan Consistency.** The City's General Plan is the document that establishes the broad goals and policies for all future development. This Title is the primary tool used to implement the goals, objectives, and policies of the General Plan. The City Council intends that this Title be consistent with the General Plan, and that any land use or development approved in compliance with this Title will also be consistent with the General Plan.

(Ord. No. 2005-007 § 1 (part))

#### 17.100.020 APPLICABILITY OF THE ZONING CODE.

This Title applies to all land uses, structures, subdivisions, and development within the City, as follows:

- A. **New Land Uses or Structures.** It shall be unlawful, and a violation of this Title, for any person to establish or construct any land use or structure, except in compliance with the requirements of this Title.
- B. **Existing Land Uses or Structures.** The requirements of this Title are not retroactive in their effect on land uses or structures lawfully established before the effective date of this Title or any applicable amendment. Existing land uses or structures are lawful and not in violation of the CCMC only when operated and maintained in compliance with all applicable provisions of this Title. Any alteration, expansion, or modification of existing land uses or structures shall comply with all provisions of this Title.
- C. **Issuance of Building or Grading Permits.** The City may issue building, grading, or other construction permits only when:

1. The proposed land use and/or structure satisfies the requirements of Subsection 17.100.020.A. (New Land Uses or Structures) above, and all other applicable statutes, ordinances, rules, and regulations; and
  2. The site was subdivided in compliance with all applicable requirements of Chapter 15.10 (Subdivisions) of the CCMC.
- D. Subdivision of Land.** Any subdivision of land proposed within the City after the effective date of this Title shall be consistent with this Title and Chapter 15.10 (Subdivisions) of the CCMC.
- E. Effect of Zoning Code Amendments on Projects in Progress.** All land use permit applications that have been determined by the Division to be complete before the effective date of this Title, or any amendment to this Title, will be processed in compliance with the requirements in effect when the application was accepted as complete.
- F. Other Permits and Requirements.** Nothing in this Title eliminates the need for obtaining any other permits required by the City, or any permit or approval required by other provisions of the CCMC or the laws, rules or regulations of any City department, or any County, regional, State, or Federal agency.
- G. Conflicting Permits and Licenses.** All permits shall be issued by the City in compliance with the provisions of this Title after the effective date of this Title or any amendment to this Title. Any permit, excluding business tax certificates, issued in conflict with this Title shall be void.

(Ord. No. 2005-007 § 1 (part))

#### 17.100.025 RESPONSIBILITY FOR ADMINISTRATION.

This Title shall be administered by the City Council (hereafter referred to as the "Council"), Planning Commission (hereafter referred to as the "Commission"), Board of Zoning Adjustments (hereafter referred to as the "Board"), Planning and Development Director or his/her designee (hereafter referred to as the "Director"), and Current Planning Division (hereafter referred to as the "Division") as provided in Chapter 17.600 (Administrative Responsibility).

(Ord. No. 2005-007 § 1 (part))

#### 17.100.030 PARTIAL INVALIDATION OF ZONING CODE.

If any article, section, subsection, paragraph, subparagraph, sentence, clause, phrase or portion of this Title is for any reason held to be invalid, unconstitutional, or unenforceable, these decisions shall not affect the validity of the remaining portions of this Title. This Title, and each portion thereof, would have been adopted irrespective of the fact that one or more portions of this Title may be declared invalid, unconstitutional, or unenforceable.

(Ord. No. 2005-007 § 1 (part))

17.100.035 PROCEDURAL REQUIREMENTS.

Failure to follow the procedural requirements contained within this Title shall not invalidate City actions taken in the absence of a clear showing of intent.

(Ord. No. 2005-007 § 1 (part))

17.110 LAND USE AND DEVELOPMENT APPROVAL REQUIREMENTS

17.110.005 Requirements for Land Uses and Development

17.110.010 Exemptions from Land Use Permit Requirements

17.110.015 Temporary Uses

17.110.020 Additional Permits or Approvals

17.110.025 Conflicting Approvals

17.110.005 REQUIREMENTS FOR LAND USES AND DEVELOPMENT.

No land use or structure shall be established, constructed, reconstructed, altered, allowed, or replaced unless that land use or structure complies with the following requirements.

- A. Allowable Use.** The land use shall be identified by Chapters 17.210 (Residential Zoning Districts), 17.220 (Mixed Use Zoning Districts), 17.240 (Planned Development Zoning Districts), 17.250 (Special Purpose Zoning Districts) and 17.260 (Overlay Zones) as being allowable in the zoning district applied to the subject site.
- B. Permit Requirements.** Any land use permit required by this Title shall be obtained before the proposed use is constructed or otherwise established or put into operation, unless the proposed use is listed in § 17.110.010 (Exemptions from Land Uses and Development Approval Requirements). The land use permit requirements of this Title are established by Chapters 17.210 (Residential Zoning Districts), 17.220 (Mixed Use Zoning Districts), 17.240 (Planned Development Zoning Districts), 17.250 (Special Purpose Zoning Districts) and 17.260 (Overlay Zones).
- C. Development Standards.** Every land use and structure shall comply with all applicable requirements of this Title, including the development standards of Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards), and the provisions of Article 3 (Site Planning and General Development Standards) and Article 4 (Standards for Specific Land Uses). In addition, every land use and structure shall comply with all applicable requirements of any adopted Development Agreement, Comprehensive Plan, and Specific Plan.
- D. Conditions of Approval.** Every land use and structure shall comply with all applicable conditions imposed by the City as part of an approved land use permit.

- E. Development Agreement Provisions.** Every land use and structure shall comply with any applicable agreement related to the site which has been approved by the City or Redevelopment Agency, including but not limited to, an Owner-Participation Agreement, a Disposition and Development Agreement, or a Development Agreement.

(Ord. No. 2005-007 § 1 (part))

#### 17.110.010 EXEMPTIONS FROM LAND USE PERMIT REQUIREMENTS.

The land use permit requirements of this Title do not apply to any activity, land use, or structure identified by this Section.

- A. Exempt Activities, Land Uses and Structures.** The following activities, land uses, and structures are exempt from the land use permit requirements of this Title when in compliance with all applicable development standards of Article 2 (Zoning Districts, Allowable Land Uses and Zone Specific Standards), Article 3 (Site Planning and General Development Standards), and Article 4 (Standards for Specific Land Uses):

1. **Decks, paths and driveways.** Any deck, platform, and on-site path not required by the CCMC to have a building permit or grading permit, not more than 24 inches above natural grade, and not above any basement or story below.
2. **State or Federal governmental facilities.** Any facility and operation regulated by the State or Federal government on land owned or leased by a governmental agency, to the extent that exemption is required by State or Federal law.
3. **Culver City governmental facilities.** Any land or facility owned or operated by Culver City.
4. **Interior remodeling.** Any interior alteration that does not increase the number of rooms, bedrooms, or the gross floor area within a structure, or change or intensify the permitted use of that structure.
5. **Portable spas, hot tubs, and fish ponds.** Any portable spa, hot tub, fish pond, or similar installation as determined by the Director, that does not exceed: 120 square feet in total area, including related equipment; 2,000 gallons of water; and 3 feet in depth. These facilities shall comply with the setback requirements established by Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards) for the applicable zoning district, or Article 4 (Standards for Specific Land Uses).
6. **Repair and maintenance.** Repair and maintenance to other than a designated historic structure, if the work does not result in any change in the approved land use of the site or structure, or the addition to, enlargement or expansion of the structure, and if any exterior repair employs the same materials and design as the original.

7. **Small portable residential accessory structure.** Any portable storage shed, play equipment or other small structure in any residential zoning district, up to 120 square feet in total area, that is exempt from building permit requirements in compliance with the CCMC and Uniform Building Code. These structures shall comply with the setback requirements established by Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards) for the applicable zoning district, or Article 4 (Standards for Specific Land Uses).
8. **Solar collectors.** The addition of solar collection systems to the roof or sides of an existing structure, provided the collectors comply with the applicable height limit requirement.
9. **Utilities.** The construction, alteration, or maintenance by a public utility or public agency of any underground or overhead utilities. These include water, gas, electric, or telecommunication (excluding wireless communications facilities), supply or disposal system; including wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, utility boxes, traffic signals, and hydrants, but not including any structures, shall be permitted in any zoning district.

(Ord. No. 2005-007 § 1 (part))

#### 17.110.015 TEMPORARY USES.

Requirements for establishing a temporary use (seasonal sales lot, construction yards, special events, and temporary structures and the like) are set forth in Chapter 17.520 (Temporary Use and Special Event Permits).

(Ord. No. 2005-007 § 1 (part))

#### 17.110.020 ADDITIONAL PERMITS OR APPROVALS.

An allowed land use that is exempt from a land use permit, or has been granted a land use permit, may still be required to obtain other permits before the use is constructed, or otherwise established and put into operation. Nothing in this Chapter shall eliminate the need to obtain any permit or approval required by:

- A. Any other provision of the CCMC, including: subdivision approval, building permits, grading permits, other construction permits, encroachment permits, a business tax certificate or permit to operate, all as may be appropriate.
- B. Any special district, or any regional, State, or Federal agency.

All necessary permits shall be obtained before starting work or expanding or establishing a land use.

(Ord. No. 2005-007 § 1 (part))

#### 17.110.025 CONFLICTING APPROVALS.

All Departments, officials, or public employees vested with the authority or duty to issue licenses, zoning approvals, or permits where required by law shall conform to the provisions of this Title. A license or zoning approval for uses, structures, or purposes in conflict with the provisions of this Title shall not be issued. Any license, zoning approval, or permit issued in conflict with the provisions of this Title shall be deemed void.

(Ord. No. 2005-007 §1 (part))

### 17.120 INTERPRETATION OF ZONING CODE PROVISIONS

#### 17.120.005 Purpose

#### 17.120.010 Rules of Interpretation

#### 17.120.015 Procedures for Interpretations

#### 17.120.005 PURPOSE.

This Chapter provides rules for resolving questions about the meaning or applicability of any requirement of this Title. The rules provided in this Chapter are intended to ensure the consistent interpretation and application of the provisions of this Title.

(Ord. No. 2005-007 §1 (part))

#### 17.120.010 RULES OF INTERPRETATION.

- A. Authority.** The Director shall have the responsibility and authority to interpret the requirements of this Title.
- B. Language.**
  - 1. **Terminology.** When used in this Title, the words “shall,” “must,” “will,” “is to,” and “are to” are always mandatory. “Should” is not mandatory but is strongly recommended; and “may” is permissive. The present tense includes the past and future tenses; and the future tense includes the present. The singular number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise. The words “includes” and “including” shall mean “including but not limited to . . . .” The words “buildings and structures” are referred to as “structures.”
  - 2. **Common words use.** If not specifically defined herein, or the context otherwise requires, then words of common use shall be defined as found in standard dictionaries.
  - 3. **Number of days.** Whenever a number of days is specified in this Title, or in any permit, condition of approval, or notice issued or given as provided in this Title, the number of days shall be construed as calendar days, unless otherwise specified. Time limits will extend to the following working day where the last of the specified number of days falls on a weekend, a City-recognized holiday, or a day the City is not open for business.

4. **Minimum requirements.** When any regulation of this Title is being interpreted and applied, all provisions shall be considered to be minimum requirements, unless stated otherwise (such as height limits and site coverage requirements for structures, and the numbers and size of signs allowed are maximums, not minimums).
  5. **State law requirements.** Where this Title references provisions of State law (e.g., The California Government Code, Subdivision Map Act, Public Resources Code, and the like), the reference shall be construed to be the current State law provisions, as they may be amended from time to time.
  6. **Residential Zones.** Whenever this Title refers to “residential zones,” it shall mean properties in the R1, R2, RLD, RMD, RHD, and Residential PD zones.
- C. Calculations - Rounding.** Wherever this Title requires calculations to determine applicable requirements, any fractional results of the calculations shall be rounded to the next higher whole number when the fraction is 0.5 or more, and to the next lowest whole number when the fraction is less than 0.5. In the case of the number of dwelling units, numerical quantities that are fraction of whole numbers shall be rounded to the next higher whole number.
- D. Zoning Map Boundaries.** If there is uncertainty about the location of any zoning district boundary shown on the official Zoning Map, the following rules are to be used in resolving the uncertainty:
1. Where district boundaries approximately follow lot, alley, or street lines, the lot lines and street and alley centerlines shall be construed as the district boundaries;
  2. If a district boundary divides a parcel, and the boundary line location is not specified by distances printed on the zoning map, the location of the boundary will be determined by the scale on the zoning map; and
  3. Where a public street or alley, railroad, or utility right-of-way is officially vacated or abandoned, the property that was formerly in the right-of-way will be included within the zoning district of the adjoining property on either side of the centerline of the vacated or abandoned right-of-way or easement.
- E. Allowable Uses of Land.** If a proposed use of land is not specifically listed in Chapters 17.210 (Residential Zoning Districts), 17.220 (Mixed Use Zoning Districts), 17.240 (Planned Development Zoning Districts), 17.250 (Special Purpose Zoning Districts) and 17.260 (Overlay Zones), the use shall not be allowed, except as follows.
1. **Similar uses allowed.** The Director may determine that a proposed use not listed in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) is allowable if all of the following findings are made:

- a. The proposed use will be consistent with the goals, objectives and policies of the General Plan and any applicable Specific Plan; and
  - b. The characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the uses listed in the zoning district as allowable, and are not more destructive, detrimental or intensive than the uses listed in the district; and
  - c. The proposed use will meet the purpose and intent of the zoning district that is applied to the site.
2. **Applicable standards and permit requirements.** When the Director determines that a proposed use not listed in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Title apply.
  3. **Board of Zoning Adjustment determination.** The Director may forward questions about equivalent uses directly to the Board for a determination in compliance with § 3.03.235 (Board of Zoning Adjustment) of the CCMC.

**F. Conflicting Requirements:**

1. **Municipal Code provisions.** If conflicts occur between the requirements of this Title and other regulations of the City, then the most restrictive shall control.
2. **Zoning Code provisions.** If conflicts occur between the provisions within this Title, the most restrictive requirement shall control; except in the case of any conflict between the regulations in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) and Article 3 (Site Planning and General Development Standards), Article 3 shall control.
3. **Development Agreements or Specific Plans.** When conflicts occur between the requirements of this Title and standards adopted as part of any Development Agreement or Specific Plan, the requirements of the Development Agreement or Specific Plan shall control.
4. **Private Agreements.** This Title applies to all land uses and development, regardless of whether it imposes a greater or lesser restriction on the development or use of structures or land than a private agreement or restriction, without affecting the applicability of any agreement or restriction. The City shall not enforce any covenant or agreement unless the City is a party to the covenant or agreement.

(Ord. No. 2005-007 § 1 (part))

**17.120.015 PROCEDURES FOR INTERPRETATIONS.**

At the written request of any interested person, or at the Director's discretion, the Director may determine the meaning or applicability of any requirement of this Title and may issue an official interpretation.

- A. Request for Interpretation.** A request shall be written that specifically states the provision(s) in question and provides any information to assist in the review.

**B. Record of Interpretations.** Official interpretations shall be:

1. In writing, and shall quote the provisions of this Title being interpreted, and explain their meaning or applicability in the particular or general circumstances that caused the need for interpretation; and
2. Distributed to the Council, Commission, City Attorney, City Clerk, and all pertinent staff.

Any provision of this Title determined by the Director to need refinement or revision should be corrected by amending this Title as soon as is practical. Until amendments can occur, the Director will maintain a complete record of all official interpretations, available for public review, and indexed by the number of the Section being interpreted.

**C. Appeals and Referral.** Any interpretation of this Title by the Director may be appealed to the Board as provided by § 3.03.235 (Board of Zoning Adjustment) of the CCMC. The Director may also refer any interpretation to the Board for a determination.

(Ord. No. 2005-007 § 1 (part))

# Title 17. Zoning

## Article 2. ZONING DISTRICTS, ALLOWABLE LAND USES, AND ZONE-SPECIFIC STANDARDS

### 17.200 ESTABLISHMENT OF ZONING DISTRICTS, ADOPTION OF ZONING MAP

- 17.200.005 Purpose
- 17.200.010 Zoning Districts Established
- 17.200.015 Zoning Map adopted
- 17.200.020 Zoning District Regulations

### 17.210 RESIDENTIAL ZONING DISTRICTS

- 17.210.005 Purpose
- 17.210.010 Purpose of Residential Zoning Districts
- 17.210.015 Residential Zoning District Land Uses and Permit Requirements
- 17.210.020 Residential Zoning Districts Development Standards

### 17.220 MIXED USE ZONING DISTRICTS

- 17.220.005 Purpose
  - 17.220.010 Purpose of Mixed Use Zoning Districts
  - 17.220.015 Mixed Use District Land Uses and Permit Requirements
  - 17.220.020 Mixed Use District Development Standards
  - 17.220.025 Mixed Use Performance Standards
  - 17.220.030 Supplemental Standards for Mixed Use Development
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### 17.230 RESERVED

### 17.240 PLANNED DEVELOPMENT (PD) ZONING DISTRICTS

- 17.240.005 Purpose
- 17.240.010 Purpose of Planned Development (PD) Zoning Districts

17.240.015 Planned Development (PD) District Requirements

17.240.020 Established Planned Development (PD) Districts

17.250 SPECIAL PURPOSE ZONING DISTRICTS

17.250.005 Purpose

17.250.010 Purposes of Special Purpose Zoning Districts

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17.260 OVERLAY ZONES

17.260.005 Purpose

17.260.010 Applicability of Overlay Zones

17.260.015 Residential Zero Setback Overlay (-RZ)

17.260.020 [Reserved]

17.260.025 Redevelopment Project Area Overlay (-RP)

17.260.030 Civic Center Overlay (-CV)

17.260.035 [Reserved]

17.260.040 Residential Hillside Overlay (-RH)

17.200 ESTABLISHMENT OF ZONING DISTRICTS, ADOPTION OF ZONING MAP

17.200.005 Purpose

17.200.010 Zoning Districts Established

17.200.015 Zoning Map adopted

17.200.020 Zoning District Regulations

17.200.005 PURPOSE.

This Chapter establishes the zoning districts applied to property within the City, determines how the zoning districts are applied on the Zoning Map, and provides general permit requirements for development and land uses.

(Ord. No. 2005-007 § 1 (part))

17.200.010 ZONING DISTRICTS ESTABLISHED.

Culver City shall be divided into zoning districts which implement the General Plan. The zoning districts described in Table 2-1 (Zoning Districts) are hereby established and shall be shown on the official Zoning Map adopted (Section 17.200.015).

Table 2-1. Zoning Districts

Zoning Map Symbol	Zoning District Name	General Plan Land Use Classification Implemented by Zoning District	Chapter
<b>Residential Zoning Districts</b>			Chapter 17.210
R1	Single-Family Residential	Single Family	
R2	Two-Family Residential	Two Family	
RLD	Low Density Multiple-Family Residential	Low Density Multifamily	
RMD	Medium Density Multiple-Family Residential	Medium Density Multifamily	
RHD	High Density Multiple-Family Residential	High Density Multifamily	
<b>Mixed Use Zoning Districts</b>			Chapter 17.220
MU-N	Mixed Use Neighborhood	Mixed Use Corridor 1	
MU-1	Mixed Use Corridor 1	Mixed Use Corridor 1	
MU-2	Mixed Use Corridor 2	Mixed Use Corridor 2	
MU-DT	Mixed Use Downtown	Mixed Use Medium	
MU-MD	Mixed Use Medium	Mixed Use Medium	
MU-HD	Mixed Use High	Mixed Use High	
MU-I	Mixed Use Industrial	Mixed Use Industrial	
<b>Special Purpose Zoning Districts</b>			Chapter 17.250
S	Studio	Studio	
E	Cemetery	Cemetery	
I	Institutional	Institutional	
OS	Open Space	Open Space	
T	Transportation	Transportation	
PD	Planned Development	Various	
<b>Overlay Zones</b>			Chapter 17.260
-RZ	Residential Zero Setback Overlay		
-RP	Redevelopment Project Area Overlay		

Zoning Map Symbol	Zoning District Name	General Plan Land Use Classification Implemented by Zoning District	Chapter
-CV	Civic Center Overlay		
-RH	Residential Hillside Overlay		

(Ord. No. 2005-007 § 1 (part); Ord. No. 2020-010)

17.200.015 ZONING MAP ADOPTED.

The official Culver City Zoning Map (hereafter referred to as the “Zoning Map”) has been adopted by the Council and is on file with the Division.

- A. **Inclusion by Reference.** The Zoning Map, together with all legends, symbols, notations, references, zoning district boundaries, and other information on the maps has been adopted by the Council in compliance with Cal. Gov’t Code Section 65800 et seq., and is hereby incorporated into this Title by reference as though it were fully included here.
- B. **Zoning District Boundaries.** The boundaries of the zoning districts established by Section 17.200.010 (Zoning Districts Established) shall be shown upon the Zoning Map.
- C. **Relationship to General Plan.** The Zoning Map shall implement the General Plan.
- D. **Map Amendments.** Amendments to the Zoning Map shall follow the process established in Chapter 17.620 (General Plan, Zoning Map and Zoning Code Amendments).
- E. **Zoning Map Interpretation.** The Zoning Map shall be interpreted in compliance with Subsection 17.120.010.D. (Zoning Map Boundaries).
- F. **Zoning upon Annexation.** All property not pre-zoned by the Council prior to annexation shall be designated in the R1 (Single-Family Residential) Zoning District upon annexation.

(Ord. No. 2005-007 § 1 (part))

17.200.020 ZONING DISTRICT REGULATIONS.

- A. **Purpose.** Chapters 17.210 (Residential Zoning Districts) through Chapter 17.260 (Overlay Zones) determine which land uses are allowed in each zoning district, what steps are required to establish each use, and the basic development standards that apply.
- B. **Determination of Allowable Land Uses and Permit Requirements.** The land uses allowed by this Title in each zoning district are identified in Tables 2-2 and 2-6 of this Chapter as being:
  1. Permitted subject to compliance with all applicable provisions of this Title, subject to first obtaining a Zoning Clearance (Chapter 17.510), and any construction permit or other permit required by the CCMC. These are shown as “P” uses in the tables;
  2. Allowed subject to the approval of an Administrative Use Permit (Chapter 17.530), and shown as “AUP” uses in the tables; and
  3. Allowed subject to the approval of a Conditional Use Permit (Chapter 17.530), and shown as “CUP” uses in the tables.

Pursuant to Section 17.120.010 (Rules of Interpretation), the Director is assigned the responsibility and authority to interpret the requirements of this Title. Land uses that are not listed in the tables or are not shown in a particular zoning district are not allowed, except where otherwise provided by Section 17.110.010 (Exemptions from Land Use Permit Requirements).

- C. **Indoor Uses Only.** All commercial and industrial activities, other than off-street parking, shall be conducted entirely within an enclosed structure(s), except as may otherwise be allowed in compliance with this Title.
- D. **Site Divided by Zoning District Boundary.** Where a site is divided by one or more district boundaries, each portion of the site in a separate district shall be developed and used in compliance with the requirements of the applicable district.
- E. **Conflicts between Provisions:**
  - 1. In the event of any conflict between the zoning district regulations of this Article and the provisions of Article 3 (Site Planning and General Development Standards), the provisions of Article 3 shall control; and
  - 2. Rules for resolving conflict between the requirements of this Title may be found in Subsection 17.120.010.F. (Conflicting Requirements).

(Ord. No. 2005-007 § 1 (part))

17.210 RESIDENTIAL ZONING DISTRICTS

Section

- 17.210.005 Purpose
- 17.210.010 Purpose of Residential Zoning Districts
- 17.210.015 Residential Zoning District Land Uses and Permit Requirements
- 17.210.020 Residential Zoning Districts Development Standards

17.210.005 PURPOSE.

This Chapter provides residential development and use regulations in the residential zoning districts established by Section 17.200.010 (Zoning Districts Established).

(Ord. No. 2005-007 § 1 (part))

17.210.010 PURPOSE OF RESIDENTIAL ZONING DISTRICTS.

The purpose of the individual residential zoning districts, and the manner in which they are applied, are as follows.

- A. **R1 (Single-Family Residential) District.** The R1 Zoning District identifies areas characterized by single-family dwellings. The standards of the R1 District are intended to protect the existing density and maintain the character of single-family residential neighborhoods. The R1 Zoning District is consistent with the Single Family land use designation of the General Plan.
- B. **R2 (Two-Family Residential) District.** The R2 Zoning District identifies areas characterized by single-family dwellings and duplexes. The R2 standards are intended to maintain the character of existing neighborhoods, while allowing the opportunity for two-family residential development. The R2 Zoning District is consistent with the Two Family land use designation of the General Plan.
- C. **RLD (Low Density Multiple-Family Residential) District.** The RLD Zoning District identifies areas characterized by triplexes, fourplexes, townhouses, and other low density multiple-family dwellings. The standards of the RLD District are intended to ensure that new development is compatible with the character of existing neighborhoods. The RLD Zoning District is consistent with the Low Density Multifamily land use designation of the General Plan.
- D. **RMD (Medium Density Multiple-Family Residential) District.** The RMD Zoning District identifies areas characterized by medium density multiple-family dwellings. The standards of the RMD District are intended to provide opportunities for the construction of medium density multiple-family housing. The RMD Zoning District is consistent with the Medium Density Multifamily land use designation of the General Plan.
- E. **RHD (High Density Multiple-Family Residential) District.** The RHD Zoning District identifies areas characterized by existing large-scale, multiple-family residential complexes. The standards of the RHD Zoning District are intended to ensure that new high density residential projects are compatible with the character of existing large-scale, multiple-family development. The RHD

Zoning District is consistent with the High Density Multifamily land use designation of the General Plan.

(Ord. No. 2005-007 § 1 (part))

**17.210.015 RESIDENTIAL ZONING DISTRICT LAND USES AND PERMIT REQUIREMENTS.**

A. **General Requirements.** Table 2-2 (Allowed Uses and Permit Requirements for Residential Zoning Districts) identifies the uses of land allowed by this Zoning Code in each residential zoning district, and the land use permit required to establish each use, in compliance with Subsection 17.200.020.B. (Determination of Allowable Land Uses and Permit Requirements).

**Note:** Where the last column in the tables (Additional Regulations and Specific Use Regulations) includes a note or section number, the regulations in that note and/or the referenced section apply to the use; however, provisions in other sections of this Title may also apply.

**Table 2-2 Allowed Uses and Permit Requirements for Residential Zoning Districts**

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					
LAND USE	PERMIT REQUIREMENT BY DISTRICT					Additional Regulations and Specific Use Regulations	
	R1	R2	RLD	RMD	RHD		
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY</b>							
Arcade	-	-	-	-	-		
Clubs, lodges, and private meeting halls	-	-	-	-	-		
Community garden	P	P	P	P	P		
Indoor commercial recreation	-	-	-	-	-		
Event centers	-	-	-	-	-		
Health/fitness facilities	-	-	-	-	-		
Outdoor commercial recreation	-	-	-	-	-		
Public recreational and cultural facilities	P	P	P	P	P		
Private residential recreational facilities	-	-	P	P	P		
Public Schools - Kindergarten to 12th grade	P	P	P	P	P		
Private schools - Kindergarten to 12th grade	CUP (1)	CUP (1)	CUP	CUP	CUP	(1) Use only allowed on a site declared surplus by the Culver City Unified School District.	
College/university/trade school	-	-	-	-	-		
Religious places of worship	CUP	CUP	CUP	CUP	CUP		
Studios - Art, dance, music, photography, and the like	-	-	-	-	-		
Theatres	-	-	-	-	-		
<b>RESIDENTIAL</b>							

LAND USE	PERMIT REQUIREMENT BY DISTRICT					Additional Regulations and Specific Use Regulations
	R1	R2	RLD	RMD	RHD	
TABLE 2-2 Allowed Uses and Permit Requirements for Residential Zoning Districts	P	P	P	P	P	
	CUP	CUP	CUP	CUP	CUP	
	AUP	AUP	AUP	AUP	AUP	
	-	-	-	-	-	
Accessory dwelling units and junior accessory dwelling units	P	P	P	P	P	See Section 17.400.095 (Residential Uses - Accessory Dwelling units)
Accessory residential structures and uses	P	P	P	P	P	See Section 17.400.100 (Residential Uses - Accessory Residential Structures)
Child day care - Large family day care homes	P	P	P	P	P	
Child day care - Small family day care homes	P	P	P	P	P	
Cottage food operation (accessory)	P	P	P	P	P	Cottage Food Operations are allowed pursuant to Section 113758 of the California Health and Safety Code. For guidelines and regulations, go to the LA County Public Health Department <a href="#">website</a> .
Two-family dwelling/duplex	-	P	P	- (2)	- (2)	(2) Existing two-family dwellings/duplexes as of X (date of ordinance) in the RMD and RHD zones shall be considered a conforming use, unless the structure is fully demolished. See also Section 17.610.010.G (Single-Family or Two-Family Dwellings in RMD and RHD Zoning Districts).
Home occupations	P	P	P	P	P	See Section 17.400.055 (Home Occupations)
Live/work units	-	-	-	-	-	
Mixed use projects	-	-	-	-	-	
Multiple-family dwelling (4+ units)	-	-	P	P	P	See also Section 17.400.040 (Condominium Conversions)
Residential care facilities, 6 or fewer clients	P	P	P	P	P	
Residential care facilities, 7 or more clients	CUP	CUP	CUP	CUP	CUP	
Senior citizen congregate care housing	-	-	CUP	CUP	CUP	
Single-family dwellings	P	P	P	- (3)	- (3)	(3) Existing single-family dwellings as of X (date of ordinance) in the RMD and RHD zones shall be considered a conforming use, unless the structure is fully demolished. See also Section 17.610.010.G (Single-Family or Two-Family Dwellings in RMD and RHD Zoning Districts).
Single room occupancy units	-	-	-	-	-	

LAND USE	PERMIT REQUIREMENT BY DISTRICT					Additional Regulations and Specific Use Regulations
	R1	R2	RLD	RMD	RHD	
Supportive housing	P	P	P	P	P	Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
Transitional housing	P	P	P	P	P	Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
Triplex	-	-	P	P	P	
<b>SERVICE</b>						
Adult day care facilities	CUP	CUP	CUP	CUP	CUP	
Animal boarding and kennels	-	-	-	-	-	
Automated teller machines (ATMs)	-	-	-	-	-	
Banks and financial services	-	-	-	-	-	
Business and consumer support services	-	-	-	-	-	
Check-cashing businesses	-	-	-	-	-	
Child day care centers	-	-	CUP	CUP	CUP	
Commercial kitchens	-	-	-	-	-	
Construction contractors, no outdoor storage	-	-	-	-	-	
Contractor's storage yard	-	-	-	-	-	
Drive-thru facilities or services	-	-	-	-	-	
Emergency shelters	-	-	-	-	-	
Hotels and motels	-	-	-	-	-	
Hotels and motels (extended stay)	-	-	-	-	-	
Medical services - Offices/clinics	-	-	-	-	-	
Medical services - Labs	-	-	-	-	-	
Medical services - Hospitals	-	-	-	-	-	
Mortuaries and funeral homes	-	-	-	-	-	
Offices	-	-	-	-	-	
Personal services	-	-	-	-	-	
Pet day care	-	-	-	-	-	
Public facilities	P	P	P	P	P	
Public utility facilities	CUP	CUP	CUP	CUP	CUP	
Storage, Personal storage facility	-	-	-	-	-	
Storage, outdoor (accessory)	-	-	-	-	-	
Storage, warehouse	-	-	-	-	-	
Vehicle services - Accessories installation	-	-	-	-	-	
Vehicle services - Car washes	-	-	-	-	-	
Vehicle services - Fueling stations	-	-	-	-	-	

LAND USE	PERMIT REQUIREMENT BY DISTRICT					Additional Regulations and Specific Use Regulations
	R1	R2	RLD	RMD	RHD	
Vehicle services - EV Charging Stations	-	-	-	-	-	
Vehicle services – Fueling/charging, incidental repair	-	-	-	-	-	
Vehicle services - Impounding/storage	-	-	-	-	-	
Vehicle services - Maintenance/repair	-	-	-	-	-	
Vehicle services - Paint/body	-	-	-	-	-	
Vehicle services - Towing, no storage	-	-	-	-	-	
Veterinary clinics	-	-	-	-	-	
Animal hospital	-	-	-	-	-	
<b>TRANSPORTATION &amp; COMMUNICATIONS</b>						
Broadcast studios	-	-	-	-	-	
Heliports	-	-	-	-	-	
Parking facilities	-	-	-	-	-	
Telecommunications facilities, cellular	CUP	CUP	CUP	CUP	CUP	See Section 17.400.110 (Telecommunications Facilities). Use only allowed on a site owned and controlled by the City or other governmental agency.
Telecommunications facilities, dish/wireless antenna	See Section 17.400.110 for permit requirements					

- B. Cultivation.** No person or entity may cultivate cannabis at any location in the city, except as provided for in Chapter 11.17 pertaining to commercial cultivation, and except that a person may cultivate no more than 6 living cannabis plants on the grounds of his or her private residence, inside the private residence, including inside an accessory structure to his or her private residence located upon the grounds of that private residence that is fully enclosed and secured against unauthorized entry, provided that the following conditions are met:
1. The owner of the property provides written consent expressly allowing the cannabis cultivation to occur;
  2. The person conducting the cannabis cultivation complies with all applicable requirements set forth in Title 17 of this Code;
  3. Cannabis cultivation lighting shall not exceed 1200 watts;
  4. There is no use of gas products (CO<sub>2</sub>, butane, propane, natural gas, etc.) on the property for purposes of cannabis cultivation that occurs inside a private residence or an accessory structure to a private residence;
  5. The private residence shall maintain kitchen, bathrooms, and primary bedrooms for their intended use, and shall not use those areas for cannabis cultivation;

- 6. Adverse impacts of cannabis cultivation shall be mitigated so that a public nuisance, as defined by Civil Code section 3480, does not exist, including but not limited to adverse impacts of dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or the use or storage of hazardous materials, processes, products, or wastes; and
- 7. The cannabis cultivation complies with Health and Safety Code section 11362.2.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 1 (part); Ord. No. 2014-007 § 2 (part); Ord. No. 2017-007 § 2 (part); Ord. No. 2017-019 § 2 (part); Ord. 2018-015 § 2 (part); Ord. No. 2020-013 § 2 (part); Ord. No. 2021-012 § 3 (part))

**17.210.020 RESIDENTIAL ZONING DISTRICTS DEVELOPMENT STANDARDS.**

A. **General Requirements.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the R1 and R2 zones shall conform to the requirements in Table 2-3 (Residential Districts Development Standards (R1, R2)). Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the RLD, RMD and RHD zones shall conform to the requirements in Table 2-4 (Residential District Development Standards (RLD, RMD, RHD)). In addition, the applicable development standards in Article 3 (Site Planning and General Development Standards) apply to all residential zoning districts. Table 2-5 (Supplemental Standards for Townhouse Developments) shall apply to townhouse developments in RLD and RMD zones.

**Table 2-3 Residential District Development Standards (R1, R2)**

RESIDENTIAL ZONES (R1, R2)			
Standards	R1	R2	Additional Regulations
<b>Lot and Density Standards</b>			
Maximum residential density	8.7 units/gross acre, maximum 1 unit per parcel	17.4 units/acre, maximum 2 units per parcel	
Maximum dwelling size	0.45 Floor Area Ratio	1,500 square feet plus 40% of gross lot area for parcels less than 8,000 square feet; 60% of gross lot area for parcels 8,000 square feet or more.	See Section 17.400.095 for exceptions for Accessory Dwelling Units.
Minimum dwelling size	1,000 square feet on the ground floor	1,000 square feet for a single-family unit; 750 square feet/unit in a duplex	

RESIDENTIAL ZONES (R1, R2)			
Standards	R1	R2	Additional Regulations
Minimum lot size (for new lots)	5,000 square feet		Condominium, townhouse, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of this Chapter.
Minimum lot width (for new lots)	40 feet	40 feet	
Minimum lot depth (for new lots)	100 feet	100 feet	
<b>Building Form and Location</b>			
Maximum height - primary structure	Flat roofs – 27 feet; Sloped roof – 30 feet	30 feet	Sloped roofs equal to or greater than a 3:12 sloped; flat roofs less than 3:12.  See Section 17.300.025, for standards for Height Measurement and Height Limit Exceptions.
Maximum height - accessory building	See Section 17.400.095 (Residential Uses - Accessory Dwelling Units) See Section 17.400.100 (Residential Uses - Accessory Residential Structures)		
Minimum distance between structures	5 feet between accessory residential structures and accessory dwelling units; 5 feet between primary dwelling units and accessory residential structures and accessory dwelling units; 8 feet between detached dwelling units.		
<b>Lot Setbacks - Minimums (feet)</b>			
Front	Single story structures -20 feet Two story structures - 20 feet; 25 feet for second story, as defined by this Title, or any roof or portion of a roof, parapet wall, or front yard-facing facade that exceeds a height of 18 feet	15 feet	
Street Side (corner lots)	5 feet single story structures 5 feet - two story structures; plus minimum 5 feet stepback for second floor 10 feet - two story structures without minimum 5 feet second floor stepback	4 feet	
Interior Side	5 feet minimum No structure shall encroach upon a 1:1 upward- and inward-	4 feet	

RESIDENTIAL ZONES (R1, R2)			
Standards	R1	R2	Additional Regulations
	inclining setback plane starting from 18 feet above any interior side lot line		
Rear	15 feet	10 feet	
<b>Open Space</b>			
Roof deck	Rooftop decks shall be set back 5 feet from the building edge along an interior side yard adjacent to a residential zoned property		A permanent, built-in landscape planter with vegetation shall be located within the required setback area to screen views of the deck from neighboring properties. Rooftop decks which are located in a roof well are not required to include a landscape planter.
Open space	Minimum area of a site to remain uncovered by structures, in compliance with Section 17.400.100 (Residential Uses - Accessory Residential Structures)		
<i>Private</i>	None required other than setbacks		
<i>Common</i>	None required		
Maximum front yard paving	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) (e.g., to provide a standard 16-foot, double-wide driveway for a two-car garage within the 20-foot front setback area).  In addition to any required driveway paving, 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 the driveway, the maximum width of the connection to the driveway shall not exceed 4 feet.		See Chapter 17.310 (Landscaping) for additional regulations.
<b>Other Standards</b>	<b>See CCMC Article 3</b>		

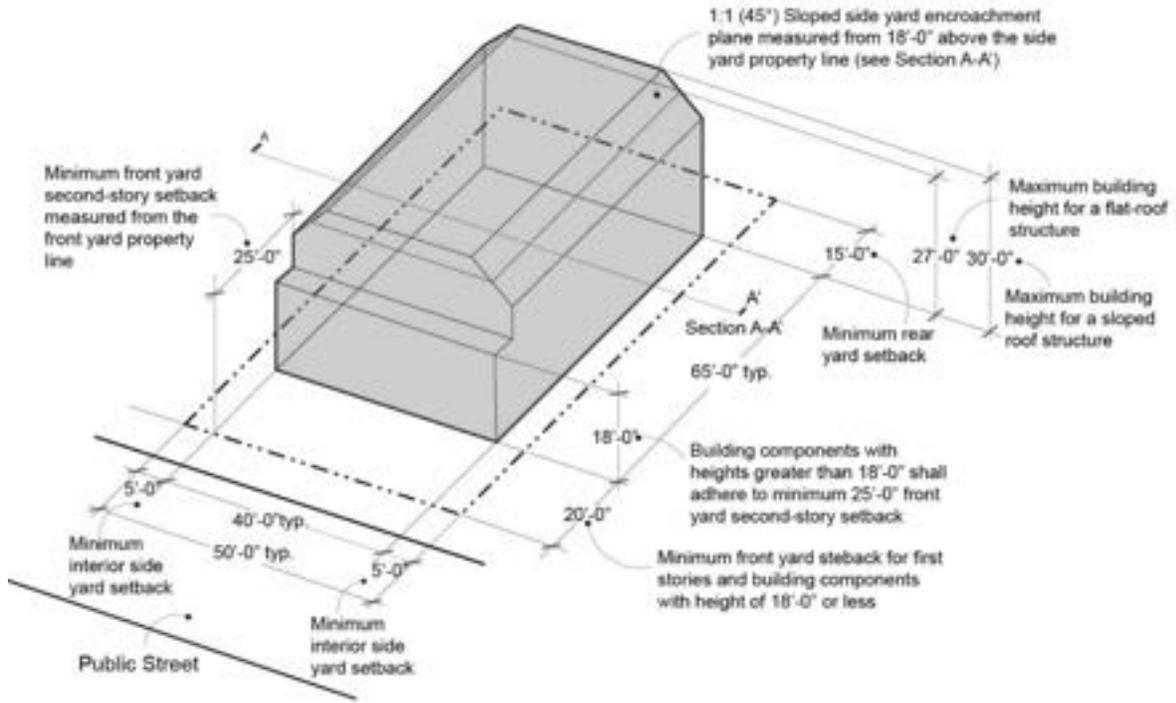
**Table 2-4 Residential District Development Standards (RLD, RMD, RHD)**

RESIDENTIAL ZONES (RLD, RMD, RHD)				
STANDARDS	RLD	RMD	RHD	Additional Regulations
<b>Lot and Density Standards</b>				
Maximum residential density (units/gross acre)	35 units/acre	50 units/acre	70 units/acre	
Minimum density	N/A	20 units/acre	30 units/acre	For lots smaller than 5000 square feet, minimum number of units shall be three.
Minimum lot area	5,000 square feet	5,000 square feet	20,000 square feet	Condominium, townhouse, or planned development projects may be subdivided with smaller parcel sizes for ownership

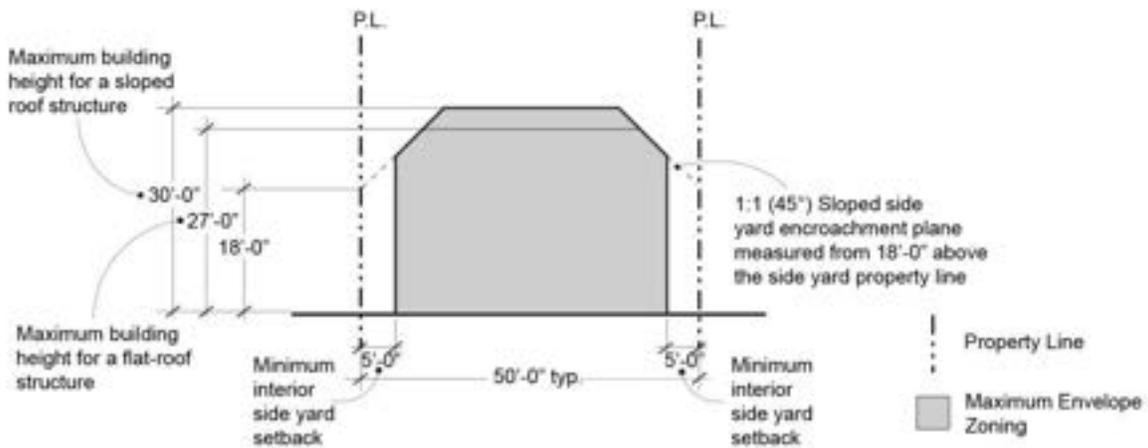
<b>RESIDENTIAL ZONES (RLD, RMD, RHD)</b>				
<b>STANDARDS</b>	<b>RLD</b>	<b>RMD</b>	<b>RHD</b>	<b>Additional Regulations</b>
				purposes, with the minimum lot area as provided in the Supplemental Standards for Townhouse Developments in Section 17.210.025 or as determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of this Chapter.
Minimum lot width	50 feet	50 feet	100 feet	
Minimum lot depth	100 feet	100 feet	100 feet	
<b>Building Form and Location</b>				
Maximum height - primary building	32 feet	43 feet	53 feet	For standards for Height Measurement and Height Limit Exceptions, see Section 17.300.025.
Maximum height - accessory residential structures	See Section 17.400.095 Residential Uses - Accessory Dwelling Units See Section 17.400.100 Residential Uses- Accessory Residential Structures			
Height Stepbacks adjacent to R1 and R2 zones	N/A	When a building has a rear and/or interior side property line directly abutting an R1 or R2 parcel, starting above 30 feet or two stories (whichever is less), the subsequent floor(s) shall be stepped back 15 feet	When a building has a rear and/or interior side property line directly abutting an R1 or R2 parcel, starting above 30 feet or two stories (whichever is less), the next two floors shall be stepped back 15 feet and any floor(s) above that shall be stepped back an additional 5 feet	See Figure 2-3 (Neighborhood Transitions)
Minimum distance between structures	5 feet between accessory residential structures, and accessory dwelling units; 5 feet between primary dwelling units and accessory residential structures and accessory dwelling units; 5 feet between detached dwelling units.	5 feet between accessory residential structures, and accessory dwelling units; 5 feet between primary structures and accessory residential structures and accessory dwelling units; 10 feet between primary structures.		
<b>Setbacks</b>				
Front - minimum	10 feet	10 feet	10 feet	
Street side - minimum	10 feet	5 feet	10 feet	
Interior side - minimum	5 feet	5 feet; 10 feet abutting R1 and R2 zoned property if over 30 feet in height	10 feet	

<b>RESIDENTIAL ZONES (RLD, RMD, RHD)</b>				
<b>STANDARDS</b>	<b>RLD</b>	<b>RMD</b>	<b>RHD</b>	<b>Additional Regulations</b>
Rear - minimum	10 feet	15 feet, 20 feet abutting R1 and R2 zoned property if over 30 feet in height		One half (1/2) the width of an alley may be credited toward the setback requirement for properties adjacent to R1 and R2 zones.
<b>Garage/Parking Frontage</b>				
Maximum parking along primary frontage	NA	30%	30%	Applies to new development. No more than 30% of the primary street frontage shall be devoted to parking garages and openings, carports, and open/surface parking. This limitation does not apply to frontages along alleys. See Figure 2-4 (Maximum Parking Frontage).
<b>Open Space Standards</b>				
Minimum usable open space	150 square feet total per unit, of which 60 square feet must be private	150 square feet total per unit; a minimum of 50% of the units must have 60 square feet of private open space (A)	100 square feet total per unit; a minimum of 50% of the units must have 60 square feet of private open space (A)	See additional regulations in Section 17.210.030 (Supplemental Standards for Multiple-Family Residential)  (A) Up to 40% of required common open space may be an indoor common space such as a community room as long as it is adjacent to an outdoor common space.
Maximum front yard paving	No more than 45% of the total area of the front yard setback shall be paved for walkways, driveways, and other hardcover pavement (Townhouses are excluded - see Supplemental Standards for Townhouse Developments in Section 17.210.025)			See Chapter 17.310 (Landscaping) for additional regulations.
<b>Other Standards</b>	<b>See CCMC Article 3</b>			

Figure 2-1 Maximum Envelope – Zoning



AXONOMETRIC VIEW: Maximum Envelope - Zoning



SECTION A-A\*: Maximum Envelope - Zoning

\* The 1:1 (45°) upward- and inward-inclining plane constraining placement of roof-mounted and upper-story mechanical equipment and structures housing mechanical equipment is not illustrated in this Figure. Refer to Figure 2-C (1:1 Allowable Placement for Roof-Mounted and upper-Story Mechanical Equipment)

Figure 2-2 R1 Development Standards (Flat Roof and Sloping Roof)

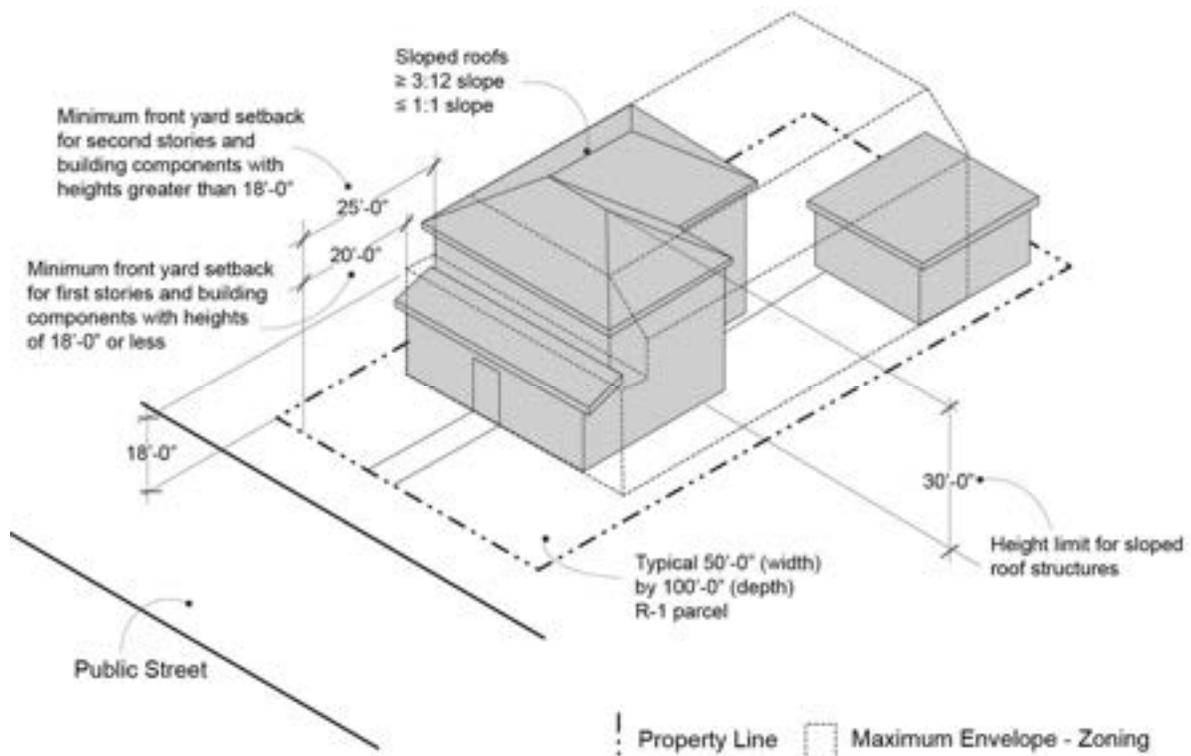
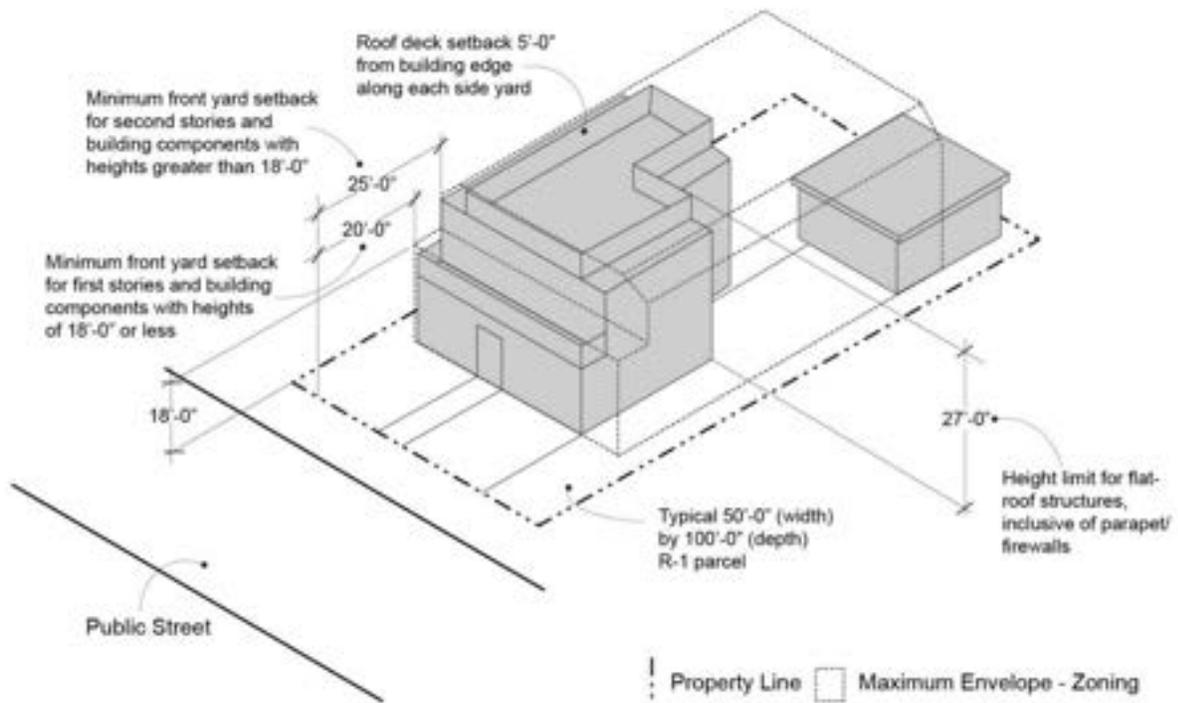
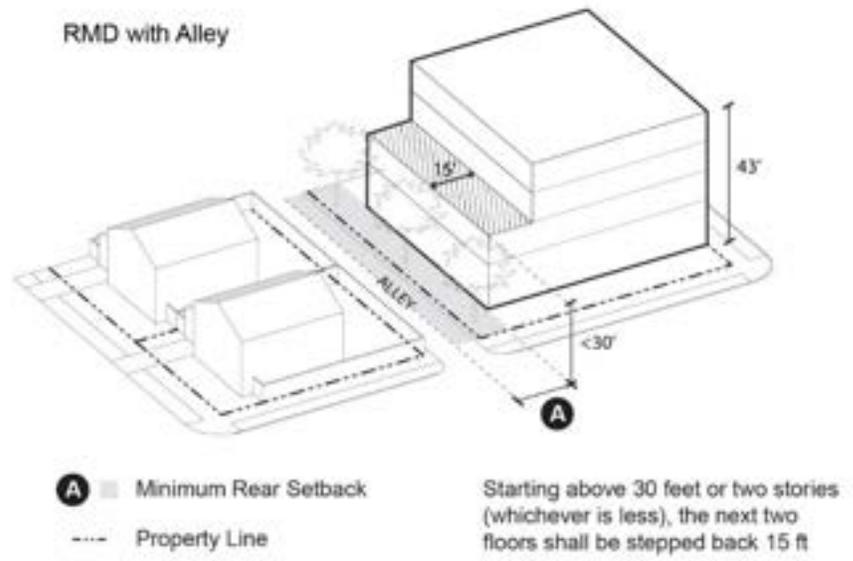
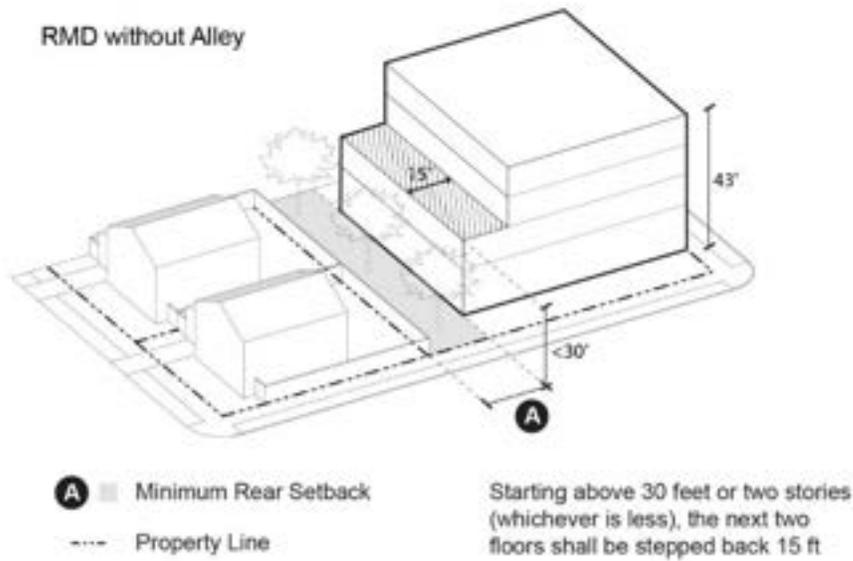
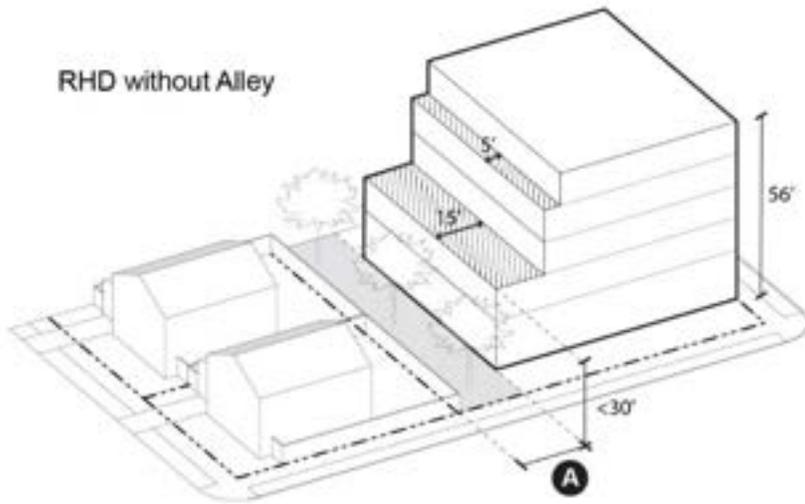


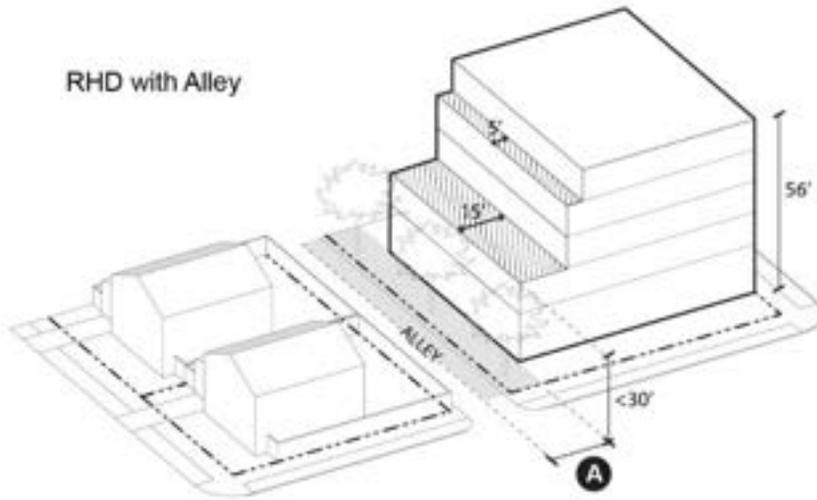
Figure 2-3 Neighborhood Transitions





- A** Minimum Rear Setback
- Property Line

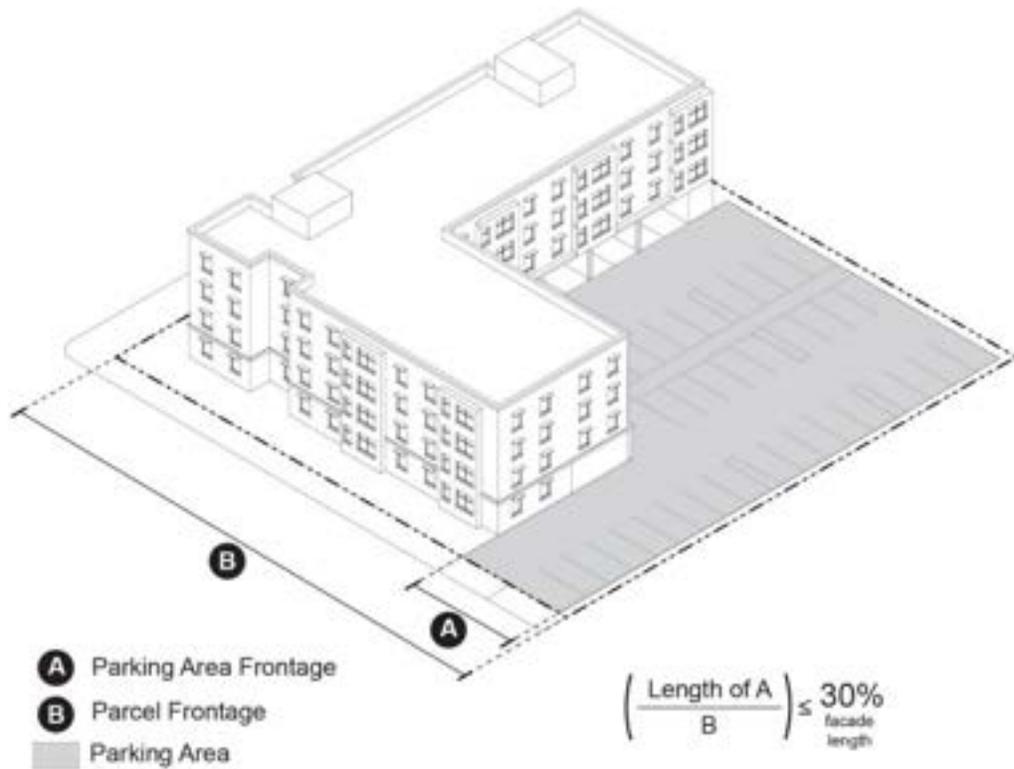
Starting above 30 feet or two stories (whichever is less), the next two floors shall be stepped back 15 ft and any floor(s) above that shall be stepped back an additional 5 ft



- A** Minimum Rear Setback
- Property Line

Starting above 30 feet or two stories (whichever is less), the next two floors shall be stepped back 15 ft and any floor(s) above that shall be stepped back an additional 5 ft

Figure 2-4 Maximum Parking Frontage



(Ord. No. 2005-007 § 1 (part); Ord. No. 2016-001 § 2 (part); Ord. No. 2020-003 § 2 (part); Ord. No. 2020-010; Ord. No. 2020-013 § 2 (part); Ord. No. 2021-012 § 3 (part); Ord. No. 2022-008)

### 17.210.025 SUPPLEMENTAL STANDARDS FOR TOWNHOUSE DEVELOPMENTS

This section provides development standards specific to townhouse developments which are permitted in RLD, RMD, and all mixed use zoning districts. Townhouses shall conform to the requirements in Table 2-5. These standards are in addition to and supersede the base standards for the RLD, RMD, and all mixed use zoning districts, except where there is a conflict, in which case the standards in Table 2-5 supersede those in Table 2-4, Table 2-7, and Table 2-8.

Table 2-5 Supplemental Standards for Townhouse Developments

TOWNHOUSE DEVELOPMENT STANDARDS		
	STANDARD	Additional Regulations
<b>Lot and Density Standards</b>		
Minimum net lot size per dwelling unit (for new lots)	900 square feet	

TOWNHOUSE DEVELOPMENT STANDARDS		
	STANDARD	Additional Regulations
Minimum lot width per dwelling unit (for new lots)	20 feet; 30 feet for corner and reverse corner lots	Attached Single-Family Homes/Townhouses: A minimum lot width of 30 to 40 feet may be necessary for townhouses with double loaded attached garages in front, and to comply with parking location and design requirements. Minimum lot width may be reduced to 20 feet if garages are single-car wide, detached and/or accessed from an alley.
<b>Lot Setbacks - Minimum (feet)</b>		
Front	5 feet	
Street side (corner lots)	5 feet	
Interior side when abutting a townhouse within the same townhouse development	0 feet	
Interior side when containing an end unit	5 feet	
Rear	10 feet	
Alley (when present)	5 feet	
<b>Garage/Surface Parking Frontage</b>		
Maximum parking frontage on a public street (for new residential development)	NA	
<b>Open Space</b>		
Maximum front yard paving	NA	Any area that is not a driveway or walkway shall be landscaped.
Minimum required landscaping	Refer to Chapter 17.310 (Landscaping)	

### 17.210.030 SUPPLEMENTAL STANDARDS FOR MULTIPLE-FAMILY RESIDENTIAL

This Section provides additional development and operation standards for multiple-family residential projects, addressing the requirements for private and common open space, laundry facilities, and other required project features.

- A. **Open Space Requirements for Multiple-Family Residential.** All multiple-family residential projects shall provide permanently-maintained outdoor open space for each dwelling unit (private space), and for all residents (common space) as required in Section 17.210.020 (Residential Zoning District Development Standards), Tables 2-3 and 2-4.

1. **Configuration of open space.**

- a. **Location on site.** Required open space areas:

- i. Shall be easily accessible.
- ii. Shall be provided as continuous, usable site elements, which may include setback areas at ground level.
- iii. Private open space shall be directly accessible from the unit.

- b. **Rooftop open space.** The common open space, may be located on a rooftop, provided that the space:
    - i. Includes active or passive recreational facilities and/or landscaping, as required by Section 17.210.030.A.6 (Landscaping).
    - ii. Is located and designed to not impair privacy or cause other nuisance problems for residents on the same site or on adjacent parcels and is stepped back at least five feet from any building edge adjacent to a side yard such that direct views into neighboring private open spaces are obscured.
    - iii. Comply with the limitations in Subsection 17.210.030.A.1.c. (Dimensions) below.
  - c. **Dimensions.** All open space areas shall be of sufficient size to be usable by residents, as follows:
    - i. Private open space areas shall have a minimum dimension of 5 feet in any direction.
    - ii. Common open space areas shall have a minimum dimension of 20 feet in any direction, which may include a combination of open space and adjacent setback area.
    - iii. Courtyards enclosed on three sides shall have a minimum dimension of 30 feet in all directions. Courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1.25:1.
  - d. **Uncovered areas required.** Private open space may be covered but cannot be fully enclosed (i.e., at least one side must be open to air). Reference to this requirement shall be included in the covenants, conditions, and restrictions of any common interest development.
2. **Allowed uses.** Common open space:
    - a. Shall be available for passive and active outdoor recreational purposes, for the enjoyment of all residents of each multiple-family project.
    - b. Shall not include driveways, public or private streets, parking spaces, or utility easements where the ground surface cannot be used appropriately for open space or other areas primarily designed for other operational functions.
  3. **Maintenance and control of common open space.** The required common open space shall be controlled and permanently maintained by the owner of the property or by a homeowners' association. Provisions for control and maintenance shall be included in any property covenants of common interest developments.
  4. **Surfacing.** Open space areas shall be surfaced with any practical combination of landscaping, paving, decking, concrete, or other serviceable material.
  5. **Shading.** A maximum of 50% of the outdoor common open space square footage may be covered by a shading device, projection, or roof structure.
  6. **Landscaping.** A minimum of 20% of the common open space area shall be planted with trees, ground cover, and/or shrubs, or provided via planters. A minimum of one tree shall be planted per 600 square feet of the common outdoor space area (aggregated across all common outdoor space areas). Landscape design, installation, and maintenance shall comply with Chapter 17.310 (Landscaping).
  7. **Slope.** Required open space areas shall not exceed a slope of 5%.

**B. Facility and Design Requirements for Multiple-Family Residential.**

1. **Laundry facilities.** All residential developments with four or more dwelling units shall provide common laundry facilities, except developments with facilities provided within each unit.
  - a. **Keyed access.** Laundry facilities shall be provided with keyed access for tenants only.
  - b. **Location.** The facilities shall be evenly dispersed throughout the multiple-family development either in every building and/or every other floor, and easily accessible to all tenants.
2. **Outdoor lighting.** Outdoor lighting shall be installed and maintained along all vehicular access ways and major walkways, in compliance with Section 17.300.040 (Outdoor Lighting). The lighting shall be directed onto the driveways and walkways within the development and away from adjacent properties. Lighting shall also be installed and maintained within all covered and enclosed parking areas and shall be screened to minimize glare onto public sidewalks and adjacent properties. All proposed lighting shall be shown on the required landscape plan.
3. **Refuse and recycling.** Refuse and recycling enclosures shall be designed and located per the standards in Section 1.300.035.C.4 (Refuse and Recycling).

## 17.220 MIXED USE ZONING DISTRICTS

### Section

17.220.005	Purpose
17.220.010	Purpose of Mixed Use Zoning Districts
17.220.015	Mixed Use District Land Uses and Permit Requirements
17.220.020	Mixed Use District Development Standards
17.220.025	Mixed Use Performance Standards
17.220.030	Supplemental Standards for Mixed Use Development
17.220.035	Mixed Use Downtown (MU-DT) District Requirements

### 17.220.005 PURPOSE

This Chapter provides development and land use regulations in the mixed use zoning districts established by Section 17.200.010 (Zoning Districts Established).

(Ord. No. 2005-007 § 1 (part))

### 17.220.010 PURPOSE OF MIXED USE ZONING DISTRICTS.

The purpose of the individual mixed use zoning districts, and the manner in which they are applied, are as follows.

- A. **MU-N (Mixed Use Neighborhood) District.** The MU-N Zoning District identifies areas along major corridors appropriate for lower-scale mixed use, residential, and neighborhood serving commercial uses that will primarily serve the daily needs of nearby residents. The development standards and permit requirements of the MU-N District are intended to create a pedestrian-oriented environment. The MU-N Zoning District is consistent with the Mixed Use Corridor 1 land use designation of the General Plan.
- B. **MU-1 (Mixed Use Corridor 1) District.** The MU-1 Zoning District identifies areas along major corridors appropriate for lower-scale mixed use, residential, general and neighborhood serving commercial uses. The MU-1 Zoning District is consistent with the Mixed Use Corridor 1 land use designation of the General Plan.
- C. **MU-2 (Mixed Use Corridor 2) District.** The MU-2 Zoning District identifies areas appropriate for moderate-scale mixed use, residential, general and neighborhood serving commercial uses. The

MU-2 Zoning District is consistent with the Mixed Use Corridor 2 land use designation of the General Plan.

- D. **MU-DT (Mixed Use Downtown) District.** The MU-DT Zoning District applies to the Downtown area of Culver City. The standards of this district are intended to encourage moderate-scaled mixed-use, residential, office, and commercial uses, with an emphasis on retail, entertainment, restaurant, and cultural uses. The development standards of the MU-DT District are intended to provide a pedestrian-friendly environment with high visual quality. The MU-DT Zoning District is consistent with the Mixed Use Medium land use designation of the General Plan.
- E. **MU-MD (Mixed Use Medium) District.** The MU-MD Zoning District identifies areas appropriate for a broad range of mixed use, residential, office, and commercial uses, including anchor tenants, entertainment, and restaurant uses that may share parking, and serve a regional market area. The MU-MD Zoning District is consistent with the Mixed Use Medium land use designation of the General Plan.
- F. **MU-HD (Mixed Use High) District.** The MU-HD Zoning District identifies areas appropriate for large-scale residential, office, and commercial uses emphasizing a variety of retail uses, including anchor tenants, entertainment, and restaurant uses that may share parking and serve a regional market area. The MU-HD Zoning District is consistent with the Mixed Use High land use designation of the General Plan.
- G. **MU-I (Mixed Use Industrial) District.** The MU-I Zoning District identifies areas appropriate for a broad range of mixed use, residential, office, commercial, and specific light industrial uses. The MU-I Zoning District is consistent with the Mixed Use Industrial land use designation of the General Plan.

(Ord. No. 2005-007 § 1 (part))

#### 17.220.015 MIXED USE DISTRICT LAND USES AND PERMIT REQUIREMENTS.

- A. Table 2-6 (Allowed Uses and Permit Requirements for Mixed Use Zoning Districts) identifies the uses of land allowed by this Title in the mixed use zoning districts, and the land use permit required to establish each use in compliance with Subsection 17.200.020.B. (Determination of Allowable Land Uses and Permit Requirements).

**Note:** Where the last column in the tables (Additional Regulations and Specific Use Regulations) includes a note or section number, the regulations in that note and/or the referenced section apply to the use; however, provisions in other sections of this Title may also apply.

#### **Table 2-6 Allowed Uses and Permit Requirements for Mixed Use Zoning Districts**

<b>Table 2-6 Allowed Uses and Permit Requirements for Mixed Use Zoning Districts</b>	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed							
<b>LAND USES</b>	<b>PERMIT REQUIREMENT BY DISTRICT</b>							<b>Additional Regulations and Specific Use Regulations</b>
	MU-N	MU-1	MU-2	MU-DT	MU-MD	MU-HD	MU-I	
<b>INDUSTRIAL, MANUFACTURING, PROCESSING</b>								
Chemical product manufacturing	-	-	-	-	-	-	-	
Concrete, gypsum, and plaster products	-	-	-	-	-	-	-	
Cosmetic product manufacturing	-			-	-	-	-	
Electronics and equipment manufacturing	-	-	-	-	-	-	AUP	
Fabric products manufacturing	-	-	-	-	-	-	AUP	
Food and beverage manufacturing	-	-	-	-	-	-	AUP	For permit requirements related to the sale of alcoholic beverages, see Section 17.400.015 (Alcoholic Beverage Sales).
Furniture/fixtures manufacturing	-	P	P		-	-	P	
Glass, metal and plastics product manufacturing	-	-	-	-	-	-	-	
Handcraft industries	-	P	P	-	-	-	P	
Hazardous materials/wholesale fuel storage and distribution	-	-	-	-	-	-	-	
Laundries and dry-cleaning plants	-	-	-	-	-	-	-	
Lumber and wood product manufacturing	-	-	-	-	-	-	-	
Machinery manufacturing	-	-	-	-	-	-	-	
Media production - Backlots/outdoor facilities	-	-	-	-	-	-	AUP	
Media production - Indoor support facilities	-	P	P	-	-	-	P	
Media production - Soundstages	-	-	-	-	-	-	P	
Metal products fabrication, machine/welding shops	-	-	-	-	-	-	-	
Mining/resource extraction	-	-	-	-	-	-	-	

LAND USES	PERMIT REQUIREMENT BY DISTRICT							Additional Regulations and Specific Use Regulations
	MU-N	MU-1	MU-2	MU-DT	MU-MD	MU-HD	MU-I	
Motor vehicle/transportation equipment manufacturing	-	-	-	-	-	-	-	
Paper product manufacturing	-	-	-	-	-	-	-	
Paving and roofing material manufacturing	-	-	-	-	-	-	-	
Printing and publishing	-	P	P	-	-	-	P	
Recycling facility - processing	-	-	-	-	-	-	-	
Recycling facility - Large collection	-	-	-	-	-	-	-	
Recycling facility - Incidental small collection	P	P	P	-	P	P	P	See Section 17.400.090 (Recycling Facilities)
Recycling facility - Small collection	-	AUP	AUP	-	-	-	P	See Section 17.400.090 (Recycling Facilities)
Research and development (R&D)	-	P	P	-	P	P	P	
Salvage and wrecking	-	-	-	-	-	-	-	
Small-scale product manufacturing	-	P	P	-	-	-	P	
Stone and cut stone product manufacturing	-	-	-	-	-	-	-	
Clay and pottery product manufacturing	-	-	-	-	-	-	CUP	
Warehousing and distribution facilities	-	-	-	-	-	-	AUP	10,000 square feet maximum floor area
Wholesaling and distribution facilities	-	-	-	-	-	-	AUP	
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY</b>								
Arcade	P	P	P	P (1)	P	P	P	(1) Up to 10 amusement devices allowed in conjunction with a multiplex movie theater subject to Section 17.220.035 (Mixed Use Downtown (MU-DT) District Requirements).
Clubs, lodges, and private meeting halls	-	P	P	P (2)	P	P	P	(2) Subject to ground floor restrictions per Section 17.220.035 (Mixed Use Downtown (MU-DT) District Requirements).
Community garden	P	P	P	-	P	P	P	

LAND USES	PERMIT REQUIREMENT BY DISTRICT							Additional Regulations and Specific Use Regulations
	MU-N	MU-1	MU-2	MU-DT	MU-MD	MU-HD	MU-I	
Indoor commercial recreation	-	P	P	P	P	P	P	
Event centers	-	AUP	AUP	P	AUP	AUP	AUP	See Section 17.520.035 (Development and Operating Standards)
Health/fitness facilities	P	P	P	P (3)	P	P	P	(3) Limited to 3,000 square feet on the ground floor.
Outdoor commercial recreation	-	CUP	CUP	-	-	-	CUP	
Public recreational and cultural facilities	P	P	P	P	P	P	P	
Private residential recreational facilities	P	P	P	P	P	P	P	
Public Schools - Kindergarten to 12th grade	P	P	P	P	P	P	P	
Private schools - Kindergarten to 12th grade	AUP/ CUP	AUP/ CUP	AUP/ CUP	AUP/ CUP	AUP/ CUP	AUP/ CUP	- (4)	AUP required for schools up to 1,500 square feet in area.  (4) See Section 17.610.010 (Nonconforming Uses) for nonconforming school uses.
College/university/trade school	AUP/ CUP	AUP/ CUP	AUP/ CUP	AUP/ CUP (2)	AUP/ CUP	AUP/ CUP	AUP/ CUP	AUP required for schools up to 1,500 square feet in area.  (2) Subject to ground floor restrictions per Section 17.220.035 (Mixed Use Downtown (MU-DT) District Requirements).
Religious places of worship	P	P	P	P	P	P	P	
Studios - Art, dance, music, photography, etc.	P	P	P	P	P	P	P	
Theatres	P	P	P	P	P	P	P	
<b>RESIDENTIAL</b>								
Accessory dwelling units	P	P	P	P	P	P	P	See Section 17.400.095 (Residential Uses - Accessory Dwelling Units)
Accessory uses and structures	P	P	P	P	P	P	P	See Section 17.400.100 (Residential Uses - Accessory Residential Structures)
Child day care - Large family day care homes	P	P	P	P	P	P	P	Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

<b>Table 2-6 Allowed Uses and Permit Requirements for Mixed Use Zoning Districts</b>	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed							
<b>LAND USES</b>	<b>PERMIT REQUIREMENT BY DISTRICT</b>							<b>Additional Regulations and Specific Use Regulations</b>
	<b>MU-N</b>	<b>MU-1</b>	<b>MU-2</b>	<b>MU-DT</b>	<b>MU-MD</b>	<b>MU-HD</b>	<b>MU-I</b>	
Child day care - Small family day care homes	P	P	P	P	P	P	P	Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
Cottage food operation (accessory)	P	P	P	P	P	P	P	Cottage Food Operations are allowed pursuant to Section 113758 of the California Health and Safety Code. For guidelines and regulations, go to the LA County Public Health Department <a href="#">website</a> .
Two-family dwelling/duplex	-	-	-	-	-	-	-	
Home occupations	P	P	P	P	P	P	P	See Section 17.400.055 (Home Occupations)
Live/work units	P	P	P	P	P	P	P	See Section 17.400.060 (Live/Work Development Standards)
Mixed use projects	P	P	P	P	P	P	P	
Multiple-family dwelling, ≥ 4 Units	P	P	P	P	P	P	P	See also Section 17.400.040 (Condominium Conversions)
Residential care facilities, 6 or fewer clients	P	P	P	P	P	P	P	
Residential care facilities, 7 or more clients	CUP	CUP	CUP	-	CUP	CUP	CUP	
Senior citizen congregate care housing	CUP	CUP	CUP	-	CUP	CUP	CUP	
Single-family dwellings	-	-	-	-	-	-	-	
Single room occupancy units	P	P	P	P	P	P	P	See Section 17.400.106 (Single Room Occupancy (SRO) Units)  Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
Supportive housing	P	P	P	P	P	P	P	Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
Transitional housing	P	P	P	P	P	P	P	Use is subject to only those restrictions that apply to other residential uses of the same type in the same zone.
Triplex	-	-	-	-	-	-	-	

LAND USES	PERMIT REQUIREMENT BY DISTRICT							Additional Regulations and Specific Use Regulations
	MU-N	MU-1	MU-2	MU-DT	MU-MD	MU-HD	MU-I	
<b>RETAIL TRADE</b>								
Accessory food service	P	P	P	P	P	P	P	
Accessory retail uses	P	P	P	P	P	P	P	
Adult businesses	-	P	P	-	-	-	P (5)	Use only allowed subject to the approval of an Adult Use Development Permit (see CCMC Chapter 11.13).  (5) 10,000 square feet maximum floor area.
Artisan shops	P	P	P	P	P	P	P	
Bars, night clubs	-	CUP	CUP	CUP	CUP	CUP	CUP	For permit requirements related to the sale of alcoholic beverages, see Section 17.400.015 (Alcoholic Beverage Sales)
Building material stores	-	P	P	-	-	-	P	
Construction equipment sales	-	-	-	-	-	-	P	
Convenience stores	P	P	P	-	P	P	P	For permit requirements related to the sale of alcoholic beverages, see Section 17.400.015 (Alcoholic Beverage Sales)
Firearms sales	-	CUP	CUP	-	-	-	-	See CCMC Chapter 11.19 (Firearms And Ammunition Retail Establishments) and Section 17.400.050 (Firearms Sales) of this Title.
Food retail	P	P	P	P	P	P	P	
General retail stores	P	P (6)	P (6)	P	P	P	P	Where alcohol is sold, an AUP or CUP may be required pursuant to Section 17.400.015 (Alcoholic Beverage Sales).  Commercial Cannabis Businesses only allowed with a CUP on pre-screened sites. See CCMC Chapter 11.17 (Commercial Cannabis Businesses).  (6) Incidental Light Manufacturing. Light

<b>Table 2-6 Allowed Uses and Permit Requirements for Mixed Use Zoning Districts</b>	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed							
<b>LAND USES</b>	<b>PERMIT REQUIREMENT BY DISTRICT</b>							<b>Additional Regulations and Specific Use Regulations</b>
	<b>MU-N</b>	<b>MU-1</b>	<b>MU-2</b>	<b>MU-DT</b>	<b>MU-MD</b>	<b>MU-HD</b>	<b>MU-I</b>	
								manufacturing incidental to the retail sale of goods from the premises only in the MU-1 and MU-2 zoning districts, upon the following provisions. 1. That not more than 25% of the ground floor area of any building may be used for such purpose; 2. That any such portion of any building or premises used for such incidental manufacturing shall not be nearer than 50 feet to any residential zone; 3. That such incidental manufacturing is not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes; 4. That the area required for the storage of materials to be manufactured shall be included within the maximum 25% allowable floor area.
Internet café	P	P	P	P	P	P	P	
Outdoor retail sales and display	AUP	AUP	AUP	AUP	AUP	AUP	AUP	See Section 17.400.075 (Outdoor Retail Sales and Display)
Pawnshops	-	CUP	CUP	-	-	-	-	See Section 17.400.085 (Pawnshops)
Pet shop	P	P	P	P	P	P	P	
Plant nurseries	P	P	P	P	P	P	P	
Restaurants, table service or take out	P	P	P	P	P	P	P	For permit requirements related to the sale of alcoholic beverages, see § 17.400.015.
Restaurants, outdoor dining (accessory)	AUP	AUP	AUP	AUP	AUP	AUP	AUP	See Section 17.400.070 (Outdoor Dining)  For permit requirements related to the sale of alcoholic beverages, see Section 17.400.015 (Alcoholic Beverage Sales)
Secondhand stores	P	-	-	-	-	-	-	

LAND USES	PERMIT REQUIREMENT BY DISTRICT							Additional Regulations and Specific Use Regulations
	MU-N	MU-1	MU-2	MU-DT	MU-MD	MU-HD	MU-I	
Shopping center	P	P	P	-	P	P	P	
Vehicle sales - Auto and vehicle sales/rental	-	P/CUP	P/CUP	-	-	P/CUP (7)	-	Auto sales establishments selling used vehicles exclusively are subject to the approval of a Conditional Use Permit. (see Chapter 17.530).  (7) In the MU-HD zone, this use is permitted only within the boundary of an existing dealership.
Vehicle sales - Auto parts sales, retail	P	P	P	-	P	P	P	
Warehouse retail stores	-	-	CUP	-	-	-	-	
<b>SERVICE</b>								
Adult day care facilities	CUP	CUP	CUP	-	CUP	CUP	CUP	
Animal boarding and kennels	-	-	-	-	-	-	CUP	See Section 17.400.020 (Animal Boarding, Pet Day Care, Veterinary Clinics and Animal Hospital)
Automated teller machines (ATMs)	P	P	P	P	P	P	P	See Section 17.400.025 (Automatic Teller Machines (ATMs))
Banks and financial services	P	P	P	P	P	P	P	
Business and consumer support services	P	P	P	P (2)	P	P	P	(2) Subject to ground floor restrictions per Section 17.220.035 (Mixed Use Downtown (MU-DT) District Requirements).
Commercial kitchens	-	P	P	-	-	-	P	
Check-cashing businesses	-	CUP	CUP	-	-	-	-	See Section 17.400.030 (Check-Cashing Businesses)
Child day care centers	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Construction contractors, no outdoor storage	-	P	P	-	-	-	P	
Contractor's storage yard	-	-	-	-	-	-	-	
Drive-thru facilities or services	CUP	CUP	CUP	-	CUP	CUP	CUP	See Section 17.400.045 (Drive-In and Drive-Through Facilities)
Emergency shelters	-	CUP	P	-	CUP	-	-	See Section 17.400.046 (Emergency Shelters)

<b>Table 2-6 Allowed Uses and Permit Requirements for Mixed Use Zoning Districts</b>	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed							
<b>LAND USES</b>	<b>PERMIT REQUIREMENT BY DISTRICT</b>							<b>Additional Regulations and Specific Use Regulations</b>
	<b>MU-N</b>	<b>MU-1</b>	<b>MU-2</b>	<b>MU-DT</b>	<b>MU-MD</b>	<b>MU-HD</b>	<b>MU-I</b>	
Hotels and motels	P	P	P	P (2)	P	P	P	Subject to requirements of CCMC Section 11.02.100, et seq.  (2) Subject to ground floor restrictions per Section 17.220.035 (Mixed Use Downtown (MU-DT) District Requirements).
Hotels and motels – Extended stay	CUP (8)	CUP	CUP	CUP	CUP	CUP	CUP	Subject to requirements of CCMC Section 11.02.100, et seq.  Guest rooms or suites rented for long term lodging purposes are not subject to requirements of CCMC Section 11.02.100, et seq., but are subject to the Transient Occupancy Tax Ordinance.
Medical services - Offices/clinics	P	P	P	P	P	P	P	
Medical services - Labs	P	-	-	P (2)	P	P	P	(2) Subject to ground floor restrictions per Section 17.220.035 (Mixed Use Downtown (MU-DT) District Requirements).
Medical services - Hospitals	-	-	-	CUP	CUP	CUP	CUP	
Mortuaries and funeral homes	-	P	P	-	-	-	-	
Offices	P	P	P	P (2)	P	P	P	(2) Subject to ground floor restrictions per Section 17.220.035 (Mixed Use Downtown (MU-DT) District Requirements).
Personal services	P	P	P	P	P	P	P	
Pet day care	-	AUP	AUP	-	-	-	AUP	See Section 17.400.020 (Animal Boarding, Pet Day Care, Veterinary Clinics and Animal Hospital)
Public facilities	P	P	P	P	P	P	P	
Public utility facilities	CUP	CUP	CUP	-	CUP	CUP	CUP	

LAND USES	PERMIT REQUIREMENT BY DISTRICT							Additional Regulations and Specific Use Regulations
	MU-N	MU-1	MU-2	MU-DT	MU-MD	MU-HD	MU-I	
Storage, Personal storage facility	-	-	-	-	-	-	-	
Storage, outdoor (accessory)	AUP	AUP	AUP	-	AUP	AUP	AUP	See Section 17.400.080 (Outdoor Storage)
Storage, warehouse	-	-	-	-	-	-	P	
Vehicle services - Accessories installation	-	P	P	-	-	-	P	See Section 17.400.125 (Vehicle Repair Shops)
Vehicle services - Car washes	-	CUP	CUP	-	-	-	-	
Vehicle services - Fueling stations	CUP	P	P	-	-	-	P	See Section 17.400.120 (Vehicle Fueling Stations)
Vehicle services - Electric vehicle charging stations	P	P	P	-	P	P	P	See Section 17.400.120 (Vehicle Fueling Stations)
Vehicle services – Fueling/charging, incidental repair	CUP	CUP	CUP	-	-	-	CUP	
Vehicle services - Impounding/storage	-	-	-	-	-	-	-	
Vehicle services - Maintenance/repair	-	CUP	CUP	-	-	-	CUP	See Section 17.400.125 (Vehicle Repair Shops)
Vehicle services - Paint/body	-	-	-	-	-	-	-	
Vehicle services - Towing, no storage	-	P	P	-	-	-	P	See Section 17.400.125 (Vehicle Repair Shops)
Veterinary clinics	-	P	P	-	P	P	P	
Animal hospital	-	AUP	AUP	-	-	-	AUP	
<b>TRANSPORTATION &amp; COMMUNICATIONS</b>								
Broadcast studios	-	P	P	P	P	P	P	
Heliports	-	-	-	-	-	-	-	
Parking facilities	P	P	P	P	P	P	P	
Telecommunications facilities, cellular	AUP	AUP	AUP	AUP	AUP	AUP	AUP	See Section 17.400.110 (Telecommunications Facilities)
Telecommunications facilities, dish/wireless antenna	See Section 17.400.110 for permit requirements							

**B. Cannabis Dispensary, Retail-Store Front.** Concurrent with obtaining a Commercial Cannabis Business Permit required by CCMC Chapter 11.17, all cannabis dispensary, retail store front

facilities shall be required to obtain a Conditional Use Permit pursuant to Chapter 17.530, which shall be subject to renewal every five years.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-004 § 2 (part); Ord. No. 2013-008 § 1 (part); Ord. No. 2014-007 § 2 (part); Ord. No. 2017-019 § 2 (part); Ord. No. 2018-011 § 2 (part); Ord. No. 2019-003 § 2 (part); Ord. No. 2020-013 § 2 (part); Ord. No. 2021-003 (part); Ord. No. 2022-003 § 2 (part))

**17.220.020 MIXED USE ZONING DISTRICT DEVELOPMENT STANDARDS.**

- A. General Requirements.** Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the MU-N, MU-1, MU-2, and MU-DT zoning districts, shall be designed, constructed, and/or established in compliance with the requirements in Table 2-7 (Mixed Use I District Development Standards ((MU-N, MU-1, MU-2, MU-DT). Subdivisions, new land uses and structures, and alterations to existing land uses and structures in the MU-MD, MU-HD, and MU-I zoning districts shall be designed, constructed, and/or established in compliance with the requirements in Table 2-8 (Mixed Use District Development Standards (MU-MD, MU-HD, MU-I)). In addition, the applicable development standards (e.g., landscaping, parking and loading, and the like) in Article 3 (Site Planning and General Development Standards) shall apply to all mixed use zoning districts.

**Table 2-7. Mixed Use District Development Standards (MU-N, MU-1, MU-2, MU-DT)**

MIXED-USE ZONES (MU-N, MU-1, MU-2, MU-DT)					
Standards	MU-N	MU-1	MU-2	MU-DT	Additional Regulations
<b>Lot (See Note 1) and Density Standards</b>					
Maximum non-residential floor area ratio	2.0	2.0	3.0	3.0	
Maximum residential density (units/gross acre)	35 units/acre	35 units/acre	50 units/acre	65 units/acre	
Minimum residential density (units/gross acre)	NA	NA	20 units/acre	30 units/acre	Only applies if project includes residential component.
Minimum lot area (for new lots)	10,000 square feet	10,000 square feet	10,000 square feet	10,000 square feet	Condominium, townhouse, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area as provided in the Townhouse Development Standards in Section 17.210.025 or as determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of this Chapter.
Minimum lot site width (for new lots)	80 feet	80 feet	80 feet	100 feet	

MIXED-USE ZONES (MU-N, MU-1, MU-2, MU-DT)					
Standards	MU-N	MU-1	MU-2	MU-DT	Additional Regulations
Minimum lot site depth (for new lots)	100 feet	100 feet	100 feet	100 feet	
<b>Building Form and Location</b>					
Maximum height - Primary structure	43 feet	56 feet (2)	56 feet (2)	56 feet (2)	See Section 17.300.025 (Height Measurement and Height Limit Exceptions).
Maximum height - Accessory structures	See Section 17.400.095 Residential Uses - Accessory Dwelling Units See Section 17.400.100 Residential Uses- Accessory Residential Structures				
Height setbacks adjacent to R1 and R2 zones	When a building has a rear and/or interior side property line abutting an R1 or R2 parcel (directly or with an alley between), starting above 30 feet or two stories (whichever is less), the subsequent floors shall be stepped back 15 feet.	When a building has a rear and/or interior side property line abutting an R1 or R2 parcel (directly or with an alley between), starting above 30 feet or two stories (whichever is less), the next two floors shall be stepped back 15 feet and any floors above that shall be stepped back an additional 5 feet.			See Figure 2-3 (Neighborhood Transitions).
Minimum ground floor height – Non-residential	15 feet	15 feet	15 feet	15 feet	Measurement is from finished floor to finished floor.
Distance between residential structures on the same lot	5 feet between accessory residential structures, and accessory dwelling units; 5 feet between primary residential structures and accessory residential structures and accessory dwelling units; 10 feet between primary residential structures				
<b>Development Site Setbacks (Note 1)</b>					
Front and Street Side Setback (Residential Ground Floor)					
<i>Minimum</i>	5 feet	5 feet	5 feet	NA	See Figure 2-5 (Setbacks).
<i>Maximum (3)</i>	10 feet	10 feet	10 feet	NA	
Front and Street Side Setback (Non-Residential Ground Floor)					
<i>Minimum</i>	0 feet	0 feet	0 feet	0 feet	See Figure 2-5 (Setbacks).
<i>Maximum (3)</i>	5 feet	5 feet	5 feet	5 feet	
Interior side setback - minimum	0 feet; 10 feet abutting R1 and R2 zoned property				
Rear Setback					
<i>Minimum</i>	2 feet adjacent to alley for portions of structure 20 feet or less in height; otherwise, 10 feet for portions of structure more than 20 feet in height or where no alley is present				
<i>Minimum Abutting R1, R2, and RLD</i>	15 feet; 20 feet if over 30 feet in height				One half (1/2) the width of an alley may be credited toward the setback requirement for

MIXED-USE ZONES (MU-N, MU-1, MU-2, MU-DT)					
Standards	MU-N	MU-1	MU-2	MU-DT	Additional Regulations
					properties adjacent to R1 and R2 zones.
<b>Parking Frontage</b>					
Maximum parking along primary frontage	Not permitted				Applies to new development.
<b>Open Space Standards</b>					
Roof decks	Rooftop decks shall be set back 5 feet from the building edge along an interior side yard adjacent to a residential zoned property				A permanent, built-in landscape planter with vegetation shall be located within the required setback area to screen views of the deck from neighboring properties. Rooftop decks which are located in a roof well are not required to include a landscape planter.
Minimum usable open space – For residential component	150 square feet total per unit; a minimum of 50% of the units must have 60 square feet of private open space (A)		100 square feet total per unit; a minimum of 50% of the units must have 60 square feet of private open space (A) (B)		See additional regulations in Section 17.210.030 (Supplemental Standards for Multiple-Family Residential) (A) Up to 40% of required common open space may be an indoor common space such as a community room as long as it is adjacent to an outdoor common space. (B) See Section 17.400.060 for open space requirements for Live/Work units.
Minimum usable open space – For non-residential component over 15,000 square feet	Not Required				Common open space may be utilized for employees or publicly-accessible open space e.g., courtyard, rooftop deck). If the open space is over 1,000 square feet and provided as publicly-accessible, up to 50 percent may count toward the required residential common open space (if applicable). Spaces shall have a minimum dimension of 20 feet in any direction.
Maximum front yard paving for ground floor residential	No more than 70% of the total area of the front yard setback shall be paved for walkways, driveways, and other hardcover pavement				See Chapter 17.310 (Landscaping) for additional regulations.
<b>Other Standards</b>	<b>See additional standards in CCMC Article 3</b>				

**Notes:**

- (1) Applies to lots or development sites consisting of multiple adjoining lots.

- (2) This provision is as approved by Initiative Ordinance No. 90-013½, adopted April 17, 1990, or as may be amended.
- (3) If a development provides a covered arcade, publicly-accessible plazas or forecourts, public art, fountains, or outdoor dining, and there is clear visibility between the sidewalk and building entrance, the maximum setback on the ground floor is waived with Director approval.

**Table 2-8. Mixed Use District Development Standards (MU-MD, MU-HD, MU-I)**

Mixed-Use Zones				
Standards	MU-MD	MU-HD	MU-I	Additional Regulations
<b>Lot (See Note 1) and Density Standards</b>				
Maximum non-residential floor area ratio	3.0	4.0	3.0	
Maximum residential density (units/acre)	65 du/acre	100 du/acre	65 du/acre	
Minimum residential density (units/acre)	30 du/acre	30 du/acre	20 du/acre	Only applies if project includes residential component.
Minimum lot area	20,000 square feet	20,000 square feet	20,000 square feet	Condominium, townhouse, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area as provided in the Townhouse Development Standards in Section 17.210.025 or as determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of this Chapter.
Minimum lot width	100 feet	100 feet	100 feet	
Minimum lot depth	100 feet	100 feet	100 feet	
<b>Building Form and Location</b>				
Maximum height - Primary structure (2)	56 feet	56 feet	56 feet	See Section 17.300.025 (Height Measurement and Height Limit Exceptions).
Maximum height - Accessory structures	See Section 17.400.095 Residential Uses - Accessory Dwelling Units See Section 17.400.100 Residential Uses- Accessory Residential Structures			
Height setbacks adjacent to R1 and R2 zones	When a building has a rear and/or interior side property line abutting an R1 or R2 parcel (directly or with an alley between), starting above 30 feet or two stories (whichever is less), the next two floors shall be stepped back 15 feet and any floors above that shall be stepped back an additional 5 feet			See Figure 2-3 (Neighborhood Transitions)
Minimum ground floor height – Non-residential	15 feet	15 feet	15 feet	Measured from finished floor to finished floor.

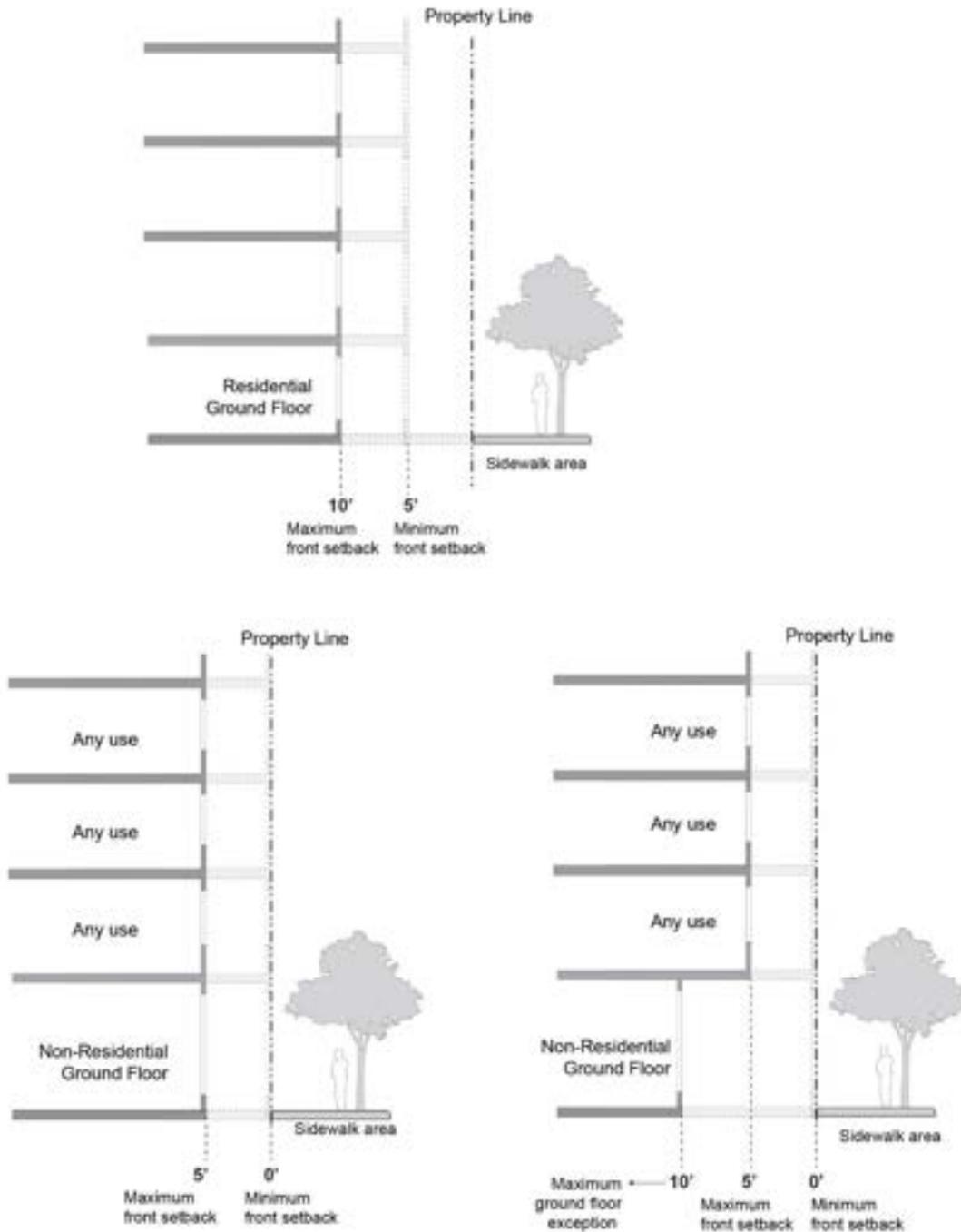
Mixed-Use Zones				
Standards	MU-MD	MU-HD	MU-I	Additional Regulations
Distance between residential structures on the same lot	5 feet between accessory residential structures, and accessory dwelling units; 5 feet between primary residential structures and accessory residential structures and accessory dwelling units; 10 feet between primary residential structures			
<b>Development Site Setbacks (feet) (Note 1)</b>				
Front and Street Side Setback (Residential Ground Floor)				
<i>Minimum</i>	10 feet	10 feet	10 feet	See Figure 2-5 (Setbacks). Unless specified otherwise, upper floor setbacks shall be the same as the ground floor setback.
<i>Maximum (3)</i>	15 feet	15 feet	15 feet	Unless specified otherwise, upper floor setbacks shall be the same as the ground floor setback.
Front and Street Side Setback (Non-Residential Ground Floor)				
<i>Minimum</i>	0 feet	0 feet	5 feet	See Figure 2-5 (Setbacks). Unless specified otherwise, upper floor setbacks shall be the same as the ground floor setback.
<i>Maximum (3)</i>	5 feet	5 feet	None Required	Unless specified otherwise, upper floor setbacks shall be the same as the ground floor setback.
Interior Side Setback				
<i>Minimum</i>	0 feet			
<i>Minimum Abutting R1 and R2</i>	10 feet			
Rear Setback				
<i>Minimum</i>	5 feet adjacent to alley for portions of structure 20 feet or less in height; otherwise, 10 feet for portions of structure more than 20 feet in height or where no alley is present			
<i>Minimum Abutting R1, R2, and RLD</i>	15 feet; 20 feet if over 30 feet in height			One half (1/2) the width of an alley may be credited toward the setback requirement for properties adjacent to R1 and R2 zones.
<b>Parking Frontage</b>				
Maximum parking along primary frontage	30%	30%	30%	Applies to new development. No more than 30% of the primary street frontage shall be devoted to parking garages and openings, carports, and open/surface parking. This limitation does not apply to frontages along alleys. See Figure 2-4 (Maximum Parking Frontage).
<b>Open Space Standards</b>				
Roof decks	Rooftop decks shall be set back 5 feet from the building edge along an interior side yard adjacent to a residential zoned property			A permanent, built-in landscape planter with vegetation shall be located within the required setback area to screen views of the deck from neighboring properties. Rooftop decks which are located in a roof well are not required to include a landscape planter.

Mixed-Use Zones				
Standards	MU-MD	MU-HD	MU-I	Additional Regulations
Minimum usable open space – For residential component	100 square feet total per unit; a minimum of 50% of the units must have 60 square feet of private open space (A) (B)	100 square feet total per unit; a minimum of 25% of the units must have 60 square feet of private open space (A)(B); 10% of total open space must be publicly accessible	100 square feet total per unit; a minimum of 50% of the units must have 60 square feet of private open space (A)(B)	See additional regulations in Section 17.210.030 (Supplemental Standards for Multiple-Family Residential) (A) Up to 40% of required common open space may be an indoor common space such as a community room as long as it is adjacent to an outdoor common space. (B) See Section 17.400.060 for open space requirements for Live/Work units.
Minimum usable open space – For non-residential component over 15,000 square feet	2% of gross floor area			Common open space may be utilized for employees or publicly-accessible open space (e.g., courtyard, rooftop deck). If the open space is over 1,000 square feet and provided as publicly-accessible, up to 50 percent may count toward the required residential common open space (if applicable). Spaces shall have a minimum dimension of 20 feet in any direction.
Maximum front yard paving for ground floor residential	No more than 70% of the total area of the front yard setback shall be paved for walkways, driveways, and other hardcover pavement			See Chapter 17.310 (Landscaping) for additional regulations.
<b>Other Standards</b>	<b>See additional standards in CCMC Article 3</b>			

**Notes:**

- (1) Applies to lots or development sites consisting of multiple adjoining lots.
- (2) This provision is as approved by Initiative Ordinance No. 90-013½, adopted April 17, 1990, or as may be amended.
- (3) If a development provides a covered arcade, publicly-accessible plazas or forecourts, public art, fountains, or outdoor dining, and there is clear visibility between the sidewalk and building entrance, the maximum setback on the ground floor shall be 10 feet, or a greater setback may be allowed with Director approval.

Figure 2-5. Setbacks



**Exception:** If a development provides a covered arcade, publicly-accessible plazas or forecourts, public art, fountains, or outdoor dining, and there is clear visibility between the sidewalk and building entrance, the maximum setback on the ground floor shall be 10 feet, or a greater setback may be allowed with Director approval.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2020-013 § 2 (part); Ord. No. 2022-008)

17.220.025 PERFORMANCE STANDARDS FOR MIXED USE ZONES.

A. **General Performance Standards.** Land and buildings shall not be used or occupied in a manner creating any dangerous, injurious, noxious, fire, explosive, or other potentially objectionable condition, hazard, or public nuisance that would adversely affect the surrounding area per the standards below. Public nuisances may be enjoined or otherwise abated by the City in the manner described in CCMC Chapter 9.04: Nuisances and any other applicable provision of State or local law.

1. **Dust control and soil erosion.** Any ground or soil disturbance due to excavation, grading, building construction, removal of vegetation, or other similar acts shall adequately and effectively control dust and limit soil erosion. Dust and other types of air pollution, borne by the wind from sources such as storage areas, yards, roads, conveying equipment, and the like on the lot, must be kept to a minimum by appropriate landscaping, screening, sheltering, paving, fencing, wetting, collecting, or other acceptable means.
2. **Air contaminants.** Uses, activities, and processes shall not operate in a manner that emits excessive dust, odor, fumes, smoke, or particulate matter, unless authorized under Federal, State, or local law. Sources of air emissions shall comply with all rules established by the Environmental Protection Agency (Code of Federal Regulations, Title 40), the California Air Resources Board, and the South Coast Air Quality Management District (SCAQMD). The City shall consult, when appropriate, with SCAQMD to determine which uses shall be equipped with emission-control devices or measures to preclude fugitive dust and particulate emissions from the site. Such devices or measures shall be approved by SCAQMD prior to issuance of a building permit or other approval authorizing construction activities. All devices shall be maintained by the owner.
3. **Heat, light, and glare.** Any existing or proposed use or portion thereof that creates heat, light, or glare that constitutes or may be considered a nuisance or hazard on any adjacent property, such as use of arc welders or furnaces, security lighting or spot lights, or reflecting building materials or water features, or similar equipment, shall shield or control all sources of heat, light, or glare in such manner as will prevent the issuance, continuance, or recurrence of the disturbing emissions. Heat emitted by a use shall not cause a temperature increase of more than five degrees Fahrenheit on an adjacent property.
4. **Electromagnetic disturbances and radiation.** Any existing or proposed use or portion thereof that can or may generate any electrical disturbances or produce any electromagnetic or radioactive emanations that can or may be considered a nuisance or hazard shall shield or control the source of the electrical or radioactive emanations in such manner as will prevent the issuance, continuance, or recurrence of any hazardous or disturbing emanations. All uses, activities and processes shall comply with applicable Federal Communications Commission regulations.
5. **Odors.** No noxious odor or fumes shall be emitted that are perceptible without instruments by a reasonable person at the property line of the site.
6. **Noise and vibration.**
  - a. **Noise.** Any existing or proposed use or portion thereof that can or may generate noise that constitutes or may be considered a nuisance or hazard on any adjacent property,

shall control the source of the noise in such manner as will prevent the issuance, continuance, or recurrence of any hazardous or disturbing emanations. All existing or proposed uses and activities shall conform to the Noise Element of the General Plan and CCMC Chapter 9.07: Noise Regulations. All construction activity shall conform to CCMC Section 9.07.035 (Construction).

7. **Vibration.** No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard. Where vibration dampeners are proposed, project applications shall include an engineered study establishing the effectiveness of the dampeners based on actual conditions.
8. **Waste.**
  - a. **Discharge.** Waste and hazardous liquids and solids of any kind shall not be discharged, either directly or indirectly, into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with all Federal, State, and local regulations.
  - b. **Containment.** Waste shall be handled and stored to prevent nuisances, health, safety, and fire hazards, and to facilitate recycling. Material, including but not limited to paper products, plastic, dirt, sand, lime, seed, bran, chaff, wood refuse, and other readily transportable compounds, shall be contained in a way that cannot be tracked or carried by wind off-site.
9. **Hazardous waste and materials.** Uses, activities, and processes involving the use, storage, or disposal of hazardous and extremely hazardous materials shall be regulated and monitored according to standards established by the United States Environmental Protection Agency (EPA), the California Department of Health Services (DHS), the California Department of Toxic Substances Control (DTSC), the LA County Department of Public Health, and the City of Culver City Fire and Building Codes. See also CCMC Chapter 9.03: Health, Sanitation, and Hazardous Materials.
10. **Fire and explosive hazards.** Materials that present potential fire or explosion hazards must be transported, stored, and used only in conformance with all applicable Federal, State, and local regulations. Uses, activities, and processes involving the use of, or storage of, flammable and explosive materials shall be provided with adequate safety devices, adequate firefighting and fire suppression equipment, and devices standard in the industry, except as otherwise provided by applicable fire codes. No use shall store or process flammable or explosive materials more than the quantities exempted by the Building Code, unless a permit has been granted by the Fire Department. All incineration is prohibited with the exception of substances such as, but not limited to, chemicals, insecticides, hospital materials and waste products, required by law to be disposed of by burning, and those instances wherein the Fire Department deems it a practical necessity.
11. **Maintenance of required facilities.** All physical facilities required in this Ordinance, such as buildings and structures, paving, fences, walls, and landscaping, shall be kept and maintained in a neat, clean, orderly, operable, and usable condition.

- B. **Mixed Use Performance Standards.** The purpose of this section is to ensure that residential uses in mixed use projects and buildings are not adversely impacted by adjacent commercial or industrial uses, including but not limited to traffic, noise, light, and safety impacts.
1. **Applicability.** The following performance standards shall apply to non-residential uses in mixed use developments within the city.
  2. **Hours of operation.** The hours of operation for non-residential uses in mixed-use developments shall be no earlier than 7:00 a.m. and no later than 10:00 p.m. daily, unless modified by an administrative or conditional use permit.
  3. **Nuisances and limitations on use.**
    - a. No commercial use, activity, or process shall be operated in an objectionable manner due to fumes, noxious odor, dust, smoke, gas, noise, or vibrations that may be detrimental to any other uses and occupants on the same property.
    - b. Any activity or use as determined by the Director not to be compatible with residential uses and/or to have the possibility of affecting the health or safety of residents due to the potential for the use to create dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or create a hazard because of materials, processes, products, or wastes, shall not be permitted within any mixed use development or mixed-use zoning district. This includes, but is not limited to, storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use and welding, machining, or open flame work.
  4. **Noise and vibration.** All residential units shall be designed to minimize adverse noise impacts from non-residential uses and shall comply with the maximum levels in the Noise Element of the Culver City General Plan and CCMC Chapter 9.07: Noise Regulations. Proper design may include, but shall not be limited to, building orientation, double glazed windows, wall and ceiling insulation, and orientation of vents. Residential and live/work units shall be constructed to minimize the transmission of noise and vibration with a minimum impact insulation class (IIC) of 60 for all residential and live/work walls, floors, and ceilings.
  5. **Access and security.**
    - a. Shared elevators shall have security code access for residents to reach residential floors and to use the elevators during late evening and early morning hours. Security code access is not required for live/work access areas. Separate commercial and residential elevators are encouraged.
    - b. Residential units shall be designed to ensure the security of residents through the provision of separate and secured entrances and exits that are directly accessible to parking areas. Where residential units are in the same structure as a non-residential/commercial use, access to residential units shall be from a secured area or entrance located on the ground floor. Non-residential and residential uses located on the same floor shall not have common entrance hallways or common balconies. Shared or common residential entrances shall automatically lock upon closing.
  6. **Air quality and odors.** All residential units shall be designed to minimize adverse impacts from mechanical equipment and operations of non-residential uses on air pollutant emissions and odors. Odors released from any operation or activity shall not exceed

detectable concentration beyond lot lines, measured at any location on the lot lines. Non-residential uses with attached residential units shall provide state-of-the-art ventilation systems to prevent odors from penetrating residential units. This includes the provision of grease interceptors and venting shafts for cooktops, ovens, and other food heating equipment for mixed-use buildings with ground-floor commercial space. Ground floor commercial vents for restaurants or other food production related businesses may not be located directly below residential uses. Residential and live/work units shall be designed to allow for cross-ventilation and have high quality HVAC systems, to the extent feasible.

7. **Parking access.** Parking access and circulation design shall minimize vehicle circulation through residential neighborhood streets.
8. **Utilities, equipment, service, and loading areas.**
  - a. Utilities, equipment, service, and refuse areas shall be designed and located per the standards in Section 17.300.035.C (Utilities, Equipment, Service, Loading, and Refuse Areas).
  - b. Commercial loading and outdoor storage.
    - i. Commercial loading areas and outdoor storage areas shall be designed and located away from residential units and shall be screened from view at ground level from the residential portion of the project and from adjacent residential developments. See additional location and screening standards in Section 17.300.035.C (Utilities, Equipment, Service, Loading, and Refuse Areas) and Section 17.400.080 (Outdoor Storage).
    - ii. Loading, unloading, and all service and maintenance activities shall be conducted within the hours of operation noted in Subsection 17.220.025.B.2 (Hours of operation) to minimize noise and other negative impacts on residential uses.
9. **Refuse and recycling.**
  - a. Refuse and recycling shall be designed and located per the standards in Section 17.300.035.C.3 (Refuse and recycling).
  - b. **Separate refuse areas.** The residential units shall maintain a separate refuse and recycling storage area from that used by the non-residential uses. It shall be clearly marked for residential use only and use by non-residential uses is prohibited.
10. **Lighting.** Lighting for non-residential uses shall be appropriately designed, located, and shielded to ensure that it does not negatively impact the residential units in the development or any adjacent residential uses and shall comply with Section 17.300.040 (Outdoor Lighting). Adequate lighting shall be provided adjacent to sidewalks and other public spaces to preserve the amenity and safety of those spaces for nighttime pedestrian use.
11. **Covenant.** A City-approved covenant shall be executed by the owner of each residential unit within a mixed use development for recording in the land records of Los Angeles County, and shall include statements that the occupant(s) understand(s) and accept(s) he/she is living in a mixed use development, and that commercial activities are permitted pursuant to the regulations of the CCMC. If the project includes rental residential units, the project owner shall execute such covenant and a copy of the recorded covenant shall be provided to each new occupant of the rental units.

17.220.030 SUPPLEMENTAL STANDARDS FOR MIXED USE DEVELOPMENT

A. **Purpose.** This Section provides supplemental location, development, and design standards for mixed use developments.

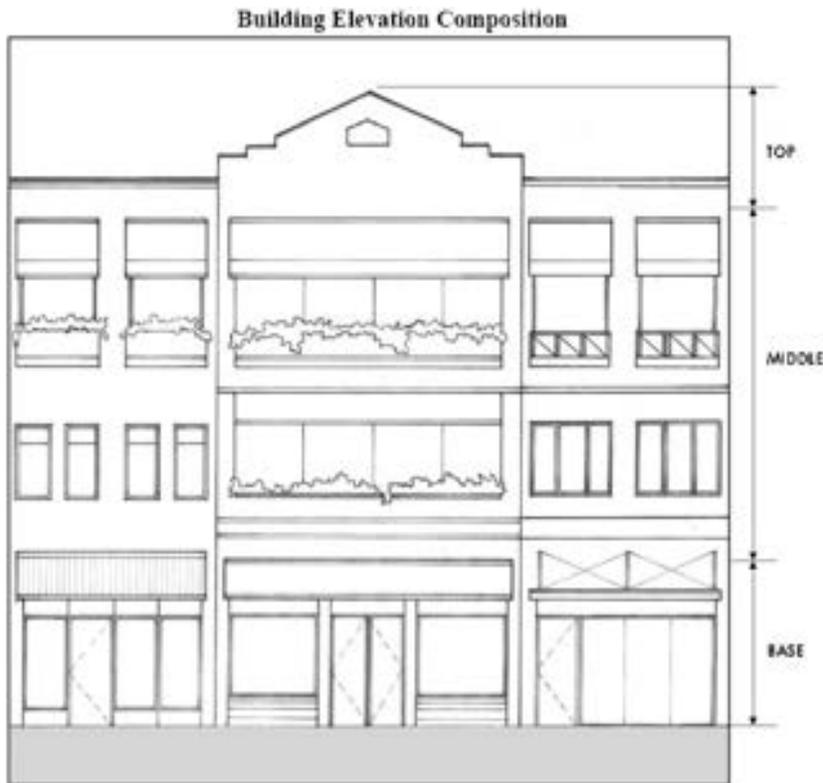
B. **Applicability.**

1. The provisions in this Section shall regulate the conversion of existing buildings to include mixed uses, as defined herein, and new construction of mixed use projects, where allowed by the applicable zoning districts.
2. The Mixed Use Development Standards do not supersede the provisions of the Mixed Use Downtown District (MU-DT).
3. Where an Owner-Participation Agreement, Disposition and Development Agreement, Development Agreement, or similar agreement with the City or Redevelopment Agency applies to a land parcel, and the provisions of such agreement differ from the Mixed Use Development Standards, the provisions of the agreement shall prevail.

C. **Site Planning and Design Standards.**

1. **Building bulk.** Projects shall be designed to achieve interesting, graceful and articulated buildings by the use of varied rooflines and vertical attachments; clearly define the base, middle and top of each building and other architectural features; and include building line setback and step backs to create visual interest and reduce monolithic design. See Figure 2-6 (Building Elevation Composition).

Figure 2-6 Building Elevation Composition



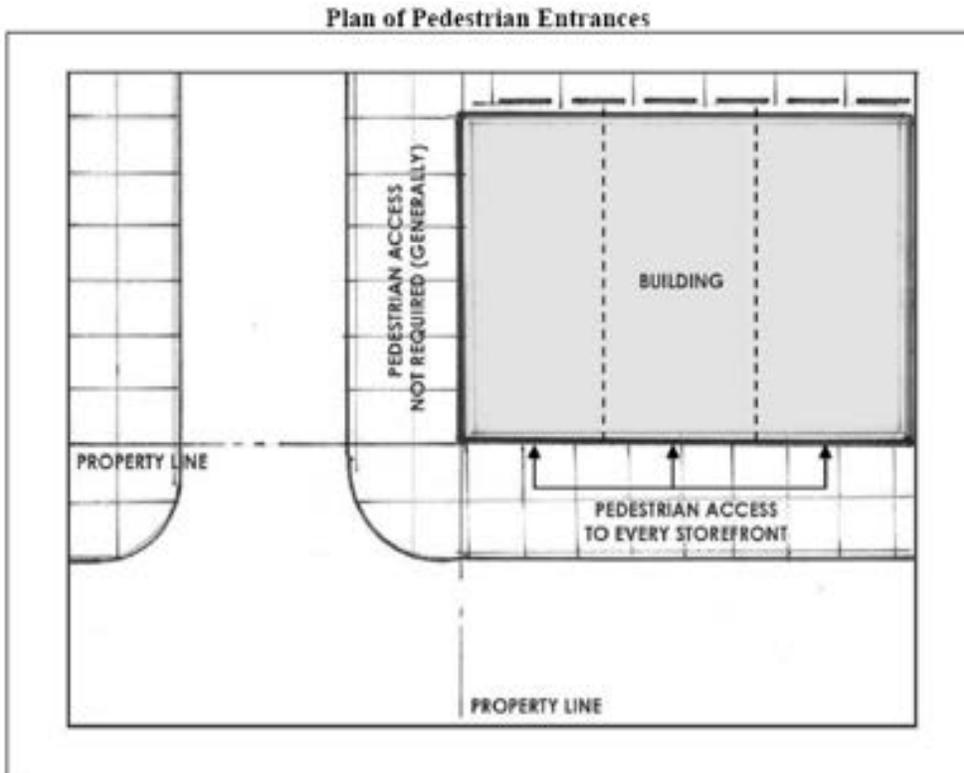
**2. Street frontage requirements.**

- a. The street frontage shall be architecturally varied to create visual interest and shall include architectural features and pedestrian amenities such as recessed entries, arcades, colonnades, stairs, art, and other architectural features or pedestrian improvements subject to the following:
  - i. Passageways in arcades and colonnades are, at minimum, five feet wide.
  - ii. Architectural and ornamental features do not impede pedestrian routes.
  - iii. Stairs are decorative and attractive.
- b. With the exception of required driveway curb cuts, street frontage requirements shall apply to 100% of the total property frontage parallel to the street and shall include step backs and building line offsets above the ground level to create visual interest and attractive building massing.
- c. No blank wall area is permitted in the street frontage wall area. The maximum width of any continuous blank wall in the street frontage shall be no more than 30 feet.
- d. Major entrances and corners of buildings shall be articulated within the street wall facade.

3. **Building entrances.**

- a. Pedestrian entrances shall be provided for all ground floor uses along the primary street frontage. See Figure 2-9 (Plan of Pedestrian Entrances).

Figure 2-7 Plan of Pedestrian Entrances



- b. Pedestrian entrances shall be directly accessible from the public right-of-way or a publicly-accessible pathway or open space, and shall have direct access and view from the adjacent sidewalk.
- c. Commercial uses and residential uses shall have separate exterior entrances, elevators, and lobbies. The Director may waive this requirement, based on site constraints.
4. **Signage and lighting.** Signs shall be developed pursuant to Chapter 17.330 (Signs). Exterior lighting shall comply with the requirements of Section 17.300.040 (Outdoor Lighting).
5. **Parking and vehicular access.**
- a. Street level parking facilities and lots shall be screened from view from the adjoining street(s) by ornamental walls or fences, at least four feet high above street grade.
- b. **Ingress/Egress:**
- i. Two-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 100 feet of street frontage on the street where the vehicular ingress/egress area is located. The Director may waive this requirement, based on site constraints.

- ii. One-way vehicular ingress/egress areas on arterial streets shall only be permitted on development sites with a minimum of 75 feet of street frontage on the street where the ingress/egress area is located. The Director may waive this requirement, based on site constraints.
- iii. Vehicular ingress/egress areas are prohibited on arterial streets where the street frontage of the development site adjacent to the arterial street is less than 75 feet. The Director may waive this requirement, based on site constraints.

**D. Residential Development Standards.**

- 1. **Open space.** Mixed use developments shall comply with the open space requirements of Section 17.210.030.A (Open Space Requirements for Multiple-Family Residential).
- 2. **Facility and design requirements.** Mixed use developments shall comply with the facility and design requirements of Section 17.210.030.B (Facility and Design Requirements for Multiple-Family Residential).

**E. Live/Work Development Standards.** In addition to the standards detailed in this Section, live/work units within a mixed use development shall meet all applicable standards contained in Section 17.400.060 (Live/Work Development Standards).

**F. Parking Standards.** Mixed use developments shall comply with all requirements contained in Chapter 17.320 (Off-Street Parking and Loading).

(Ord. No. 2005-007 § 1 (part))

**17.220.035 MIXED USE DOWNTOWN (MU-DT) DISTRICT REQUIREMENTS.**

Land uses allowed within the MU-DT Zoning District by Table 2-5 (Allowed Uses and Permit Requirements for Mixed Use Zoning Districts) shall comply with the following provisions, in addition to the development standards in Table 2-6 (Mixed Use Zoning District Development Standards (MU-N, MU-1, MU-2, MU-DT)) and all applicable provisions of Article 3 (Site Planning and General Development Standards).

- A. **Ground Floor Restriction.** Land uses shown in Table 2-5 (Allowed Uses and Permit Requirements for Mixed Use Zoning Districts) as being subject to ground floor restrictions shall not be located on the ground floor of any building, in the following locations:
  - 1. Both sides of Main Street;
  - 2. The north side of Culver Boulevard, from Canfield Avenue to Duquesne Avenue;
  - 3. Both sides of Washington Boulevard, between Watseka Avenue and Hughes Avenue; and
  - 4. The Culver Boulevard and Washington Boulevard frontages of the Town Plaza and Town Park areas, except where other uses are allowed by the Culver City Redevelopment Agency in an Owner-Participation Agreement or a Disposition and Development Agreement.
  - 5. Exemptions from ground floor use restrictions may be granted for:

- a. Designated historic structures when it can be demonstrated, by substantial evidence, that such restrictions would substantially compromise the economic viability or architectural integrity of the building;
  - b. Hotels and motels with ground floor uses that generate pedestrian activity such as lobbies, retail, and restaurants; and
  - c. Office uses that include direct customer or client service components and that generate pedestrian activity or require patronage daily, such as, but not limited to, insurance offices; tax preparer; real estate offices; advertising agencies; architectural, engineering, and planning services; graphic design, fashion, photography, and commercial art studio services; and accounting, auditing and bookkeeping services, and similar office uses as determined by the Director.
- B. Multiplex Theater Amusement Devices.** Amusement devices are permitted in conjunction with a multiplex movie theater complex of at least 10 screens, subject to all the following criteria:
1. No more than 10 amusement devices shall be permitted in a complex.
  2. Amusement devices shall be located within the theater complex and used only by theater customers who have purchased tickets.
  3. An amusement area shall not occupy more than 500 square feet of floor area.
  4. An amusement area shall be screened so as not to be generally visible from the exterior of the theater complex.
  5. An amusement area shall be accessible only by means of the main customer entrance for the theater complex.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2009-001 § 2; Ord. No. 2022-003 § 2 (part); Ord. No. 2022-008)

17.230 [Reserved]

## 17.240 PLANNED DEVELOPMENT (PD) ZONING DISTRICTS

### Section

- 17.240.005 Purpose
- 17.240.010 Purpose of Planned Development (PD) Zoning Districts
- 17.240.015 Planned Development (PD) District Requirements
- 17.240.020 Established Planned Development (PD) Districts

### 17.240.015 PURPOSE.

This Chapter provides use and development regulations in the Planned Development (PD) Zoning Districts established by Section 17.200.010 (Zoning Districts Established).

(Ord. No. 2005-007 § 1 (part))

### 17.240.020 PURPOSE OF PLANNED DEVELOPMENT (PD) ZONING DISTRICTS.

The intent of the Planned Development (PD) Zoning District, and the manner in which it is applied, is as follows:

- A. **PD (Planned Development) District.** The PD Zoning District is applied to areas of existing large-scale, multiple-family residential and commercial complexes developed as a planned district, and sites suitable for similar large-scale development. The PD Zoning District can also be applied to sites suitable for combined commercial, residential and/or live/work uses within a physically integrated and contiguous area.

(Ord. No. 2005-007 § 1 (part))

### 17.240.015 PLANNED DEVELOPMENT (PD) DISTRICT REQUIREMENTS.

- A. **Requirements for the Planned Development (PD) District.** Development standards, allowable land uses and permit requirements for the PD Zoning District shall be established by a Comprehensive Plan (Chapter 17.560).
- B. **Minimum Site Area for Rezoning.** The PD Zoning District may only be applied to sites of one acre or larger.
- C. **Permit Requirements.** All development proposed within a PD Zoning District shall require approval of a Comprehensive Plan in compliance with Chapter 17.560 (Comprehensive Plans). Land use permit requirements for changes in land use after the initial Comprehensive Plan approval may be established by the Council through the rezoning of the site to apply the PD Zoning District, and/or through the approval of the Comprehensive Plan.
- D. **Allowable Land Uses and Development Standards.** Except as otherwise provided by this Section, allowable land uses, and site planning and development standards for the PD Zoning

District shall be determined by the Council through the rezoning of the site to apply the PD District, and/or through the approval of a Comprehensive Plan in compliance with Subsection 17.240.015.C. (Permit Requirements) above. In establishing allowable land uses and development standards, the Council shall consider the standards of the zoning districts most similar in nature and function to the uses proposed within the PD District.

- E. **Height.** No building or structure in the PD Zone may exceed 56 feet in height, unless a height exception is granted pursuant to Section 17.300.025 (Height Measurement and Height Limit Exceptions).
- F. **Undergrounding of Utilities.** All utilities, including telephone, cable television, and electric systems, required within the limits of all PD Zones shall be located underground.

(Ord. No. 2005-007 § 1 (part))

17.240.020 ESTABLISHED PLANNED DEVELOPMENT (PD) DISTRICTS.

- A. **Established Planned Districts.** Specific areas identified as planned districts are listed in Table 2-9.

Table 2-9 Planned Districts

Project Name	PD Number	Address/Cross Streets	Uses	Date Adopted	Resolution/ Ordinance Number
Lenawee Ave Multi-Family Housing	1	Lenawee/La Cienega	Housing		
MGM Lot #3 (Raintree, Tara Hills, Lakeside)	2	Jefferson/Overland (SE corner)	Housing	07/14/1971	1971-702
Windsor Fountain	3	Overland/Ballona Creek	Housing	02/27/1978	CS-7627
Raintree Plaza Shopping Center (MGM lot #5)	4	Jefferson/Overland (SW corner)	Commercial/Retail	01/10/1972	1972-730
Rotary Plaza (MGM Lot #6)	5	Overland/Virginia	Senior Housing	03/12/1973	1973-767
Studio Royale	6	Overland btwn Washington & Culver	Senior Housing	11/25/1985	1985-020
Palm Court	7	Overland btwn Washington & Culver	Senior Housing	11/25/1985	1985-020
The Classics at Heritage Park (Studio Drive-In)	8	Jefferson/Machado	Housing	03/23/1998	1998-003
Liberty Plaza Senior Housing	9	Sepulveda/Ballona Creek	Senior Housing	05/10/1989	1989-P024
Platform	10	8810-8850 Washington Blvd	Commercial/Retail	12/10/2012	2012-007
Ivy Station	11	8824 National Blvd	Housing/Commercial	03/28/2016	2016-006
Access Culver City	12	8770 Washington Blvd	Housing/Commercial	02/11/2013	2013-002
8777 Washington Blvd (Apple)	13	8777 Washington Blvd	Office/Retail	06/26/2017	

Project Name	PD Number	Address/Cross Streets	Uses	Date Adopted	Resolution/ Ordinance Number
					2017-010
Lenawee Housing	14	3814 Lenawee Ave	Housing	08/08/2016	2016-007
Culver Public Market	15	12403 Washington	Commercial/Retail	02/12/2018	2018-004
11111 Jefferson	16	11111 Jefferson Blvd	Housing/Commercial	10/11/2021	2021-015
Crossings Campus (Apple)	17	8825 National Blvd	Office	12/12/2022	2022-011

B. **Standards for Established Planned Development (PD) Zoning Districts.** The allowed uses and development standards for planned districts are developed as part of the project approval process. The allowed uses and development standards for the above established planned districts are on file at the Division.

(Ord. No. 2005-007 § 1 (part))

## 17.250 SPECIAL PURPOSE ZONING DISTRICTS

### Section

- 17.250.005 Purpose
- 17.250.010 Purposes of Special Purpose Zoning Districts
- 17.250.015 Studio (S) District Requirements
- 17.250.020 Cemetery (E) District Requirements
- 17.250.025 Transportation (T) District Requirements
- 17.250.030 Open Space (OS) District Requirements
- 17.250.035 Institutional (I) District Requirements

### 17.250.005 PURPOSE.

This Chapter provides special purpose development and use regulations in the special purpose zoning districts established by Section 17.200.010 (Zoning Districts Established).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-001 § 2 (part))

### 17.250.010 PURPOSES OF SPECIAL PURPOSE ZONING DISTRICTS.

The purposes of the individual special purpose zoning districts, and the manner in which they are applied, are as follows.

- A. **S (Studio) District.** The S Zoning District is applied to areas appropriate for motion picture and television studio facilities, and related media support facilities, and is intended to support the continuation of those businesses, while ensuring that future expansion will minimize potential impacts on adjacent residential uses. The S Zoning District is consistent with the Studio land use designation of the General Plan.
- B. **E (Cemetery) District.** The E Zoning District is applied to cemeteries. The E District is intended to protect existing cemeteries and provide for expansion within their existing boundaries. The E Zoning District is consistent with the Cemetery land use designation of the General Plan.
- C. **T (Transportation) District.** The T Zoning District is applied to the existing METRO right-of-way located on National Boulevard.
- D. **OS (Open Space) District.** The OS Zoning District is applied to open space resources. The Open Space (OS) Zone is intended to regulate, protect, and preserve publicly accessible land that is

well suited for active recreation, amusement, relaxation, and/or scenic viewing. The OS Zoning District is consistent with the Open Space land use designation of the General Plan.

- E. **I (Institutional) District.** The I Zoning District is applied to government offices, community facilities, hospitals, schools, and other educational facilities.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-001 § 2 (part))

#### 17.250.015 STUDIO (S) DISTRICT REQUIREMENTS.

Land uses allowed within the S Zoning District shall comply with the following provisions, in addition to all applicable provisions of Article 3 (Site Planning and General Development Standards).

- A. **Uses Permitted.** No building or land shall be used and no building shall be erected, constructed or established except for uses customary or incidental to the production or distribution of motion pictures and other forms of audiovisual products, including but not limited to, education and entertainment films, tapes and other reproduction media. Restaurants, support and related retail and sales of alcoholic beverages, pursuant to an “on sale” license issued by the State Department of Alcoholic Beverage Control, are permitted if not accessible to the general public. Telecommunication facilities may be permitted with an Administrative Use Permit or a Conditional Use Permit, as provided for in Section 17.400.110 (Telecommunication Facilities).
- B. **Comprehensive Plan to Establish Standards.** All development standards for sites within the S Zoning District, except the height limits established by Subsection 17.250.015.D. (Height Limit) below, shall be established by a Comprehensive Plan in compliance with Chapter 17.560 (Comprehensive Plans).
- C. **Temporary Structures.** Temporary structures constructed as part of a production set shall not be subject to the requirements of this Title; provided that the structures comply with applicable building, fire, and other applicable life safety regulations, and do not interfere with required site improvements, including parking spaces and aisles, and setbacks.
- D. **Height Limit.** No structure within the S Zoning District shall exceed a height of 56 feet. (This provision is as approved by Initiative Ordinance No. 90-013½, adopted April 17, 1990, or as may be amended.)

(Ord. No. 2005-007 § 1 (part))

#### 17.250.020 CEMETERY (E) DISTRICT REQUIREMENTS.

Land uses allowed within the E Zoning District shall comply with the following provisions, in addition to all applicable provisions of Article 3 (Site Planning and General Development Standards).

- A. **Purpose.** It is intended within the E Zone to permit establishment of a cemetery.
- B. **Uses Permitted.** A cemetery use, subject to a Site Plan Review, which shall be required prior to the issuance of any building permit for any cemetery-type structure, or prior to the interment of any deceased person. Telecommunication facilities may be permitted with an Administrative Use Permit or a Conditional Use Permit, as provided for in Section 17.400.110 (Telecommunication Facilities).
- C. **Filing Requirements.** Maps and drawings in sufficient number, as determined by the Division (together with an application fee in the amount established by Resolution of the Council for a Site Plan Review), shall be submitted to indicate:
  - 1. The position of all proposed and existing structures on subject property (plot plan);
  - 2. Location of pedestrian and vehicular streets and access ways; and
  - 3. Location and specifications of all walls, fences and screening.
- D. **Standards Governing Approval.** The Commission shall review all plans submitted and give its approval or disapproval, based upon the following standards formulated to insure the development of a cemetery in a manner compatible with the public welfare. The standards governing the Commission's determination are as follows:
  - 1. **Access: Emergency Equipment.** All buildings and structures shall be so arranged as to permit convenient access for the City's emergency and service equipment. Fire hydrants, standpipes, other fire protection devices, and also devices providing illumination, may be required to be installed and maintained at the applicant's expense.
  - 2. **Streets and Access Ways.** Vehicular and pedestrian streets and access ways shall be required to be dedicated and improved, as determined by the Commission, as necessary to permit convenient access to all portions of the herein classified property.
  - 3. **Landscaping, Walls and Fences, and Screening.** Walls, fences, or screen-type landscaping shall be provided, maintained and located as determined by the Commission.

(Ord. No. 2005-007 § 1 (part))

#### 17.250.025 TRANSPORTATION (T) DISTRICT REQUIREMENTS.

- A. **Uses Permitted.** The following uses are permitted in the T Zone:
  - 1. The operation and maintenance of any transportation business, including private rights-of-way, easements, railroads, railways, pipe lines, pole lines, conduits, bus lines, or airports. Such area shall be used exclusively for such transportation business and appurtenant facilities, including passenger stations, electrical substations, and the beautification and protection of such rights-of-way.
  - 2. Automobile parking areas when developed in accordance with the provisions of this Chapter.
  - 3. Telecommunication facilities may be permitted with an Administrative Use Permit or a Conditional Use Permit, as provided for in Section 17.400.110 (Telecommunication Facilities).

- 4. Open space.
- B. **Prohibited Uses.** Construction of any advertising sign or structure, and any residential, commercial, industrial or freight storage structure, including above ground parking structures.

(Ord. No. 2005-007 § 1 (part))

#### 17.250.030 OPEN SPACE (OS) DISTRICT REQUIREMENTS.

Land uses allowed within the OS Zoning District shall comply with the following provisions, in addition to all applicable provisions of Article 3 (Site Planning and General Development Standards).

- A. **Uses Permitted.** The following uses are permitted in the OS Zone:
  - 1. Parks and playgrounds, public facilities, libraries, museums, community centers, and recreational facilities. Telecommunication facilities may be permitted with an Administrative Use Permit or a Conditional Use Permit, as provided for in Section 17.400.110 (Telecommunication Facilities).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2006-009 § 22 (part); Ord. No. 2008-008 § 1 (part); Ord. No. 2022-008)

#### 17.250.035 INSTITUTIONAL (I) DISTRICT REQUIREMENTS.

Land uses allowed within the I Zoning District shall comply with the following provisions, in addition to all applicable provisions of Article 3 (Site Planning and General Development Standards).

- A. **Uses Permitted.** The following uses are permitted in the I Zone:
  - 1. Government services, libraries, museums, community centers, recreational facilities, schools, colleges, universities, day care centers, educational and medical research facilities, hospitals, social service agencies, and religious facilities.
  - 2. Accessory buildings and uses such as bookstores, pharmacies, restaurants or cafes, gift shops, and medical and educational supply stores provided in conjunction with a permitted use, primarily as a convenience to its occupants, customers, patients, or employees.

## 17.260 OVERLAY ZONES

### Section

- 17.260.005 Purpose
- 17.260.010 Applicability of Overlay Zones
- 17.260.015 Residential Zero Setback Overlay (-RZ)
- 17.260.020 [Reserved]
- 17.260.025 Redevelopment Project Area Overlay (-RP)
- 17.260.030 Civic Center Overlay (-CV)
- 17.260.035 [Reserved]
- 17.260.040 Residential Hillside Overlay (-RH)

### 17.260.005 PURPOSE

The overlay zones established by this Chapter provide guidance for development and new land uses in addition to the standards and regulations of the primary zoning districts, where important site, neighborhood, or compatibility issues require particular attention in project planning.

(Ord. No. 2005-007 § 1 (part))

### 17.260.010 APPLICABILITY OF OVERLAY ZONES.

- A. **Designation of Property.** The applicability of any overlay zone to a specific site is shown by the overlay Zoning Map symbol, established by Section 17.200.010 (Zoning Districts Established), being appended as a suffix to the symbol for the primary zoning district on the Zoning Map (for example, CG-EW which represents the Commercial General (CG) Zoning District and the East Washington Boulevard Overlay (-EW)).
- B. **Applicability of Overlay District Requirements.** The provisions of this Chapter apply to proposed land uses and development in addition to all other applicable requirements of this Title. In the event of any perceived conflict between the provisions of this Chapter and any other provision of this Title, this Chapter shall control.

(Ord. No. 2005-007 § 1 (part))

17.260.015 Section 17.260.015 RESIDENTIAL ZERO SETBACK OVERLAY (-RZ).

A. **Uses Permitted.**

- 1. One dwelling unit per lot.
- 2. Accessory buildings and structures, provided no such building or structure shall be designed or used for dwelling purposes.
- 3. Public uses and buildings, including libraries, museums, parks, playgrounds, schools and community buildings owned and controlled by the City or school district, if their location is first approved by the Council.
- 4. The renting of rooms or the providing of table board to not more than two persons is permitted, provided said rooms shall be within the dwelling structure and not within an accessory building.

B. **Lot Dimensions.**

- 1. **Area.** Each lot shall have an area of not less than 5,000 square feet.
- 2. **Frontage.** The minimum frontage of a lot shall be 35 feet. A non-rectangular lot on a cul-de-sac turn around, knuckle, or on the outside radius of a street curve, with a radius of not more than 50 feet, shall have a street frontage of not less than 25 feet.
- 3. **Width and depth.** Every lot recorded after September 10, 1984, shall have a lot depth approximately twice its width, or vice versa (a 2:1 or 1:2 ratio), except lots that, in the opinion of the Commission or Council, are constrained by unusual configuration limitations resulting from steep topography, remote access, cul-de-sac turn around, or other extraordinary physical characteristics shall not be strictly held to this requirement.
- 4. **Dwelling floor area.** Each dwelling shall have a ground floor area of not less than 900 square feet and a total floor area of not less than 1,700 square feet. Said area requirements shall be determined as measured from exterior walls, and shall be exclusive of the garage and any porches, patios, balconies or similar architectural features not providing living space internal to the dwelling.

C. **Dwelling Height.** No dwelling structure shall exceed two stories or 30 feet in height, provided that roof-mounted antennae may extend a maximum of 15 feet above the highest roofline of the building upon which it is attached.

D. **Yard Building Setbacks.** Each lot shall have one side and a rear yard of not less than 10 feet, and a front yard of not less than 13 feet, except that:

- 1. Garages shall be located to allow a paved on-lot driveway of not less than 23 feet in length and 16 feet in width.
- 2. Street-abutting side yards shall be not less than eight feet, and side yards abutting property not in the Residential Zero Setback Overlay (-RZ) shall not be less than five feet.
- 3. An average front building setback for both first and second dwelling stories of not less than 18 feet shall be provided.
- 4. An average one side or rear building setback for both first and second dwelling stories of not less than 15 feet shall be provided.
- 5. Notwithstanding any other provision of this Title, wholly or partially contiguous, residentially zoned lots or portions of lots, which have been improved or are proposed to

be improved as a single and unified multiple-lot residential development, may be considered as a single parcel for the purpose of applying the setback requirements as provided in this Section. The Director or Commission may waive non-street-facing setback requirements for common interior lot lines within the parcel, provided all the following conditions are met:

- a. Setback requirements established by this Section are applied to the perimeter lot lines;
- b. The property owner executes and records a covenant, in a form approved by the City, to hold all lots or portion as one parcel.
- c. The property owner dedicates a portion of the parcel, pays a fee or does both, for the purpose of providing park and recreational facilities to serve future residents of the multiple lot residential development, in accordance with CCMC Section 15.10.765.

**E. Separation Between Dwellings on Adjacent Lots.** There shall be an open space area on each lot of not less than 600 square feet, with no dimension less than 20 feet, except non-rectangular lots located on a cul-de-sac turn around or knuckle shall have no dimension less than 15 feet. This open space area shall be exclusive of required front and street abutting side yards and vehicular driveways, and further, shall be subject to the following:

1. The required open space may include side or rear yards.
2. Pools and paved recreational areas may be developed in the required open space.
3. The gradient or slope of any required open space shall not exceed 10%. The open space may be provided on a deck.
4. Such open space shall be fully open to the sky, except that architectural projections are permitted as set forth in Section 17.300.020 (Setback Regulations and Exceptions).
5. An accessory building may not occupy any part of the required open space.
6. When adjacent to the required front yard, the required open space shall be screened from the street with a fence or wall, the design of which has been approved by the Director.
7. Pavement in a required front or street-abutting side yard shall not exceed 60% of the required area, except that in non-rectangular lots on a cul-de-sac turn around, knuckle, or on the outside radius of a street curb for the radius of not more than 50 feet, shall not exceed 75% of the required area.

**F. Off-Street Parking.** When provided, parking shall comply with the standards and requirements set forth in Chapter 17.320 of this Title.

**G. Accessory Structures.** Notwithstanding Section 17.400.100 (Residential Uses - Accessory Residential Structures), accessory structures shall be subject to the following requirements:

1. No such structure shall be located within a required front or street-abutting side yard.
2. No such building or structure shall be located within five feet of a dwelling or another structure not within two feet of any interior property line.
3. No such structure shall exceed 10 feet in height without a Conditional Use Permit.

**H. Special Conditions.**

1. Building walls within four feet of and facing an interior property line shall have no openings, and shall be waterproofed as required by the Building Safety Division, except that walls within two feet of an interior property line shall be fully waterproofed.

2. All exterior ground-mounted or roof-mounted appurtenant equipment, such as but not necessarily limited to, water heaters, air conditioners, ducting, and swimming pool pumps, shall be screened from view from adjoining properties and rights-of-way in a manner consistent with City standards as determined by the Director. Said equipment shall also be sheltered, insulated or otherwise baffled as necessary to conform to the noise regulations and standards of the CCMC.
  3. The minimum site area of an -RZ overlay shall be five acres.
- I. **Supplementary Regulations for 4,000 square foot Residential Zero Setback Overlay (-RZ) Subdivisions.** The regulations of this section shall apply to Residential Zero Setback (-RZ) lots of less than 5,000 feet. The regulations of Subsections 17.260.015 A.-G., shall apply also, except that this Subsection shall supersede in event of conflict.
1. Lot dimensions.
    - a. **Area.** Each lot shall have an area of not less than 4,000 square feet.
    - b. **Width and depth.** Every lot recorded after September 10, 1984, shall have a lot depth approximately twice its width, or vice versa (a 2:1 or 1:2 ratio), except that lots that, in the opinion of the Commission or Council, are constrained by unusual configuration limitations resulting from steep topography, remote access, cul-de-sac turn around, or other extraordinary physical characteristics shall not be strictly held to this requirement.
    - c. **Dwelling floor area.** Each dwelling shall have a total floor area of not less than 1,400 square feet.
  2. Yard building setbacks.
    - a. Garages shall be located to provide a paved driveway of not less than 20 feet in length, as measured from the inside edge of the public sidewalk to the garage door.
    - b. Subsection 17.260.015.D.4 (Yard Building Setbacks), requiring an average 15 foot side or rear yard, shall not apply.
  3. Open space.
    - a. No dimension of the required open space shall be less than 10 feet.
    - b. **Roof Decks.**
      - i. Rooftop decks shall be set back five feet from the building edge along an interior side yard adjacent to a residential zoned property.
      - ii. A permanent, built-in landscape planter with vegetation shall be located within the required setback area to screen views of the deck from neighboring properties. Rooftop decks which are located in a roof well are not required to include a landscape planter.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

17.260.020 [Reserved]

17.260.025 REDEVELOPMENT PROJECT AREA OVERLAY (-RP).

- A. **Purpose.** The purpose of establishing a Redevelopment Project Area Overlay (-RP) is to facilitate the consideration of redevelopment projects and activities of the Culver City Redevelopment Agency that are consistent with, and implement the Culver City Redevelopment Plan.
- B. **Applicability and Procedures.** This Redevelopment Project Area Overlay (-RP) applies to all current and future Redevelopment Project Component Areas within the City.

The land use and development requirements of the underlying zone shall apply, unless a Comprehensive Plan is approved according to the procedures established in Chapter 17.240 (Planned Development (PD) Zoning Districts), except the minimum acreage requirement or any other requirements the Council determines are unnecessary for a specific proposed project or activity.

- C. **Procedures.** The application filing and review procedures established in this Title shall apply, except that a party other than the property owner(s) or their designated representative(s) may file an application for the City’s consideration of the Comprehensive Plan and/or all other required entitlements without the consent of the property owner(s) or their representative(s), if that party has entered into an Exclusive Negotiation Agreement, Owner Participation Agreement, Disposition and Development Agreement, or a similar agreement with the Culver City Redevelopment Agency.

(Ord. No. 2005-007 § 1 (part))

17.260.030 CIVIC CENTER OVERLAY (-CV).

- A. **Purpose.** The purpose of the Supplemental Civic Center Overlay is to provide a scheme for the harmonious relationship between the proposed and existing Civic Center buildings of the City and any new buildings to be constructed within the area covered by the Civic Center Overlay (-CV).
- B. **Uses Permitted.** The uses permitted within the Civic Center Overlay (-CV) shall not be construed to reduce or limit the uses permitted in any zone underlying it.
- C. **Preliminary Plan Review.** It shall be required, within the area designated on the Zoning Map as the Civic Center Overlay (-CV), that preliminary plans and elevations of all proposed buildings and structures shall be submitted to the Director for approval prior to the issuance of a building permit.
- D. **Review Standards.** The Director shall be governed by the following standards in granting approval of plans submitted pursuant to the regulations of this Section. The Director shall reasonably determine that the general exterior appearance, design, color, texture of surface materials, height and exterior construction of all proposed buildings and structures within the

Civic Center Overlay (-CV) will generally conform in a harmonious manner to the existing and proposed Civic Center buildings.

- E. **Appeal.** The Director shall either approve or disapprove of the preliminary plans when submitted, and notify the applicant, in writing, of the decision. In the event an applicant desires to appeal the decision of the Director, it may be done so in a manner provided for appeals in Chapter 17.640 (Appeals).

(Ord. No. 2005-007 § 1 (part))

17.260.035 [Reserved]

17.260.040 RESIDENTIAL HILLSIDES OVERLAY (-CC).

- A. **Purpose.** The purpose of establishing the Residential Hillside Overlay (-RH) is to provide area-specific zoning regulations necessary for the incremental improvement and sustainable development of hillside neighborhoods in Culver City.
- B. **Allowable land uses and permit requirements.** Allowable land uses and required permits shall be established by the applicable underlying zone.
- C. **Definitions.** The following definitions will relate to residential zoned property in the -RH Overlay:
  - 1. **Floor Area, Residential.** Residential floor area shall include mezzanines, covered porches, covered patios, and accessory buildings in addition to any floor area, confined from exterior wall to exterior wall, within the main dwelling unit. Garages shall be included in the floor area with the exception that up to 200 square feet of attached and front-facing garages shall be exempted from floor area. Interior areas with ceiling heights greater than fourteen feet shall be counted twice towards the floor area.
- D. **Development requirements.** Development requirements shall be regulated by Table 2-10 (Residential Hillside Overlay Development Standards). Wherever the -RH Overlay zone is silent on a matter, the corresponding regulation of the underlying zone shall apply.

**Table 2-10 Residential Hillside Overlay Development Standards (-RH)**

Development Feature	Requirement by -RH Overlay	
Maximum number of dwelling units allowed per parcel (1)	1 Unit	
Dwelling size (2)		
Maximum area	Slope (3)	FAR
	<15%	0.45
	15% to 30%	0.40
	>30% to 45%	0.35

Table 2-10 (Continued)

Development Feature	Requirement by -RH Overlay	
Maximum area (continued)	>45% to 60%	0.30
	>60%	0.25
Setbacks (4)	Minimum setbacks required. See Section 17.300.020 (Setback Regulations and Exceptions)	
Front	20 feet - Single Story Structure	
	30 feet - Second Story of Two Story Structure	
Side (5)	First Floor: 10% of lot width, but not <5 feet and not > 10 feet	
	Second Floor (Narrow Setback): 16% of lot width, but not <8 feet and not >16 feet	
	Second Floor (Wide or Street-Facing Setback): 24% of lot width, but not <12 feet and not >24 feet	
Rear	15 Feet	
Height limit (6)	Slope	Height
	<50%	Flat Roof - 2 stories and 27 feet
		Sloped Roof - 2 stories and 30 feet
50% to 100%	1 Story and 14 feet	
<b>Notes:</b>		
<p>(1) <u>For standards for Accessory Dwelling Units, see § 17.400.095.</u></p> <p>(2) <u>Minimum by-right floor area in the hillside area, regardless of lot size, is 2,500 square feet.</u></p> <p>(3) <u>Existing slope is to be established with topographic survey and slope analysis of existing conditions prior to issuance of Building Permit.</u></p> <p>(4) <u>For exceptions to setback standards, see § 17.260.040.E.</u></p> <p>(5) <u>Building may exceed minimum required setback but cannot reduce minimum required setback. Applicant may choose which of the two (2) side setbacks is narrow and which is wide, but wide setback will automatically apply to a street facing side yard.</u></p> <p>(6) <u>Any parapet is included as part of the flat roof height standard.</u></p>		

E. **Setback and stepback exceptions findings.** Exceptions to setback standards shall be reviewed by the Planning Commission. The Planning Commission shall consider and record the decision in writing with the findings on which the decision is based. The exception may be approved, with or without conditions, only after making all of the following findings:

1. There are special circumstances applicable to the property (e.g. location, shape, size, depth, surroundings, and/or topography), or to the intended use of the property, so that the strict application of this Title denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.
2. Approval of the exception would not be detrimental to the public health, interest, safety, or general welfare and would not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.

F. **Parking.** Uncovered, half covered, and fully covered parking shall be permitted in the Residential Hillside Overlay Zone. Any uncovered parking 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 a side

yard property line shall be fully covered and enclosed. See Figure 3-12 (Allowable R1 and R2 Uncovered Parking Placement) provided in Subsection 17.320.035.P.3 (Allowable R1 uncovered parking placement).

**G. Roof Decks.**

1. Rooftop decks shall be set back five feet from the building edge along an interior side yard adjacent to a residential zoned property.
2. A permanent, built-in landscape planter with vegetation shall be located within the required setback area to screen views of the deck from neighboring properties. Rooftop decks which are located in a roof well are not required to include a landscape planter.

(Ord. No. 2019-006 § 2; Ord. No. 2020-010)

# Title 17. Zoning

## Article 3. SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS

### 17.300 GENERAL PROPERTY DEVELOPMENT AND USE STANDARDS

- 17.300.005 Purpose
- 17.300.010 Applicability
- 17.300.015 Access
- 17.300.020 Setback Regulations and Exceptions
- 17.300.025 Height Measurement and Height Limit Exceptions
- 17.300.030 Fences, Hedges, and Walls
- 17.300.035 Screening
- 17.300.040 Outdoor Lighting

### 17.310 LANDSCAPING

- 17.310.005 Purpose
- 17.310.010 Applicability
- 17.310.015 Definitions
- 17.310.020 Landscape Area Requirements
- 17.310.025 Landscape Standards
- 17.310.030 Landscape Plan Application Requirements

### 17.320 OFF-STREET PARKING AND LOADING

- 17.320.005 Purpose
- 17.320.010 Applicability
- 17.320.015 General Parking Regulations
- 17.320.020 Number of Parking Spaces Required
- 17.320.025 Alternative Parking Provisions
- 17.320.030 Accessible Parking

- 17.320.035 Parking Design and Layout Standards
- 17.320.040 Driveway and Site Access Standards
- 17.320.045 Bicycle Parking
- 17.320.050 Loading Area Requirements
- 17.330 SIGNS
  - 17.330.005 Intent
  - 17.330.010 Applicability
  - 17.330.015 Sign Definitions
  - 17.330.020 Sign Standards by Zoning District
  - 17.330.025 Standards for Specific Types of Signs
  - 17.330.030 General Requirements for all Signs
  - 17.330.035 Prohibited and Restricted Signs
  - 17.330.040 Signs in the Public Right-of-Way
  - 17.330.045 Nonconforming Signs
  - 17.330.050 Review Process and Appeals

## 17.300 GENERAL PROPERTY DEVELOPMENT AND USE STANDARDS

### Section

- 17.300.005 Purpose
- 17.300.010 Applicability
- 17.300.015 Access
- 17.300.020 Setback Regulations and Exceptions
- 17.300.025 Height Measurement and Height Limit Exceptions
- 17.300.030 Fences, Hedges, and Walls
- 17.300.035 Screening
- 17.300.040 Outdoor Lighting

17.300.005 PURPOSE.

The provisions of this Chapter address details of site planning, project design, and operation and are intended to ensure that all development produces an environment of stable and desirable character that is harmonious with existing and future development, protects the use and enjoyment of neighboring properties, and is consistent with the General Plan.

(Ord. No. 2005-007 § 1 (part))

17.300.010 APPLICABILITY.

- A. Standards.** The standards of this Chapter shall be considered in combination with the standards for each zoning district in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards). Where there may be a conflict, the standards specific to the zoning district shall override these general standards.
- B. Compliance.** All structures, additions to structures, and uses shall comply with the standards of this Chapter, as determined applicable by the Director, except as specified in Chapter 17.610 (Nonconforming Uses, Structures, and Parcels).

(Ord. No. 2005-007 § 1 (part))

17.300.015 ACCESS.

- A. Access to Streets.**
  - 1. Every structure shall be constructed upon, or moved to, a legally recorded parcel with a permanent means of access to a public street, in compliance with City standards.
  - 2. All structures shall be properly located to ensure safe and convenient access for servicing, fire protection, and parking.
  - 3. Parcels located on a private street, which were legally established before the effective date of this Title, are exempt from the required compliance with the latest adopted City standards for private streets.
- C. Pedestrian Access.** All multiple-family residential, non-residential, or mixed use developments shall provide a minimum of one pedestrian walkway of no less than four feet in width, from each adjoining street frontage connecting said street with either the main building entrance or common pedestrian corridor.
- D. Access to Accessory Structures.** Accessory structures and other on-site architectural features shall be properly located to ensure that they do not obstruct access to main structures or accessory living quarters. Also refer to Section 17.400.100 (Residential Uses - Accessory Residential Structures).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

#### 17.300.020 SETBACK REGULATIONS AND EXCEPTIONS.

This Section establishes standards to ensure the provision of open areas for access to and around structures, access to natural light and ventilation, landscaping, recreation, separation of incompatible land uses, and space for privacy, traffic safety, and visibility.

##### **A. Setback Requirements.**

1. All structures shall conform to the setback requirements identified for each zoning district by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) and with any special setbacks established for specific uses by this Title.
2. All setbacks shall be open and unobstructed from the ground upward, except for trees and other plant materials, and except as provided in this Section.

##### **B. Exemptions from Setback Requirements.** The minimum setback requirements of this Title shall apply to all uses/structures, except for the following:

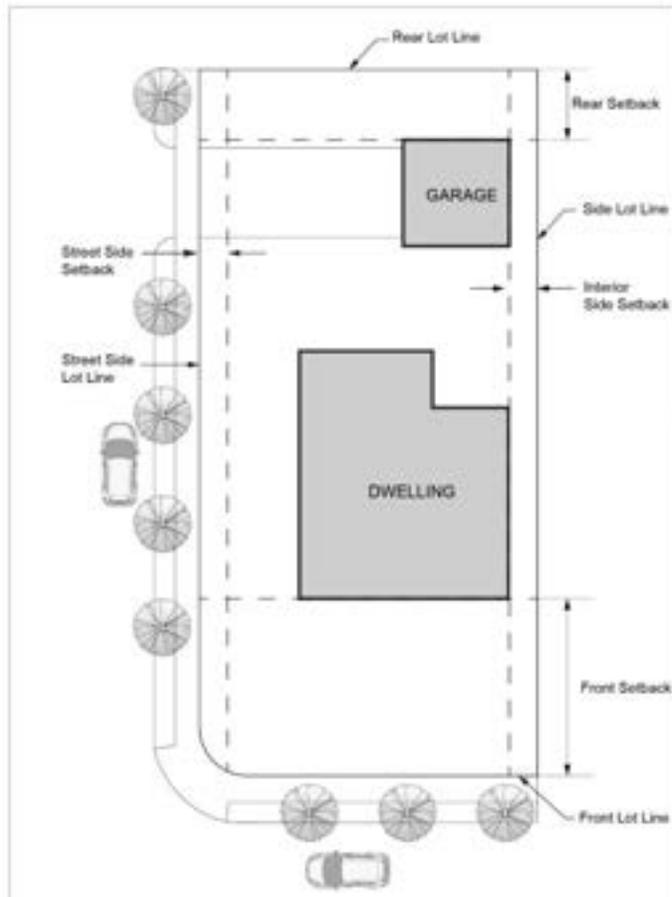
1. Fences or walls constructed within the height limitations of this Title.

##### **C. Limitations on Use of Setbacks.** Required setback areas shall only be used as follows:

1. **Structures.** Required setback area shall not be occupied by structures other than:
  - a. Structures that are exempt from setback requirements by Subsection 17.300.020.B. (Exemptions from Setback Requirements) above;
  - b. Residential accessory structures located within setback areas in compliance with Section 17.400.100 (Residential Uses - Accessory Residential Structures).
2. **Parking.** Residential parking may be allowed within a required setback only in compliance with Section 17.320.035 (Parking Design and Layout Guidelines) and Section 17.320.040 (Driveway and Site Access Standards).
3. **Storage.** Front or street side setbacks shall not be used for the storage of inoperable vehicles, scrap, junk, or similar materials.

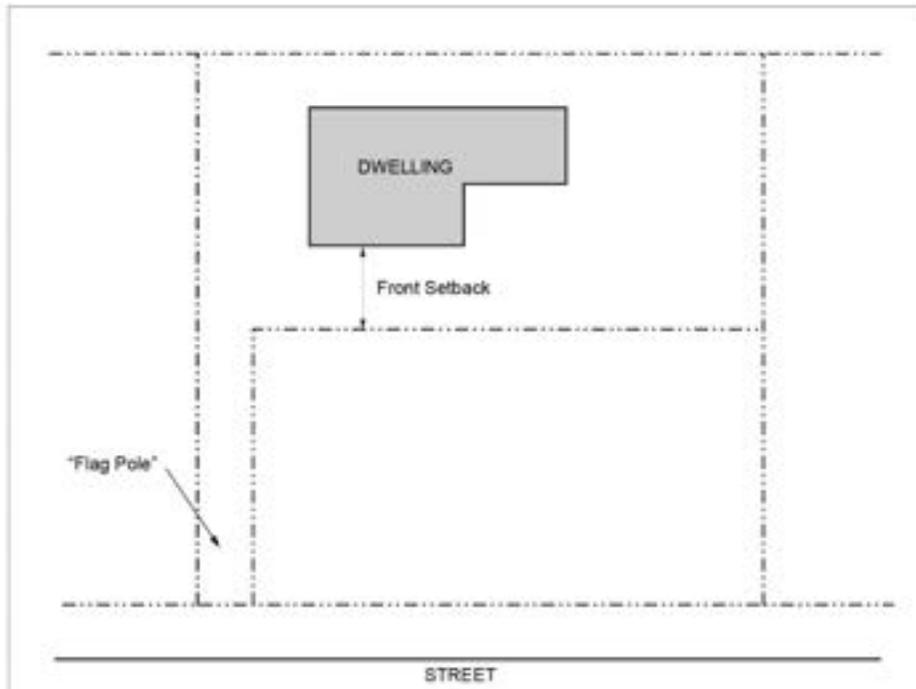
##### **D. Measurement of Setbacks.** Setbacks shall be measured as follows, see Figure 3-1 (Location and Measurements of Setbacks) below:

Figure 3-1 Location and Measurement of Setbacks



1. **Front and street side setback.** The front and street side setback shall be measured at right angles from the nearest point on the front or street side property line or street line (if applicable) to the nearest wall of the structure, except as follows:
  - a. **Corner parcels.** The setback measurement of corner parcels shall be taken from the nearest point on the structure to the nearest point of the property line or street line (if applicable) adjoining the street that is opposite the rear yard.
  - b. **Flag lots.** The setback measurement of flag lots shall be taken from the nearest point on the wall of the structure facing the street to the point where the access strip (“flag pole”) meets the bulk of the parcel, establishing a building line parallel to the lot line nearest to the public street or right-of-way. See Figure 3-2 (Flag Lot) below.

Figure 3-2 Flag Lot



2. **Interior side setback.** The interior side setback shall be measured at right angles from the nearest point on the interior side property line to the nearest wall of the structure, establishing a setback line parallel to the interior side property line that extends between the front and rear yards.
  3. **Rear setback.** The rear setback shall be measured at right angles from the nearest point on the rear property line to the nearest wall of the structure, establishing a setback line parallel to the rear property line that extends between the side yards.
- E. Allowed Projections into Setbacks.** Projections such as eaves, cornices, awnings, louvers, porches, stairs, and chimneys may encroach into required setbacks, as well as required open space, in compliance with Table 3-1 (Allowed Projections into Setbacks) below, subject to all applicable requirements of the Building and Fire Code. Where any provision of this Ordinance conflicts with applicable building codes, the more restrictive provision shall apply. The “Limitations/Additional Regulations” column states any dimensional, area, or other limitations that apply to such projections. Any deviation from the standards in Table 3-1 shall require a variance or administrative modification per Chapter 17.550 (Variances and Administrative Modifications).

Table 3-1 Allowed Projections into Setbacks

Projection	Maximum Projection into Setback			Limitations/Additional Regulations
	Front/Street Side Setback	Interior Side Setback	Rear Setback	
All projections	<i>Unless otherwise specified, no projection may extend closer than three feet to an interior lot line.</i>			

Projection	Maximum Projection into Setback			Limitations/Additional Regulations
	Front/Street Side Setback	Interior Side Setback	Rear Setback	
Architectural Features (eaves, cornices, overhangs, bay windows, chimneys)	3 feet	3 feet	3 feet	In no circumstances shall they project closer than 3 feet to any property line.  Aggregate width of oriel or bay windows shall not exceed 50% of the length of the wall in which they are located and the width of any individual oriel or bay window shall not exceed 10 feet. Any one oriel or bay window shall not project more than 3 feet beyond the exterior finish of the exterior wall of a structure.  Upper-floor architectural projections shall have a minimum vertical clearance of 8 feet above grade.
Weather protection and screening devices (awnings, canopies, louvers, vertical sunshades)	5 feet	No closer than 3 feet to the rear and side property lines.		Weather protection shall have a minimum vertical clearance of 8 feet above grade. Along the front/street side, may project beyond property line with an encroachment permit.
Open, unenclosed fire escapes	None	3 feet or 25% of required setback, whichever is greater	3 feet or 25% of required setback, whichever is greater	May be covered but not enclosed.
Uncovered and unenclosed stairs, landings, decks, and similar features ≤ 3 feet in height	8 feet	5 feet	8 feet	In no circumstances shall these encroach closer than 3 feet to an interior property line, and no closer than 1 foot to a front/street side property line.
Uncovered and unenclosed stairs, landings, decks, and similar features > 3 feet in height	5 feet	3 feet	6 feet	In no circumstances shall these features encroach closer than 3 feet to the property line.
Upper-level balconies and decks	5 feet	5 feet	10 feet	Balconies shall not be closer than 8 feet to the rear property line and 5 feet to the interior side property line. Balconies shall not project beyond the front or street side property line.
Covered or uncovered stoops, patios, and porches	5 feet	5 feet	8 feet	In no circumstances shall these features encroach closer than 3 feet to the property line. May be covered but not fully enclosed.
Porte cochere or carport, with no less than 7 feet of vertical clearance above a driveway.	None	To within 6 inches of an interior side property line only	5 feet	
Utility risers, rain gutters, downspouts, and the like	12 inches	12 inches	12 inches	
Wing wall not exceeding 12 feet in height	None	To within 6 inches of an interior side property line only	None	

Projection	Maximum Projection into Setback			Limitations/Additional Regulations
	Front/Street Side Setback	Interior Side Setback	Rear Setback	
Wing wall higher than 12 feet in height	None	None	None	
Landscaping and landscape features	No limit	No limit	No limit	
Freestanding front yard trellis - Residential Zones No more than two (2) per property, and no more than 8 feet in height, 6 feet in width, 3 feet in depth, open on all four sides	No limit	Not Applicable	Not Applicable	These structures shall maintain a clearance of 5 feet from the intersection of a driveway or alley with a public street right-of-way and 15 feet from the intersection of two public street rights-of-way.
Equipment - Air conditioners, ground mounted water heaters, fixed barbecues, sinks, fixed counters, and similar equipment	None	To within 3 feet of rear and side property lines.		Townhouses may locate equipment in the front/street side setback up to maximum encroachment of 3 feet.
Equipment - electric, gas meters and wall mounted water heaters	24 inches	24 inches	24 inches	
Pools, spas, hot tubs, and other water elements intended for human occupancy	None	To within 3 feet of rear and side property lines.		
Equipment - Pool and spa	None	None	No Limit	
Ponds, waterfalls, and other water features not intended for human occupancy, ≤ 24 inches in height	No Limit			
Fences, railings, walls, and landscape planters	No Limit			See Section 17.300.030 (Fences, Hedges, and Walls).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-014 § 2; Ord. No. 2022-008)

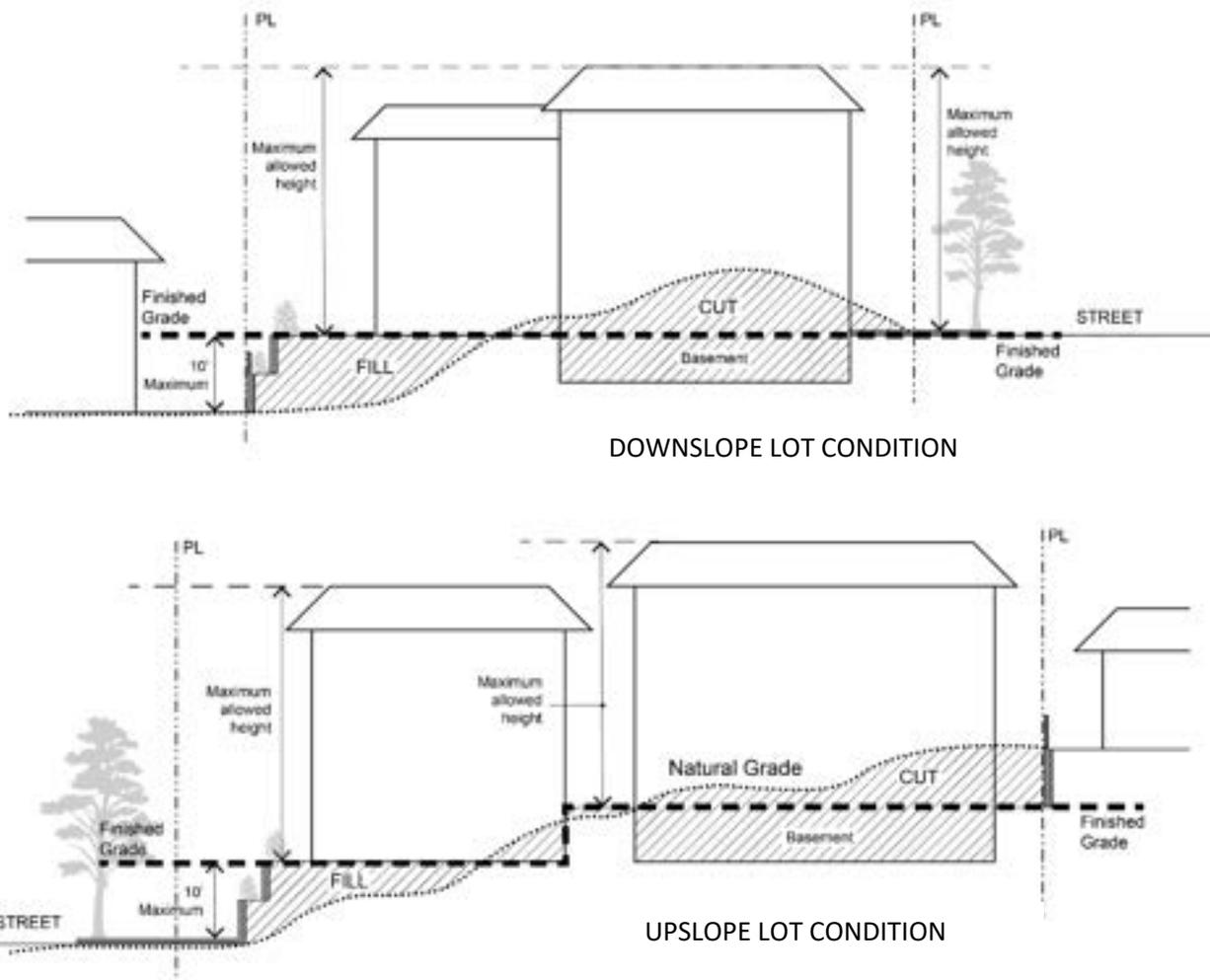
**17.300.025 HEIGHT MEASUREMENT AND HEIGHT LIMIT EXCEPTIONS.**

All structures shall meet the following standards relating to height, except for fences and walls, which shall comply with Section 17.300.030 (Fences, Hedges, and Walls), and the allowable exceptions identified in Subsection 17.300.025.C. (Exceptions to Height Limits) below.

- A. Maximum Height.** The height of structures shall not exceed the standard established by the applicable zoning district in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards).

**B. Height Measurement.** Height shall be measured from finished grade. See Figure 3-3 (Height Measurement). For fill areas, height shall be measured from finished grade, so long as the fill shall not result in a retaining wall greater than 10 feet in height with no one section taller than six feet as per Section 17.300.030.C (Retaining Walls). If the retaining wall is along the street frontage, it shall be set back by a minimum three-foot landscaped area from the back of walk. Finished Grade” shall be consistent with parcels in the immediate vicinity, and shall not be, nor have been, artificially raised to gain additional building height.

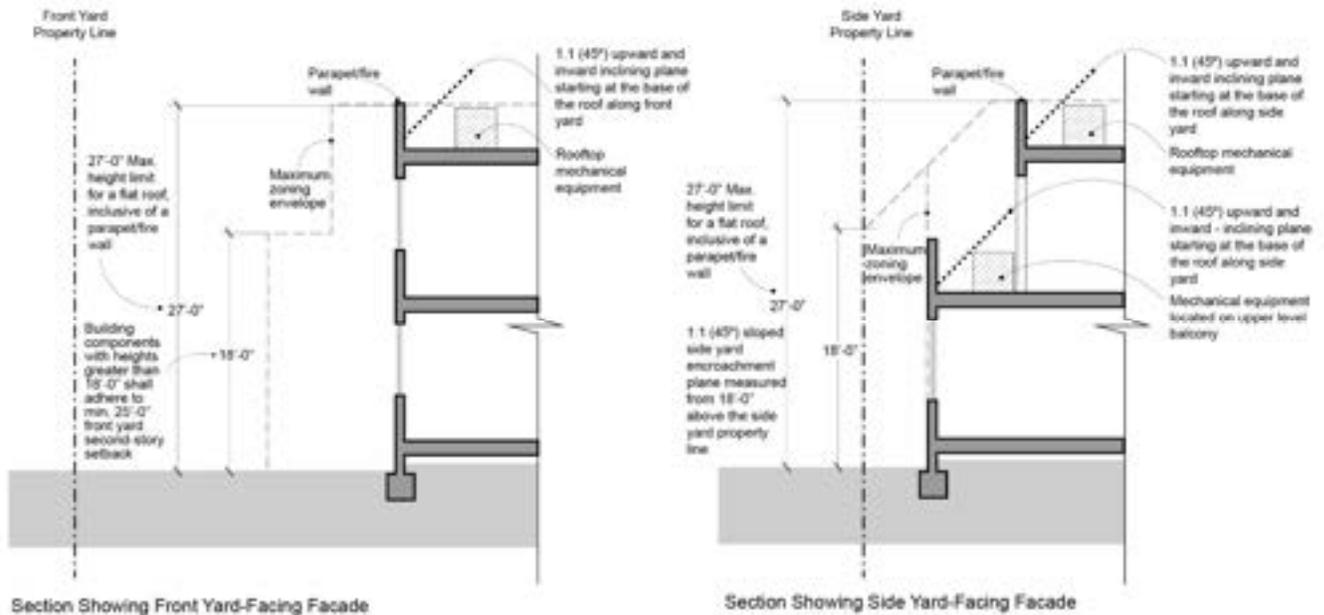
**Figure 3-3 Height Measurement**



**C. Exceptions to Height Limits.** Exceptions to the height limits identified in this Title shall apply in the following manner, except where otherwise required by the Building Code:

1. Roof-mounted structures for the housing of mechanical equipment, antennas, elevators, stairways, tanks, towers, ventilating fans, or similar equipment required to operate and maintain the structure, shall be allowed as follows.
  - a. In multiple-family residential zones, up to a maximum of 13 feet six inches above the height of a building. Any roof mounted structure or equipment exceeding the parapet height shall be set back five feet from the edge of the structure, except stairs shall not be required to be set back from the edge of the structure.
  - b. In mixed use and special purpose zones, up to a maximum of 13 feet six inches above the height of a building; except that elevators shall be allowed up to a maximum of 19 feet six inches above the height of a building.
  - c. In the R1 and R2 zones, mechanical equipment located on roofs, upper level terraces, patios and balconies, and structures housing mechanical equipment shall not exceed the maximum zoning envelope and shall not encroach upon a 1:1 upward- and inward-inclining plane starting at the base of the roof or exterior deck surface along front and side yard-facing facades (See Figure 3-4).

**Figure 3-4 1:1 Allowable Placement for Roof-Mounted and Upper-Story Mechanical Equipment in the R1 and R2 Zones**



2. Fire or parapet walls may extend up to five feet above the building height limit of the structure, and as may otherwise be required by the California Building Code. In the R1 Zone, the height limit shall be inclusive of fire or parapet walls.

3. In RMD, RHD, mixed use, and special purpose zones, architectural features that are non-habitable design elements, such as spires, turrets, bell towers, clock towers, cupolas, and similar design elements, shall be allowed up to a maximum of 13 feet six inches above the height of a building, and are limited to 10% of the total roof area and up to 200 square feet for each individual element Trellis/ pergolas shall be allowed up to a maximum of 13 feet six inches above the height of a building, and are limited to 15% of the total roof area and up to 400 square feet for each individual trellis/pergola.
4. Chimneys may project up to four feet above the height of the point where the chimney passes through the roof, or as required by the Building Code.
5. For non-residential uses, trellis and carport-style structures installed on a parking structure roof deck for the purpose of supporting solar panels and solar equipment and installations shall be allowed up to a maximum of 13 feet six inches above the height of a building.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2018-012 § 2; Ord. No. 2020-010; Ord. No. 2021-012 § 3 (part))

17.300.030 FENCES, HEDGES, AND WALLS.

- A. **Applicability.** Fences, hedges and walls shall be installed and maintained in compliance with this Section. These regulations do not apply to fences required by the City for reasons of public safety.
- B. **General Height Limitations.** Fences, hedges, and walls shall comply with the height limitations of Table 3-2 (Maximum Height of Fences, Hedges, and Walls).

**Table 3-2 Maximum Height of Fences, Hedges, and Walls**

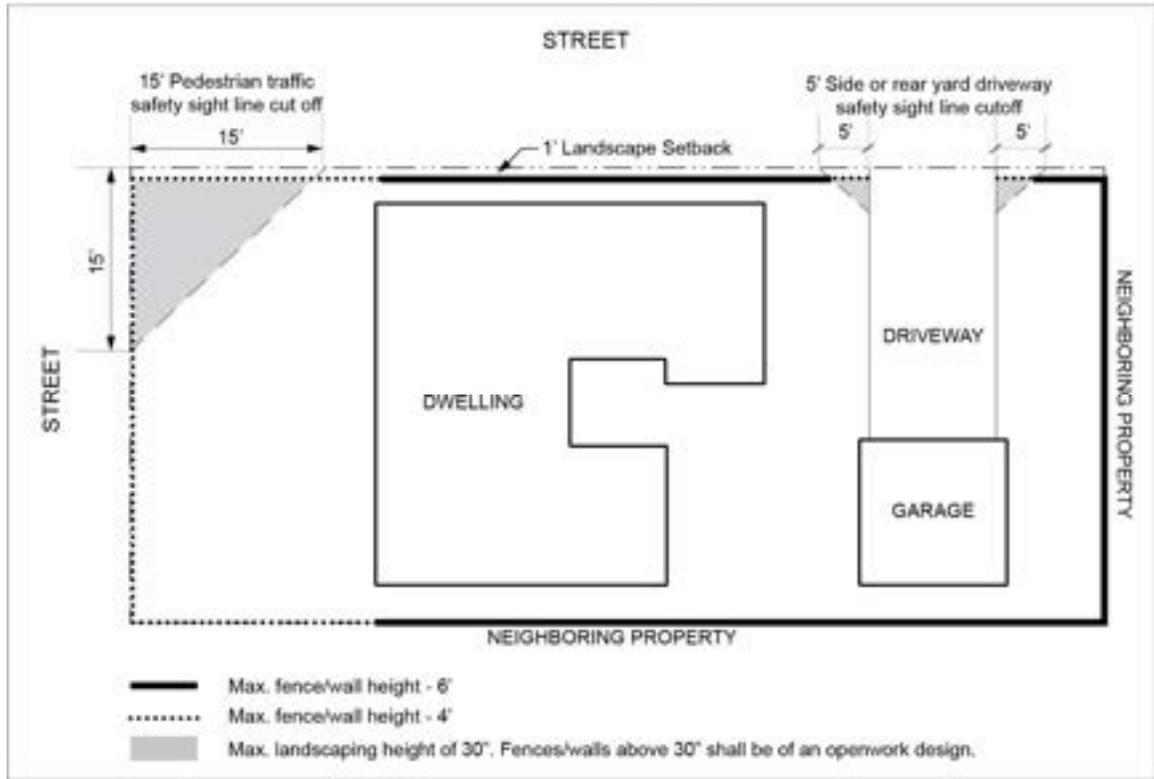
Location	Maximum Height (1)	Additional Requirements
Residential Zones - Within the required front setback	4 feet (2)	When within 10 feet of a public street right-of-way, and 5 feet of the intersection of the driveway or alley with the public street right-of-way, the portion of the fence or wall above 30 inches in height shall be of an openwork design (e.g., wrought iron or other material allowing visibility), to ensure adequate visibility for pedestrian and vehicular traffic.
Residential Zones - Within a 15 foot intersection safety sightline.	4 feet (2)	The portion of the fence or wall above 30 inches in height shall be of an openwork design (e.g., wrought iron or other material), to ensure adequate visibility for pedestrian and vehicular traffic.  See Figure 3-5 (Measurement of Fence Height), page 3-12.

Location	Maximum Height (1)	Additional Requirements
Residential Zones - Within a 5 foot side or rear yard driveway safety sightline.	4 feet (2)	The portion of the fence or wall above 30 inches in height shall be of an openwork design (e. g., wrought iron or other material), to ensure adequate visibility for pedestrian and vehicular traffic.  See Figure 3-5 (Measurement of Fence Height), page 3-12.
Residential Zones – Within a required side or rear setback.	6 feet (3)(4)	A fence or a wall on a side or rear property line that abuts a public street right-of-way shall have a minimum 1 foot landscaped setback.
All Other Zones – Within the required front setback or street abutting setback area.	4 feet	None
All Other Zones – Between a public street right-of-way and parking area.	4 feet	The Director may approve an openwork (e.g., wrought iron) security fence not to exceed 8 feet in height, subject to conditions of approval deemed reasonable and necessary to protect the public interest, including the design and setback of the fence, and landscaping adjoining the fence.
All Other Zones – Within 10 feet of the intersection of a driveway and a public sidewalk.	4 feet	None
All Other Zones – Along an interior property line that abuts a residential zoning district.	8 feet	None
All Other Zones – Along an interior property line that abuts a non-residential use.	9 feet	None

**Notes:**

- (1) Ornamental features, including finials, caps or other decorative elements, may exceed the height limitations by six inches above the top of a wall or fence a minimum distance of four feet apart.
- (2) A wrought iron or similar decorative openwork fence (minimum 60% openwork) incorporating solid masonry pilasters that are no more than 16 inches thick, and not less than 10 feet apart, shall be considered to provide adequate visibility, and therefore, may meet the four-foot rather than the 30-inch height restriction.
- (3) The maximum six-foot height is not applicable to hedges or other landscaping within a required side or rear setback.
- (4) See Chapter 17.550 (Variances and Administrative Modifications).

Figure 3-5 Measurement of Fences, Walls, and Landscaping Height



- C. **Retaining Walls.** Retaining walls shall not exceed six feet in height for any one wall, nor 12 feet for any combination of walls (including required freeboard). Any combination of walls shall be separated by at least three feet horizontally. Retaining walls are permitted in all yards.
- D. **Measurement of Height.** For purposes of this Subsection, a wall or fence that is located within five feet of a public street right-of-way shall be measured from the grade of the abutting public right-of-way, except in cases where severe or unusual slope conditions exist, in which case an alternative basis for measurement may be determined by the Director. The height of a wall or fence located along an interior property line shall be measured from the higher natural or established grade of the two abutting properties.
- E. **Special Wall and Fencing Requirements.**
  - 1. **Jacuzzi, spa, swimming pools, and similar features.** Jacuzzi, spa, swimming pool, or similar outdoor water features shall be fenced in compliance with the Uniform Building Code.
  - 2. **Outdoor equipment, storage, and work areas.** Screening of outdoor uses and equipment shall be provided in compliance with Section 17.300.035 (Screening).
  - 3. **Temporary fencing.** Temporary fencing may be approved as deemed necessary and appropriate by the Director.
  - 4. **Address numbers.** If a fence or wall obstructs the view of a property address from the street right-of-way, the address numbers shall be located on the fence so that they are clearly visible from the street right-of-way.
- F. **Lighting Fixtures.**

1. **Along street-facing property line.** Decorative lighting fixtures may be placed on top of a fence along a street-facing property line, provided that the fixtures:
    - a. Are an integral part of the fence design;
    - b. Extend no more than 16 inches above the maximum height allowed; and
    - c. Reflect light down and away from adjoining property so that the light emitted does not create a public nuisance or offense, in compliance with other applicable CCMC provisions.
  2. **Along interior property line.** Lighting fixtures may be attached to the side of a fence along an interior property line, provided that they do not project above the top of the fence.
- G. Security Fencing.** Fences shall not incorporate electrical currents, razor ribbon, barbed wire, and/or pointed, protruding, or sharp objects or elements. Exception: Wrought iron fences may incorporate decorative arrowhead and curved point tips.
- H. Administrative Waiver.** The Director may administratively approve fences and walls that exceed the maximum heights identified in this Subsection, if at least one of the following circumstances exists:
1. A City-verified nuisance or criminal activity exists on the property or within the nearby area;
  2. The property has exceptional or extraordinary geographical circumstances;
  3. A residential front setback is located on a designated primary arterial. The fence may be of solid or opaque material, but shall not exceed four feet in height; or
  4. The fence or wall is located within a street-abutting setback of a guard-gated residential development, provided that the fence or wall:
    - a. Has a landscaped setback at least equal in depth, on average, to the height of the fence;
    - b. Is decorative, made of brick, stone, stucco, painted steel/aluminum, or wrought-iron; and
    - c. Does not exceed eight feet in height.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2021-012 § 3 (part))

#### 17.300.035 SCREENING.

- A. Compliance.** This Section establishes standards for the screening and separation of adjoining residential and non-residential land uses on adjacent parcels, and standards for equipment, utilities, refuse, service, loading, and outdoor storage areas.
- B. Screening Between Different Land Uses.**
1. An opaque screen consisting of materials, such as solid masonry wall, fence, and/or plant material, a minimum of six feet in height, shall be installed along parcel boundaries whenever a commercial or industrial development abuts a residential zoning district or stand-alone residential use in a mixed use zone.
  2. The maximum height of the walls shall comply with the provisions of Section 17.300.030 (Fences, Hedges, and Walls).

3. The walls shall be architecturally treated on both sides.
4. Plant materials shall be installed adjacent to screening walls and fences in compliance with Chapter 17.310 (Landscaping).

**C. Utilities, Equipment, Service, Loading, and Refuse Areas.**

1. **Location of above-ground utilities, equipment, loading, and service areas.** All above-ground utilities and mechanical equipment (e.g., electric and gas meters, fire sprinkler valves, irrigation backflow prevention devices, etc.), loading docks and ramps, and service areas shall be integrated into building and landscape design and located to minimize impact on the pedestrian experience and neighboring properties by following the standards below (except as required by utility providers, building and fire codes):
  - a. Utilities and equipment, service, and non-passenger loading areas shall be located inside of buildings or on non-primary street frontages, alleys, parking areas, and/or at the rear or side of buildings and shall be screened from view per Subsection 17.300.035.C.2 (Screening of above-ground utilities, equipment, loading, and service areas) below.
  - b. Utilities and equipment, service, and non-passenger loading areas shall not be located within the front or street side setback area of the lot or development site. Additionally, utilities and equipment, service, and non-passenger loading areas shall not be located along mid-block pedestrian connections and/or within 50 feet of a street corner. Loading docks shall be internal to the building envelope, and equipped with closable doors, unless there are clear and identifiable obstructions or site constraints that preclude internal location of the loading dock.
2. **Screening of above-ground utilities, equipment, loading, and service areas.** All utilities, equipment, loading, and service areas not housed inside buildings shall meet the following screening standards:
  - a. **Loading areas.** Loading areas shall be screened with a solid masonry wall, at least six feet in height.
  - b. **All other above-ground utilities, equipment, and service areas:**
    - i. Screening shall be equal to or higher than the height of the equipment to be screened, unless specified otherwise.
    - ii. Screening shall be made of a primary exterior finish material used on other portions of the building(s), architectural grade wood or masonry, metal, or landscape screening that forms an opaque barrier when planted. Plant materials shall be installed adjacent to screening walls and fences, in compliance with Chapter 17.310 (Landscaping).
    - iii. All vents, flashing, electrical conduits, etc., shall be painted to match the color of the adjacent surface.

3. **Rooftop equipment.** Rooftop elements, including roof access, mechanical equipment, and other features needed for the function of the building, shall be located to minimize visual impact by meeting the following requirements, with the exception of development in the R1 and R2 zones (See Section 17.300.025.C.1.c. for allowable placement for roof-mounted and upper-story mechanical equipment in the R1 and R2 zones). Mechanical equipment less than two feet in height, solar panels, wind generators, or green roof features shall be exempt from these requirements.
  - a. Mechanical equipment shall be set back a minimum of 10 feet from the roof edge or screened through the use of parapet walls, towers, or other architectural features such that it is not visible from any point at or below the roof level of the subject building (see Subsection 17.300.035.C.2 (Screening of above-ground utilities, equipment, loading, and service areas)).
  - b. If equipment is visible from adjacent taller buildings or from higher grades, it shall be painted to match the rooftop in color and shall be grouped together as practical.
4. **Refuse and recycling.** Refuse and recycling enclosures shall be integrated into building and landscape design and located to minimize impact on the pedestrian experience and neighboring properties by complying with the following standards:
  - a. Refuse and recycling enclosures are prohibited along primary frontages.
  - b. Refuse and recycling enclosures shall be located inside of buildings or inside of covered enclosures located along alleys, in parking areas, or at the rear and side of buildings.
  - c. Refuse and recycling material containers shared by multiple dwelling units shall be enclosed and screened per Section 17.300.035.C.2 (Screening of above-ground utilities, equipment, loading, and service areas).
  - d. Sizing of the enclosures shall conform to the requirements of the Environmental Programs and Operations (EPO) Division of the Culver City Public Works Department.
  - e. Enclosures shall be adequate in height to fully screen containers and materials.
  - f. Refuse and recycling enclosures shall incorporate roof structures to help improve stormwater quality and to screen the enclosure from views from above.
  - g. Refuse and recycling enclosures shall be opaque and finished using materials and colors that are from the same color and material palette as the primary building(s). Enclosure gates shall also be opaque.
  - h. Enclosure doors shall not swing into any public right-of-way, driveway approaches, or drive aisles. In these cases, sliding doors may be used with EPO approval.
  - i. Refuse and recycling material containers stored within individual yards shall be screened from street view.

**D. Outdoor Storage.** Uses with outdoor storage of materials shall be screened per Section 17.400.080 (Outdoor Storage).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2020-010; Ord. No. 2021-012 § 3 (part))

17.300.040 OUTDOOR LIGHTING.

**A. General Standards for Outdoor Lighting.** Exterior lighting shall comply with the following requirements:

1. All lighting shall be energy-efficient (e.g., LED, or other lighting technology) with a rated average bulb life of not less than 10,000 hours.
2. All lighting shall be shielded and/or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site, and shall be directed downward and away from adjoining properties and public rights-of-way.
3. Permanently installed lighting shall not blink, flash, or be of unusually high intensity or brightness.
4. All outdoor lighting for non-residential uses shall be on a time clock or photo-sensor system and turned off during daylight hours and during hours when the building(s) is not in use and the lighting is not required for security..
5. All lighting fixtures on the site should be uniform or compatible with respect to base support, finish material texture, color, and/or style of poles and luminaires. Landscaping and pedestrian walkway lights shall be less than four feet in height.
6. **Maximum Height.** Freestanding light poles and luminaires shall not exceed the following maximum heights:
  - a. 15 feet for residential and mixed-use projects.
  - b. 18 feet for non-residential projects, or a lesser height determined by the Director, to mitigate any impacts to adjoining properties.
7. **Security Lighting.**
  - a. **Multiple-Family Residential Developments.** Aisles, passageways, and entryways/recesses related to and within the building complex shall be illuminated with an intensity of at least one-quarter foot-candles at the ground level during the hours of darkness.
  - b. **Non-Residential Developments.** All exterior doors, during the hours of darkness, shall be illuminated with a minimum of one-quarter foot-candles of light.

(Ord. No. 2005-007 § 1 (part))

## 17.310 LANDSCAPING

### Section

17.310.005	Purpose
17.310.010	Applicability
17.310.015	Definitions
17.310.020	Landscape Area Requirements
17.310.025	Landscape Standards
17.310.030	Landscape Plan Application Requirements

### 17.310.005 PURPOSE.

The purposes of this Chapter are to:

- A.** Establish uniform landscape standards for new projects, as well as provide a mechanism to require the upgrade of existing landscaping in developments when improvements are proposed.
- B.** Enhance the aesthetic appearance of developments throughout the City by providing standards related to the quality and functional aspects of landscaping.
- C.** Increase compatibility between abutting land uses, and between land uses and public rights-of-way, by providing landscape screening or buffers.
- D.** Provide for the conservation of water resources through the efficient use of irrigation, appropriate mix of plant materials, recycling water elements, and regular maintenance of landscaped areas.
- E.** Enhance and increase the compatibility of abutting land uses and public rights-of-way by providing landscape screening and buffers where appropriate.

(Ord. No. 2005-007 § 1 (part))

### 17.310.010 APPLICABILITY.

- A. New Projects.** All new proposed development shall provide landscaping in compliance with the requirements of this Chapter as applicable.

- B. Existing Uses.** Improvements to existing use shall provide landscaping in compliance with the requirements of Section 17.610.020, Table 6-1 (Requirements for Major and Minor Improvements). If the amount of required landscaping cannot be accommodated because of existing buildings or other physical constraints of a site, the applicant shall provide landscaping toward meeting the landscape requirements that the Director determines can be reasonably accommodated.
- C. Exceptions.** This Chapter shall not apply to landscaping for single-family and two-family projects other than for specific setback requirements (Subsection 17.310.020.A.) and maintenance requirements (Subsection 17.310.025.E.).

(Ord. No. 2005-007 § 1 (part))

#### 17.310.015 DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Hardscape.** Constructed landscape elements, including items such as colored or textured concrete, pavers, wood decks, rockwork, masonry planters, wood box planters, water features, walls, and fences.

**Hardscape Areas.** Areas including patios, decks, walkways and paving.

**Hydrozone.** A portion of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule.

**Infiltration Rate.** The rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

**Landscaped Area.** The open space area (entire parcel less the building footprint, driveway, and parking area) developed with ornamental plant material and hardscape. Water features are included in the calculation of the landscaped area.

**Landscaping.** Ornamental live plant materials (trees, shrubs, vines, ground cover or turf), in containers or at grade, and decorative hardscape areas.

**Overspray.** Water that is delivered beyond the planted area.

**Plant Materials.** Trees, shrubs, vines, ground cover, turf or any other ornamental live plants.

**Planted Area.** Areas, including live ornamental plant materials, installed within open space landscaped areas.

**Parkway.** Land area between street curb and sidewalk.

**Runoff.** Water that is not absorbed by the planted area to which it is applied, and flows from the area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where there is a severe slope.

**Street Trees.** Trees planted within a public street right-of-way.

**Turf.** A single-bladed grass or sod.

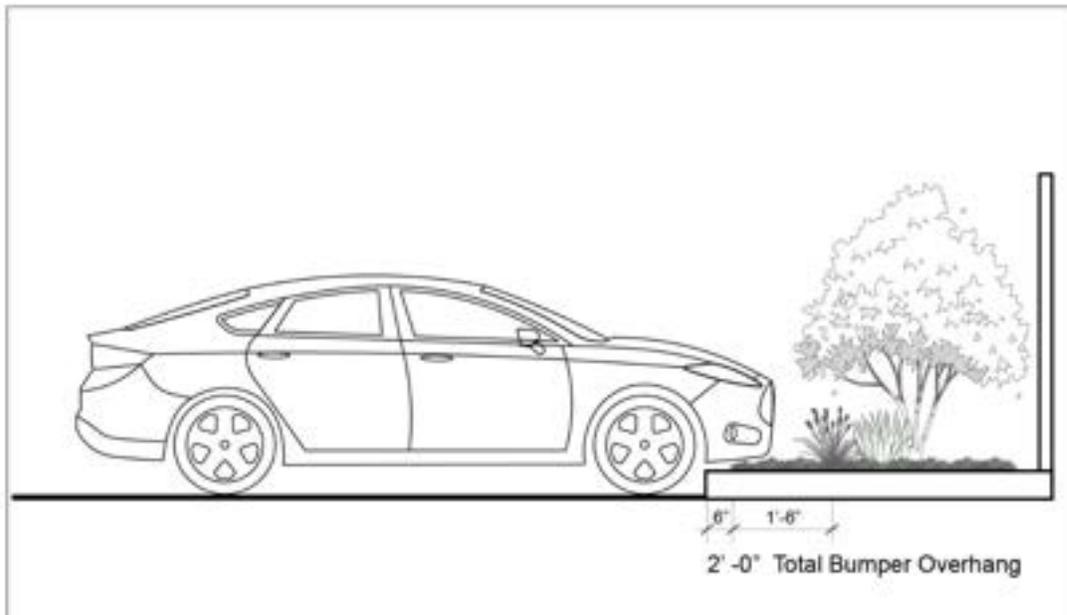
(Ord. No. 2005-007 § 1 (part))

### 17.310.020 LANDSCAPE AREA REQUIREMENTS.

Landscaping shall be provided in the locations specified below.

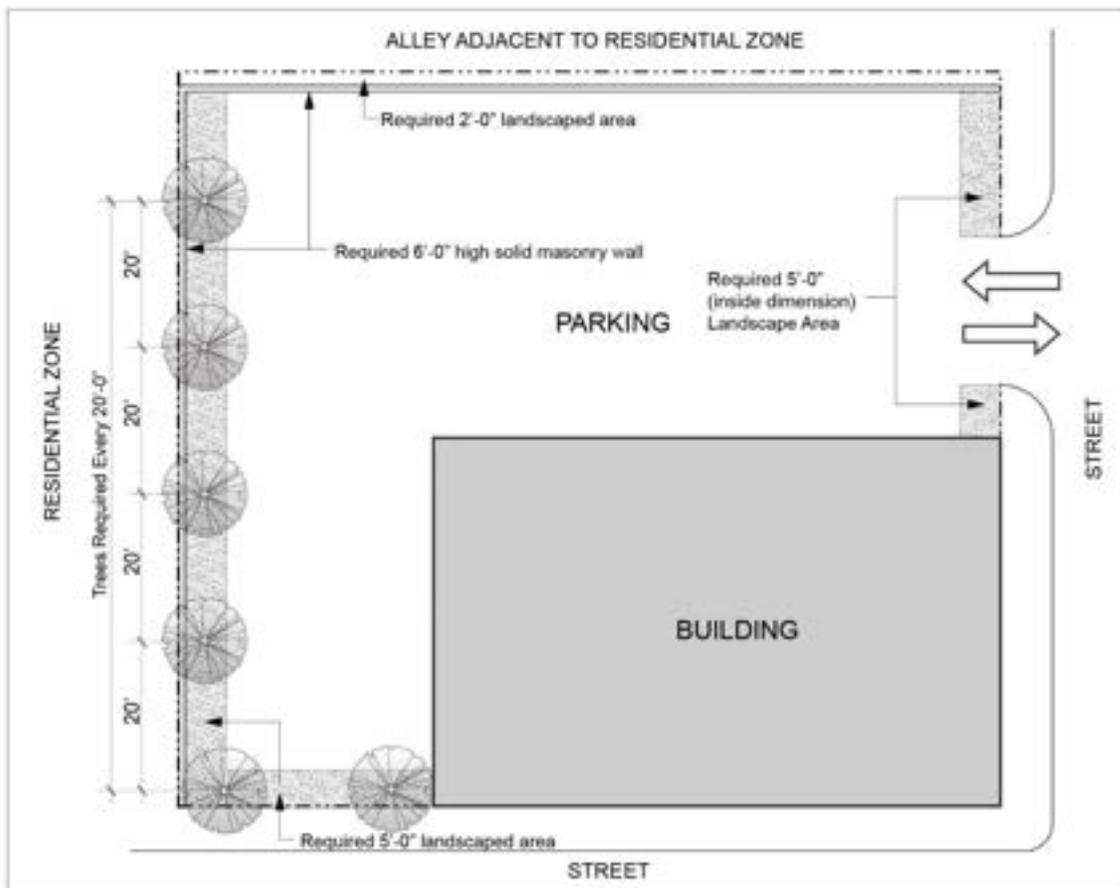
- A. Setbacks.** Setbacks shall comply with the maximum front yard paving requirements by zoning district in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards). All front and street side setback areas not occupied by driveways, parking areas, walkways, building projections and approved hardscape areas, shall be landscaped in compliance with this Chapter. Interior side and rear setbacks shall be landscaped when visible to the public.
- B. Unused Areas.** All areas of a project site or a vacant lot not intended for a specific use, including areas held for future development, shall be landscaped.
- C. Parking Areas and Parkways.** Parking areas shall be landscaped in compliance with the following requirements:
  - 1. **Plant materials.** Plant materials shall be evenly distributed throughout the parking lot to the extent feasible using a combination of trees, shrubs, and ground cover.
  - 2. **Curbing.** Areas containing plant materials shall be bordered by a concrete curb at least six inches high and six inches wide. Alternative barrier design to protect landscaped areas from damage by vehicles may be approved by the Director.
  - 3. **Location of planted area.** Parking lot landscaping shall be designed so that pedestrians are not required to cross planted areas to reach building entrances from parked cars. This should be achieved through proper orientation of the planted fingers and islands.
  - 4. **Bumper overhang areas.** To increase the parking lot planted area, a maximum of one and a half feet of the parking stall depth may be planted with low-growth, hearty materials in lieu of paving, allowing a two-foot bumper overhang, including the six-inch required curbing, while maintaining the required parking dimensions. See Figure 3-6 (Bumper Overhang Area).

Figure 3-6 Bumper Overhang Area



5. **Parking lot perimeter landscaping.** Parking area perimeters shall be planted as follows. The Director may adjust the tree spacing requirements of this Subsection, based upon the growth characteristics and proper maintenance practices for the species of trees proposed. See Figure 3-7 (Parking Lot Perimeter Landscaping Requirements) at top of next page.

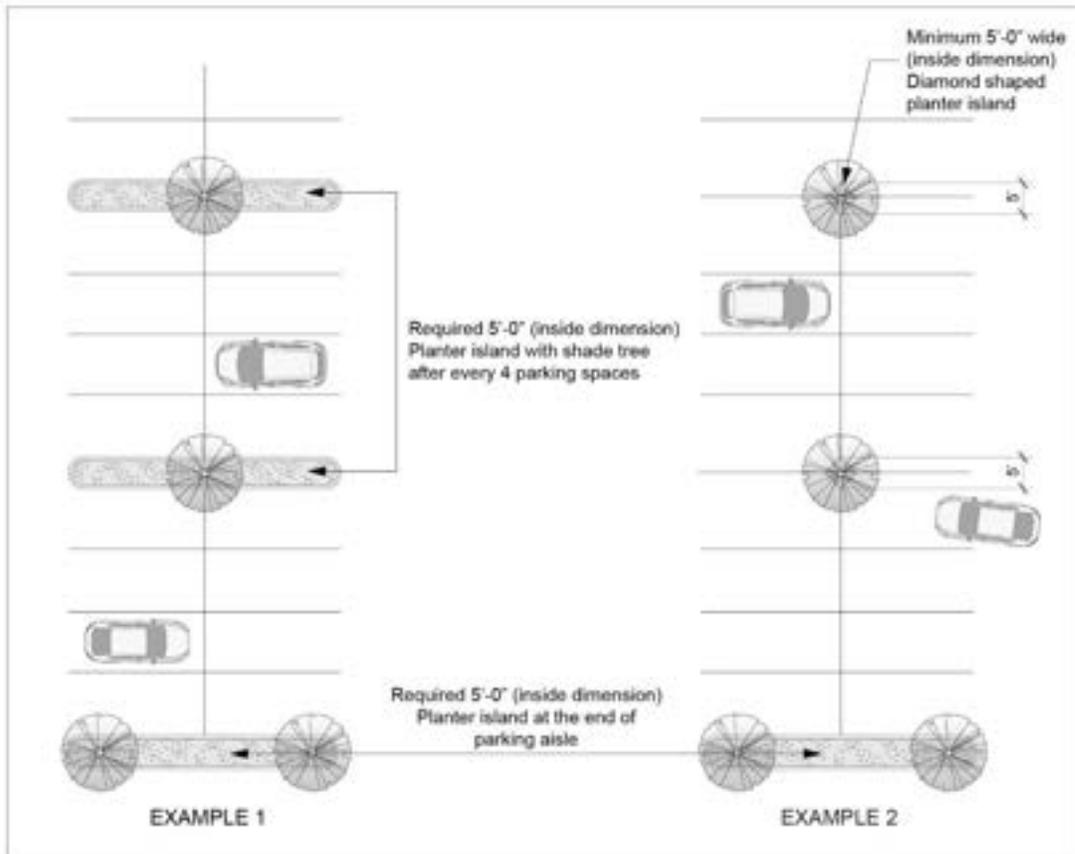
Figure 3-7 Parking Lot Perimeter Landscaping Requirements



- a. **Adjacent to streets.** Parking areas for non-residential uses adjoining a public street shall be designed to provide a landscaped planting strip between the street right-of-way and parking area with a minimum width of five feet (inside dimension).
  - i. **Screening plant materials.** The landscaping shall be designed and maintained to screen cars from view from the street, and plant materials shall be selected to provide a minimum height of 36 inches at time of planting. The Director may approve screening of less than 36 inches, when deemed necessary to protect the public interest. Screening materials may include a combination of plant materials, earth berms, solid masonry walls, raised planters, or other screening devices to meet the intent of this requirement; however, screening materials may not use only solid masonry walls without plant cover.
  - ii. **Shade trees.** Shade trees shall be provided at a minimum rate of one for every 20 linear feet of landscaped area and may include areas of clustered trees.

- b. **Adjacent to residential use.** Parking areas for non-residential uses adjoining residential uses shall be designed to provide a landscaped planting strip between the parking area and the common property line bordering the residential use with a minimum width of five feet (inside dimension). One tree shall be provided for each 20 linear feet of the landscaped planting strip.
  - i. A solid masonry wall with a minimum height of six feet shall be provided along the property line to address land use compatibility issues, such as nuisance noise and light or glare.
  - ii. For properties adjoining alleys, a planting strip of two feet shall be provided on the public right-of-way side of a required masonry wall.
- 6. **Interior parking lot planted areas.** Planted areas are required within parking lots to provide shade, reduce pavement heat gain, and soften the appearance of large paved areas. See Figure 3-8 (Examples of Interior Parking Lot Landscaping) below.
  - a. **Planter islands.** Planter islands with a minimum width of five feet (inside dimension) and at least one tree shall be provided at the beginning and end of every parking row. In addition, a planter island with a shade tree shall be provided at minimum every four spaces within a parking row.
  - b. **Larger projects.** Parking lots with more than 150 spaces shall provide a concentration of landscape elements at primary entrances. Such elements may include specimen trees, flowering plants, enhanced paving, and project identification, as determined by the Director.

Figure 3-8 Examples of Interior Parking Lot Landscaping



(Ord. No. 2020-013 § 2 (part); Ord. No. 2022-008)

17.310.025 LANDSCAPE STANDARDS.

**A. General Requirements.**

1. **Minimum width of landscaped areas.** Landscaped areas that may be counted toward required landscaping shall have a minimum width of three feet, exclusive of the curb, wall, and footing below. In addition, the landscaped tree planters shall have a minimum width of four feet in compliance with Subsection 17.310.025.B.1.d. below.
2. **Live Plant Material.** All required landscape areas per Section 17.310.020 (Landscape Area Requirements) and Section 17.210.030.A (Open Space Requirements for Multiple-Family Residential) shall be planted with a minimum 75% live plant material. The remaining 25% of required landscape areas or setbacks may consist of crushed rock, redwood chips, pebbles, stone, and similar natural non-living material.
3. **Concrete curb required.** When in or adjacent to a parking area or drive aisle, planted areas shall be protected with a minimum six-inch high concrete curb above the surrounding pavement or ground level.

4. **Maintenance required.** Landscaping shall be continuously maintained free of weeds, debris, litter, or temporary signage. This is intended to include proper pruning of trees and shrubs, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular water of all plants.
5. **Irrigation required.** All planted areas shall be provided with a permanent automatic irrigation system. This watering system shall consist of piped water lines terminating in an appropriate number of sprinklers, bubblers, drip emitters, or hose bibs, to insure a sufficient amount of water for plants within the planted area.

**B. Planting Material.**

**1. Trees.**

- a. Trees shall be planted a minimum of three feet from any structure or wall.
- b. Newly planted trees shall be staked in compliance with City standards. Stakes and ties on trees shall be checked regularly for correct functions. Stakes and ties shall be adjusted to avoid creating abrasions or girdling on trunks or branches, and removed after trees are well-established.
- c. The minimum width of planters containing trees shall be four feet clear, interior dimensions, exclusive of curbs, walls, and footing below.
- d. Trees in landscape planters less than 10 feet in width, or located closer than five feet from pavement, curbs, or a permanent structure, shall be provided with root barriers.
- e. **Number of trees.**
  - i. Parking area: Refer to Subsection 17.310.020.C. (Parking Areas and Parkways).
  - ii. Front/Street Side setbacks: One per 40 linear feet of frontage when the required setback is 10 feet or greater in depth.
  - iii. Balance of site: One per 500 square feet of landscaped area. See also landscaping requirements for common open space in Section 17.210.030.A (Open Space Requirements for Multiple-Family Residential).
  - iv. Street trees: One per 25 to 40 foot length of street frontage, depending on the tree species and canopy width at maturity, as per the [Culver City Urban Forest Master Plan](#) or [Washington National Transit Oriented Development District Streetscape Plan](#).
- f. Minimum tree container sizes for all trees on a site shall be specified as follows:
  - i. At least 20% of the trees shall be 36-inch box size or larger.
  - ii. At least 30% of the trees shall be 24-inch box size or larger.
  - iii. The remaining 50% shall be 15-gallon size or larger. The Director may accept certain species of on-site trees at less than 15-gallon size, if it is determined that the survival/establishment chances are enhanced when planted at a smaller size.
  - iv. The Director may reduce the minimum tree container sizes required based on site conditions.
- g. Street trees shall be 24-inch box size or larger.

**2. Ground cover and shrubs.**

- a. All planted areas should emphasize drought-tolerant plant materials wherever possible.
- b. Artificial shrubs, ground cover, or turf shall not be allowed.

- c. All shrubs shall be planted from a minimum five-gallon-size containers. One-gallon-size containers may be allowed for shrubs that are not commonly available in 5-gallon-size containers, subject to approval by the Director.

**C. Plant selection and grouping.**

1. Plants having similar water use shall be grouped together in separate high, medium, and low hydrozones.
2. Plants shall be selected appropriately, based upon their adaptability to the climatic, geological, and topographical conditions of the site. The use of drought-tolerant plant materials and locally appropriate California Native Plants is encouraged wherever possible.

**D. Irrigation.**

**1. Runoff and overspray.**

- a. Soil types and infiltration rate shall be considered when designing irrigation systems.
- b. Irrigation systems shall be designed to eliminate runoff, overspray, or other similar conditions where any water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures.
- c. To eliminate runoff, proper irrigation equipment and schedules, including repeat cycles, shall be used to closely match water application rates to soil infiltration rates.

**2. Equipment.**

- a. A separate landscape water meter shall be installed for all projects, except for any project with a landscaped area of less than 5,000 square feet.
- b. Automatic control systems, including an automatic rain shut-off device, shall be required for all irrigation systems.
- c. Plants that require different amounts of water shall be irrigated by separate valves. If one valve is used for a given area, only plants with similar water requirements shall be used in that area.
- d. Anti-drain (check) valves shall be installed at strategic points on all slopes to prevent low-head drainage.
- e. Irrigation heads and emitters shall have matched precipitation rates within each control valve circuit. Sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.

**E. Maintenance.**

1. Irrigation equipment shall be continuously maintained in good working condition to assure water conservation, eliminate overspray and runoff.
2. Litter and weeds shall be removed from all landscaped areas on a regular basis.
3. Turf areas shall be mowed and fertilized on a regular basis, and kept green. Accumulations of leaves, twigs, bark, and other similar materials shall be removed on a regular basis.
4. Landscaping shall be maintained in a manner consistent with a project's approved final landscape plan. Maintenance of the approved planted areas shall consist of regular watering, pruning, fertilizing, and mulching under a schedule approved as part of the landscape plan.

5. Landscaping maintenance shall include the removal of dead, decayed, diseased, or hazardous trees, weeds, and debris constituting unsightly appearance, dangerous to public safety and welfare, or detrimental to neighboring properties or property values. Compliance shall be by removal, replacement, or maintenance as determined by the Director.
6. All plant materials that, due to lack of maintenance, accident, damage, disease, or other cause, fail to show a healthy appearance and growth shall be replaced. Replacement plants shall conform to all standards that govern the original planting installation, approved landscaping plan, or as approved by the Director.
7. Before a Certificate of Occupancy is issued, a landscape maintenance agreement ensuring continued maintenance of the planted areas shall be filed with the Division and approved by the Director.

(Ord. No. 2005-007 § 1 (part))

#### 17.310.030 LANDSCAPE PLAN APPLICATION REQUIREMENTS.

- A. Preliminary Landscape Plan.** A preliminary landscape plan shall be submitted as part of an application for all development projects with the exception of single-family and two-family residential projects, and shall include the following minimum information:
  1. Proposed and existing buildings and structures.
  2. Proposed parking areas.
  3. Proposed landscaped areas.
  4. A calculation of the total hardscape and planted areas.
  5. Preliminary list of plant materials.
- B. Final Landscape Plan.** Following approval of a land use permit, final landscape and irrigation plans, prepared and signed by a California-licensed landscape architect or licensed landscape contractor, shall be submitted to the Division prior to the issuance of a building permit. The final landscape and irrigation plan shall include the following minimum information. Other information, as deemed necessary by the Director, including a grading design plan, hardscape plan, and/or soils analysis, may also be required.
  1. Landscape design plan specifications. The landscape design (planting and hardscape) plan(s) shall be drawn on project base sheets at a scale that accurately and clearly identifies the following:
    - a. Plant materials, trees, shrubs, ground cover, turf, and other vegetation. In addition to the new plant materials, all existing plants to remain, and all existing plants to be removed or relocated, shall be identified. Planting symbols shall be clearly drawn, and plants labeled by botanical name, common name, container size, spacing, and quantities of each group of plants indicated.
    - b. Property lines and street names.
    - c. Streets, driveways, walkways, steps, and other paved areas.

- d. Pools, ponds, water features, fences, and retaining walls.
  - e. Designation of hardscape areas.
  - f. Existing and proposed buildings and structures, including pad elevations, if applicable.
  - g. Natural features, including rock outcroppings, existing trees, and existing shrubs, that will remain.
  - h. Tree staking, plant installation, soil preparation, and any other applicable planting and installation details.
  - i. A calculation of the total planted area and percentage of turf area.
  - j. Designation of recreational areas.
  - k. Landscape installation specifications.
  - l. Landscape maintenance specifications, including landscape contractors' maintenance period.
2. **Irrigation design plan specifications.** The irrigation design plan shall be drawn on project base sheets, at the same scale as the landscape design plan, and shall accurately identify:
- a. Location and size of separate water meters for the landscaped areas as required, including service line and size.
  - b. Location and size of the point of connection (POC) for the existing or modified irrigation system.
  - c. Location, type and size of all components of the irrigation system, including automatic controllers, main and lateral, valves, sprinkler heads, moisture-sensing devices, rain switches, quick couplers, backflow prevention devices, and automatic rain shut-off devices.
  - d. Static water pressure at the point of connection to the public water supply.
  - e. Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (psi) for each remote control valve and head radius or water coverage for each head (diameter for full heads).
  - f. Estimated annual water use, expressed in inches per square foot of landscaped area per year.
  - g. Hydrozones of high, medium, and low water usage shall be differentiated by color or patterning. All plants listed on the plant list or legend shall be classified and grouped by category of hydrozone.
- C. Certificate of Completion.** A Certificate of Completion, signed and sealed by the licensed landscape architect or licensed landscape contractor that prepared the plans, and submitted after installation and inspection of the project, shall be submitted prior to issuance of a Certificate of Occupancy.

(Ord. No. 2005-007 § 1 (part))

## 17.320 OFF-STREET PARKING AND LOADING

### Section

17.320.005	Purpose
17.320.010	Applicability
17.320.015	General Parking Regulations
17.320.020	Number of Parking Spaces Required
17.320.025	Alternative Parking Provisions
17.320.030	Accessible Parking
17.320.035	Parking Design and Layout Standards
17.320.040	Driveway and Site Access Standards
17.320.045	Bicycle Parking
17.320.050	Loading Area Requirements

### ***Cross-reference:***

General parking and loading regulations, see Chapter 7.03

### 17.320.005 PURPOSE.

This Chapter establishes regulations to ensure that parking and loading facilities are properly designed and located to meet the needs of specific uses.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

### 17.320.010 APPLICABILITY.

Every use and structure, including a change or expansion of a use or structure, shall provide loading areas in compliance with the provisions of this Chapter, as applicable. A use or structure, including a change or expansion of a use or structure, that provides parking, shall comply with the provisions of this Chapter. A use shall not be commenced, and structures shall not be occupied, until improvements required by this Chapter are satisfactorily completed.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

17.320.015 GENERAL PARKING REGULATIONS.

- A. Parking and Loading Spaces to be Permanent.** Parking and loading spaces shall be permanently available, marked, and maintained for parking or loading purposes. The Director may approve the temporary reduction of parking or loading spaces, in conjunction with a seasonal or intermittent use, with the approval of a Temporary Use Permit (see Chapter 17.520), or during construction activities.
- B. Loading to be Unrestricted.** Owners, lessees, tenants, or persons having control of the operation of a premise, for which loading spaces are required, shall not prevent, prohibit, or restrict authorized persons from using these spaces.
- C. Restriction of Parking Area Use.** Off-street parking, circulation, and access areas shall be used exclusively for the temporary parking and maneuvering of motorized, operative vehicles. For all non-residential uses, and in the front setback area of residential uses, parking areas shall not be used for the sale, lease, display, repair, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise, or equipment, or for any other use not authorized by the provisions of this Title.
- D. Unimproved Areas.** Portions of a parking area not improved for parking or loading facilities or needed for vehicular circulation shall be landscaped in compliance with plans approved by the City.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2020-013 § 2 (part); Ord. No. 2022-008)

17.320.020 NUMBER OF PARKING SPACES REQUIRED.

There shall be no minimum required parking for any use, except as may be determined through a Comprehensive Plan. Any parking provided voluntarily or otherwise, shall comply with the development standards outlined in this Chapter or other applicable section of this Title.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-004 § 2 (part); Ord. No. 2013-008 § 1 (part); Ord. 2014-002, § (part); Ord. No. 2017-003 § 2; Ord. No. 2018-001 § 2 (part); Ord. No. 2019-003 § 2 (part); Ord. No. 2020-003 § 2 (part); Ord. No. 2020-012 § 2 (part); Ord. No. 2021-003 (part); Ord. No. 2021-012 § 3 (part); Ord. No. 2022-003 § 2 (part); Ord. No. 2022-008)

17.320.025 ALTERNATIVE PARKING PROVISIONS.

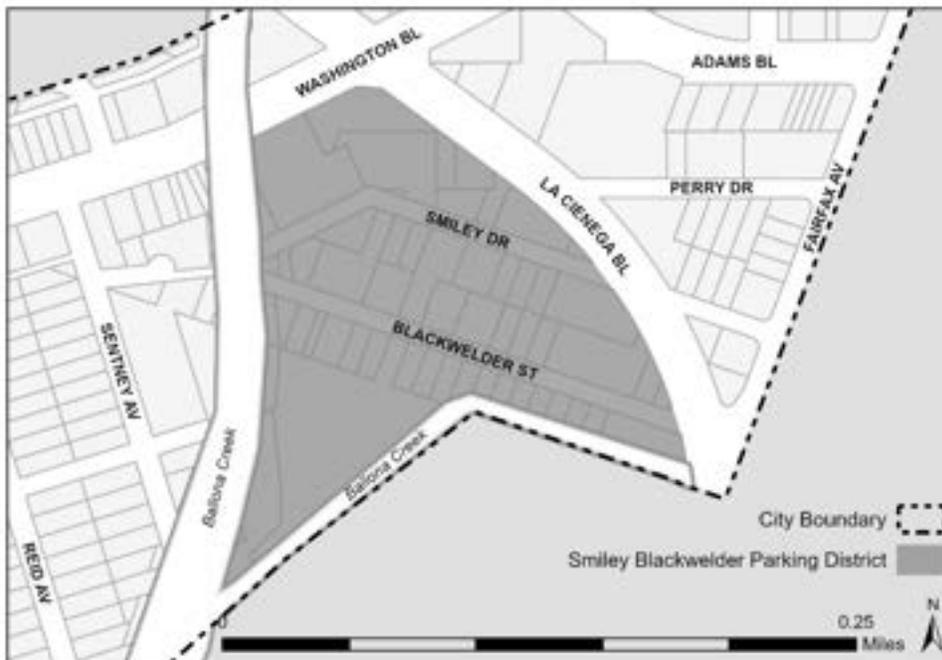
Where conditions preclude the provision of parking spaces in accordance with the standards of Section 17.320.035, the following procedures for alternative parking are available, subject to City approval.

- A. Hayden Tract and Smiley Blackwelder Parking Districts.** Parking Districts for the parking impacted Hayden Tract and Smiley Blackwelder areas shall be established as outlined in Map 3-1 and Map 3-2. In addition to the general parking standards of this Chapter parking in the Districts are subject to the following Parking District standards.
1. **Automated Parking.** Automated and semi-automated and stacked parking may be provided on site or off-site within the Parking Districts subject to Parking Plan approval by the Director subject to the following.
    - a. Site Plan. Submittal of a site plan prepared by a design professional indicating all structures; the automated, semi-automated or stacked parking location; number of parking stalls; parking facility address and address of the property served by the parking; site ingress and egress location(s); proposed queuing location (if any); and the identification of adjacent land uses.
    - b. Operations Plan. Submittal of a parking operations plan describing the number of parking attendants and working hours, and methods for automobile storage and retrieval during nonbusiness hours.
    - c. Permanent Structure. All automated and semi-automated parking shall be located within a permanent structure and operated with parking attendant service during all hours of parking operation.
    - d. Technical Studies. Submittal of technical studies demonstrating that the proposed design and operation of the automated or semi-automated parking will not be detrimental to surrounding uses and properties in the vicinity relative to noise, visual impacts, area parking and circulation and existing on-site improvements.
    - e. Back-up Power. Documentation that the automated semi-automated or stacked parking is serviced with alternative back-up power to allow emergency operation of the parking system.
    - f. Inspection Report. A maintenance inspection report for any automated semi-automated or stacked parking facility prepared at the sole expense of the applicant shall be submitted annually to the Planning Division for review.
  2. **Managed Parking.** Managed or valet parking may be provided for all on-site or off-site parking within the Parking Districts subject to Parking Plan approval by the Director which shall include: (a) the total parking spaces provided; (b) the hours and method of parking operation; (c) number of parking attendants serving the parking facility; and (d) methods for management of the parking facility during non-operating hours.
  3. **Compact Spaces.** Except as otherwise provided in Section 17.320.035 compact spaces of seven feet, six inches by 15 feet, may be provided for up to 30% of on-site or off-site parking within the Parking Districts.

Map 3-1 Hayden Tract Parking District



Map 3-2 Smiley Blackwelder Parking District



**B. Automated, Semi-Automated, and Stacked Parking.** Automated, semi-automated, and stacked parking may be provided for non-residential uses subject to Administrative Use Permit approval pursuant to Chapter 17.530 subject to the following:

1. **Site Plan.** Submittal of a site plan prepared by a design professional indicating all structures; the automated, semi-automated or stacked parking location; number of parking stalls; parking facility address and address of the property served by the parking; site ingress and egress location(s); proposed queuing location (if any); and the identification of adjacent land uses.
2. **Operations Plan.** Submittal of a parking operations plan describing the number of parking attendants and working hours; methods for automobile storage and retrieval during nonbusiness hours; provisions for over-sized vehicle parking, handicapped parking, and short term parking (if applicable); vehicle retrieval and through-put times; and other information determined by the Director to be necessary.
3. **Permanent Structure and Screening.** All automated, semi-automated, and stacked parking shall be located within a permanent structure and screened in a manner to mitigate any potential visual impacts to surrounding properties. Alternatives to a permanent structure including but not limited to a freestanding permanent architectural screening structure or landscaping may be considered as part of the Administrative Use Permit approval on a case by case basis if it can be demonstrated to the satisfaction of the Director that the alternative provides a sufficient level of screening.
4. **Technical Studies.** Submittal of technical studies demonstrating that the proposed design and operation of the automated, semi-automated, or stacked parking will not be detrimental to surrounding uses and properties in the vicinity relative to noise, visual impacts, area parking and circulation, and existing on-site improvements.
5. **Back-up Power.** Documentation that the automated, semi-automated, or stacked parking is serviced with alternative back-up power to allow emergency operation of the parking system.
6. **Inspection Report.** A maintenance inspection report for any automated, semi-automated, or stacked parking facility prepared at the sole expense of the applicant shall be submitted annually to the Planning Division for review.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-001 § 2 (part); Ord. No. 2013-010 § 1; Ord. No. 2014-002, § 2 (part); Ord. No. 2017-002 § 2 (part); Ord. No. 2019-009 § 2; Ord. No. 2022-008)

#### 17.320.030 ACCESSIBLE PARKING.

Parking areas shall include parking spaces accessible to persons with disabilities as follows.

- A. **Number of Spaces and Design Standards.** Parking spaces for persons with disabilities shall be provided in compliance with the Uniform Building Code and the Federal Accessibility Guidelines.
- B. **Residential Multiple-Family Uses.** For each dwelling unit required to be designed to accommodate the persons with disabilities or required to be made adaptable for the persons with disabilities, the required parking shall be provided in compliance with Cal. Admin. Code, Title 24, Part 2.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2014-002, § 2 (part); Ord. No. 2022-008)

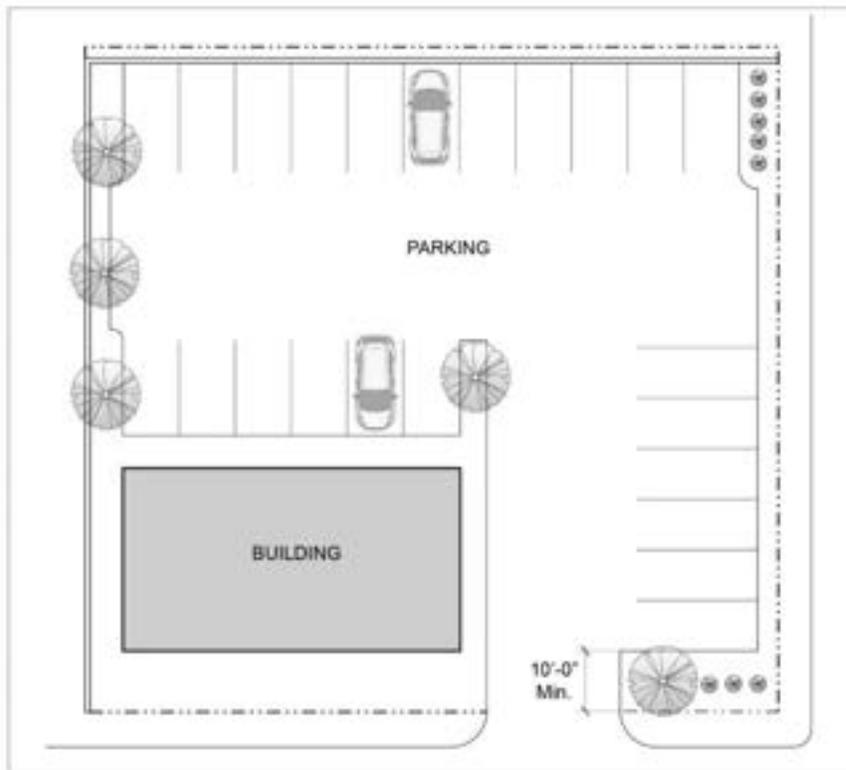
17.320.035 PARKING DESIGN AND LAYOUT GUIDELINES.

When parking is provided, the following requirements shall apply unless otherwise noted in this Title.

**A. Access to Parking Areas and Parking Spaces.**

1. **Access to parking areas.** Parking areas shall be designed to prevent access at any point other than at designated access drives.
2. **Parking space location.** Parking spaces shall not be located within 10 feet of an access driveway, measured from the property line. See Figure 3-9 (Parking Space Location) below. Uncovered parking spaces in the R1 and R2 zones shall comply with Subsection 17.320.035.P.3 (Allowable R1 and R2 uncovered parking placement).

Figure 3-9 Parking Space Location



3. **Internal maneuvering area.** Parking areas shall provide suitable maneuvering room so that vehicles enter the street in a forward direction, except for single-family homes, two-family homes, or triplexes on non-arterial streets, which may be designed to permit backing a vehicle into a public street right-of-way.

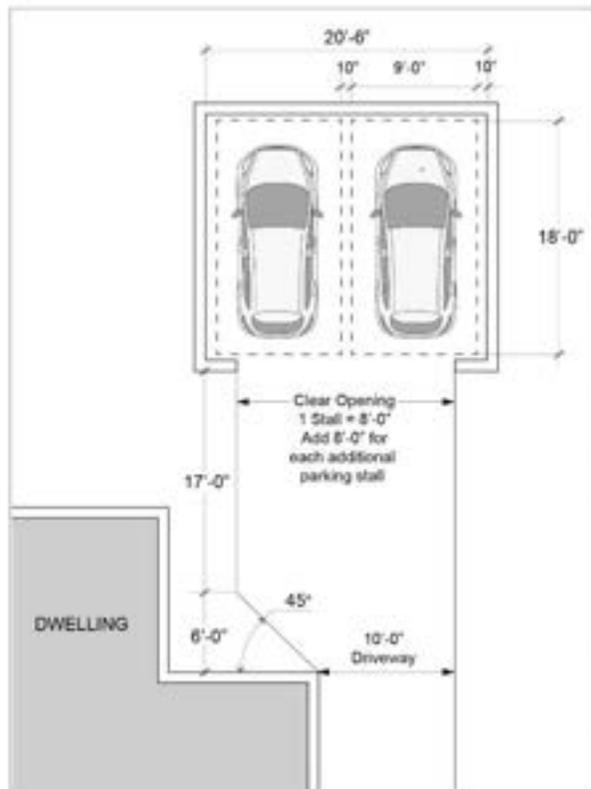
**B. Access to Adjacent Sites.** Applicants for non-residential developments are encouraged to provide shared vehicle and pedestrian access to adjacent non-residential properties for convenience, safety, and efficient circulation.

**C. Parking Space and Lot Dimensions.**

**1. Parking spaces.**

- a. **Residential spaces.** Parking spaces within carports shall have minimum dimensions of nine feet in width by 18 feet in length for each vehicle. Parking spaces within garages shall have minimum dimensions of nine feet in width by 18 feet in length for each vehicle with minimum interior dimensions for a two-car garage of 20 feet, six inches in width by 18 feet in depth; and for a one-car garage 10 feet, six inches in width by 18 feet in depth. Uncovered parking spaces shall have a minimum dimension of eight feet, six inches in width by 18 feet in depth. Access to a garage or carport located behind a dwelling unit shall have a backup aisle of 17 feet with a 45 degree angle leading to a driveway. See Figure 3-10 (Residential Garage/Carport and Driveway) below.

**Figure 3-10 Residential Garage / Carport and Driveway**



- b. **Tandem parking spaces.** Each tandem parking space shall be nine feet in width by 18 feet in depth.
  - i. Within residential districts or within the residential parking area of a mixed use development, tandem parking spaces may be provided. Tandem parking may be arranged to be no more than two spaces in depth.

- ii. For non-residential uses, tandem parking may be provided where authorized through a Parking Plan approval by the Director. The use of the tandem parking for non-residential uses shall require that the operator of the parking facility provide a valet or attendant at all times that the parking is accessible to users, except where the Director determines that the nature of the use and its operation will not require attended parking. Tandem parking may be arranged to be no more than three spaces in depth.
  - c. **Compact parking spaces.** For non-residential uses, compact spaces may be provided for up to 25% of the off-street parking provided. Compact spaces shall measure a minimum of seven feet, six inches in width by 15 feet in length, and shall not be eligible for further reductions (e.g. through an Administrative Modification or other entitlement). Compact spaces shall be clearly marked as compact.
  - d. **All other parking spaces.** Minimum parking space dimensions shall be as shown in Table 3-3 (Parking Space and Drive Aisle Dimensions) and Figure 3-11 (Parking Space and Aisle Dimensions).
2. **Parking lot aisles.** Drive aisles within parking areas shall be designed and constructed in compliance with the following standards.
- a. **Aisle width.** Parking area aisles shall comply with the minimum dimensional requirements in Table 3-3 (Parking Space and Drive Aisle Dimensions) and Figure 3-11 (Parking Space and Aisle Dimension).
  - b. **Visibility.** Drive aisles shall be designed and located so that adequate visibility is ensured for pedestrians, bicyclists, and motorists when entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility.

**Table 3-3 Parking Space and Drive Aisle Dimensions**

Angle of Parking	Minimum Dimensions				
	A Stall Width (1)	B Stall Length	C Stall Depth (aisle to curb)	D Drive Aisle Width and Backup	
				One Way (2)(3)	Two Way (2)(3)
0 degrees (parallel parking)	8 feet, 6 inches	26 feet	8 feet, 6 inches	12 feet	18 feet
30 degrees	8 feet, 6 inches	18 feet	17 feet	13 feet	20 feet
45 degrees	8 feet, 6 inches	18 feet	19 feet	13 feet	20 feet
60 degrees	8 feet, 6 inches	18 feet	20 feet	17 feet	21 feet
90 degrees	8 feet, 6 inches	18 feet	18 feet	24 feet	24 feet

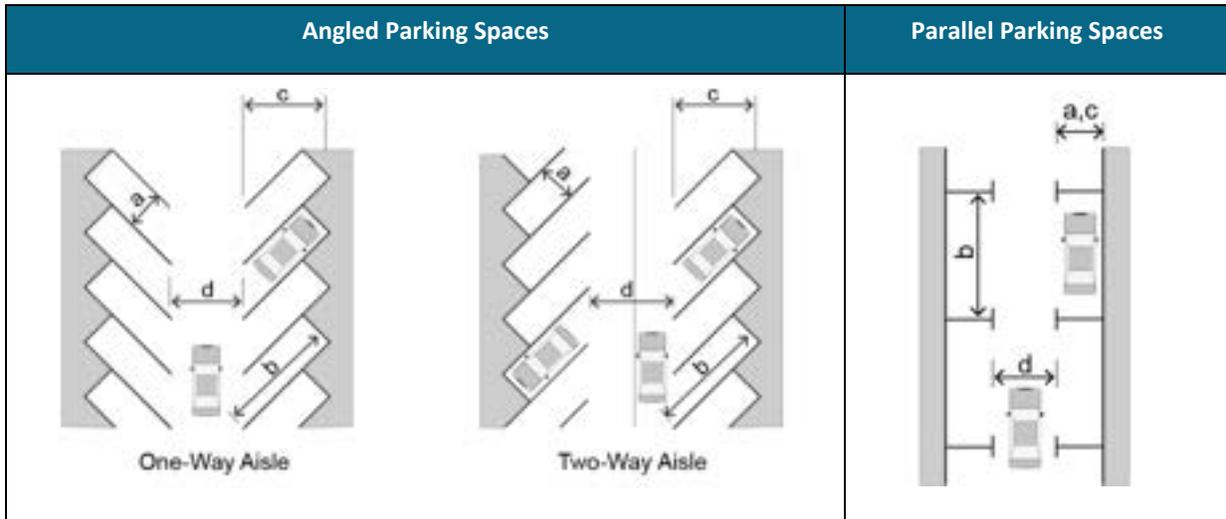
Notes:

- (1) Each parking space that is adjoined on either side of its longer dimension by a fence, wall, partition, column, post or similar obstruction, and the obstruction is located less than 14

feet from the access aisle, measured along the length of the stall, shall have its minimum width increased by at least 10 inches on the side of the obstruction.

- (2) The Director may require greater aisle widths where slopes or other obstructions are encountered.
- (3) For all parking spaces that back out onto an alley, the width of the alley shall be included in the minimum dimensions required for aisle width and backup.

**Figure 3-11 Parking Space and Aisle Dimension**



**Key:**

- a = Stall width*
- c = Stall depth*
- b = Stall length*
- d = Drive aisle width*

**D. Curbing.**

1. Continuous concrete curbing at least six inches high and six 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 two feet from the front of the space. Curbs are not required where two parking spaces are contiguous at the width (“head to head”). Alternative barrier designs to protect planted areas may be approved by the Director.
2. To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped with low-growth, hearty materials in lieu of paving, allowing a two-foot bumper overhang while maintaining the required parking dimensions per Section 17.310.020.C.4 (Bumper overhang areas). See Figure 3-6 (Bumper Overhand Area).

**E. Slopes of Driveways, Ramps, and Parking Areas.** The slopes of driveways, ramps, and parking areas shall comply with the following requirements.

1. **Driveways and ramps.** Driveways and ramps shall not exceed a maximum slope of 20%, measured along the driveway centerline. Where there is a change in the slope of the driveway, it shall be demonstrated to the satisfaction of the Director that vehicles will be able to pass over the change in slope without interference with an average vehicle's undercarriage. The 20 feet of driveway or ramp closest to the exit shall not exceed a slope of 3% or as determined appropriate by the Director.
  2. **Parking areas.** Parking areas shall have a maximum grade of 5%, measured in any direction.
- F. Landscaping.** Parking area landscaping shall be provided in compliance with Chapter 17.310 (Landscaping).
- G. Lighting.** Parking areas within non-residential projects shall have lighting that provides adequate illumination for security and safety, pursuant to the standards in Section 17.300.040 (Outdoor Lighting).
- H. Directional Areas and Signs.**
1. Parking spaces, aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to ensure the safe and efficient flow of vehicles.
  2. The Director may require the installation of traffic signs, in addition to directional arrows, to ensure the safe and efficient ingress and egress and circulation of vehicles in a parking facility.
- I. Striping and Identification.** Parking spaces shall be clearly outlined with a double striped line on each side of the parking space. The double striped line shall consist of two four-inch-wide lines spaced six inches apart and painted on the surface of the parking facility. Parking space width shall be measured from the centerline between the two four-inch lines. Circulation aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines to ensure safe traffic movement.
- J. Surfacing.** Parking spaces and maneuvering areas shall be paved and permanently maintained with a minimum thickness of two inches of asphalt, concrete, or other all-weather surface, over a minimum thickness of four inches of a base material; or paved and permanently maintained with a minimum thickness of four inches of Portland cement or as deemed appropriate by the Director. Alternative surfaces for parking and loading areas may be approved by the Community Development Director and the Public Works Director; provided that the material used meets aesthetic standards as determined by the Director, improves drainage and permeability, and responds to any historic guidelines for the property and its setting.
- K. Interior Parking Clearance.** Covered parking areas shall be provided with a minimum of seven feet of unobstructed clearance from finished floor surface to any ceiling, beam, entranceway, pipe, suspended sign or other obstruction, improvement, or device overhead, except as approved by the Director for storage cabinets or other suspended or cantilevered obstructions. Where a covered parking area is intended for, or is accessible to, general public use, each entrance shall be clearly posted with a sign indicating the minimum interior clearance actually provided.
- L. Treatment of Parking Areas.** In order to further the objective of reducing the visual impacts of parking, driveways, and garage doors, projects shall incorporate two or more of the following strategies:

1. Locate parking areas and garages underground, completely wrapped with occupiable enclosed buildings, or to the rear half of the site.
2. Use garage doors constructed of enhanced materials other than vinyl, fiberglass, or painted metal. Enhanced materials include wood, doors that incorporate windows consistent with the architecture of the building, trellis or trim around the door, carriage-style garage doors, or deeply recessed (eight inches) doors.
3. Orient garage doors perpendicular to the front property line.
4. Design driveways and vehicle maneuvering areas with use of pattern and such materials as integral color concrete, slate, brick, pervious concrete, or areas of permeable surface.
5. Locate driveways on the side of the project lot so that the driveway is not the central feature visible from the street.
6. Use landscaping to screen parking areas from the street (see Section 17.310.020.C (Parking Areas and Parkways)).
7. Use single car width garage doors.

**M. Entrance Gates and Barriers.** Gates or barriers at the entrance to shared parking, if included, shall be set back a minimum of 18 feet from the property line to prevent queuing into the public right-of-way and a minimum of 18 feet from the building wall of the structure to minimize visibility from the public right-of-way.

**N. Subterranean Parking.** Subterranean parking structures shall comply with all requirements of this Section, and the following additional requirements when located within a required setback.

1. **Invisibility.** Subterranean parking shall not extend more than three feet above finished grade.
2. **Accommodate landscaping.** The subterranean structure shall be designed to accommodate landscaping or other setback area improvements as required by this Title.
3. **Covered structure.** When located within a required street-facing setback area, the subterranean structure shall be fully covered by landscaping.

**O. Parking Structures.** Parking structures providing parking for residential and non-residential uses shall comply with all requirements of this Section, and the following additional requirements.

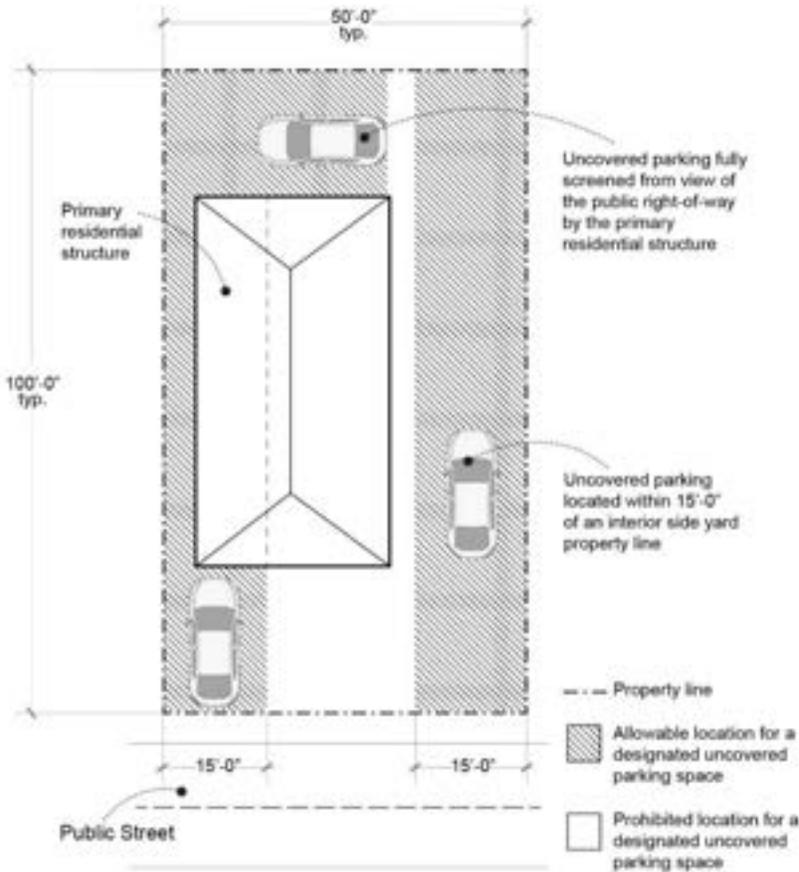
1. Parking structures shall comply with the setback requirements and height limits of the applicable zoning district.
2. Above-ground parking structures and above grade portions of subterranean parking structures shall be screened from the public right-of-way using one or more of the following strategies:
  - a. Parking garage is wrapped by occupiable buildings or portions thereof. Occupiable building area used to screen a parking garage shall be a minimum depth of 30 feet on the ground floor.
  - b. Parking garage is screened with landscaping with a 10-foot minimum depth.
  - c. Parking garage is screened with a solid or semi-solid building material/crafted ornamental metal screens/art installation that is consistent with the chosen architectural style of the project.

- d. Parking levels above the ground level may extend to the building facade but shall be designed and treated with the same level of detail, material quality, and facade articulation as other facade areas (e.g., facade articulation and modulation, use of real windows with glazing or false windows defined by frames, lintels, or sills).
- e. Parking structure lighting shall be screened, shielded, and/or directed downward to reduce light trespass and glare onto the public right-of-way and adjacent properties.

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

1. **Driveway length.** Except as otherwise allowed by this Title, within residential zoning districts, access to every parking space or to a common/shared parking area shall be provided by a paved driveway not less than 20 feet in length, measured from the end of the parking space to the nearest public or private street right-of-way line from which access to parking is provided, except uncovered spaces which may be located in accordance with Figure 3-12. In the R1 Zone, front-facing garages shall be set back at least 25 feet from the front property line.
2. **No setback parking.** 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, or on a designated uncovered parking space.
3. **Allowable R1 and R2 uncovered parking placement.** In the R1 and R2 zones, any uncovered parking provided 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 3-12 (Allowable R1 and R2 Uncovered Parking Placement) below.

Figure 3-12 Allowable R1 and R2 Uncovered Parking Placement



**Q. Electric Vehicle (EV) Parking.** Each land use type shall be provided the number of parking spaces equipped with electric vehicle (EV) charging infrastructure for installation of future EV charging stations and with full EV charging stations, as set forth in this Section, except where a greater number of spaces are required through the California Green Building Code, a conditional use permit or other permit approval. Property owners shall inform tenants of the availability of EV Ready and EV Capable spaces.

**1. Definitions.**

- a. "EV Capable." Installation of raceway, conduit, and panel capacity to accommodate the future installation of a dedicated branch circuit and 208/240 volt (Level 2) chargers/charging stations.
- b. "EV Ready." A complete circuit installation, including raceway, conduit, wiring, receptacle, circuit breakers, dedicated branch circuit, 208/240 volt 40 amp panel capacity, and any other necessary components to support the future installation of a Level 2 charger/charging station.
- c. "Full EV Charger/Charging Station." All necessary components required for EV Ready, in addition to an already installed charger/charging station (208/240 volt, Level 2).

**2. Multiple-Family Residential Uses.**

- a. **Quantity of EV Capable.** 20% of the parking spaces provided.
- b. **Quantity of EV Ready.** 10% of the parking spaces provided.
- c. **Quantity of Full EV Charger/Charging Station.** 10% of the parking spaces provided.
- d. **Full EV Chargers/Charging Stations shall be in addition to the EV Ready infrastructure.**  
Where the number of parking spaces provided is less than the cumulative minimum number of required EV spaces, the EV Ready requirement shall be applied first; additional spaces shall not be required in order to comply with the cumulative EV space requirements. Requirements for Full EV Chargers/Charging Stations shall not apply to parking spaces that are located within individual privately accessible garages that correspond to a specific dwelling unit.

3. **Non-Residential Uses.**

- a. **Quantity of EV Capable.** 20% of the parking spaces provided; a minimum of two spaces.
- b. **Quantity of EV Ready.** 10% of the parking spaces provided; a minimum of two spaces.
- c. **Quantity of Full EV Charger/Charging Station.** 10% of the parking spaces provided; a minimum of one space.
- d. **Full EV Chargers/Charging Stations shall be in addition to the EV Ready infrastructure.**  
Where the number of spaces provided is less than the cumulative minimum number of required EV spaces, the Full EV Chargers/Charging Stations requirement shall be applied first; additional spaces shall not be required in order to comply with the cumulative EV space requirements.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2014-002, § 2 (part); Ord. No. 2019-009 § 2; Ord. No. 2020-010; Ord. No. 2020-013 § 2 (part); Ord. No. 2021-012 § 3 (part); Ord. No. 2022-008)

17.320.040 DRIVEWAY AND SITE ACCESS STANDARDS.

**A. Driveway Widths.** Minimum driveway widths shall be as follows:

- 1. Driveway serves 1-20 spaces: 10 feet wide.
- 2. Driveway serves residential use with 20 or more spaces: 18 feet wide.
- 3. Driveway serves non-residential use with 20 or more spaces: 25 feet wide.
- 4. Driveways serving as parking aisles shall be increased in width as necessary to provide parking stall backup area, as required by Section 17.320.035 (Parking Design and Layout Guidelines).
- 5. Driveway aprons shall conform to standards established in Chapter 9.08 (Streets, Sidewalks and Parkways) of the CCMC.

**B. Garage Access.** A driveway to a residential parking garage located behind a dwelling shall meet the access and maneuvering standards of Section 17.320.035 (Parking Design and Layout Guidelines).

**C. Visibility at Driveways and Intersections.** Driveways and driveway landscaping shall be designed to maintain visibility and minimize interference with passing pedestrians. When within a 15 foot intersection safety sightline or five feet of the intersection of a driveway or alley with the public right-of-way, landscaping shall be no taller than 30 inches in height (see Figure 3-5 (Measurement of Fences, Walls, and Landscaping Height)). Landscaping adjacent the walls of the building shall be designed not to interfere with motorists’ views of the sidewalk and pedestrians’ views of vehicles exiting the project.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

**17.320.045 BICYCLE PARKING.**

Bicycle parking shall be provided for all multi-family projects and non-residential uses in compliance with this Section.

**A. Number of Bicycle Spaces Required.**

1. For all residential buildings containing three or more units the number of bicycle parking spaces shall be provided onsite per Table 3-5 below.

**Table 3-5 Bicycle Parking Requirements – Multiple-Family Residential Uses**

Use/Number of Dwelling Units	Short-Term Spaces Required (1)	Long-Term Spaces Required
<b>MULTIPLE-FAMILY DWELLINGS</b>		
3-25 dwelling units	1 per 10 units	1 per unit
26-100 dwelling units	1 per 15 units	1 per 1.5 units
101-200	1 per 20 units	1 per 2 units
201+	1 per 30 units	1 per 4 units
Residential care facility	1 per 10,000 square feet	1 per 5,000 square feet
Senior citizen congregate care housing	1 space for each 20 dwelling units. Minimum requirement is 2 spaces.	1 space for each 10 dwelling units. Minimum requirement is 2 spaces.
Notes:		
(1) A minimum of two short-term spaces shall be provided in all cases.		

2. For all non-residential buildings, the number of bicycle parking spaces shall be provided onsite per Table 3-6 below.

**Table 3-6 Bicycle Parking Requirements – Non-Residential Uses**

Use	Short-Term Spaces Required (1)	Long-Term Spaces Required
Health clubs	1 per 2,500 square feet  For uses larger than 50,000 square feet of occupied floor area, 10 short-term spaces plus one short-term space for every additional 10,000 occupied square feet.	1 per 5,000 square feet
Office	1 per 10,000 square feet	1 per 5,000 square feet
Personal Services, restaurants, and bars	1 per 2,000 square feet	1 per 5,000 square feet
Retail, general	1 per 2,500 square feet;  For uses larger than 50,000 square feet of occupied floor area, 10 short-term spaces plus one short-term space for every additional 10,000 occupied square feet.	1 per 5,000 square feet
All other commercial uses	1 per 10,000 square feet	1 per 5,000 square feet
Schools, colleges, universities, specialized instruction	1 per 1,000 square feet	1 per 2,000 square feet
Schools, kindergarten through grade 12	2 per classroom	1 per 10 classrooms
Day care centers	2 per classroom	1 per classroom
Hotels and motels	1 per 30 hotel rooms	1 per 30 hotel rooms, plus one long-term space for every 5,000 square feet of occupied floor area of conference, meeting or function rooms
All other assembly uses	1 per 10,000 square feet	1 per 5,000 square feet
All industrial uses	Minimum of 2	1 per 10,000 square feet
<p>Notes:</p> <p>(1) A minimum of two short-term and two long-term spaces shall be provided in all cases.</p>		

3. For uses not listed, bicycle parking shall be provided, based on the most similar use in the table, as determined by the Director.

**B. Bicycle Parking Design.**

1. **Parking equipment.** Each bicycle parking space shall include a stationary parking device, as indicated below, to adequately secure the bicycle.
  - a. **Short-term bicycle parking.** Short-term bicycle parking shall consist of bicycle racks that support the bicycle frame at two points, including inverted - “U” bicycle racks or similar. Racks that support only the wheel of the bicycle are not permissible.
    - i. Racks shall allow for the bicycle frame and at one wheel to be locked to the racks.
    - ii. The rack shall allow for the use of a cable as well as a U-shaped lock.
    - iii. If bicycles can be locked to each side of the rack, each side shall be counted toward a required space.
    - iv. Racks shall be securely anchored to a permanent surface.
    - v. If more than 20 short-term bicycle parking spaces are provided, at least 50% shall be covered by a roof or overhang.
  - b. **Long-term bicycle parking.** Long-term bicycle parking shall be secured from the general public and enclosed on all sides to protect bicycles from inclement weather.
    - i. Acceptable examples of long-term bicycle parking include individual bicycle lockers, bike racks within a bicycle room, and bicycle cages.
    - ii. Except in the cases of lockers, all long-term bicycle parking shall provide means of securing the bicycle frame at two points to a securely anchored rack.
2. **Parking layout and siting requirements.**
  - a. Bicycle spaces shall be separated from motor vehicle parking spaces by at least five feet of open area and a physical barrier.
  - b. Spaces shall not be required to rely on stairs or escalators for access. For spaces allowed above or below the ground floor, elevators shall be a minimum of six feet, two inches to accommodate a standard adult bicycle with both wheels on the floor.
  - c. Short-term spaces shall be located on the ground floor, outside of the building, or with direct access to a public right of way, no more than 50 feet of walking distance from the main pedestrian entrance/access to the building, and with maximum visibility from the pedestrian access.
  - d. Long-term spaces shall be located in one of the following locations, or in a combination thereof:
    - i. On the ground floor within 50 feet of the main entrance, with safe and convenient access from the public right of way and lobby area.
    - ii. On a floor above or below the ground floor, including a parking structure, within 50 feet of the elevator, with safe, convenient, and dedicated access between the bicycle parking and the elevator.
3. **Parking dimensional requirements.**

- a. Short-term and long-term spaces shall be a minimum of two feet wide by six feet long and shall be spaced at minimum 30 inches apart and 30 inches from a wall or other obstruction on any side. A minimum of seven feet of vertical clearance shall be provided at all bicycle parking spaces.
  - b. If more than 20 long-term spaces are provided, a minimum 100 square feet of workspace is required adjacent to the bicycle parking area for bicycle maintenance work; the workspace shall be adjacent to the area with the most bicycle spaces if spaces are provided in more than one area within the site.
  - c. Bicycle rooms shall provide outlets for charging electric bicycles.
- C. Lockers and Showers.** For non-residential uses, one personal locker shall be provided for each required long-term bicycle parking space for use by all genders. Showers for employee use shall be provided per Table 3-7 below.

**Table 3-7 Required Showers for Non-Residential Uses**

Square Feet	Showers Required
25,000-99,999	1 shower for each gender
100,000-199,999	2 showers for each gender
200,000 or more	1 additional shower for each gender for every 100,000 square feet or portion thereof

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

**17.320.050 LOADING AREA REQUIREMENTS.**

- A. Loading Area Size Categories.** Loading areas shall comply with the minimum dimensions, area, and clearance requirements in Table 3-8 below.

**Table 3-8 Loading Area Size and Dimensions**

Size	Minimum Dimensions	Minimum Area	Overhead Clearance
Medium	10 feet x 30 feet	300 square feet	14 feet
	12 feet x 25 feet		
Large	12 feet x 40 feet	480 square feet	14 feet
Extra Large	12 feet x 60 feet	720 square feet	14 feet
	19 feet x 40 feet		

**B. Number of Loading Spaces Required.** Non-residential uses shall provide the number of loading spaces in compliance with Table 3-9 below.

**Table 3-9 Required Loading Spaces**

Floor Area	Loading Size and Quantity Required (1)
2,501 – 7,500 square feet	1 Medium space
7,501 – 50,000 square feet	1 Large space
50,000 square feet or more	1 Extra Large space
<p>Notes:</p> <p>(1) Regardless of floor area, for any building having a dock high or depressed ramp accessible to vehicles, one large loading space shall be provided for each dock high or depressed ramp; or one or more extra-large loading areas may be required, if the City determines that tractor and double trailer rigs may use the dock high or depressed ramp.</p>	

**C. Standards for Loading Areas.** Loading areas shall be provided in the following manner.

1. **Access.** Loading areas accessible only from a public street right-of-way shall be located to allow head-in and head-out access from and to the public street right-of-way. Back-in access may be permitted if it is determined by the Director that no feasible alternative exists.
2. **Lighting.** Loading areas shall have lighting capable of providing adequate illumination for security and safety. Lighting standards shall comply with Section 17.300.040 (Outdoor Lighting).
3. **Loading ramps/docks.** Plans for loading ramps or truck wells shall be accompanied by a profile drawing showing the ramp, ramp transitions, and overhead clearances.
4. **Location and Screening.** Loading areas shall be located and screened per Section 17.300.035.C (Utilities, Equipment, Service, Loading, and Refuse Areas).
5. **Identification.** Loading areas shall be designed, laid out, and clearly marked as being distinct from required parking spaces and aisles, unless the City approves the use of the parking area as an undesignated overlay loading area during non-business hours.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

## 17.330 SIGNS

### Section

17.330.005	Intent
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17.330.015	Sign Definitions
17.330.020	Sign Standards by Zoning District
17.330.025	Standards for Specific Types of Signs
17.330.030	General Requirements for all Signs
17.330.035	Prohibited and Restricted Signs
17.330.040	Signs in the Public Right-of-Way
17.330.045	Nonconforming Signs
17.330.050	Review Process and Appeals

### ***Cross-reference:***

General sign regulations, see §§ 13.02.200 et seq.

### 17.330.005 INTENT.

This Chapter is a comprehensive system for the regulation of signs in the City. Sign regulation is enacted to serve the interests of community aesthetics, vehicular and pedestrian safety, to protect and preserve property values, to improve the visual environment of the City so as to promote commerce, investment, tourism, and visitation, and the overall quality of life for persons living in, doing business in, or visiting the City. The provisions of this Chapter are also intended to promote the public health, safety and general welfare of persons driving, parking, biking, walking, residing or conducting business within the City, by reducing visual distractions to motorists, and by making signs and advertising displays more attractive, aesthetically pleasing and more effective. It is the further purpose of this Chapter that every use of property within the City receives adequate identification. The City intends to create a comprehensive balanced system of signs that is aesthetically pleasing and compatible with the environment.

The regulations of this Chapter are not intended to permit any violations of the provisions of any other lawful ordinance, nor to prohibit the use of any sign required by any law superior to that of this Chapter.

- A. Regulatory Interpretations.** All regulatory interpretations of this Chapter are to be exercised in light of the City’s message neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed, nor prohibited or restricted, by this Chapter, or whenever a sign does not qualify as a structure as defined in the Uniform Building Code, then the Director shall approve, conditionally approve, or disapprove the application, based on the most similar sign type that is expressly regulated by this Chapter. Architectural compatibility shall be analyzed on the basis of size, location, color, construction materials and design of the sign structure, without consideration of the message to be displayed on a sign, other than the distinction between on-site and off-site commercial messages.
- B. Discretionary Approvals.** Whenever a sign or proposed sign is subject to any discretionary approval process, including but not limited to, Variance, Conditional Use Permit or Administrative Use Permit, then no consideration will be given to sign copy or message to be displayed, other than a determination as to whether the message will constitute off-site commercial copy. This principle applies equally at all levels of approval, from the Director to the Council.
- C. Non-communicative Aspects of Signs.** All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, orientation, and so forth, stand enforceable independently of any permit or approval process.

(Ord. No. 2005-011 § 2)

17.330.010 APPLICABILITY.

- A. Signs Regulated.** The sign standards provided in this Chapter shall apply to all signs in all zoning districts. Only signs authorized by this Chapter shall be allowed.
- B. Applicability to Sign Content.** The provisions of this Chapter do not regulate the message content of signs (sign copy), regardless of whether the message content is commercial or non-commercial.
- C. Definitions.** Definitions of specific types of signs and other terms used in this Chapter are contained in Section 17.330.015 (Definitions).

(Ord. No. 2005-007 § 1 (part))

17.330.015 SIGN DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Architectural Feature.** A soffit, column, wing wall, canopy, roof eave, balcony and any other similar element that does not create an interior floor space.

**Awning.** A permanent or temporary structure attached to, and wholly supported by a wall of, a building, and installed over and partially in front of doors, windows or other openings in a building, and consisting of a frame and a top of canvas or other similar material covering the entire space enclosed between the frame.

**Background Canopy Area.** The outer surface area of a canopy that is reasonably visible to public view.

**Background Wall Area.** The largest rectangular opaque portion of each wall segment within which wall signs are displayed.

**Backlit Characters.** That method of sign illumination, achieved by concealing the light source between the three-dimensional opaque letters, numbers or other characters of a sign, and the solid surface of a building or structure on which the sign characters are mounted, that results in the nighttime perception of a halo around the silhouette of each sign character.

**Business Frontage.** The portion of a building occupied by a single business tenant, and fronts on a public street, faces a courtyard, pedestrian corridor or walkway, parking lot or alley.

**Cabinet Sign.** A sign that contains all the text and/or logo symbols within a single enclosed cabinet, and which may or may not be illuminated.

**Canopy Depth.** The maximum perpendicular distance that a canopy projects away from the building wall to which it is attached.

**Canopy, Nonstructural.** See Awning.

**Canopy Sign.** A sign displayed on an awning or a canopy.

**Canopy, Structural.** An architectural feature that:

- A. Projects from, and is totally supported by, the exterior wall of a building;
- B. Provides protection from the elements to pedestrians below, or to occupants within the building;
- C. Is usually positioned above a window or a door;
- D. Is permanent, in that it is not retractable and cannot be removed from the building without altering the building structure.

**Canopy Width.** The maximum parallel distance that a canopy extends across the building wall to which it is attached.

**Changeable Copy Sign.** A sign with a message comprised of letters, numbers, or other characters that are manually or mechanically changed to display different messages.

**Construction Sign.** A temporary sign that identifies the names, addresses and telephone numbers of parties directly involved in the business occupancy, construction, design, or financing of pending or in-progress physical improvements to the premises.

**Corporate Flag Sign.** A wind-activated flag with a message that is an inherently distinctive logo or trademark for a business.

**Decorative Banner and Flag.** A festive permanent graphic display that is made of durable cloth, plastic or similar non-rigid material, and that either displays no message or displays only a predominately pictorial message that does not directly identify or advertise a business on the premises.

**Directional Sign.** A sign that identifies to motorists or pedestrians an entry or exit point to or from an adjacent public right-of-way, or to or from various points of passage on or within private property.

**Electronic Message Sign.** A sign with a message comprised of letters, numbers, or other characters that are electronically changed to display different messages.

**Event Sign.** A sign that identifies, advertises or promotes a special or temporary event.

**False Mansard.** A sloped wall segment that is above or projects down and away from a vertical wall of a building, and that is not a building roof, as defined by the Uniform Building Code.

**Freestanding Sign.** A sign displayed on, and totally supported by, one or more support elements on the ground, with no part of the sign attached to a building or similar structure.

**Holiday Sign.** A temporary sign or display placed in remembrance or celebration of any recognized religious, local, State or Federal holiday.

**Institutional Flag.** A wind-activated flag with a message that is an inherently distinctive symbol for a particular government jurisdiction.

**New Business Sign.** A temporary sign that displays only the name of a new business or a change in the name of an existing business.

**Nonconforming Sign.** Any sign that does not comply with this Chapter.

**Off-site Sign.** Any sign with a message that does not relate directly to an active use of the premises on which it is displayed.

**On-site Sign.** Any sign with a message that relates directly to an active use of the premises on which it is displayed.

**Parapet Wall Sign.** A wall sign located below the top of the parapet line of a building, and above the top of the window line of the highest story of the building, and including a sign on a false mansard.

**Public Information.** A message of potential interest to the general public as a whole that includes no business identification, advertising, or promotional information (e.g., time and temperature information).

**Public Information Sign.** A sign that displays only a public information message.

**Public Property.** All facilities, structures, and real property owned or controlled by the City, including but not limited to, the public right-of-way and parks.

**Real Estate Sign.** A sign that indicates the availability of land or buildings for sale, lease, rent, or other permanent or temporary disposition.

**Sign.** Any emblem, icon, insignia, logo, replica, symbol or trademark that displays a message in lettered, written, numbered, pictorial or any other visually perceptible form, including the support elements,

distinct background area, and decorative embellishments thereof. Does not include murals, paintings or other works of art that are not intended to advertise or identify any business or product.

**Sign Copy.** All portions of a sign that display a message.

**Sign Face Area.** The area of a sign that includes copy and distinct background surfaces.

**Special Event.** A duly licensed and approved activity of limited duration that is not directly related to an established business on the premises where the event is held, such as a carnival or Christmas tree sales on a vacant or unused lot, or a fund-raising activity of a nonprofit organization held on the improved premises of an established business.

**Support Element.** The structural portion of a sign that secures it to the ground, a building or to another structure.

**Temporary Banner Sign.** A sign, made of durable cloth, plastic or similar non-rigid material, that displays business identification, advertising or promotional message, and is displayed only for a short period of time, as regulated in this Chapter.

**Temporary Event.** A duly licensed and approved activity of limited duration, directly related to an established business on the premises where the event is held, such as the outdoor sales of Christmas trees by a supermarket, or a weekend festive promotion for a business staged outdoors and providing complimentary food, music, entertainment or similar attractions to entice public attendance or participation.

**Theater Marquee Sign.** A sign attached to, or made an integral part of, the structural canopy of a theater.

**Vertical Clearance.** The distance from the bottom of a sign, but not including the support elements of a freestanding sign, to the average finished grade below, or to, the grade of the nearest point of an adjoining public right-of-way with a higher elevation, if within five feet thereof.

**Wall Sign.** A sign that is displayed on, or is attached to, an exterior wall of a building or structure.

**Wayfinding Kiosk.** An interactive digital wayfinding kiosk, with one or more screens and each screen being no greater than 15 square feet in size, installed on public property which shall provide public information and other messaging selected by the City and may include commercial advertising.

**Window Sign.** A permanent or temporary sign that is displayed on the surface of any glass or glazed material, or that is displayed inside and close enough to a window to be reasonably visible from outside the window.

(Ord. No. 2005-007 § 1 (part))

#### 17.330.020 SIGN STANDARDS BY ZONING DISTRICT.

Only the signs and sign area authorized by this Section shall be allowed unless otherwise expressly provided in Section 17.330.025 (Standards for Specific Types of Signs).

**A. Residential Zones or Standalone Residential Uses.**

1. **Permanent identification sign.** One permanent identification wall or freestanding sign, not to exceed 32 square feet in area for multi-family residential developments of four or more units, displaying only the name and address of the integrated multiple residential development, shall be allowed for each 400 feet of lineal street frontage on which the development has access, provided that:
  - a. **Sign proximity.** The minimum distance between each identification sign shall be 200 feet.
  - b. **Maximum height.** The maximum height of any freestanding sign shall not exceed five feet.
  - c. **Minimum setback.** The minimum setback for any freestanding sign shall be 10 feet from every adjoining lot line, and five feet from every street-facing lot line.
  - d. **Attachment.** Any wall sign shall be attached to, and parallel with, the front wall of the building and the street.
  - e. **Accessories prohibited.** No other object placed to attract additional attention shall be attached to any identification sign or placed anywhere on the lot.
  - f. **Materials.** The style, color, materials, texture, and exterior finish of any identification sign shall be closely compatible with the exterior building materials used on-site.
2. **Permanent information sign.** One unlighted, permanent information, freestanding sign, in addition to each permanent identification sign, not to exceed 32 square feet in the area for multiple-family residential developments of four or more units, identifying the residential development and providing sales, rental or lease information, and meeting the following standards.
  - a. **Sign proximity.** The sign shall be placed within a 100-foot radius of the corresponding permanent identification sign(s).
  - b. **Maximum height.** The maximum height of the sign, including its support, shall not exceed five feet.
  - c. **Minimum setback.** The minimum setback for any freestanding sign shall be 10 feet from every adjoining lot line, and five feet from every street-facing lot line.
  - d. **Accessories prohibited.** No other object placed to attract additional attention shall be attached to any information sign or placed anywhere on the lot.
  - e. **Materials.** The style, color, materials, texture, and exterior finish of any information freestanding sign, and its support elements, shall be closely compatible with the exterior building materials used on-site.
3. **Identification signs for non-residential uses in residential zones.**
  - a. **Permanent identification signs.** One unlighted, permanent identification sign per lot, not to exceed eight square feet in area in the R1 and R2 zones, and not to exceed 32 square feet in area in the RLD, RMD, and RHD zones, attached to, and parallel with, the front wall of the building and the street, displaying only the name of the facility, shall be allowed in every residential zone, subject to the following standards.
    - i. **Materials.** The style, color, materials, texture and exterior finish of any identification sign shall be closely compatible with the exterior building materials used on-site.

- ii. **Accessories prohibited.** No other object placed to attract additional attention shall be attached to the sign or placed anywhere on the lot.
- b. **Freestanding signs.** If more than one building or structure exists on the lot, or if the lot exceeds 200 feet of lineal street frontage, one freestanding sign in place of the wall sign allowed under Subsection 17.330.020.A.3.a. above, shall be allowed in every residential zone, subject to the following standards.
- c. **Maximum height.** The maximum height of the freestanding sign, including its support, shall not exceed five feet. When walls or hedges that conform to applicable CCMC regulations are on a front lot line, the freestanding sign shall be placed so that its bottom edge is no more than 12 inches above the wall or hedge.
- d. **Minimum setback.** The minimum setback for any freestanding sign shall be 10 feet from every adjoining lot line, and five feet from every street-facing lot line.
- e. **Materials.** The style, color, materials, texture, and exterior finish of any identification freestanding sign, and its support elements, shall be closely compatible with the exterior building materials used on-site.
- f. **Accessories prohibited.** No other object placed to attract additional attention shall be attached to the sign or placed anywhere on the lot.

**B. Non-Residential Uses in All Other Zones.** Table 3-10 identifies the types of signs allowed for non-residential uses in mixed use and special purpose zones.

**Table 3-10 Sign Standards for Non-Residential Uses in Mixed Use and Special Purpose Zones**

Sign Type (1)	Maximum Sign Area	Maximum Sign Height	Maximum Number of Signs	Location	Additional Requirements
<b>Freestanding Signs</b>	50 square feet of sign area per face; 100 square feet maximum for all freestanding sign faces.	20 feet maximum for first freestanding sign allowed; 6 feet maximum for all additional freestanding signs allowed.	1 per site, provided that the site has a minimum of 100 feet of frontage on one street. 1 additional freestanding sign allowed for each additional 200 square feet of street frontage for a site, up to a maximum of 5 freestanding signs.	Setback 2 feet from street-facing property lines and 25 feet from interior property lines.  Setback at least 50 feet from other freestanding signs along the same frontage.  Setback at least 75 feet from the boundary of any residentially zoned property.	See Section 17.330.025 for Standards for Specific Types of Signs.

Sign Type (1)	Maximum Sign Area	Maximum Sign Height	Maximum Number of Signs	Location	Additional Requirements
<b>Wall Signs</b>	<p>Whichever of the following is greater: 25 square feet; or 1-1/2 square feet of sign area per linear foot of business frontage, up to a maximum of 200 square feet per business frontage.</p> <p>Wall sign area shall not exceed 40% of the background wall area on which the sign is placed.</p>	<p>For background wall area more than 4 feet in height: 1 feet below edge of roof.</p> <p>For background wall area up to 4 feet in height: at least 6 inches below edge of roof.</p>	<p>Limited by area and location, not by number.</p>	<p>Affixed to a wall. Shall not cover doors, windows, or architectural features.</p>	<p>See Section 17.330.02 5 for Standards for Specific Types of Signs.</p>
<b>Parapet Wall Signs</b>	<p>Buildings up to 3 stories: Sign area is included in the total allowed for wall signs.</p> <p>Buildings 4 stories or more: Not limited in sign area.</p>	<p>For background wall area more than 4 feet in height: 1 feet below edge of roof.</p> <p>For background wall area up to 4 feet in height: at least 6 inches below edge of roof.</p>	<p>2 stories or less: limited by area and location, not by number.</p> <p>3 stories or more: maximum of 2 parapet signs per building on opposite, not adjoining, parapets.</p>	<p>Shall not cover any architectural features.</p>	<p>See Section 17.330.02 5 for Standards for Specific Types of Signs.</p>

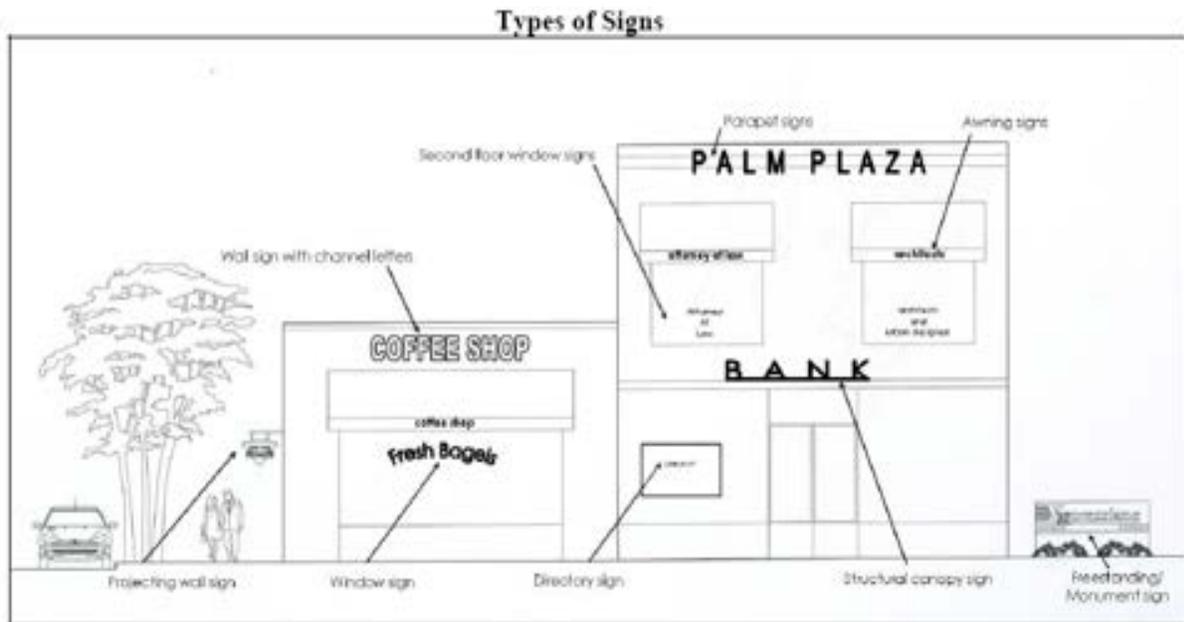
Sign Type (1)	Maximum Sign Area	Maximum Sign Height	Maximum Number of Signs	Location	Additional Requirements
<b>Canopy Signs</b>	<p>Front of canopy: 1-1/2 square feet of sign area per linear foot of canopy width.</p> <p>Sides of canopy: 2 square feet of sign area per linear foot of canopy depth.</p> <p>When mounted above or below a structural canopy, 1-1/2 square feet of sign area per linear foot of canopy width. Sign area is not to exceed 40% of background canopy area on which the sign is displayed. Canopy sign area shall reduce the allowable wall sign area from which the canopy projects.</p>	<p>Limited by location, not by height, when on the face of the canopy.</p>	<p>Limited by area and location, not by number.</p>	<p>May be located on any exterior surface of a canopy that is located below the third-floor line of a building.</p> <p>No part of a canopy sign displayed on the vertical or sloped surface of a canopy shall project beyond the edges of the canopy surface on which it is displayed.</p>	<p>See Section 17.330.02 5 for Standards for Specific Types of Signs.</p>
<b>Window Signs</b>	<p>Shall not occupy more than 25% of the total window area.</p>	<p>Limited by location, not by height.</p>	<p>Limited by area, not by number.</p>	<p>May be placed on first and second floor windows only.</p>	<p>See Section 17.330.02 5 for Standards for Specific Types of Signs.</p>
<b>Directional Signs</b>	<p>4 square feet per sign face.</p> <p>The area of a directional sign shall be in addition to other allowable sign area for a business or site, except if displayed as a window sign, it shall be subject to the sign face area limits for window signs.</p>	<p>The height of a directional sign shall be subject to the height limits for the physical type of sign it is (e.g., wall sign), except that the height of freestanding directional signs is limited to 48 inches.</p>	<p>Shall be approved by the Director, based on issues of safety, line of site, and site conditions, to ensure safe pedestrian and vehicular movement.</p>	<p>Placement of a directional sign shall be subject to the location limits for the physical type of sign it is (e.g., wall sign).</p>	<p>See Section 17.330.02 5 for Standards for Specific Types of Signs.</p>

Sign Type (1)	Maximum Sign Area	Maximum Sign Height	Maximum Number of Signs	Location	Additional Requirements
<b>Public Information Signs</b>	The area of a public information sign shall be subject to the size limits for the physical type of sign it is (e.g., wall sign); provided that the Director may approve a public information sign, in addition to other allowable sign area for a business or site, if the sign is determined to be unique in terms of providing an important public service.	The height of a public information sign shall be subject to the height limits for the physical type of sign it is (e.g., wall sign).	Limited by type and size, not by number.	The placement of a public information sign shall be subject to the location limits for the physical type of sign it is (e.g., wall sign).	See Section 17.330.02 5 for Standards for Specific Types of Signs.
<b>Corporate Flag Signs</b>	4 feet by 6 feet, 24 square feet.	Maximum height of a corporate flag sign is determined by the allowable height of its mast or staff support element structure, which is regulated by the height limits prescribed for buildings and structures in each zoning district.	1 per business.	The placement of a corporate flag sign shall be subject to the location limits for the physical type of sign it is (e.g., freestanding sign).	See Section 17.330.02 5 for Standards for Specific Types of Signs.

Notes:

- (1) See Figure 3-13 at top of next page for illustration of sign types.

Figure 3-13 Types of Signs



(Ord. No. 2005-007 § 1 (part); Ord. No. 2005-010 § 4; Ord. No. 2005-011 § 3)

17.330.025 STANDARDS FOR SPECIFIC TYPES OF SIGNS.

**A. Canopy Signs.**

1. A canopy sign may be attached above or below a structural canopy, subject to the following:
  - a. When above or below the canopy, it shall not exceed 16 inches in height, 12 inches in thickness, nor two-thirds the length of the canopy face parallel to the sign.
  - b. When above the canopy, it shall have no distinct background area.
  - c. When below the canopy, it shall have a minimum eight-foot vertical clearance to finished grade below.
2. For theater marquee signs, see Subsection 17.330.025.L.2.

**B. Changeable Copy Signs.** A changeable copy sign shall only be allowed for the following uses, and shall be subject to the limits for the physical type of sign it is (e.g., wall sign):

1. Vehicle fueling station price signs.
2. Government buildings.
3. Places of worship.
4. Real estate offices.
5. Restaurant menu signs along drive-through lanes or at outdoor walk-up service areas only.
6. Schools.
7. Theater marquee signs.

**C. Corporate Flag Signs.**

1. When displayed in a group with one or more institutional flags:
  - a. All rules of etiquette prescribed by law or convention for the institutional flag display, including but not limited to the “over and under” and “left and right” relative positions of the flags, shall apply to the corporate flag sign display.
  - b. In no event shall the size or height of the corporate flag sign exceed the size or height of any institutional flag displayed in the group.

**D. Decorative Banners and Flags.** Decorative banners and flags shall only be allowed if approved by a master sign program under Subsection 17.330.050.C.2.

**E. Directional Signs.**

1. A directional sign shall contain no brand, trade or business identification or advertising information.
2. An application for deviation from the size, location, height or number restrictions contained in Table 3-10 (Sign Standards for Non-Residential Uses in Mixed Use and Special Purpose Zones) may be submitted to the Director, and said deviation request shall be granted when the applicant establishes the presence of unusual needs, circumstances, or conditions relative to restricted visibility, the size of the property, or the number of access points that make the deviation necessary.

**F. Electronic Message Signs.**

1. An electronic message sign shall be displayed only if the information displayed is public information.
2. An electronic message sign shall be subject to the limitations for the physical type of sign it is (e.g., wall sign).

**G. Freestanding Signs**

1. **Landscaping.** A freestanding sign shall be placed within a landscaped area of not less than 20 square feet. The Director can approve a reduction of the size of, or eliminating the planter, if necessary, to avoid creating or increasing a parking nonconformity or safety hazard.
2. **Canister.** A single-sided or two-sided freestanding sign shall not exceed 24 inches in thickness. The side, bottom and top panel edges of the sign shall be enclosed with opaque materials that match, or are compatible in appearance with, the sign.
3. **Multiple sign canisters.** Multiple sign canisters on a single freestanding sign shall be compatibly configured as approved by the Director.
4. **Sign mounting.** Freestanding signs shall be mounted on one or more supports, or have a solid monument-type base. Posts shall not have a diameter greater than 12 inches. Supports shall be well designed, compatible and in scale with the design of the sign. All support elements shall have continuous finished appearance.
5. **Multiple business sign copy.** The sign copy on a freestanding sign serving a multiple business building or a shopping center:
  - a. May include the names of individual businesses located within the building or center, as well as the building or center name and street address.
  - b. Shall have sign copy character styles, and sign copy and background colors that are compatible with one another.

- c. Shall contain no more than four vertically stacked rows of individual business signs. Each row can have multiple lines of copy.
- 6. **Sign projection.** A freestanding sign may project over a paved public sidewalk up to four feet or one-half the width of the sidewalk, whichever is less, provided that:
  - a. The bottom of the projecting portion of the sign has a minimum of 12 feet of vertical clearance over the sidewalk.
  - b. The sign has only finished sign copy faces and finished panel edges projecting over the sidewalk.
  - c. The minimum required area of the landscaped planter beneath, or in close proximity to, the sign is placed fully behind the property line; unless a public right-of-way landscaping encroachment permit is granted.
  - d. No part of the sign is closer than 18 inches to the street curb face.
- H. **Gasoline Station Signs.** In addition to other signs allowed by this Chapter, gasoline stations or businesses that sell motor vehicle fuel to the public shall be allowed the following signs.
  - 1. Fuel price signs.
    - a. One double-sided fuel price sign, not exceeding 20 square feet per face, shall be allowed per site.
    - b. The fuel price sign shall be incorporated into the permanent freestanding sign for the business, if one is provided; however, the area of the fuel price sign shall not be counted towards the maximum allowable sign area for the freestanding sign.
    - c. No information other than as required or allowed by local, State or Federal law shall be displayed on a fuel price sign.
    - d. An application for additional or larger gasoline station price signs may be submitted to the Director, and shall be granted if the applicant establishes that such is necessary to meet the minimum requirements established by County, State or Federal law.
  - 2. **Service island signs.** May be displayed directly on the vertical face of a service island canopy and under the canopy (e.g., on support columns), provided that the total of all such temporary and permanent signs displayed shall not exceed 30 square feet for each row of pumps.
- I. **Public Information Signs.**
  - 1. A public information sign shall contain no brand, trade, identification, promotional, advertising or operational information directly related to a business.
  - 2. A public information sign required by any governmental agency shall be exempt from these restrictions.
- J. **Street Address Signs.** Any street address sign with letters or number up to six inches in height, or larger, if required by the Fire Chief, shall not subject to the limits for the physical type of sign it is (e.g., wall sign).
- K. **Temporary Signs.** Temporary signs (including real estate signs) are allowed only in compliance with the standards in Table 3-11 (Standards for Temporary Signs) and 3-12 (Standards for Temporary Real Estate Signs). For permit requirements, see Section 17.330.050 (Sign Permit Requirements).

**Table 11 Standards for Temporary Signs**

<b>Sign Type</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>	<b>Maximum Number of Signs</b>	<b>Time Limit</b>	<b>Additional Requirements</b>
<b>New Business Signs</b>	1 square feet for each linear foot of business frontage, up to 100 square feet per business frontage.	Below edge of roof.	1 per business frontage.	90 days or until a permanent sign is installed, whichever is less.	A new business sign composed of durable, non-rigid material, may be installed over and covering the sign of the prior business it is to replace.
<b>Future Occupancy Signs</b>	25 square feet per sign.	Below edge of roof. If freestanding, 6 feet maximum height.	1 per business frontage.	Shall be removed upon first occupancy of the site.	Shall contain only the name(s) of future occupant(s) of the site.
<b>Event Signs</b>	Sign area shall be in keeping with the regulations in place for permanent signs allowed by this Chapter, and without consideration of the message to be displayed on the temporary event sign.	Sign height shall be in keeping with the regulations in place for permanent signs allowed by this Chapter, and without consideration of the message to be displayed on the temporary event sign.	Number of signs shall be in keeping with the regulations in place for permanent signs allowed by this Chapter, based on the size and lot configuration, and ensuring no access or site impairment, and without consideration of the message to be displayed on the temporary event sign.	Event signs may be displayed only on the days the event is held, for a reasonable promotional period in advance of the event, and for a reasonable take down period after the event, as determined by the Director.	<p>Event signs may include balloons, pennants, and similar festive decorations, provided that:</p> <p>They are displayed no more than 30 feet above grade;</p> <p>They are not made of metallic or mylar material;</p> <p>Safe and proper clearance from any overhead wire or other nearby potentially hazardous obstruction or feature is maintained.</p> <p>Additional, more stringent regulations may be placed on special event signs through any discretionary land use approval or business tax certificate approval process required for special events by this Code, based on issues of size, location, color, construction materials, and design of the sign, without consideration of the message to be displayed on the special event sign.</p>

Sign Type	Maximum Sign Area	Maximum Sign Height	Maximum Number of Signs	Time Limit	Additional Requirements
<b>Temporary Banner Signs</b>	3 feet by 6 feet, 18 square feet in area.	Below edge of roof.	Maximum of 1 near each public entrance of a business.	Maximum of 30 consecutive days, not more than 4 times per calendar year.	Shall be securely fastened against a wall or structural canopy.
<b>Construction Signs</b>	24 square feet.	Below edge of roof. If freestanding, 6 feet maximum height.	1 per street frontage.	Removed within 7 days of issuance by the City of the final Certificate of Occupancy for the building or site.	Shall contain only the names, addresses, and telephone numbers of parties directly involved in the business occupancy, construction, design or financing of the pending or in-progress improvements to the premises.
<b>Holiday Signs</b>	Sign area shall be in keeping with the regulations in place for permanent signs allowed by this Chapter, and without consideration of the message to be displayed on the temporary holiday sign.	Sign height shall be in keeping with the regulations in place for permanent signs allowed by this Chapter, and without consideration of the message to be displayed on the temporary holiday sign.	Number of signs shall be in keeping with the regulations in place for permanent signs allowed by this Chapter, based on the size and lot configuration, and ensuring no access or site impairment, and without consideration of the message to be displayed on the temporary holiday sign.	Limited to display between 45 days prior to, and 15 days after, the holiday to which they pertain.	Display no business, product, or advertising name, symbol or logo information.

**Table 12 Standards for Temporary Real Estate Signs**

<b>Sign Type</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>	<b>Maximum Number of Signs</b>	<b>Location</b>	<b>Time Limit</b>	<b>Additional Requirements</b>
<b>Non-Residential Real Estate Signs</b>	24 square feet.	Below edge of roof. If freestanding, 6 feet maximum height.	1 per business frontage.	Must be placed only on private property.	Shall be removed within 7 days following the sale, lease or disposition of the real property.	The sign shall be constructed of durable, rigid materials suitable to their location and purpose. Only interior window signs may be made of non-rigid material. The sign shall be non-illuminated.
<b>Residential Temporary for sale, rent or lease signs</b>	18 inches by 24 inches in size.	Below edge of roof. If freestanding, no more than 4 feet in height. If a wall or hedge is located on a front property line, the sign may be placed on the wall or hedge and have a maximum height of no more than 3 feet above the wall or hedge.	1 per lot.	Within the front yard setback, not less than 5 feet from any street-facing lot line, or less than 10 feet from an interior lot line; or attached to the front of the building.	Shall be removed within 7 days following the sale, lease or disposition of the real property.	The sign shall be non-illuminated. The sign may have two sign faces. No flag, arrow, pennant, streamer, banner, or any other similar object shall be attached to the real estate sign, or placed anywhere on the lot; provided that two information signs, not exceeding 5 inches by 16 inches each, may be attached to the bottom of the real estate sign.
<b>Residential On-site open house signs</b>	4 square feet per face.	Below edge of roof. If freestanding, no more than 4 feet in height. If a wall or hedge is located on a front property line, the sign may be placed on the wall or hedge, and have a maximum height of no more than 3 feet above the wall or hedge.	1 per lot	Within the front yard setback or attached to the front of the building.	The open house sign and flag shall be displayed only during the period of time the open house is actually in progress.	One flag allowed to be attached to the sign.

Sign Type	Maximum Sign Area	Maximum Sign Height	Maximum Number of Signs	Location	Time Limit	Additional Requirements
Residential  Public parkway open house signs	4 square feet per face.	4 feet above parkway grade.	2 signs per corner, 4 signs maximum per intersection.	No sign shall obstruct the safe and convenient use by the public of adjoining sidewalk, curbside parking, or roadway areas. No sign shall be attached to any tree, pole, bench, or any other parkway feature.	Displayed only on Sundays, from 9:00 a.m. to 6:00 p.m.	The sign may have 2 sign faces. The message content shall only relate to an activity actually in progress during the allowable display period. Constructed of solid masonite, metal or similar rigid material that is no more than one-fourth inch thick, and is securely fastened to a metal or wooden stake or other freestanding support. Flags, pennants, and other wind-activated devices are prohibited.

**L. Theater Signs.**

1. **Above-roof identification signs.** Vertical identification signs, consisting of individual characters displayed on sculpted, visually prominent architectural features that rise vertically from and above theater buildings, shall be encouraged by the City through the master sign program process in Subsection 17.330.050.C.2.
2. Marquee signs.
  - a. Identification signs that consist of script characters displayed on the top of a marquee (structural canopy) shall be allowed by the City.
  - b. Changeable copy signs that display current or coming programs on the entire vertical surface of a theater marquee shall be allowed.
3. **Product display cabinets.** When encased within glass-faced cabinets built into first floor street-facing exterior building walls, current or coming program information shall not be considered signs regulated by this Chapter.

**M. Wall Signs**

1. **General.**
  - a. A wall sign shall not exceed 12 inches in thickness, when displayed as a single-face sign parallel with the wall, or as a double-face sign perpendicular to the wall.
  - b. A wall sign shall not project over a common private property line without the written consent of the adjoining property owner.

2. **Temporary wall signs.** The aggregate of all temporary signs allowed under Table 3-11 (Standards for Temporary Signs) and 3-12 (Standards for Temporary Real Estate Signs) that are simultaneously displayed as wall signs shall not exceed 50% of the maximum permanent wall sign area allowed on the wall on which the temporary signs are displayed.
3. **Multiple business wall signs.** In addition to the location regulations in Table 3-10 (Sign Standards for Non-Residential Uses in Mixed Use and Special Purpose Zones), the following regulations apply to wall signs on a building with two or more businesses.
  - a. **Placement.** A wall sign shall be placed on the portions of exterior building walls that correspond with the interior location of the business to which the sign pertains; provided that, where this provision would not result in a reasonably visible sign from the adjacent public right-of-way, the Director shall approve alternate placement of the sign.
  - b. **Horizontal separation.** Wall signs on the same wall segment for horizontally adjacent (side-by-side) businesses shall have a minimum four-foot horizontal separation.
  - c. **Vertical separation.** Wall signs on the same wall segment for vertically adjacent businesses (a business located above another business) within the same building shall have a minimum two-foot vertical separation.
  - d. **Separation exceptions.** The Director may approve deviations from the above separation requirements in cases where unusual building design or configuration conditions would not result in a reasonably visible sign opportunity.
4. **Projecting wall signs.** The following standards apply to projecting wall signs.
  - a. The maximum distance between the wall and the outer edge of the sign shall be four feet, or if a paved public sidewalk is below, 50% of the width of the sidewalk, whichever is less.
  - b. The maximum height of the sign shall be 20 feet above grade.
  - c. The minimum vertical clearance from the bottom of the sign to finished grade below shall be eight feet.
  - d. Projecting wall signs shall be included in the maximum sign face area allowed in Table 3-10 (Sign Standards for Non-Residential Uses in Mixed Use and Special Purpose Zones).
5. **False mansard signs.**
  - a. A wall sign may be displayed on a false mansard only if the vertical distance between the bottom of the false mansard and the top of the window line below is less than 18 inches.
  - b. Any gap between the sides or bottom of the sign and the mansard shall be architecturally enclosed so that the sign appears to be an integral part of the false mansard structure.

**N. Window Signs.**

1. In determining window area, perimeter window frames, mullions and building facade divisions shall be used to measure the outside window dimensions, rather than interior, ornamental, nondescript frames and dividers.
2. When a sign of two square feet or more in area, and with characters more than two inches high, is placed inside of a building within 30 inches of and facing a transparent window, the sign shall be considered a window sign.

3. Glass doors shall be considered as windows, and a glass door sign shall be considered a window sign.
4. No sign on the outside of a window shall extend onto or over the perimeter window frames, mullions or building facade divisions of the window on which it is displayed.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2005-010 §§ 5-15; Ord. No. 2005-011 §§ 4-14)

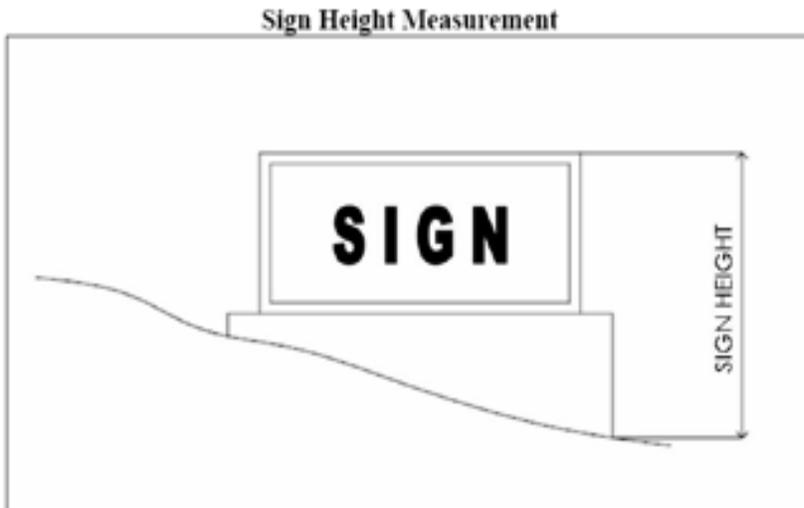
#### 17.330.030 GENERAL REQUIREMENTS FOR ALL SIGNS.

**A. Sign Area Measurement.** For the purpose of determining compliance with this Chapter, the measurement of sign area is as follows.

1. For a three-dimensional canister sign, the two-dimensional area within the outer edges of the sign canister.
2. For a sign with two-dimensional (e.g., painted) or three-dimensional (e.g., raised) characters, and with a background that is indistinguishable in appearance from the entire two-dimensional surface of the building or structure on which the sign is displayed, the aggregate surface area of all of the sign characters.
3. For a sign with two-dimensional or three-dimensional characters, and with a background that is distinguishable in appearance from the two-dimensional surface of the building or structure on which the sign is displayed, the area within the edges of the distinguishable background area, plus the aggregate surface area of any sign characters that fall outside of the distinguishable background area.
4. For two or more signs on the same two-dimensional surface, or on the same wall segment, the aggregate area of each sign.
5. For cylindrical, spherical, and similar curved-surface signs, the area equal to one-half the total surface area.
6. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

**B. Sign Height Measurement.** Sign height shall be measured as the vertical distance from the lowest point of the base of the sign structure to the highest point of the sign. The lowest point of the sign structure shall not include fill, planters, or other material artificially placed to allow increased sign height. See Figure 3-14 (Sign Height Measurement) below.

Figure 3-14 Sign Height Measurement



**C. Sign Location Requirements.** All signs identifying an occupant, business, or use shall be located on the same site as the occupant, business, or use.

**D. Aesthetic Design Standards.**

**1. Compatibility.**

- a. All signs shall be architecturally compatible with, and integrally related to, the design features of the buildings, structures and premises on which they are displayed.
- b. In assessing compatibility, the style, color, material, lighting and other components and features of signs, including their support elements, decorative embellishments, and the buildings, structures and premises on which the signs are displayed, shall be taken into account.

**2. Support elements.** The support elements for all signs shall appear to be free of any angle iron, bracing, guy wires or similar features.

**3. Preferred sign features.** Signs with the following design features are preferred by the City:

- a. Non-illuminated backgrounds for any interior illuminated canister sign, or indistinguishable backgrounds for wall and canopy signs that are not interior-illuminated.
- b. Channel letters, neon script and similar three-dimensional, interior-illuminated sign characters, with a background that is not distinguishable from the building.
- c. Signs with backlit characters.

**E. Sign Illumination.**

1. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
2. Sign lighting shall not be of an intensity or brightness that will create a nuisance for residential properties in a direct line of sight to the sign.
3. Signs shall not use colored lights or other design elements that may be confused with or mistaken for traffic-control devices.

4. All bulbs and incandescent lamps that exceed 15 watts shall not be used on the exterior surface of signs in such a way that the face of the bulb or lamp is visible from a public right-of-way or adjacent property.
5. Light sources shall utilize energy-efficient fixtures to the greatest extent possible.
6. All lighting aimed at the exterior surface of a sign to illuminate it shall be provided with opaque deflection or shielding devices, as determined necessary by the Director to prevent the lighting source from glaring or shining onto adjacent properties and public rights-of-way.
7. String lights with light bulbs exceeding one watt shall be prohibited exterior to a building, except in connection with allowable holiday signs and displays, or as may be allowed in connection with special or temporary events.
8. Beacon and strobe lights shall be prohibited, excluding aircraft warning lights required by the Federal Aviation Agency.
9. Exterior klieg lights (search lights) shall be allowed by permit issued by the Police Department, pursuant to this Title, for grand openings, special events and other promotions.

**F. Installation.**

1. In conjunction with replacement or modification of an existing sign, any newly exposed portions of a building or structure on which the sign is displayed shall be repaired and repainted, as necessary to restore a uniform appearance to the building surface or structure, prior to final inspection approval of the replacement or modified sign. Compliance with this requirement shall include the removal of any excess conduit and supports, and the patching or filling of any exposed holes.
2. The electrical conduit and all raceways from a sign to its power source shall be concealed within the interior of the building, or otherwise obscured from view, in a manner approved by the Director.

**G. Maintenance Standards.** The following maintenance standards shall be continually met for all signs within the City.

1. Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs, mending or replacement of any faded, peeled, cracked or otherwise damaged or broken parts thereof, and other activities as necessary to comply with the purpose and intent of this Chapter.
2. Maintenance shall include repainting of a painted sign that has faded, or that is on a building or structure that is repainted, provided that the repainted sign is identical to the former sign in message content, size and location on the building or structure.
3. Special and routine maintenance shall be caused to be practiced as necessary by the owner or occupant of premises, at the owner's or occupant's expense, regardless of the cause of the state of disrepair of the sign, or of the occupancy-vacancy status of the premises.

(Ord. No. 2005-007 § 1 (part))

17.330.035 PROHIBITED AND RESTRICTED SIGNS.

**A. Prohibited Signs.** The following signs shall be specifically prohibited.

1. **Emitting signs.** As used herein, signs that emit smoke, steam, laser or hologram lights, or other similar features.
2. **Hazardous signs.** As used herein, signs that constitute a public nuisance or a potential threat to the health, safety or well being of the general public due to their height, illumination intensity, location, movement, placement, size or other design features or characteristics.
3. **Signs covering architectural features.** Signs that cover any portion of a visually prominent three-dimensional relief detail that adorns, embellishes or ornaments an architectural feature of a building or structure (e.g., a fresco, medallion, lantern, decorative tile work, sculpted cornice, routed or recessed numerals or letters, and the like)
4. **Home occupation signs.** Signs advertising home occupations.

**B. Restricted Signs.** The following signs are prohibited, except where allowed under certain circumstances as outlined in this Section.

1. **Active signs.** Including animated signs, beacon light signs, blinking signs, flashing signs (except for theater signs, as provided in Section 17.330.025), strobe light signs, and variable message signs (except for changeable copy signs and electronic message signs, as provided in Section 17.330.025); or active signs as may be approved under a master sign program.
2. **Balloon signs.** Except as provided in Section 17.330.025 (Standards for Specific Types of Signs) for special events and temporary events.
3. **Changeable copy signs.** Except as provided in Section 17.330.025 (Standards for Specific Types of Signs) for certain specific uses or as may be approved under a master sign program.
4. **Freeway-oriented signs.** As used herein, are on-site signs that are directed essentially to be visible only from a freeway, and are prohibited without a permit issued by the Director pursuant to a master sign program.
5. **Moving signs.** As may be approved under a master sign program.
6. **Off-site signs.** Except as provided in Section 17.330.040 (Signs in the Public Right-of-Way) for certain public right-of-way signs.
7. **Portable freestanding signs.** Including A-frame and sandwich-type signs, except as may be approved under Section 17.330.025 (Standards for Specific Types of Signs) for special events or temporary events.
8. **Roof signs.** Except for certain theater signs as may be approved under a master sign program, or historical signs if approved under CCMC Chapter 15.05 (Historic Preservation Program).
9. **Improperly attached signs.** Signs that are attached to or suspended between trees, light poles, utility poles, or similar devices not originally designed, intended or approved for the purpose of supporting signs, except as may be approved under Section 17.330.025 (Standards for Specific Types of Signs) for special events or temporary events.

10. **Signs on historical buildings.** Signs that are added to or modified on historically designated buildings or structures, except as may be approved under CCMC Chapter 15.05.
11. **Vehicle signs.** A vehicle sign is any temporary sign that is attached to, or placed on or against, any stationary motor vehicle or trailer, and that identifies, advertises or promotes a business, but excluding signs that are permanently or magnetically attached to motor vehicles or rolling stock that are regularly used to conduct normal business activities, such as deliveries, service calls, field work or related duties.
12. **Wind-activated signs.** Except institutional flags, corporate flag, decorative banner and flag signs, special event signs or temporary event signs as provided in Section 17.330.025 (Standards for Specific Types of Signs).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2005-010 §§ 16, 17; Ord. No. 2005-011 §§ 15, 16)

#### 17.330.040 SIGNS ON PUBLIC PROPERTY.

The authorizations, prohibitions and restrictions of this Section shall apply to all publicly and privately owned or controlled signs on public property, except as provided in Subsection 17.330.025.K. (Temporary Signs).

- A. Privately owned or controlled temporary or permanent signs shall be prohibited on or over public property, except as otherwise authorized pursuant to this Title or other duly enacted legislation of the City. This Section also shall not apply to signs in any portion of the public property that is temporarily or permanently in use for private commercial or non-commercial purposes, other than transportation purposes, pursuant to a lease, license, permit or other entitlement issued by the City.
- B. Temporary or permanent signs placed by the City or other authorized government agency (as specified in Subsection 17.330.040.B.8. below), or their respective agents, for public purposes shall be allowed on public property. This Section shall not be interpreted to impose an obligation on the City to place any signs on public property, except as required by law. Allowable signs may include signs relating to any of the following.
  1. Regulation of traffic and traffic safety, including pedestrian and bicycle traffic, and parking.
  2. Identification or directions to streets; public buildings and facilities; public or private medical, lodging, transportation, educational, sanitation, or other facilities or services; public or private places or events of public interest; scenic or historical resources, or other destinations or points of interest.
  3. Access to public services or facilities.
  4. Safety and emergencies, including identification and warning signs concerning potential hazards or hazardous conditions, utility installations, flood hazards or flood control facilities, emergency conditions or services and crime and accident scene control.
  5. Flags or emblems of the United States, California or of another government, governmental agency or public institution.
  6. Statements concerning any policy of the City.

7. **Promotion of civic events and activities.**
  - a. Signs allowed by this Subsection shall be limited to signs, banners, pennants or other displays placed by the City relating to any civic event or activity organized or sponsored by the City.
  - b. For the purposes of this Section, the following definitions shall apply:
    - i. **Civic Event or Activity.** Any event or activity organized or sponsored by the City, including but not limited to: (a) any public program or educational activity; and (b) the commemoration or celebration of any historical date, event or person, holiday or persons or events of local, State, or national significance.
    - ii. **Sponsored.** Means that the City is: (a) participating in an official capacity in the planning, preparation or promotion of the event or activity; and (b) contributing 25% of the total estimated costs of the civic event or activity, or at least \$1,000, whichever is less. This contribution may take the form of funds, labor, staff time, materials, a waiver of fees, or any combination of the foregoing.
8. Wayfinding kiosks pursuant to an agreement with the City.
9. Any other signs posted by a public agency exercising its legal authority or performing governmental functions within the City's public right-of-way.

(Ord. No. 2005-007 § 1 (part))

## 17.330.045 NONCONFORMING SIGNS.

### A. Abatement of Nonconforming Signs.

1. Except as provided in Subsection 17.330.045.A.2. below, and any other nonconforming provisions of this Title, any legal nonconforming sign that would otherwise be allowed to remain under this Chapter shall be removed or modified to conform to the requirements of this Chapter as follows.
  - a. **Abandonment.** A nonconforming sign (including its physical structure and/or its supporting elements) that is no longer in active use because the business has ceased operating at the premises where the sign is located shall be removed within 90 days of cessation of the business.
  - b. **Agreement.** A nonconforming sign that is subject to an agreement between the City and the sign owner may remain in accordance with the provisions of that agreement.
  - c. **Change of copy, sign face area, and/or structure.**
    - i. The sign copy or sign face area on existing nonconforming signs for new or existing businesses may be changed as long as there is no alteration to the physical structure or support elements of the sign. Any such change shall not require other nonconforming signs on site to be brought into compliance.
    - ii. The physical structure or support elements of any one existing nonconforming sign for an existing business may be changed as long as the total combined maximum amount of allowable sign face area is not exceeded. Any such change shall not require that other nonconforming signs on the site be brought into compliance.
  - d. **Damage.** A nonconforming sign that sustains less than 50% damage to its structure shall be repaired or replaced as soon as possible, but not more than 180 days after the date of the damage. If damaged more than 50%, it shall be removed or modified to meet this Title within 180 days of the date of the damage.
  - e. **Intensification.** All nonconforming signs for a business premises shall be made to conform to this Chapter:
    - i. When a new business intensifies the use of a property that will require a Site Plan and Design Review or a similar discretionary review as set forth in this Title;
    - ii. When a remodel or expansion of an existing business results in doubling the gross square footage of an existing building, or exceeds 10,000 square feet, whichever is less.
  - f. **Facade remodel.** Remodel of a front building facade shall require that all nonconforming signs located on the front facade or affected by the facade remodel be brought into compliance.
  - g. **New freestanding sign.** Addition of a new freestanding sign shall require that all nonconforming signs on the site be brought into compliance. However, the addition of other new conforming signs on the site shall not require that other nonconforming signs be brought into compliance.

- h. **Relocation.** A nonconforming sign proposed to be relocated shall be made conforming at the time of relocation, except where the relocation occurs as a result of a City or Redevelopment Agency public improvement project.
  - i. **Traffic hazard/unsafe condition.** Any nonconforming sign that constitutes a traffic hazard or creates any other unsafe condition shall be subject to immediate removal or modification as necessary to eliminate the hazardous or unsafe condition.
2. **City or Redevelopment Agency revitalization programs.** A business participating in a City or Redevelopment Agency sponsored revitalization program shall not be required to make all nonconforming signs on the premises conform at the time of revitalization, unless the revitalization program specifically requires such compliance.
  3. **Sign removal.** Any nonconforming sign may be removed as a singular improvement without requiring other nonconforming signs to be simultaneously removed.

(Ord. No. 2005-007 § 1 (part))

17.330.050 REVIEW PROCESS AND APPEALS.

**A. Permits shall be required for the following sign types:**

1. All signs meeting the definition of “structure” within the Uniform Building Code are subject to the structural requirements of that Code, and may be mounted, erected or displayed only when a valid building permit has been issued;
2. Signs included in the master sign program and multiple-business sign program, as provided for in this Chapter;
3. Signs requiring a Conditional Use Permit, Variance, or Modification, as provided under this Chapter; and
4. Temporary banners, as provided under this Chapter.

**B. Sign-Related Decisions and Appeals.**

1. **Administrative authority.** It is the responsibility of the Director to enforce all provisions of this Chapter. Notwithstanding any other provisions of this Title, sign-related decisions shall be governed by the procedures outlined in this Chapter.
2. **Sign-related decisions.** Sign-related decisions include decisions on applications for sign permits, master sign programs, repair or removal orders, abatement orders, amortization schedules, requests for interpretations, and all other sign-related matters requiring decision by the City.

3. **Incomplete applications.** If the Director finds that any application for a sign permit is incomplete, the applicant shall be so notified not more than 15 calendar days after the application is received. The notice shall detail all known points of incompleteness. Such writing shall be deposited in U.S. mail, postage prepaid, immediately upon determination that the application is incomplete. Within 15 business days following the receipt of an amended application or supplemental information, the Director shall again determine whether the application is complete in accordance with the procedures set forth above. Evaluation and notification shall occur, as provided above, until such time as the application is found to be complete. If the Director fails to provide notice of incompleteness within 15 business days, then the application shall be deemed complete.
4. **Review/standard.** All matters of enforcement, interpretation, and application of this Chapter, including all sign-related decisions, shall be made initially by the Director as an administrative matter, with no public hearing required. Any effected person may appeal the Director's sign-related decisions to the Commission for public hearing and decision. Any decision of the Commission, except appeals of an incompleteness determination, may be appealed to the Council for public hearing. The Council's decision is final as to the City, but is subject to judicial review. In reaching a decision, neither the Director, Commission nor Council shall be bound by the formal rules of evidence.
5. **Perfecting appeal; time limit for appeal.** An appeal is effective when delivered to the City Clerk, within the required time, on a form prescribed by the Director, accompanied by any applicable appeal fee (in an amount set by Resolution of the Council), signed by the appellant, identifying the matter or decision appealed from, and stating the grounds of appeal. All notices of appeal on all sign-related decisions must be filed with the City Clerk within 10 calendar days of when the appeal right arises.
6. **When appeal right arises; finality.** The right to appeal a sign-related decision arises at the earliest of when written notice of the Director's administrative decision is deposited in the U.S. mail, postage prepaid; when an appellate decision is made by vote of the appellate body in a duly noticed hearing on the matter; when written notice of the decision is delivered or deposited in the U.S. mail, postage prepaid, to the applicant or appellant; or at the expiration of the time in which the Director or appellate body is required to make a decision (unless timelines of decision is waived by the applicant or appellant). Any sign-related decision that is not properly appealed within the required time is final. At each level of review, written notice of any sign-related decision shall be sent via U.S. mail to the applicant within five calendar days of the decision.
7. **Timelines of decision; waiver of time.** At each level of review, all sign-related decisions (which includes any hearing, when procedurally required) shall be made within 30 calendar days of when the permit application is complete, the request for interpretation has been received, or when the appeal has been timely and properly filed. The timelines requirements may be waived by the applicant or appellant. The failure of the Director, Planning Commission or City Council to render any decision within the time frames established in any part of this Section shall be deemed to constitute a denial, and the applicant or appellant shall have the immediate right to appeal.

8. **Maintenance of status quo.** While a sign-related decision is pending, the status quo shall be maintained until the review or appeal has run its full course, unless the subject sign is in such physical condition that it presents a serious or immediate threat to the public health and safety, in which case it may be abated as a public nuisance. No building, electrical, plumbing, mechanical or grading permit shall be issued for a proposed sign until the appeal process has run its full course.
9. **Appeals.** The filing of an appeal within the time limit shall stay the effective date of the decision appealed from. When any related decision is timely appealed to the Commission or Council, the appellate body shall hold a hearing on the matter and decide the matter within the required time period, unless the applicant or appellant waives time. The decision shall be in writing, and shall state facts from the record that support any findings made.
10. **Judicial review.** Following exhaustion of all available appellate procedures within the City, any applicant or appellant may seek judicial review of the City's final decision pursuant to Cal. Code Civ. Proc. § 1094.8. This provision does not limit an applicant's or appellant's ability to seek judicial review by other means.
11. **Conduct constituting a public nuisance.** The construction, maintenance, or placement of any sign within the City in violation of any of the terms of this Chapter is hereby found and declared to be a public nuisance, and the City Attorney or the District Attorney may, in addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding for the abatement, removal and enjoinder thereof, in the manner provided by law; and shall take other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate or remove such illegal sign, and to restrain and enjoin any person(s) from conducting, operating or maintaining a sign contrary to the provisions of this Article.

**C. Hardship Exemptions.**

1. Where the owner/user of a proposed or existing sign believes that compliance with the provisions of this Chapter, coupled with unusual geographic or building design and configuration conditions pertaining to the site, or contractual conditions limiting the use thereof, would create an undue economic hardship on the use of property, (s)he may apply to the Director for a hardship exemption. The Director's decision in such cases shall be based on one or more of the following criteria.
  - a. The site is unusual in size, shape or topography.
  - b. Improvements on the site or on adjoining public or private properties cause a visual obstruction.
  - c. The site is improved with a multiple-business development, and is encumbered by an existing contractual obligation that precludes the modification of one or more other existing signs for other businesses at the same time as the installation of a new sign or a modification to an existing sign on the same sign structure is proposed for a business on the premises.
2. Approval of a hardship exemption may be subject to time, place and manner conditions, based on issues of size, location, color, construction materials, and design of the sign, without consideration or restriction as to the message to be displayed on the sign.

3. The applicant has the burden of proof to show to the City's satisfaction that a hardship exists based on the criteria found above.

**D. Comprehensive Sign Programs.**

**1. Multiple-business sign programs.**

- a. The purpose of a multiple-business sign program is to achieve design compatibility amongst all signs displayed on a single-ownership parcel that is occupied by two or more separate businesses.
- b. The submittal of a multiple-business sign program shall be required for each multi-tenant development that is occupied by three or more separate businesses at the time the first new permanent sign, or first modification to an existing permanent sign on the premises, is proposed; except that a multiple-business sign program is not required for a project with an approved master sign program.
- c. A multiple-business sign program, or the equivalent, approved prior to the effective date of this Chapter, or any amendment to this Chapter, shall be revised, if necessary, to conform to this Chapter at the time the first new permanent sign, or modification to an existing permanent sign, is proposed on the premises.
- d. A multiple-business sign program shall be submitted by, or with the consent of, the property owner or master lessor.
- e. A multiple-business sign program shall consist of plans and text describing the details of all signs, existing-to-remain, modified, and new signs, that are and that may be displayed on the premises.
- f. Only the types of signs allowed by the regulations of this Chapter shall be approved under a multiple-business sign program.
- g. The Director shall approve, conditionally approve, or disapprove any application for a multiple-business sign program.

**2. Master sign programs.**

- a. The purpose of a master sign program is to provide a mechanism by which the sign regulations established in this Chapter can be modified to ensure that signs for a uniquely planned or designed development or area are most appropriate for that particular development or area.
- b. A master sign program may be:
  - i. Required by the Director for any development that requires a Site Plan Review in compliance with Chapter 17.540 (Site Plan Review), or a similar discretionary review; or
  - ii. Requested by the owner or master lessor of a development; or
  - iii. Initiated by the City or the Culver City Redevelopment Agency for a particular area in furtherance of a specific plan, revitalization program, overlay zone, or other area-wide planning tool.

- c. A master sign program may include provisions that are more and/or less restrictive than the regulations established in this Chapter, as related to issues of size, location, color, construction materials and design of the sign, but without consideration as to the message to be displayed on the sign, based on the particular unique features of the development.
- d. Each master sign program applicant shall show to the Director's satisfaction why the modifications requested are warranted, and how the total sign proposal for the development meets, on balance, the general purpose and intent of this Chapter.
- e. A master sign program, or the equivalent, that was approved by the City or Redevelopment Agency prior to the effective date of this Chapter, or any amendment to this Chapter, shall be deemed to conform to this Chapter.
- f. The Director shall approve, conditionally approve, or disapprove any application for a master sign program.
- g. A new master sign program approval shall be obtained for substantial revisions to the original approval, as determined by the Director.

(Ord. No. 2005-011 § 17)

# Title 17. Zoning

## Article 4. STANDARDS FOR SPECIFIC LAND USES

### 17.400 STANDARDS FOR SPECIFIC LAND USES

- 17.400.005 Purpose
- 17.400.010 Applicability
- 17.400.015 Alcoholic Beverage Sales
- 17.400.020 Animal Boarding, Pet Day Care, Veterinary Clinics and Animal Hospitals
- 17.400.025 Automatic Teller Machines (ATMs)
- 17.400.030 Check-Cashing Businesses
- 17.400.035 (Reserved)
- 17.400.040 Condominium Conversions
- 17.400.045 Drive-In and Drive-Through Facilities
- 17.400.046 Emergency Shelters
- 17.400.048 Event Centers
- 17.400.050 Firearms Sales
- 17.400.055 Home Occupations
- 17.400.060 Live/Work Development Standards
- 17.400.065 (Reserved)
- 17.400.070 Outdoor Dining
- 17.400.075 Outdoor Retail Sales and Displays
- 17.400.080 Outdoor Storage
- 17.400.085 Pawnshops
- 17.400.090 Recycling Facilities
- 17.400.095 Residential Uses - Accessory Dwelling Units
- 17.400.100 Residential Uses - Accessory Residential Structures
- 17.400.105 (Reserved)

- 17.400.106 Single Room Occupancy (SRO) Units
- 17.400.110 Telecommunications Facilities
- 17.400.115 Temporary Storage Containers
- 17.400.120 Vehicle Fueling and Electrical Vehicle Charging Stations
- 17.400.125 Vehicle Repair Shops

17.400.005 PURPOSE.

This Chapter provides site planning and development standards for land uses that are allowed by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) in individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts.

(Ord. No. 2005-007 § 1 (part))

17.400.010 APPLICABILITY.

Land uses and activities covered by this Chapter shall comply with the provisions applicable to the specific use, in addition to all other applicable provisions of this Title.

- A. Where Allowed.** The uses that are subject to the standards in this Chapter shall be in compliance with the requirements of Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards).
- B. Land Use Permit Requirements.** The uses that are subject to the standards in this Chapter shall be authorized by the land use permit required by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards), except where a land use permit requirement is established by this Chapter for a specific use.

(Ord. No. 2005-007 § 1 (part))

17.400.015 ALCOHOLIC BEVERAGE SALES.

This Section provides location and operating standards for the establishment of alcoholic beverage sales facilities (for off-site or on-site consumption) in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards).

**A. Permit Requirement.** Establishments offering the retail sale of alcoholic beverages are subject to all of the restrictions of the applicable zoning district, and shall only be allowed as identified in Table 4-1 (Permit Requirements for Alcoholic Beverage Sales), which may require an Administrative Use Permit (AUP) or a Conditional Use Permit (CUP) in compliance with Chapter 17.530 (Administrative Use Permits and Conditional Use Permits).

**Table 4-1 Permit Requirements for Alcoholic Beverage Sales**

Zoning District(s): Type of Establishment	Permit Requirement
<b><u>MU-N Zoning District:</u></b>	
1. Alcoholic beverage sales incidental to a restaurant or retail use	AUP
<b><u>MU-1, MU-2, MU-M, MU-DT, MU-H, MU-I, and S Zoning Districts:</u></b>	
1. Alcoholic beverage sales if established:	
a. Within 300 feet of residentially zoned property or an elementary/secondary school.	AUP
b. More than 300 feet from a residentially zoned property or an elementary/secondary school.	No use permit required
c. As an ancillary beverage tasting facility or artisanal alcohol production exceeding 20% gross floor area of the primary use but no greater than 30% gross floor area of the primary use.	AUP
2. Alcoholic beverage sales with the concurrent retailing of motor vehicle fuel.	CUP

**B. Considerations for Approval of a Use Permit.** In making the findings required for the approval of an Administrative Use Permit or Conditional Use Permit, the following issues shall also be considered.

1. Whether the proposed use will result in an undue concentration of establishments dispensing alcoholic beverages.
2. Whether the proposed use will result in any adverse impact on any adjacent or nearby residential uses, religious facilities, schools, libraries, public parks and playgrounds, and other similar uses.

**C. Vehicle Fueling Stations Selling Alcoholic Beverages.** In addition to the other requirements of this section, vehicle fueling stations selling alcoholic beverages shall be subject to the following

1. No advertisement of alcoholic beverages shall be displayed at motor vehicle fuel islands.
2. No illuminated advertising for alcoholic beverages shall be located on buildings, windows, doors, or freestanding signs.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2018-011 § 2 (part))

17.400.020 ANIMAL BOARDING, PET DAY CARE, VETERINARY CLINICS AND ANIMAL HOSPITALS.

This Section provides operational standards for kennels, pet day care facilities, veterinary clinics and animal hospitals in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

**A. Operational Standards.**

1. All operations must be conducted within a completely enclosed building.
2. Outdoor dog runs and training activities are permitted only within the MU-I Zone, and when the facility is located at least 200 feet from a residential zone.
3. The areas within the building where animals are boarded shall be sufficiently soundproofed to prevent a disturbance or become a nuisance to surrounding properties, as determined by the Director.
4. The areas of the building where animals are boarded shall have a minimum of 10 air changes per hour.
5. Animal isolation areas shall have 100% fresh air, with all air exhausted and none returned to the ventilation system.
6. Public access areas shall be provided with a separate ventilation system from the animal boarding and treatment areas.
7. The areas used for animal boarding, isolation, and treatment shall be constructed of easily-cleaned materials.
8. All areas where animals are present shall be cleaned a minimum of twice daily in order to provide appropriate odor control and sanitation.

(Ord. No. 2005-007 § 1 (part))

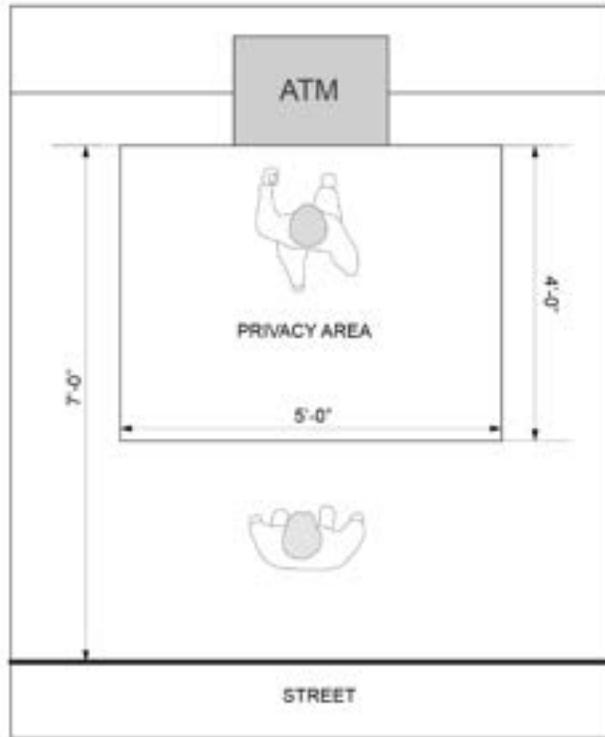
17.400.025 AUTOMATIC TELLER MACHINES (ATMS).

This Section provides location, development, and operating standards for automatic teller machines (ATMs) in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards).

**A. Location Requirements.** ATMs proposed on the exterior of structures shall be (see Figure 4-1):

1. Setback from an adjacent street curb or alley by a minimum of seven feet.
2. A privacy area immediately in front of each ATM, measuring at least five feet wide by four feet deep, shall be provided. Methods for defining the privacy area shall be approved by the Director.
3. Located to not eliminate or substantially reduce any landscaped areas.
4. Located to not allow drive-through access from a vehicle.
5. Located to ensure the safety and security of patrons.

Figure 4-1 ATM Location Requirements



- B. Design.** All construction and modifications to the exterior of the structure pertaining to the installation of the ATMs shall be completed in a manner consistent with the architectural design of the structure, and in conformance with all applicable City architectural standards and guidelines.
- C. Lighting.** Each exterior ATM shall be provided with security lighting in compliance with Section 17.300.040 (Outdoor Lighting) or State law, whichever is more restrictive.
- D. Maintenance.** Each ATM shall be provided with receptacles sufficient in size and number to accommodate trash and smoking materials generated by users of the ATM.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

#### 17.400.030 CHECK-CASHING BUSINESSES.

This Section provides location and operating standards for check-cashing business in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Distance Separation.** A minimum linear distance of 1,000 feet shall be required to separate all check-cashing businesses from another existing check-cashing or pawnshop business, parks, playground, primary and/or secondary schools, and single-family zoned property.
- B. Plans Required.** Development plans shall be submitted with the application for the required Conditional Use Permit, clearly illustrating the details of the proposed exterior (e.g., elevations, lighting, signs, and the like), interior (e.g., layout and design, lighting, window display, and the like), days and hours of operation, and customer queuing in order to ensure that the use shall be developed and operated in a manner that would be compatible with an attractive, stable, and thriving commercial district conducive to retail shopping.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2020-002 § 2 (part))

17.400.035 [RESERVED].

17.400.040 CONDOMINIUM CONVERSIONS.

**A. Purpose and Applicability.**

- 1. The purpose of the standards and requirements contained in this Section is to control and regulate the conversion of rental dwelling units to condominiums, for the purpose of assuring the orderly conversion of such units consistent with City policies regarding public health, safety, and welfare.
- 2. These provisions shall apply to proposals to convert existing developments of five or more rental dwelling units on any parcel to condominiums, which shall require the approval of a Site Plan Review, subject to compliance with the Property Development Standards described herein.
- 3. Developments of less than five rental units shall be prohibited from converting to condominiums.

**B. Application Requirements.**

- 1. Applications for a Site Plan Review and a Tentative Map to allow a project to convert from rental to ownership units shall be accompanied by sufficient information to evaluate the project for compliance with the provisions of this Section.
- 2. Required information shall include the following.
  - a. Plans.** A detailed site plan and floor plan, as required by the Division, that reflect existing conditions and proposed improvements to the building and/or site.

- b. General conditions report.** A report detailing the condition and estimating the remaining useful life of each element of the proposed condominium project including: built-in household appliances, mechanical systems, electrical systems, plumbing systems, sewer systems, foundations, framing, roofs, heating and cooling systems, interior and exterior wall coverings, utility connections, fire sprinkler systems, alarm systems, standpipe systems, structural elements, trash disposal facilities, parking facilities, recreational facilities, landscaped areas, and storage areas. This report shall be prepared by an independent, State-licensed structural engineer, architect, or general contractor.
  - c. Building history report.** A report detailing the major uses of the development site since construction, and the date and description of all structural renovations, operating system upgrades, major repairs requiring a building permit, and construction of structures, fences, walls, landscaping, and the like.
  - d. Pest report.** A pest information report addressing the present condition of the structure as it may be affected by dry rot, roaches, termites, or other insects, and recommending work required to render the structure free of infestation.
  - e. Acoustical report.** An inter-unit acoustical report, prepared by a licensed and certified acoustical professional.
  - f. Site improvements report.** A report that lists all proposed site improvements.
  - g. Tenant list.** One typed mailing list and two sets of mailing labels (formatted for reproduction on City labels), with the names and addresses of all tenants of the project at the time of the application to the City. An updated list of tenant names and addresses shall be submitted every six months following submittal of the application, until such time as final action has been taken.
  - h. Tenant notification.** The subdivider shall submit copies of all written notices required by the California State Subdivision Map Act and Subsection 17.400.040.E. (Tenants' Rights), with a complete list of all tenants notified.
  - i. Other information.** Other information may be required by the Director to provide a thorough evaluation of the proposed condominium project.
- C. Inspections.** The following inspections shall be made after the application has been deemed complete.
1. The Building Official or designee shall review the General Conditions Report, and inspect the property to verify its accuracy, to identify any health and safety hazards, and to identify any non-permitted construction on the site.
  2. The Fire Marshal shall review the General Conditions Report and inspect the property to determine the sufficiency of the current fire protection systems, and to identify any health and safety hazards.
- D. Property Development Standards.**
1. **Minimum project size.** A minimum of five units per development shall be required for the conversion of existing multiple-family dwelling units to condominiums.
  2. **Access ways and exiting.** All life and fire safety issues, such as stairs, corridors, and doors, shall comply with Uniform Building Code regulations in effect at the time of conversion.

3. **Adequate light and ventilation.** Adequate light and ventilation shall meet Uniform Building Code regulations in effect at the time of conversion.
4. **Emergency egress.** Emergency egress shall meet Uniform Building Code regulations in effect at the time of conversion.
5. **Fire suppression.** Smoke detectors meeting current Uniform Building Code requirements at the time of conversion shall be installed in residential units and other enclosed common areas (e.g., hallways, recreation rooms, and utility rooms). Additional fire suppression equipment (e.g., alarm systems, fire extinguishers, and smoke detectors) shall also be provided as required by the Fire Department.
6. **Minimum room dimensions.** Minimum room dimensions, including minimum ceiling heights, floor area, and width, shall meet the Uniform Building Code regulations in effect at the time of conversion.
7. **One-hour separation.** A minimum one-hour separation shall be provided between dwelling units and accessory rooms, such as common storage rooms and laundry rooms.
8. **Structural condition.** Structures shall be in sound condition, pest- and vermin-free, and watertight, as determined by the General Conditions Report, and the inspection by the Building Official or designee.
9. **Off-street parking.** Off-street parking shall be provided consistent with zoning standards in effect at the time of conversion.
10. **Separate utility metering.** The consumption of gas and electricity shall be separately metered for each dwelling unit. A water shut-off valve shall be provided for each dwelling unit.
11. **Sound attenuation.** Common walls and ceilings of units shall be constructed or upgraded, using techniques to limit noise transmission, as specified by the Uniform Building Code for new construction or equivalent in effect at the time.
12. **Public works.** Missing or damaged off-site improvements, including the following, shall be repaired or replaced: curb and gutter, drive aprons, sidewalks, streetlights, and street trees.
13. **Landscaping.** All landscaping shall be in compliance with Chapter 17.310 (Landscaping).
14. **Laundry facilities.** Each dwelling unit shall be provided with its own laundry facilities, or alternate group facilities (either in every building and/or every other floor) that are convenient to all dwelling units and approved by the City.
15. **Minimum unit size.** The minimum unit size shall be consistent with zoning standards in effect at the time of conversion.
16. **Open space.** Each dwelling unit shall be provided with accessible on-site open space consistent with zoning standards in effect at the time of conversion.
17. **Shock mounting of mechanical equipment.** All permanent mechanical equipment, including domestic appliances, shall be shock mounted, isolated from the floor and ceiling, or otherwise insulated in a manner to lessen the transmission of vibration and noise.
18. **Trash enclosures.** Required trash enclosures shall be in compliance with City standards at the time of conversion.

**19. Additional standards.** Additional standards applicable to the site as determined through the Site Plan Review process.

**E. Residential Tenants' Rights.**

1. The subdivider shall adhere to all applicable noticing requirements of the California State Subdivision Map Act.
2. The subdivider shall furnish tenants with a copy of this Section.
3. The subdivider shall not increase tenants' rents for a period of one year from providing to such tenants notification of intent to convert.
4. Upon notice of termination of tenancy, the subdivider shall provide a relocation allowance equal to 2 months current rent to all current, non-purchasing tenant households that received notification of intent to convert, subsequent to entering into a rental or lease agreement.
5. The subdivider shall grant an extension of tenancy at the time of termination, as necessary to permit each tenant of the proposed condominium project in attendance at a K-12 school within the City to complete the current school term.

**F. Findings.** The Commission may approve a Site Plan Review application for a condominium conversion if it finds that the proposed conversion project meets the following.

1. All the provisions and standards for conversion of a project to condominiums as set forth in this Section are met.
2. A Tentative Map has been approved, or is concurrently being approved, for the condominium conversion project.
3. The overall design and physical condition of the condominium conversion achieves a high standard of safety, quality, and appearance.
4. The subdivider has not engaged in coercive, retaliatory eviction or action regarding tenants, after the submittal of the first application for City review through the date of approval.

(Ord. No. 2005-007 § 1 (part))

**17.400.045 DRIVE-IN AND DRIVE-THROUGH FACILITIES.**

This Section provides standards for the location, development, and operation of drive-in and drive-through facilities in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards), which shall be designed and operated to effectively mitigate problems of congestion, excessive pavement, litter, noise, traffic, and unsightliness.

**A. Development Standards for Drive-In/Drive-Through Facilities.**

1. **Drive aisle length.** The drive-through aisle shall provide a minimum of 140 feet of queuing length, of which at least 60 feet shall be provided before an on-site menu board. The drive aisle shall be measured along the centerline, from the entry or beginning of a drive-aisle to the center of the farthest service window area.

2. **Drive aisle width.** Drive aisles shall have a minimum 10-foot interior radius at curves, and a minimum 12-foot width.
3. **Drive aisle separation.** Each drive aisle shall be separated by curbing and landscaping from the circulation routes necessary for ingress or egress from the property, or access to any off-street parking spaces.
4. **Drive aisle entrance.** Each entrance to a drive aisle and the direction of traffic flow shall be clearly designated by signs and/or pavement markings, as deemed necessary by the Director.
5. **Walkways.** To the extent possible, pedestrian walkways should not intersect the drive aisles. Where they do, they shall have clear visibility and be emphasized by enhanced paving or markings, as deemed necessary by the Director.
6. **Screening.** Each drive aisle shall be appropriately screened with a combination of landscaping, low walls, and/or berms to prevent headlight glare from impacting adjoining land uses, public rights-of-way, and parking lots, as deemed necessary by the Director.
7. **Decorative wall.** A six-foot-high, solid decorative masonry wall shall be constructed on each property line that adjoins a residential developed parcel. The design of the wall and the proposed construction materials shall be subject to the approval of the Director.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

#### 17.400.046 EMERGENCY SHELTERS.

This Section provides location, development, and operating standards for emergency shelters in compliance with Article 2 (Zoning Districts Allowable Land Uses and Zone-Specific Development Standards):

- A. **Location and Permit Requirements.** Emergency shelters located within the MU-2 zoning district and the area identified in Map 4.05 shall be permitted after approval of a Zoning Clearance in compliance with Chapter 17.510 (Zoning Clearances). Emergency Shelters located in the MU-1 and MU-MD zoning districts shall be permitted subject to approval of a Conditional Use Permit in compliance with Chapter 17.530 (Administrative Use Permits and Conditional Use Permits).
- B. **Lot Size.** Emergency shelters shall be limited to lots that have a minimum lot area of 10,000 square feet.
- C. **Number of Beds.** Emergency shelters located within the MU-2 zoning district shall not have more than 30 beds. Maximum number of beds for emergency shelters located in zoning districts where emergency shelters are conditionally permitted shall be established as part of the Conditional Use Permit.
- D. **Length of Stay.** Emergency shelters shall be available to residents for no more than 180 days in any 12-month period.
- E. **Hours of Operation.** Emergency shelters shall establish and maintain set hours for the client intake/discharge, which shall be prominently posted on-site.

- F. Proximity to Other Emergency Shelters.** An emergency shelter shall not be located within 300 feet of another Emergency Shelter unless located within the MU-2 zoning district and the area identified in Map 4.05, in which case no separation shall be required.
- G. On-Site Waiting and Client Intake Area.** All on-site waiting and client intake areas shall be located indoors and shall have a minimum area of 100 square feet.
- H. Lighting.** Adequate external lighting shall be provided for security purposes as determined by the Director. Exterior lighting shall comply with the requirements of Section 17.300.040 (Outdoor Lighting).
- I. Laundry Facilities.** On-site laundry facilities or services adequate for the number of residents shall be provided.
- J. Personal Property.** Secured areas for personal property shall be provided.
- K. Common Facilities.** The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:
  - 1. Kitchen and outdoor dining areas.
  - 2. Recreation room.
  - 3. Counseling center.
  - 4. Child care facilities.
  - 5. Other support services as necessary.
- L. Outdoor Activity.** Outdoor activities may only be conducted between the hours of 8:00 a.m. and 10:00 p.m.
- M. Refuse.** A refuse storage area completely enclosed with a masonry wall not less than five feet high with a solid gated opening, and large enough to accommodate standard sized commercial trash bins shall be provided.
- N. Emergency Shelter Provider.** All Emergency shelters shall comply with the following requirements:
  - 1. Shelters shall provide services to one or more population groups and shall provide segregated sleeping areas for each separate population group, unless individual units are provided.
  - 2. At least one facility manager shall be on-site at all hours the facility is open. Additional staff shall be provided, as necessary, to ensure that at least one staff member is provided in all segregated sleeping areas as appropriate.
  - 3. Services shall be provided to assist residents in obtaining permanent shelter.
  - 4. The provider shall submit to the Current Planning Division for review and approval as part of the zoning clearance or conditional use permit process a written operational plan including, as applicable, provisions for staff training neighborhood outreach security, screening of residents to ensure compatibility with services provided noise and loitering control and for training, counseling and treatment programs for residents.

(Ord. No. 2013-008 § 1 (part); Ord. No. 2022-002 § 2 (part))

Map 4.05 Emergency Shelter Map



EMERGENCY SHELTER MAP  
MAP 4.05

- Allowable Emergency Shelter Locations
- City Boundary

17.400.048 EVENT CENTERS.

- A. Event Centers, as defined and permitted by this Title, shall comply with the following standards, in addition to those identified in Section 17.520.035.A. and Section 17.520.030 (Conditions of Approval):
  1. Conformance with all applicable Building and Fire Code requirements for assembly uses including, but not limited to, egress, seismic retrofitting, and restrooms.

2. Provision of off-street parking in accordance with Chapter 17.320 of this Title.
3. Conformance with the following public health, safety and welfare standards:
  - a. When abutting residential uses or zoning, delivery and retrieval of event materials/props and set-up and take-down operations and activities shall occur only between the hours of 8:00 a.m. to 8:00 p.m. Monday through Friday and 9:00 a.m. to 8:00 p.m. Saturday and Sunday.
  - b. Event staff shall monitor vehicle parking and retrieval to ensure there is no excessive noise before, during, or after events.
  - c. Event staff shall instruct event attendees to remain respectful of nearby residential areas and signage shall be clearly and conspicuously posted and maintained in parking areas with the following wording: "Event Guests and Event Staff, please remain respectful of nearby residential and commercial neighbors and refrain from making loud noises, playing music at high volumes, and accelerating vehicle engines. Thank you for your cooperation."
  - d. Event staff shall utilize at least one (1) 3-yard plastic recycle bin, one (1) 3-yard plastic refuse bin, and one (1) green waste bin sized to Public Works Environmental Programs and Operation Division standard, which must be located and filled within the interior of the event center building. After each event, all bins must be located on the outside of the event center building for City trash pick-up operations.
  - e. All events and event-related activities shall occur within the interior of the event center building. No event-related activities or storage of event materials/props shall be permitted exterior of the event center building.

#### 17.400.050 FIREARMS SALES.

This Section provides location and operating standards for firearms sales in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Distance Separation.** A minimum linear distance of 1,000 feet shall be required to separate all establishments that offer firearms for sale from all other establishments that offer firearms for sale, and from parks, playgrounds, and primary and/or secondary schools.

(Ord. No. 2005-007 § 1 (part))

#### 17.400.055 HOME OCCUPATIONS.

This Section provides standards for home occupations in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards). It is the intent of the City to allow a home occupation within a dwelling unit, provided the home occupation is deemed incidental to, and compatible with, surrounding residential uses:

- A. Allowed Home Occupations.** The following are deemed appropriate business activities when conducted by the occupants of a dwelling in a manner accessory to, and compatible with, the residential characteristics of the surrounding neighborhood. Allowable home occupations shall be limited to the following activities.
1. One-on-one art, music and similar fine-art related lessons, and academic tutoring, which do not generate more than six additional vehicle trips (i.e. three car visits) to the dwelling each day.
  2. Office-type uses, including an office for an accountant, architect, attorney, consultant, insurance agent, licensed therapist, musician, planner, technical advisor, or writer, which do not generate more than six additional vehicle trips (i.e. three car visits) to the dwelling each day.
  3. Office/information uses that involve the use of a computer, telephone, and other electronic equipment, which do not generate more than six additional vehicle trips (i.e. three car visits) to the dwelling each day.
  4. Art and craft work (ceramics, painting, photography, sculpture, and the like).
  5. Sewing (e.g., dressmaking, millinery) and small handcrafts.
  6. Other uses the Director deems to be of the same general character as those listed above, and not detrimental to the applicable residential zoning district and surrounding neighborhood.
- B. Prohibited Home Occupations.** The following list presents examples of commercial uses that are not incidental to or compatible with residential activities, are suitable only in non-residential zoning districts, and are therefore prohibited:
1. Adult business activities or businesses.
  2. Businesses that involve the breeding, grooming, harboring, raising, or training of dogs, cats, or other animals on the premises.
  3. Carpentry and cabinet making (does not prohibit a normal wood-working hobby operation).
  4. Dance club or night club.
  5. Fortune telling (psychic).
  6. Hair, nail, facial, and similar personal care.
  7. Manufacturing and/or assembly.
  8. Massage therapy.
  9. Medical and dental offices, clinics, and laboratories.
  10. Personal self-storage (mini-storage).
  11. Plant nursery.
  12. Retail sales (e.g., stock on hand and customers coming to the home are not allowed).
  13. Vehicle repair (body or mechanical), upholstery, automobile detailing (e.g., washing, waxing, and the like) and painting. (This does not prohibit mobile minor repair or detailing at the customer's location).
  14. Welding and machining.

15. Other uses determined by the Director not to be incidental to, or compatible with, residential activities.
- C. Operating Standards.** Home occupations are an accessory use to the primary residential use of the site, and shall comply with all of the following operating standards.
1. **Accessory use.** The home occupation shall be clearly secondary to the full-time use of the property as a residence, and shall not alter the appearance of the dwelling.
  2. **Limitations on clients.** No customer or client visits to the site of a home occupation shall be permitted, except for the activities identified in Subsection 17.400.055.A.1. and Subsection 17.400.055.A.2. A physically or mentally impaired individual who is prevented, by the nature of the impairment, from independent travel, may invite clientele, customers, or patrons to the premises to conduct business that do not exceed more than six additional vehicle trips (i.e. three car visits) to the dwelling each day.
  3. **Visibility.** The use shall not require any modification not customarily found in a dwelling, nor shall the home occupation activity or storage of materials be visible from the adjoining public right-of-way, or from neighboring residential properties.
  4. **Display, sales or storage.** Outdoor display, indoor or outdoor sales, or outdoor storage of materials shall not be allowed on the premises.
  5. **Advertising.** Advertising signs on or off the site shall not be allowed.
  6. **Parking.** The use shall not significantly impact the on-street parking in the neighborhood.
  7. **Safety, occupancy classification.** Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises. The use shall not employ the storage of flammable, explosive, or hazardous materials.
  8. **Off-site effects.** No home occupation activity shall create dust, electrical interference, fumes, gas, glare, light, noise, odor, smoke, toxic/hazardous materials, vibration, or other hazards or nuisances, nor any other negative effect that may be felt, heard, or otherwise sensed on adjoining parcels, as determined by the Director.
  9. **Employees.** A home occupation shall have no employees working on the site of the home occupation other than full-time residents of the dwelling.
  10. **Deliveries.** The frequency of deliveries shall not exceed that normally and reasonably occurring for a residence, nor shall the types of vehicles.
  11. **Motor vehicles.** There shall be no motor vehicles used or kept on the premises, except residents' passenger vehicles, and one commercially-licensed automobile, pickup truck, or van.
  12. **Equipment.** The use of power equipment not normally associated with a residence shall not be allowed as part of a home occupation, nor shall any other mechanical equipment.
  13. **Utility services modifications.** The home occupation use shall not have utility service modifications, other than those required for normal residential use, that would be classified as commercial or industrial in load or design.

(Ord. No. 2005-007 § 1 (part))

17.400.060 LIVE/WORK DEVELOPMENT STANDARDS.

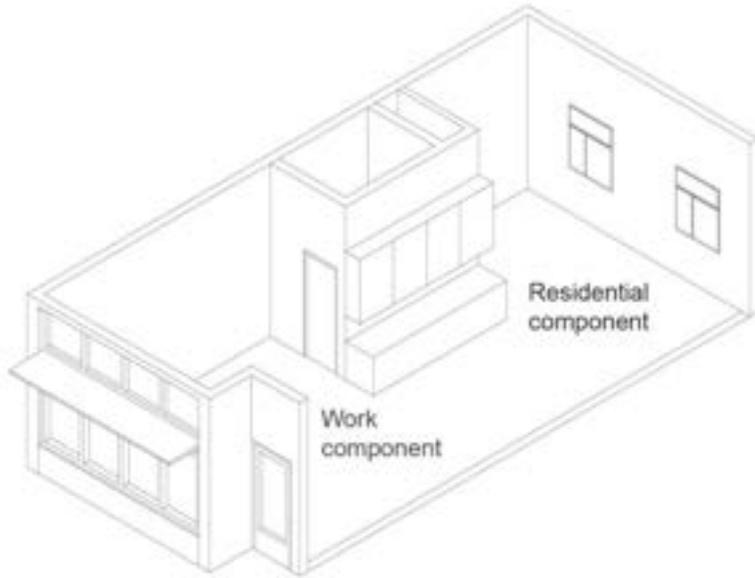
- A. Purpose.** This Section provides location, development, and performance standards for live/work developments in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).
- B. Applicability.**
1. The provisions in this Section shall regulate the conversion and new construction of live/work uses, where allowed by the applicable zoning districts.
  2. Except as specifically provided in this Section, live/work projects shall be in compliance with the regulations of Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).
  3. Where an Owner-Participation Agreement, Disposition and Development Agreement, or Development Agreement with the City and/or Redevelopment Agency applies to a land parcel, and the provisions of such agreement differ from the Live/Work Development Standards, the provisions of the agreement shall prevail.
- C. Use Regulations.**
1. **Permitted uses/occupations.** The following uses/occupations are permitted in live/work units:
    - a. Accountant;
    - b. Architect;
    - c. Artist and artisan;
    - d. Attorney;
    - e. Computer software- and multimedia-related professional;
    - f. Engineer;
    - g. Fashion, graphic, interior and other designer;
    - h. Insurance, real estate and travel agent;
    - i. Photographer;
    - j. Psychologist/psychiatrist;
    - k. Other similar uses/occupations, as determined by the Director, may be permitted, provided that the allowed uses/occupations are permitted by the underlying zone.
  2. **Occupancy and Employees.**
    - a. At least one of the full-time employees of the live/work unit must be a full-time resident of the live/work unit and shall possess a valid Business Tax Certificate.
    - b. Only one residential component per live/work unit shall be allowed.
    - c. The residential component shall not be rented separately from the working space.
    - d. No more than one employee, other than the resident(s) of the live/work unit, shall be permitted on site at any given time in units that are less than or equal to 1,499 square feet.
    - e. No more than 2 employees, other than the resident(s) of the live/work unit, shall be permitted on site at any given time in units that are greater than or equal to 1,500 square feet.

3. **Business activity.** None of the uses permitted shall be operated in an objectionable manner, due to fumes, odor, dust, smoke, gas, noise, or vibrations that are or may be detrimental to properties and occupants in the neighborhood and/or to any other uses and occupants on the same property.
4. **Special and/or temporary events.** Special and/or temporary events in live/work units shall be required to follow the permit process for special and/or temporary events contained in Chapter 17.520 (Temporary Use and Special Event Permits).
5. **Covenant.** A City-approved covenant shall be executed by the owner of each live/work unit and shall include statements that the occupant(s) understand(s) and accept(s) he/she is living in a live/work unit and must operate a business from said unit. The covenant shall also set forth the required use conditions as described in this Section.
  - a. The residential component shall be contiguous with, and integral to, the working space, with direct access between the two areas, and not as a separate stand-alone dwelling unit.
  - b. Only one residential component per live/work unit shall be allowed. The residential component space and the business component space shall only be used as one contiguous habitable space and, if rented, shall only be rented together as one tenant space.
  - c. Any lease between the owner and a tenant, or between a tenant and a subtenant, shall refer to the fact that the live/work unit is subject to the above-referenced covenant.
  - d. A resident in any live/work unit shall operate a business from the unit and shall possess a Culver City Business Tax Certificate in good standing for business activities conducted within the unit.

**D. Development Standards.**

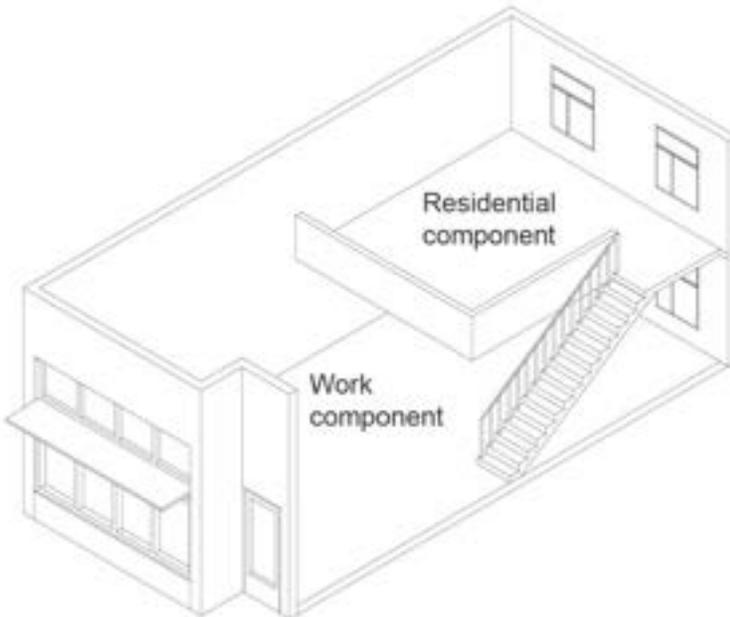
1. **Unit size and dimension.** The minimum square footage of a live/work unit shall be 700 square feet.
2. **Floor plans.** A live/work unit may include a single level floor plan or a multiple-level floor plan. See Figures 4-2 and 4-3 on the next page.

Figure 4-2 Typical Live/Work Layout 1



Typical Live/Work Layout 1

Figure 4-3 Typical Live/Work Layout



Typical Live/Work Layout 2

3. **Building setbacks.** Same as those required by the underlying zone.
4. **Building heights.** Same as those required by the underlying zone.
5. **Parking standards.** Live/work developments shall comply with all requirements contained in Chapter 17.320 (Off-Street Parking and Loading).
6. **Density.** The density of a live/work project shall comply with the density of the base zone per Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).**Open space.**
  - a. Each unit shall have a minimum of 50 square feet of common and/or private open space.
  - b. Common open space areas shall have a minimum dimension of 15 feet, which may include a combination of open space and adjacent setback area.
  - c. Private open space areas shall be at least 30 square feet and five feet in any direction, to the extent feasible.
  - d. Private and common open space requirements may be satisfied by a selection or combination of the following: atriums, balconies, courtyards, decks, gardens, gyms/exercise rooms, patios, playgrounds/tot lots, rooftop decks, patios and gardens, and swimming pools. The Director may approve similar amenities not listed above.
7. **Signage.** Signage for live/work units shall be limited to the following.
  - a. Window signs.
    - i. One window sign with a maximum dimension of one foot by two feet shall be permitted.
    - ii. No sign permit shall be required for the one permitted window sign.
    - iii. A glass door sign shall be considered a window sign.
    - iv. Window signs shall be limited to individual letters and logos placed on the surface of the window or glass door.
    - v. No window sign on the outside of the window shall extend onto or over the perimeter window frames, mullions or building facade divisions of the window on which it is displayed.
  - b. Projecting/hanging signs.
    - i. One projecting/hanging sign with a maximum dimension of one foot by two feet shall be permitted.
    - ii. A sign permit shall be required for the one permitted projecting/hanging sign.
    - iii. Projecting/hanging signs shall be displayed perpendicular to the wall to which it is affixed.
    - iv. The maximum distance between the wall and the outer edge of the sign shall be three feet, or if a paved sidewalk is below, 50% of the width of the sidewalk, whichever is less.
    - v. The minimum vertical clearance from the bottom of the sign to grade or to the sidewalk below, if applicable, shall be eight feet, unless a greater clearance is required by the Building Official.

- vi. The maximum height of the sign shall be 15 feet above grade or from the sidewalk below, if applicable.

**E. Performance Standards.**

- 1. Light and ventilation.** Adequate light and ventilation shall be provided for and meet the California Building Code regulations in effect at the time of conversion or construction, as determined by the Building Official.
- 2. Sound transmission.** Common walls and ceilings of live/work units shall be constructed or upgraded, using techniques to limit sound transmission as specified for residential uses by the California Building Code for new construction or equivalent in effect at the time of conversion or construction, as determined by the Building Official.
- 3. Minimum facilities.** Each live/work unit shall have adequate kitchen facilities (sink, stove, and refrigerator hook-ups) and bathroom facilities (shower or bathtub, sink, and toilet).
- 4. Fire suppression and fire ratings for occupancy separations.**
  - a. Permanently wired smoke detectors shall be installed as required per the California Building Code or equivalent in effect at the time of conversion or construction.
  - b. Additional fire suppression equipment (e.g., alarm systems, sprinklers, extinguishers) shall also be provided, as required by the Building Official and the Culver City Fire Department.
  - c. There shall be a 2-hour occupancy separation between units.
- 5. Hazardous materials.**
  - a. Flammable liquids, welding, open flame work, or similar hazardous operations shall not be permitted in live/work units without specific written approval by the Culver City Fire Department.
  - b. Storage of hazardous materials necessary for work activities in live/work spaces may be stored in control areas per the California Building and Fire Codes or equivalent in effect at the time of conversion or construction, as determined by the Building Official and the Culver City Fire Department.
  - c. Exterior signage announcing said materials shall be installed and maintained per the California Building and Fire Codes or equivalent in effect at the time of conversion or construction, as determined by the Building Official and the Culver City Fire Department.
  - d. The control areas shall be approved as to construction and location by the Culver City Fire Department.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2005-008 § 2 (part))

17.400.065 (RESERVED)

17.400.070 OUTDOOR DINING.

This Section provides location, development, and operating standards for outdoor dining facilities in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Definition.** As used in this Section, an **Outdoor Dining Area** is a place on the public sidewalk or private property where patrons may consume food and/or beverages provided by an adjacent food service establishment. The establishments may either provide table service in the outdoor dining area or sell take-out items consumed in the outdoor dining area.
- B. Outdoor Dining (Public Right-of-way).**
  - 1. Standards and procedures.** All standards and procedures for the operation of outdoor dining areas in the public right-of-way are contained in City Council Resolution No. 96-R008, or as may be amended, and in Section 9.08.035 (Use of Sidewalks for Outdoor Dining) of the CCMC.
  - 2. Agreement required.** Outdoor dining on the public sidewalk may only occur subject to an Outdoor Dining License Agreement, approved by the City Engineer in compliance with Section 9.08.035 (Use of Sidewalks for Outdoor Dining) of the CCMC.
  - 3. Sale of alcoholic beverages.** Establishments serving alcoholic beverages that apply for an Outdoor Dining License Agreement shall meet the additional requirements of the State Alcohol Beverage Control Board. Sale of the alcoholic beverages in outdoor dining areas shall comply with Section 17.400.015 (Alcoholic Beverage Sales).
- C. Outdoor Dining (Private Property).**
  - 1. Review requirement.** An outdoor dining or seating area 250 square feet or less in size and more than 300 feet from a residential zone shall be allowed by right. Any outdoor dining or seating area over 250 square feet in size and/or less than 300 feet from a residential zone shall require the approval of an Administrative Use Permit and shall be developed in compliance with an approved site plan, which indicates the areas dedicated for outdoor dining, and the maximum seating capacity for the outdoor dining area.
  - 2. Location requirements.**
    - a.** The outdoor dining area shall be located directly adjacent to the food service establishment it serves.
    - b.** When located immediately adjacent to a residential use, provisions shall be made to minimize noise, light, and odor impacts on the residential use.
  - 3. Operating requirements.**
    - a. Outdoor cooking.** Cooking within an outdoor dining area may occur only with Administrative Use Permit approval.
    - b. Placement of tables.** Tables shall be placed only in the locations shown on the approved site plan.
    - c. Hours of operation.** The hours and days of operation on the outdoor dining area shall be identified in the approved Administrative Use Permit.

- d. **Clean-up and maintenance.** Outdoor dining areas shall be kept in a clean condition, and free of litter and food items constituting a nuisance to public health, safety and welfare.
- 4. **Lighting.** Illumination for outdoor dining areas shall be installed to prevent glare onto, or direct illumination of, any residential property or use, in compliance with Section 17.300.040 (Outdoor Lighting).
- 5. **Landscaping.** All outdoor dining areas shall include some landscaping. A landscape plan for the outdoor dining area may include the use of planter boxes and permanent vegetation, which shall comply with Chapter 17.310 (Landscaping).
- 6. **Sale of alcoholic beverages.** Outdoor dining areas serving alcoholic beverages shall meet, and be in compliance with, the requirements of the State Alcohol Beverage Control Board and Section 17.400.015 (Alcoholic Beverage Sales).
- 7. **Design compatibility.**
  - a. Outdoor dining areas and associated structural elements, awnings, covers, furniture, umbrellas, or other physical elements shall be compatible with the overall design of the main structures.
  - b. The use of awnings, plants, umbrellas, and other human-scale elements is encouraged to enhance the pedestrian experience, if applicable.
  - c. The relationship of outdoor dining areas to churches, hospitals, public schools, and residential uses shall be considered by the Director. Mitigation measures should be utilized to eliminate potential impacts related to glare, light, loitering, and noise.
  - d. Outdoor dining areas shall not inhibit vehicular or pedestrian traffic flow.
- 8. **Additional standards.** At the discretion of the Director, the following additional standards may apply to outdoor dining areas. The applicability of these standards shall be specified in the permit approving the outdoor dining area.
  - a. Amplified sound and music may be prohibited within the outdoor dining area.
  - b. A sound-buffering, acoustic wall may be required along property lines adjacent to the outdoor dining area. The design and height of the wall shall be approved by the Director.
  - c. Separation by a physical barrier to define the limits of the outdoor dining space may be required, with the design to be approved by the Director.
- 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 Section 9.11.100 et seq. of Chapter 9.11: Smoking Regulations of this Code.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2020-013 § 2 (part); Ord. No. 2022-008)

#### 17.400.075 OUTDOOR RETAIL SALES AND DISPLAY.

This Section provides location, development, and operating standards for outdoor retail sales and display on privately-owned property, in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Accessory Outdoor Display.** Outdoor displays incidental and complementary to an allowed use on commercially zoned parcels shall be subject to the approval of an Administrative Use Permit approved by the Director, and all of the following standards.
1. Outdoor displays shall be:
    - a. Approved and kept within a defined and fixed location that does not disrupt the normal function of the site or its circulation, and does not encroach upon driveways, landscaped areas, or parking spaces. Displays shall not obstruct traffic safety sight areas or otherwise create hazards for vehicle or pedestrian traffic.
    - b. Directly related to a business occupying a permanent structure on the same site and shall display only goods of the primary business on the same site.
    - c. Limited to the hours of operation of the business, and portable and removed from public view at the close of each business day.
    - d. Managed so that display structures and goods are maintained at all times in a clean and neat condition, and in good repair.
    - e. Placed to avoid obstruction of structure entrances and on-site driveways.
  2. Outdoor displays shall not be:
    - a. Placed within 100 feet of any residential dwelling, except for mixed use projects.
    - b. Placed so as to impede or interfere with the reasonable use of the store front windows for display purposes.
    - c. Counted toward the gross floor area in determining the parking requirement for the use.
    - d. Permitted to include signage graphics, balloons, banners, flags, streamers, wind-activated devices, or other similar devices within the display area, except for building or freestanding signs, pursuant to Chapter 17.330 (Signs).
- 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 Section 9.11.100 et seq. of Chapter 9.11: Smoking Regulations of this Code.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2020-013 § 2 (part))

#### 17.400.080 OUTDOOR STORAGE.

This Section provides location and operating standards for the establishment of outdoor or open storage of materials in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Location.** The storage shall:
1. Be ancillary to the primary use of the main structure;
  2. Not comprise more than 25% of the total gross land area of the subject parcel;
  3. Be paved in compliance with City standards;
  4. Not be located within a required off-street loading area.

- B. Enclosure Required.** An outdoor area used for storage shall be completely enclosed by a solid masonry wall and a solid gate. The Director may allow the substitution of a solid fence, after determining that the substitution would adequately comply with the provisions of this Section.
  - 1. The required wall or fence shall:
    - a. Not be less than six feet nor more than eight feet in height.
    - b. Incorporate design elements to prohibit or prevent easy climbing and access by unauthorized persons.
    - c. Be subject to the approval of the Director.
  - 2. Walls abutting a right-of-way shall comply with Section 17.300.030 (Fences, Hedges, and Walls).
- C. Operations.** All raw materials, equipment, or finished products stored shall:
  - 1. Be stored in a manner that they cannot be blown by wind from the enclosed storage area.
  - 2. Not be stored above the height of the enclosing wall or fence within 10 feet of the wall or fence.
  - 3. Not be placed outside the enclosed storage area.
  - 4. If abutting a residential zoning district, only be accessed between 8:00 a.m. and 10:00 p.m., to avoid being a nuisance to neighbors.
- D. Landscaping.** Landscaping shall be installed, wherever possible, to lessen the visual impact of the outdoor storage area. The design, installation, and maintenance of the landscaping shall comply with Chapter 17.310 (Landscaping).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

#### 17.400.085 PAWNSHOPS.

This Section provides location and operating standards for pawnshops in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Distance Separation.** A minimum linear distance of 1,000 feet shall be required to separate all pawnshops from another existing pawnshop, check-cashing business, park, playground, primary and/or secondary school, and single-family zoned property.
- B. Plans Required.** Development plans shall be submitted with the application for the Conditional Use Permit required for pawnshops, clearly illustrating the details of the proposed exterior (e.g., elevations, lighting, signs, and the like), interior (e.g., layout and design, lighting, window display, and the like), days and hours of operation, and customer queuing in order to ensure that the use shall be developed and operated in a manner compatible with an attractive, stable, and thriving commercial district conducive to retail shopping.
- C. Prohibited Hours of Operation.** Pawnshops shall be prohibited from public operations between the hours of 9:00 p.m. and 9:00 a.m.

(Ord. No. 2005-007 § 1 (part))

17.400.090 RECYCLING FACILITIES.

This Section provides location, development, and operating standards for various types and sizes of recycling facilities, in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Permit Requirements.** Recycling facilities are subject to permit review/approval, in compliance with Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards), provided that the development standards established in this Section are met.
- B. Definitions.** The following words and phrases as used in this Title are defined as follows.
  - 1. Recycling Facilities.** Facilities open to the public for the collection or processing of recyclable material, subject to certification under the California Beverage Container Recycling and Litter Reduction Act, which include the following types of facilities.
    - a. Incidental Small Collection Recycling Facility.** A use incidental to a primary use of property, established for the acceptance of recyclable materials from the public, and occupying less than 500 square feet. Incidental small collection recycling facilities may include the following as defined in this Chapter:
      - i. One or more single reverse vending machines, in a grouping that includes separate containers adjacent to each machine.
      - ii. Recyclable material containers that do not utilize power-driven processing equipment.
    - b. Small Collection Recycling Facility.** A use subordinate to and different from the main use of property, established for the acceptance of recyclable materials from the public, occupying an area no larger than 1,200 square feet, and involving no permanent structures. A small collection facility may include the following:
      - i. One or more bulk reverse vending machines.
      - ii. A mobile recycling unit.
      - iii. Kiosk-type units.
    - c. Large Collection Recycling Facility.** A collection facility larger than 1,200 square feet that is the main use of the property and may include permanent structures. For the purposes of this definition, the area shall be composed of the cumulative total of all permitted recycling facilities on a site, lot or parcel. The use is established for the acceptance and storage of recyclable materials from the public.
  - 2. Recyclable Material.** Aluminum, glass, plastic, paper and other items intended for remanufacture or reconstitution, for the purpose of reuse in an altered or renewed form. Refuse or materials deemed hazardous by the Culver City Fire Chief are expressly excluded from this definition.
  - 3. Reverse Vending Machine.** An automated mechanical device that accepts one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container’s redemption value, as determined by State law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.

4. A **Bulk Reverse Vending Machine** is a reverse vending machine that is larger than 50 square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.
5. **Mobile Recycling Unit.** An automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.
6. **Recycling Facility, Processing.** A building or enclosed space used for the collection and processing of recyclable materials for efficient shipment, or to an end user's specifications, through baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, remanufacturing and other methods.

**C. Standards for Specific Types of Recycling Facilities.**

1. **Reverse vending machines.** Reverse vending machines shall comply with the following standards.
  - a. **Accessory use only.** The machines shall be installed as an accessory use in compliance with the applicable provisions of this Title and shall not require additional parking.
  - b. **Location requirements.** If located outside of a structure, the machines shall be located within 30 feet of a building entrance and shall be constructed of durable waterproof and rustproof materials.
  - c. **Maximum size.** When located outdoors, the area occupied by the machines shall not exceed 50 square feet, including any protective enclosure, nor eight feet in height.
  - d. **Signs.** Signs shall not exceed a maximum of four square feet on each machine, exclusive of operating instructions.
  - e. **Hours of operation.** The machines shall have the same operating hours as those of the primary use.
  - f. **Lighting.** The machines shall be illuminated when needed to ensure comfortable and safe operation, as determined by the Director.
2. **Small collection facilities.** Small collection facilities shall comply with the following standards.
  - a. **Location requirements.** Small collection facilities shall:
    - i. Not be located within 100 feet of any residentially zoned parcel.
    - ii. Be set back at least 10 feet from any public right-of-way, and not obstruct vehicular or pedestrian circulation.
  - b. **Maximum size.** A small collection facility shall not occupy more than 1,200 square feet, not including space that would be periodically needed for the removal of materials or exchange of containers.
  - c. **Appearance of facility.** Collection containers and any site fencing shall be of a color and design that is compatible and harmonious with the surrounding uses and neighborhoods.
  - d. **Operating standards.** Small collection facilities shall:
    - i. Not use power-driven processing equipment, except for reverse vending machines.
    - ii. Accept only glass, metal or plastic containers, paper, clothing, and reusable items.

- iii. Use containers constructed with durable waterproof and rustproof materials, secured from unauthorized removal of material, and shall be of a capacity sufficient to accommodate materials collected and the collection schedule.
- iv. Not exceed noise levels of 50 dBA, as measured at the property line of the nearest residentially zoned or occupied property, and in no event more than 60 dBA.
- v. Collection of recyclable materials and normal maintenance of the facility shall only be performed during the following hours.
  - a.) Mondays through Fridays, from 7:00 a.m. to 6:00 p.m.
  - b.) Saturdays, from 8:00 a.m. to 6:00 p.m.
  - c.) Sundays, from 9:00 a.m. to 6:00 p.m.
  - d.) If emergency maintenance or repairs must be performed during other hours, the Culver City Police Department shall be notified prior to performing the maintenance or repairs.
- vi. Containers for the 24-hour donation of materials shall be at least 100 feet from any residentially zoned property, unless there is a recognized service corridor and acoustical shielding between the containers and the residential use.
- vii. Shall be free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day.
- e. **Signs.** Notwithstanding any other CCMC provision, the following information shall be displayed for each facility, on one or more signs that collectively do not exceed 16 square feet.
  - i. Identification of the types of material to be deposited.
  - ii. Operating instructions.
  - iii. Hours of operation.
  - iv. Telephone number of the operator, responsible person or company.
- f. **Lighting.** The collection facilities shall be illuminated when needed to ensure comfortable and safe operation, as determined by the Director.
- g. **Planters.** The facility should, wherever feasible, be located adjacent to an existing planter area, if pedestrian or vehicular circulation will not be obstructed or screened with additional landscaping, as determined by the Director.
- h. **Storage of materials.** All recyclable materials shall be stored in containers. Outdoor storage of materials is prohibited.
- i. **Parking requirements.** No additional parking space shall be required for customers of a small collection facility located in the established parking lot of the main use. One space shall be provided for the attendant, if needed.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

17.400.095 RESIDENTIAL USES - ACCESSORY DWELLING UNITS.

Subsections A. through K. establish the standards for the development of an Accessory Dwelling Unit and Subsection L. establishes the standards for the development of a Junior Accessory Dwelling Unit, in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards). Government Code Sections 66310 - 66342 shall supersede any conflicting portions of this ordinance.

- A. Minimum Lot Size.** No minimum lot size shall be required for an accessory dwelling unit.
- B. Statewide Exemption Accessory Dwelling Unit.** As established by Government Code Section 66321, development standards in this Title shall apply to the extent they do not prohibit the construction of an accessory dwelling unit of up to 800 square feet that is up to 18 feet in height if detached or 25 feet in height if attached, with four-foot side and rear yard setbacks.
- C. Maximum Unit Size.**
  - 1. The maximum permitted unit size of an attached accessory dwelling unit, or an accessory dwelling unit located entirely within a proposed or existing primary dwelling unit, shall not exceed 850 square feet for a one-bedroom unit or 1,200 for a two or more-bedroom unit, or 50% of the gross square footage of the primary dwelling unit on the lot, whichever is less, except as noted in Section B. above.
  - 2. The maximum permitted size of a detached accessory dwelling unit shall not exceed 850 square feet for a one-bedroom unit or 1,200 square feet for a two or more-bedroom unit.
  - 3. Maximum permitted unit size shall include any living area as defined in the California building code confined from exterior wall to exterior wall.
- D. Minimum Unit Size.** The minimum unit size of an attached or detached accessory dwelling unit shall be at least 150 square feet, including a kitchen and at least one 3/4 bathroom.
- E. Zones in which Accessory Dwelling Units may be Constructed.** The construction, use, and maintenance of accessory dwelling units shall be permitted in areas zoned to allow single-family or multiple-family dwelling residential use. For purposes of this Section 17.400.095, a multiple-family dwelling unit is two or more attached dwelling units on a single property.
- F. Accessory Dwelling Unit Density and Development Standards.**
  - 1. **Single-family Dwellings.** Accessory dwelling units are allowed on a property containing single family dwellings under the following circumstances:
    - a. No more than one accessory dwelling unit within the proposed or existing square footage of a single-family dwelling or existing square footage of an accessory structure that meets specific requirements such as exterior access and setbacks for fire and safety.
    - b. No more than one detached new construction accessory dwelling unit. A new construction attached accessory dwelling unit may be constructed in lieu of the new construction detached accessory dwelling units.
    - c. No more than one junior accessory dwelling unit within the proposed or existing space of a single-family dwelling that meets specific requirements such as exterior access and setbacks for fire and safety as described in Subsection L.

- d. For subject properties located in the R1 or R2 Zoning District, the maximum height for accessory dwelling units shall be as established for residential structures in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards). For subject properties in all other zones, the maximum height for accessory dwelling units shall be 30 feet.
- 2. Multiple-family Dwellings.** Accessory dwelling units are allowed on a property containing multiple-family dwellings or mixed-use structures on a lot containing multiple-family dwelling units under the following conditions:
- a. The number of accessory dwelling units shall not exceed 25% of the number of existing units, minimum one unit.
  - b. The accessory dwelling units shall only be located within areas that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages which are attached or detached. Non-livable space used to create ADUs must be limited to residential areas within a mixed-use development and not the areas used for commercial or other activities.
  - c. The maximum height shall be 30 feet for a detached or accessory dwelling unit on a lot with an existing or proposed multiple-family, multistory dwelling.
  - d. Each accessory dwelling unit must comply with state building standards for dwellings.
  - e. A maximum of two detached, accessory dwelling units shall be allowed on a property with existing multiple-family dwelling units.
- G. Minimum Room Dimensions.** Minimum room dimensions, including ceiling heights, floor area and width, shall meet the Uniform Building Code regulations in effect at the time of construction.
- H. Location.**
- 1. Accessory dwelling units may be within, attached to, or detached from and on the same lot as, a proposed or existing single-family dwelling, or within or detached from a multiple-family dwelling, and subject to compliance with front, side, and rear yard setback standards of the underlying zone except as allowed by Government Code Section 66314(d)(7).
  - 2. Accessory dwelling units may be located entirely within a proposed or existing primary dwelling unit or existing accessory structure; provided, the accessory dwelling unit has independent exterior access from the existing primary dwelling or accessory structure.
  - 3. An ADU created within an existing accessory structure may be expanded up to 150 square feet without application of local development standards, but this expansion shall be limited to accommodating ingress and egress.
- I. Parking.** Parking for an accessory dwelling unit and replacement parking is not required-
- J. Habitability.** Accessory dwelling units are fully habitable and shall include independent kitchen and bathroom facilities. Accessory dwelling units shall be independent from the main dwelling without internal access.
- K. Occupancy Restrictions.** Accessory dwelling units shall not be sold separately from the primary residence and shall not be used for rentals of terms of 30 days or less unless established as defined in Government Code Sections 66340 and 66341. Owner occupancy is not required for accessory dwelling units.

**L. Setbacks.**

1. An accessory dwelling unit shall have side and rear yard setbacks of at least two feet from lot lines abutting a special purpose or mixed use zone, street, or alley and at least four feet from lot lines when abutting a residential zone. An accessory dwelling unit shall abide by the front yard setback requirements of the zone in which it is located.
2. An accessory dwelling unit constructed entirely within a proposed or existing primary dwelling unit or accessory structure, which has side and rear setbacks that are sufficient for fire safety, as determined by the Culver City Fire Department, shall not be subject to setback standards for new development.
3. An accessory dwelling unit constructed above, or as a second story to, a garage or other accessory structure shall be setback a minimum of two feet from side and rear lot lines abutting a special purpose and mixed use zone, street, or alley and a minimum of four feet from side and rear lot lines when abutting a residential zone. An accessory dwelling unit constructed above, or as a second story to, a garage or other accessory structure shall abide by the front yard setback requirements of the zone in which it is located.
4. **Through Lots.** An accessory dwelling unit constructed on a through lot is permitted to have a reduced setback of at least two feet from one front lot line along the property line that is of greater distance from the primary residence and/or the property line separating the parcel from the street of a higher classification or designation. In case of irregular lots, the Director shall determine which one front lot line is eligible for reduced setback except as allowed by Government Code Section 66321.

**M. Junior Accessory Dwelling Units.** In addition to an accessory dwelling unit as provided in this Section, Junior accessory dwelling units are permitted within an existing or proposed single family residence, consistent with state law. The following establishes standards for junior accessory dwelling units.

1. **Maximum Unit Size.** A junior accessory dwelling unit may be up to 500 square feet.
  - a. Maximum permitted unit size shall include any livable space from exterior wall to exterior wall.
2. **Density.** No more than one junior accessory dwelling unit is allowed on a property.
3. **Location.** A junior accessory dwelling unit shall be located entirely within a proposed or existing primary dwelling unit, subject to the following:
  - a. A junior accessory dwelling may be in an attached garage but may not be in a detached accessory structure.
  - b. A junior accessory dwelling unit shall have separate exterior access independent from the proposed or existing primary dwelling unit.
  - c. A junior accessory dwelling unit may share significant interior connection to the primary dwelling if they are sharing a bathroom facility.
4. **Parking.** Parking for a junior accessory dwelling unit and replacement parking is not required.
5. **Habitability.** Junior accessory dwelling units shall include an efficiency kitchen which shall include a cooking facility with appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

6. **Occupancy Restrictions.** Owner occupancy is required in either the remaining portion of the primary residence, another dwelling unit on the same lot, or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization. These occupancy restrictions shall be enforced through recordation of deed restrictions or covenant agreement recorded against the property per Government Code Section 66333(c).
7. **Conveyance.** Junior accessory dwelling units shall not be sold separately from the primary dwelling unit and shall not be used for rentals of terms of 30 days or less.

**N. Other Development Standards.**

1. Unless stated in this Section, all other development standards for accessory dwelling units and junior accessory dwelling units shall apply according to the zone in which the subject property is located; including but not limited to, setbacks, building height, and distance between structures.
2. **Conversion of Existing Structures.** For the purpose of converting an existing structure into an accessory dwelling unit or junior accessory dwelling unit, an existing structure is defined as one of the following:
  - a. A structure that has been erected prior to the date of adoption of the appropriate building code that does not present a threat to public health and safety or one for which a legal building permit has been issued; or
  - b. A structure that has been issued Deferred Compliance through the Amnesty Program or through Deferred Compliance by the Municipal Code Appeals Committee (MCAC).
3. When a garage is converted into an ADU or JADU, the garage door must be removed and replaced with windows or entry doors.

**O. Application Process.** The following is the ministerial application process for accessory dwelling units and junior accessory dwelling units.

1. Applicant shall submit complete plan sets to the Building Safety Division. In order to be deemed complete, plans shall comply with all current applicable development standards, any applicable Department handouts, and any additional information required by the Director in order to conduct a thorough review. The Division shall approve or deny the application as established for accessory dwelling units in Government Code Sections 66316 and 66317 and for junior accessory dwelling units in Government Code Section 66355(a), (b) and (c). If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, no permit for the accessory dwelling unit or the junior accessory dwelling unit shall be issued until the permit application to create the new single-family or multifamily dwelling has been adjudicated, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the project is denied, the applicant will receive a full list of comments with remedies to correct any Code deficiencies.
2. Prior to Building Permit issuance, applicant for an accessory dwelling unit shall submit an Address Assignment Request Fee and Application to the Current Planning Division. An applicant for a junior accessory dwelling unit may, but is not required to, submit an Address Assignment Request Fee and Application.

3. Prior to Building Permit issuance, projects resulting in the addition of 750 square feet or more for an accessory dwelling unit located at the subject property shall pay all impact fees including the Mobility Improvement Fee pursuant to Section 15.06.515 (Calculation and Payment of Fees) and the In-Lieu Parkland Dedication Fees pursuant to Section 15.06.300 (Park and Dedication or Payment of Fees) of this Code, except that any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-007 § 2 (part); Ord. No. 2017-017 § 2; Ord. No. 2018-015 § 2 (part); Ord. No. 2020-001 § 2; Ord. No. 2021-012 § 3 (part))

**17.400.100 RESIDENTIAL USES - ACCESSORY RESIDENTIAL STRUCTURES.**

This Section provides standards for accessory structures allowed in residential and mixed-use zoning districts in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards):

**A. General Requirements for Accessory Structures in Residential and Mixed-Use Zoning Districts.**

1. **Relationship of accessory use to the main use.** Accessory uses and structures shall be incidental to, and not alter, the residential character of the site. A covenant may be required to be executed and recorded to ensure the accessory use and structure is identified and maintained consistent with the City’s approval, in accordance with Section 17.595.045 (Covenants).
2. **Allowable heights.** The maximum allowable heights of accessory structures are specified in Table 4-4 (Maximum Heights for Accessory Structures in Residential Zoning Districts) below.

**Table 4-4 Maximum Heights for Accessory Structures in Residential and Mixed Use Zoning Districts**

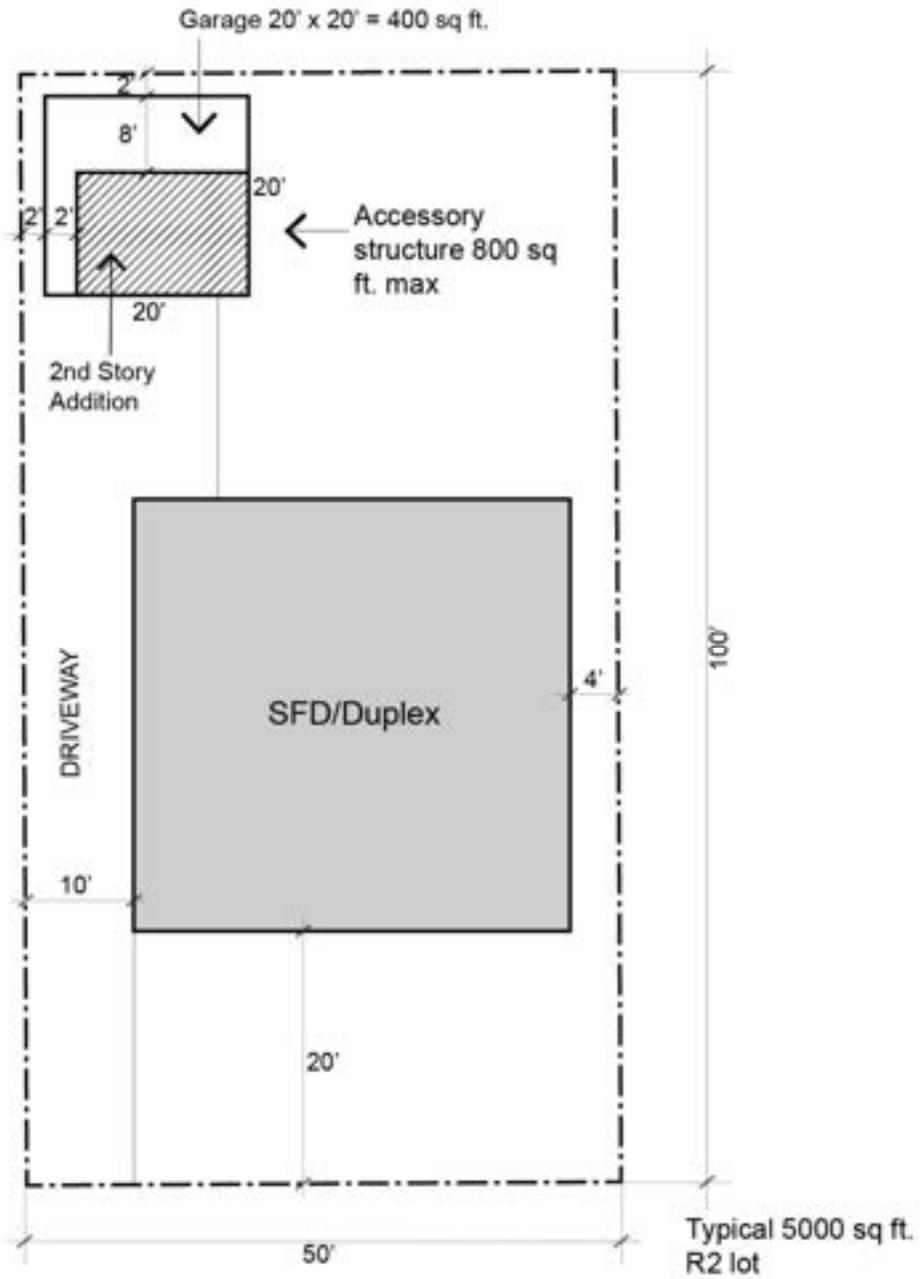
Applicable Zoning District	Maximum Height
Single-Family Residential (R1) and Two-Family Residential (R2) Zoning Districts.	2 stories and 26 feet
Low Density Multiple-Residential (RLD), Medium Density Multiple-Residential (RMD) and High Density Multiple-Residential (RHD) Zoning Districts.  All Mixed Use Zoning Districts	2 stories and 30 feet

**3. Allowable setbacks.**

- a.** The accessory structure shall have a setback of at least two feet from every perimeter property line abutting all mixed use and special purpose zones, street, or alley and shall have a setback of at least four feet from every perimeter property line when the setback is adjacent to a residential zone, except that the setback shall be the same as that required for the primary dwelling in the zoning district in which the accessory structure is located, whenever the accessory structure:
  - i.** Exceeds 12 feet in height; or
  - ii.** Is within a setback facing a public street right-of-way.
- b.** A single story, ground-level accessory residential structure containing a second story accessory dwelling unit shall be subject to setback regulations for accessory dwelling units. Any portion of an accessory residential structure that exceeds 12 feet in height, located on the second floor, or is within a setback facing a public street right-of-way shall comply with the same setbacks required for the primary dwelling in the corresponding zoning district.
- c.** If the accessory structure is a carport or garage, it shall be set back from a public street right-of-way as necessary to conform with the requirements of Subsection 17.320.035.N. (Special Parking Requirements for Residential Uses).
- d.** Partial reconstruction and additions to existing legal non-conforming accessory residential structures on through lots with frontages on both Charles Avenue and Milton Avenue shall be subject to provisions of Subsection 17.610.020A.3.c (Alterations or Additions).
- e. Exceptions.** The following structures are exempt from the accessory structure setback requirements, with a cumulative limit of two maximum of any combination of such accessory structures on one property.
  - i.** Movable structures not exceeding 12 feet in height, including children’s play equipment, pet shelters, and similar structures, may be placed within a required side or rear setback without limitation on location.
  - ii.** Portable storage sheds which are prefabricated, do not exceed eight feet in height if flat roofed, nor 12 feet in height with eaves at a maximum of eight feet for slope roofed, and are up to 120 square feet in area, may be placed within a required side or rear setback without limitation on location, except that they shall comply with Subsection 4 (Site Coverage) and 5 (Allowable Floor Area) as specified below.
  - iii.** Trash enclosures may be placed within a required rear or side setback without limitation on location.
- f.** Two story accessory residential structures will not be permitted unless:
  - i.** Only one story is the accessory residential structure and the other story is a garage and/or accessory dwelling unit.
  - ii.** The second story satisfies the same setback requirements that would be applicable to a primary dwelling in the applicable zoning district, unless the second story is an accessory dwelling unit only. See Figure 4-4.

4. **Site coverage.** Roofed accessory structures shall not occupy more than 50% of the required rear or side setbacks, provided that the Director may approve additional coverage where a replacement open area equivalent to the additional coverage over 50% is substituted elsewhere on the site, provided that:
  - a. The Director determines that the usability and location of the substitute area is equally satisfactory.
  - b. The substitute area does not exceed a slope of 10% and has no dimension less than 15 feet.
5. **Allowable Floor Area.** The cumulative floor area for all accessory structures, including portable storage sheds, on a lot in a residential zone shall not exceed 800 square feet. The floor area of garages shall be included in such calculation; however, the floor area of other non-habitable accessory structures (including carports) shall not. See Figure 4-4.
6. **Additional Standards.** The following additional standards shall apply to accessory structures:
  - a. No more than one 3/4 bathroom shall be permitted in any accessory structure, except for garages which are restricted as noted below.
  - b. Wet bars are prohibited in accessory structures.
  - c. Kitchens, including efficiency kitchens, and any appliances that can be used for preparing and/or cooking meals, are prohibited in accessory structures.
  - d. Only a sink and drain (wash basin) are permitted in garages; bathrooms are not permitted within, nor accessible from garages.

Figure 4-4 Allowable Floor Area



(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-005 § 2 (part); Ord. No. 2017-012 § 2 (part); Ord. No. 2020-010; Ord. No. 2021-012 § 3 (part))

#### 17.400.101 SINGLE ROOM OCCUPANCY (SRO) UNITS.

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):

- A. Location.** Single Room Occupancy (SRO) units shall only be located in Mixed Use Zones and shall be subject to all applicable provision of Chapter 17.220 (Mixed Use Zoning Districts).
- B. Density.** SRO residential density shall not exceed the density standards as may be permitted in Chapter 17.220 (Mixed Use Zoning Districts) and in no case shall the number of SRO units exceed more than 25% of a mixed use project's total number of residential units.
- C. Unit Size.** The minimum size of an SRO unit shall be 200 square feet and the maximum size shall be 350 square feet.
- D. Kitchen Facilities.** Each SRO unit shall be equipped with a kitchen sink with a garbage disposal and a counter top measuring a minimum of 48 inches wide by 24 inches deep; and shall be provided with a minimum of a refrigerator and a microwave oven.
- E. Bathroom Facilities.** Each SRO unit shall include a bathroom with a toilet and a shower stall in an enclosed compartment with a door. The bathroom shall be a minimum of 25 square feet in area.
- F. Open Space.** Each SRO unit shall be provided with open space in compliance with Chapter 17.220 (Mixed Use Zoning Districts).
- G. Occupancy.** SRO units shall be occupied by no more than two persons and shall be offered on a monthly rental basis or longer.

(Ord. No. 2013-008 § 2 (part); Ord. No. 2020-013 § 2 (part); Ord. No. 2022-008)

#### 17.400.110 TELECOMMUNICATIONS FACILITIES.

- A. Purpose.** This Section provides location, development, and operating standards for telecommunications facilities (e.g., dish antenna and cellular mobile radio telephone utility facilities), in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards), and in accordance with CCMC §§ 15.02.600 through 15.02.625.
- B. Definitions.** As used in this Section, the following words and phrases are defined as follows.

**Antenna.** Any system of wires, poles, rods, reflecting discs or similar devices used for the transmission and/or reception of electromagnetic radiation waves, including devices with active elements extending in any direction, and directional parasitic arrays with elements attached to a generally horizontal boom that may be mounted on a vertical support structure.

**Building or Roof-mounted Antenna.** An antenna mounted on the side or top of a building or another structure (e.g., water tank, billboard, church steeple, freestanding sign, and the like), where the entire weight of the antenna is supported by the building, through the use of an

approved framework or other structural system attached to one or more structural members of the roof or walls of the building.

**Cellular.** An analog or digital wireless communication technology based on a system of interconnected neighboring cell sites, each of which contains antennas.

**Cellular Mobile Radio Telephone Utility Facility.** A type of remote communication installation that includes a grouping or series of antennas that transmit, relay, and receive radio waves, together with equipment functionally integrated into a communication system, located on a cell site that is part of a network for transmission of telephone service.

**Co-location.** The locating of wireless communications equipment from more than one provider on a single ground-mounted, roof-mounted, or structure-mounted facility.

**Dish Antenna.** A parabolic, dish-like antenna that transmits and/or receives electromagnetic waves by line of sight.

**Ground-mounted Antenna.** An antenna, the entire weight of which is supported by a manufacturer- and/or installer-specified and City-approved platform, framework, pole or other structural system; which system is freestanding, affixed directly on or in the ground by a foundation, excluding lateral bracing to a building.

**Height.** The vertical distance between the highest point of a dish antenna, when actuated to its most vertical position and the grade below for a ground-mounted dish antenna, and to the roof below for a roof-mounted dish antenna.

**Monopole.** A structure composed of a single spire used to support antennas and related equipment.

**Primary Dish Antenna Facility.** A facility that is the primary use of a site consisting of one or more dish antennas, the ancillary structures and electronic equipment necessary to support or operate the antennas, and offices for the business selling transmission services.

**Reasonable Functional Use.** The positioning of a dish antenna that permits substantially unobstructed line of sight with geosynchronous orbiting satellites, or microwave dish antennas, from or to which the dish antenna receives or transmits electromagnetic waves.

**Satellite Dish Antenna.** An antenna for the home, business or institutional reception of television, data, and other telecommunications broadcasts from orbiting satellites.

### **C. Dish Antenna Regulations.**

- 1. Small satellite dish antennas.** Satellite dish antennas with a maximum diameter of 24 inches for residential installations, up to a maximum of 2 per dwelling unit, and 78 inches for commercial installations, are regulated by Federal law and exempt from the requirements of this Section. When placed on an historic building, designated “landmark” or “significant” per Chapter 15.05, satellite antennas shall comply with the U.S. Secretary of

the Interior standards. Compliance with those standards is met if the satellite antenna is placed so that it has no public visibility and does not permanently alter any design feature or element of an historic building designated “landmark” or “significant.” If compliance with the U.S. Secretary of the Interior standards cannot be met, alternate locations that still allow reasonable, functional use of the satellite antenna shall be examined, and an Administrative Certificate of Appropriateness may be required.

- 2. Quantity and permit requirements.** Table 4-5 (Dish Antenna Quality and Permit Requirements) below, outlines the quantity and permit requirements for dish antennas, other than satellite dish antennas exempted above. All dish antennas shall be installed, modified and maintained in accordance with Chapter 15.02 of the CCMC, and the design provisions set forth in Subsection 17.400.130.C.4. (Plans and permits) below.

**Table 4-5 Dish Antenna Quantity and Permit Requirements**

Location	Size	Quantity	Permit Required	Notes
<b>All Residential Zones</b>	Larger than 24 inches in diameter	1 per lot or 1 per multiple-family residential complex	Building permit only	No transmitting dish antenna shall be permitted in a residential zone.
<b>Mixed Use/Zones</b>	Less than 6.5 feet in diameter	3	Building permit only	Receiving and/or transmitting permitted. Must be ancillary to a primary use.
<b>Mixed Use Zones</b>	6.5 feet in diameter to 12 feet in diameter	3	AUP	Receiving and/or transmitting permitted. Must be ancillary to a primary use.
<b>Mixed Use Zones</b>	Greater than 12 feet in diameter	3	CUP	Receiving and/or transmitting permitted. Must be ancillary to a primary use.
<b>Mixed Use Zones</b>	Primary dish antenna facility	As determined by CUP	CUP	Receiving and/or transmitting permitted. Must be a primary use.
<b>Special Purpose Zones</b>	Larger than 24 inches in diameter	4 or more	AUP, if completely screened (1). CUP, if not completely screened (2).	Receiving and/or transmitting permitted. Must be ancillary to a primary use.

Notes:

- 1) Completely Screened shall mean that the tallest portion of the antenna(s) structure(s) is/are at or below the tallest portion of the screening or parapet wall.
  - 2) Not Completely Screened shall mean that some, or all, of the antenna(s) structure(s) is/are visible from adjoining properties and/or public rights-of-way.
- 3. Design standards.** Every dish antenna shall be installed, modified and maintained in compliance with the provisions of Chapter 15.02 of the CCMC, and with the following standards.
- a. Installation requirements.**
    - i. All dish antennas larger than 24 inches in diameter shall be ground-mounted, unless the City determines, after considering all applicable regulations of this Chapter and the particular characteristics of the site and improvements whereon a dish antenna is proposed, that a ground-mounted installation is not reasonably feasible, or that a roof-mounted installation would better enable screening of the antenna, as required in Subsection 17.400.130.C.4.f. below. The Director may determine that a ground-mounted installation may not be reasonably feasible when:
      - a.) The ground-mounted installation would not provide reasonable functional use, when installed at the maximum height and maximum diameter anywhere on the parcel, as permitted by this Section;
      - b.) The ground-mounted installation is precluded from location anywhere on the parcel by other requirements of this Chapter; or
      - c.) The ground-mounted installation impedes on vehicular or pedestrian circulation and access.
    - ii. The City may require a roof-mounted installation if the City determines that a roof-mounted installation is superior to a ground-mounted installation for purposes of screening.
  - b. Location, height and setbacks.** Every dish antenna shall comply with the location, height and setback regulations of this Title, except that:
    - i. No dish antenna shall be installed at a height greater than that approved by the City. In determining the maximum allowable height, the City shall consider the manufacturer's and/or installer's recommended specifications and the heights, and potential line-of-sight obstructions resulting from nearby terrain, structures, landscaping and other features having mass impenetrable by electromagnetic waves; and
    - ii. A roof-mounted dish antenna may be permitted to exceed the maximum allowable building height, but in no case by more than 10 feet. The dish antenna shall be mounted above the roof no higher than is absolutely necessary to safely clear the roof when actuated to its most vertical position.
  - c. Actuation.** A dish antenna may be actuated, provided applicable height and screening regulations of this Section are met with the dish antenna in its most vertical position, and provided applicable setback regulations of this Section are met with the dish antenna in its most horizontal position.

- d. Color.** No dish antenna shall be of a bright, shiny or glare reflective finish. Every dish antenna shall be finished in colors to compatibility with the site and the surrounding area, as determined by the Director.
- e. Graphics and signs.** No dish antenna shall be used to display a sign or any other graphic. For purposes of this Section, a **Graphic** shall include any display or arrangement of 2 or more colors, patterns, dots, lines or other symbols or characters, the primary use or purpose of which, as determined by the Director, is to attract attention to the dish antenna, its manufacturer or its user. A manufacturer's identification label and/or any government-required identification or safety labels may be affixed to the backside of the dish or the structural support for the antenna.
- f. Screening.**
  - i.** Every dish antenna larger than 24 inches in diameter shall be screened to the City's satisfaction. In determining acceptability of screening, the City shall take into account:
    - a.) All existing and/or proposed improvements on and adjacent to the site, including landscaping, walls, fences or other specifically designed devices that preclude or minimize the visibility of the antenna;
    - b.) The grade of the site on which the dish antenna is proposed, as related to surrounding, nearby grades of properties and public street rights-of-way;
    - c.) The height of the building(s) on and adjacent to the site above or on which the dish antenna is proposed to be mounted;
    - d.) The configuration of roofline(s) of the building(s) on and adjacent to the site;
    - e.) The general, existing aesthetic composition and character of the surrounding neighborhood; and
    - f.) Any other circumstances the City considers relevant.
  - ii.** No dish antenna greater than 24 inches in diameter shall be permitted on or above that part of a pitched roof sloping towards and having visibility from a street-facing property line.
  - iii.** Where, based on the foregoing considerations, the City determines full 4-sided screening is not reasonably feasible, the emphasis for screening shall be placed from the following prioritized views:
    - a.) From all adjoining public streets;
    - b.) From all adjoining residentially zoned properties;
    - c.) From nearby public streets;
    - d.) From nearby residentially zoned properties; and
    - e.) From adjoining and nearby non-residentially zoned properties.
  - iv.** Approval of screening may include reasonable conditions deemed by the City necessary to minimize the visual impact of a dish antenna.
- g. Security.** Every ground-mounted dish antenna shall be secured from access to the general public by fencing, or another deterring device or means as the City may approve or require, so that the antenna is not an attractive nuisance.

**h. Material.** The City may require a dish antenna to consist of solid or mesh material, as determined most effective in minimizing the appearance of the dish, if it is not fully screened.

**4. Plans and permits.**

- a.** In addition to the procedures established in Subsection 17.400.110.C.2. (Quantity and permit requirements), no dish antenna shall be installed or modified except in accordance with plans and a building permit approved by the City. In addition to complying with the structural and electrical requirements of Chapter 15.02 of the CCMC, the plans filed with the building permit application shall include a site plan, drawn to scale and by dimension, showing all dish antenna and site-specific information, and details necessary for the City to determine compliance with all applicable provisions of this Chapter. The City may require supplemental information to be filed with the building permit application and basic site plan pursuant to this Subsection.
- b.** In addition to the above, plans filed for a transmitting dish antenna shall include microwave interference and radiation data and specifications, all other information required to be filed with the Federal Communications Commission (FCC) in support of the required application for an FCC license, and any other plans and information the City deems relevant.
- c.** Once a building permit for a dish antenna has been issued by the City, and installation pursuant thereto has started, all work and improvements per the approved plans and permit shall be completed within six months. Failure to complete the work and improvements within six months shall be grounds for the City to revoke the permit and require removal of the dish antenna.
- d.** The City may condition any building permit for a dish antenna, issued pursuant to this Section, upon the removal or modification of any other antennas on the site that are nonconforming with applicable Code requirements.

**5. Exceptions.** The provisions of this Section may be modified or waived by the City in the following cases:

- a.** National defense or security dish antenna installations; and
- b.** Any receiving dish antenna located in such a manner as to be invisible from any off-site view.

**6. Exemptions.** The provisions of this Section do not apply to the following.

- a.** Temporary installations for testing for telecommunications purposes only, not to exceed three days duration on any one lot or parcel for each such purpose;
- b.** Portable dish antennas not to exceed six feet in diameter and 35 pounds in weight, when set freestanding on the ground in a side yard or rear yard area, which is screened from view from any adjoining public street right-of-way, as would be required for a permanent installation.

**D. Cellular Mobile Radio Telephone Utility Facilities.**

- 1. Site selection, order of preference.** An application for the approval of a cellular wireless communication facility shall include written documentation provided by the applicant, which demonstrates a good faith effort in locating facilities in compliance with this

Subsection. Cellular wireless communication facilities shall be located in the following order of preference.

- a. On existing buildings (e.g., a rooftop, church steeple, rooftop stairwell or equipment enclosures, and the like).
  - b. Co-location facilities.
  - c. In locations where the existing topography, vegetation, or other structures provide the greatest amount of screening.
  - d. On parcels which will not require significant visual mitigation.
- 2. Design standards.** Every facility shall be designed, installed, modified, and maintained in compliance with following standards.
- a. Location, height and setbacks.
    - i. More than one facility shall be allowed on a site, at the Director’s discretion.
    - ii. The facility shall comply with the height and setback requirements for the zoning district in which it is located.
    - iii. The facility shall not be located in a maneuvering, or vehicular/pedestrian circulation area.
  - b. **Screening.** The facility shall be screened from adjacent and nearby public rights-of-way and properties. Screening shall be accomplished through the following specific or equivalent measures, as applicable and as determined by the Director.
    - i. The antennas shall be located in or on existing building features or other site improvements wherever possible, as opposed to creating new building features, site improvements, or monopoles for the support of the antennas.
    - ii. If new building features or other site improvements are necessary for the support of the antennas, they shall be minimized in scale or be designed to architecturally match or compatibly blend with the structure and site to which they are added, and shall not be higher than 13-1/2 feet above the roof.
    - iii. If monopoles are necessary for the support of the antennas, they shall be located near existing utility poles, trees, or other similar objects; consist of colors and materials (e.g., metal or creosote wood) that best blend with their background; and have no individual antennas on the poles other than those approved with the subject Administrative Use Permit.
    - iv. Unless otherwise expressly approved, all cables for a facility shall be fully concealed from view and placed underground or inside of the screening or monopole structure supporting the antennas.
    - v. The facility shall comply with all additional measures deemed necessary to mitigate the visual impact of the facility, as determined by the Director.
  - c. **Signs.** Except for required or allowed safety-oriented signs, no facility shall display signs. The telephone numbers to contact in an emergency shall be posted on each facility.
  - d. **Security.** Every facility shall be secured from access to the general public by fencing, or other deterring device or means as the City may approve or require, so that the antenna is not an attractive nuisance.

e. **Colors.** The antennas, equipment, and supporting structure that are not completely screened shall be painted a single neutral, non-glossy color (e.g., earth tones, black, gray, and the like) to match or be compatible with the site and surrounding area, as determined by the Director.

**3. Plans and permits.**

- a. All facilities shall be installed in accordance with the plans and building permit approved by the City. In addition to complying with the structural and electrical requirements of Chapter 15.02 of the CCMC, the plans filed with the building permit application shall include a site plan, drawn to scale, showing the location of all antennas, equipment and supporting structures, and site-specific information and details necessary for the City to determine compliance with all applicable provisions of this Chapter. The City may require supplemental information to be filed with the building permit application and basic site plan pursuant to this Subsection.
- b. In addition to the above, plans filed for a facility shall include microwave interference and radiation data and specifications; all other information required to be filed with the Federal Communications Commission (FCC) in support of the required application for an FCC license, and any other plans and information the City deems relevant.
- c. Once a building permit for a facility has been issued by the City, and installation pursuant thereto has started, all work and improvements per the approved plans and permit shall be completed within six months. Failure to complete the work and improvements within six months shall be grounds for the City to revoke the permit and require removal of the facility.
- d. The City may condition any building permit for a facility, issued pursuant to this Section, upon the removal or modification of any other antennas on the site that are nonconforming with applicable Code requirements.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

**17.400.115 TEMPORARY STORAGE CONTAINERS.**

This Section provides location, development, and operating standards for temporary storage containers in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Approval by the Director.** Temporary storage containers shall be allowed, subject to approval of a Temporary Storage Container application or Temporary Use Permit as required in Chapter 17.520.
- B. Applicability.** Temporary storage containers may be allowed if unusual circumstances exist that require the use of a temporary storage container, as determined by the Director. Unusual circumstances include, but are not limited to, construction, business relocation, natural disasters, and residential rehabilitation activities.
- C. Development Standards for Temporary Storage Containers.**

1. A temporary storage container shall:
  - a. Not be located in a parking area unless a Temporary Use Permit is obtained;
  - b. Not be located in a landscaped area; unless a Temporary Use Permit is obtained;
  - c. Be located on-site not more than 180 days during any consecutive 12-month period;
  - d. Require the submittal of a Temporary Use Permit with the Planning Division, in accordance with Chapter 17.520 if proposed for more than 180 days during any consecutive 12-month period.
2. Fences, walls, and/or landscaping, or other methods approved by the Director shall be required to properly screen the temporary storage container from a public street, right-of-way, or adjacent residential zoning districts.
3. No signs, other than the operating company identification, shall be allowed on a temporary storage container.
4. The use of a temporary storage container for seasonal storage shall be prohibited.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-012 § 2 (part); Ord. No. 2022-008)

#### 17.400.120 VEHICLE FUELING AND ELECTRIC VEHICLE (EV) CHARGING STATIONS.

This Section provides location, development, and operating standards for vehicle fueling and/or EV charging stations in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards):

- A. Allowable Uses.** Vehicle fueling or EV charging stations shall be limited to selling vehicle fuels, other fuels and other supplying goods necessary for electric vehicles or zero emission vehicles, and supplying goods and services required in the operation and maintenance of motor and/or electric vehicles. These shall include the following.
  1. **Automotive retail sales.** The retail sale of batteries, motor fuels, tires, lubricants, and oils.
  2. **Repairs.** Incidental minor repairs, including brake, lubrication, tire, and tune up service, shall be conducted entirely within an enclosed structure, in compliance with the standards in § 17.400.125 (Vehicle Repair Shops) and where allowed by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards), subject to a Conditional Use Permit.
  3. **Convenience store.** A new or existing vehicle fueling or EV charging station may include an on site convenience store as an accessory use, where allowed by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).
- B. Prohibited Uses.** The following uses and services are prohibited at vehicle fueling or EV charging stations.
  1. Autobody and fender repair, painting, upholstery work, and dismantling.
  2. Tire recapping, machine work or welding.
  3. Overhauling, replacement, or repairing of differentials, engines, front suspension, and transmissions.

- C. Operational Standards.** All vehicle fueling or EV charging stations shall comply with the following operational standards.
1. Location and display of accessories, batteries, and tires for sale shall be on or within three feet of the pump island or the main structure's exterior;
  2. No vehicle rental activities shall be conducted on the vehicle fueling or EV charging station site; and
  3. All outdoor/open storage of materials shall be limited to a maximum area of 150 square feet, and shall be enclosed by a 6-foot-high, solid decorative masonry wall, subject to the approval of the Director.
  4. All EV charging systems shall meet the requirements of the California Electrical Code, the California Building Code, the California Green Building Standards Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, accredited testing laboratories, and rules of the Public Utilities Commission regarding safety and reliability.
- D. Development Standards.** All vehicle fueling or EV charging stations shall comply with the following development standards.
1. If a vehicle fueling or EV charging station adjoins a residential or mixed use zoning district, a 6-foot-high, solid decorative masonry wall, in compliance with Section 17.300.030 (Fences, Hedges and Walls), shall be installed along the property line that adjoins the residential or mixed use zoning district.
  2. A 3-foot-wide planting strip shall be located on the station site along the entire length of the wall separating the vehicle fueling or EV charging station from adjacent residentially or mixed use zoned property and public street rights-of-way, except for driveway openings. All unpaved areas shall be landscaped in compliance with Chapter 17.310 (Landscaping).
  3. A planter area of not less than 100 square feet shall be provided at the corner of two intersecting streets, in compliance with Chapter 17.310 (Landscaping).
  4. Additional landscaping may be required by the Director to screen the vehicle fueling or EV charging station from adjacent residential properties.
  5. All exterior light sources, including canopy, flood, and perimeter, shall be energy efficient, stationary, and shielded or recessed within the roof canopy, to ensure that all light, including glare or reflections, is directed away from adjoining properties and public rights-of-way, in compliance with Section 17.300.040 (Outdoor Lighting).
- E. Site Maintenance.** All vehicle fueling or EV charging stations shall comply with the following maintenance standards.
1. Used or discarded automotive parts or equipment, or permanently disabled, junked, or wrecked vehicles, shall not be located outside of the main structure.
  2. A refuse storage area, completely enclosed with a masonry wall not less than five feet high, with a solid gated opening, and large enough to accommodate standard-sized commercial trash bins, shall be located to be accessible to refuse collection vehicles.
  3. Driveways and service areas shall be maintained and kept free of oil, grease, and other petroleum products, in addition to litter. These areas shall be periodically cleaned with

equipment that dissolves spilled oil, grease, and other petroleum products without washing them into the drainage, gutter, and sewer system.

- F. Additional Conditions.** Additional conditions (e.g., hours of operation, sign regulations, structure materials and design) may be imposed by the applicable review authority as deemed reasonable and necessary to protect the public health, safety, and general welfare of the community.

(Ord. No. 2005-007 § 1 (part))

#### 17.400.125 VEHICLE REPAIR SHOPS.

This Section provides location, development, and operating standards for vehicle repair shops in compliance with Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Development Standards).

- A. Operational Standards.** All vehicle repair shops shall comply with the following operational standards.
1. All work shall be performed within a fully enclosed structure.
  2. All structures shall be sufficiently soundproofed to prevent a disturbance or a nuisance to the surrounding properties, in compliance with Chapter 9.07 (Noise Regulations) of the CCMC.
  3. Dismantling of vehicles for purposes other than repair is prohibited.
  4. Vehicle parking or loading and unloading shall only occur on site and not in adjoining public streets or alleys.
  5. Vehicles shall not be stored at the site for purposes of sale (unless the use is also approved as a vehicle sales lot).
  6. Damaged or wrecked vehicles shall not be stored for purposes other than repair.
  7. Location and display of accessories, batteries, and tires for sale shall be on or within three feet of the main structure's exterior.
  8. No vehicle rental activities shall be conducted on the vehicle repair shop (unless the use is also approved as a vehicle rental lot).
  9. All outdoor/open storage of materials shall be limited to a maximum area of 150 square feet and shall be enclosed by a 6-foot-high, solid decorative masonry wall, subject to the approval of the Director.
- B. Development Standards.** All vehicle repair shops shall comply with the following development standards.
1. All exterior light sources, including canopy, flood, and perimeter shall be energy efficient, stationary, and shielded or recessed, to ensure that all light, including glare or reflections, is directed away from adjoining properties and public rights-of-way, in compliance with Section 17.300.040 (Outdoor Lighting).

2. All body-damaged or wrecked vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding properties of the same elevation, as determined by the Director.
- C. Site Maintenance.** All vehicle fueling stations shall comply with the following maintenance standards.
1. Used or discarded automotive parts or equipment shall not be located outside of the main structure, unless located within an approved outdoor storage area.
  2. A refuse storage area, completely enclosed with a masonry wall not less than five feet high, with a solid gated opening, and large enough to accommodate standard-sized commercial trash bins, shall be located to be accessible to refuse collection vehicles.
  3. Driveways and service areas shall be maintained and kept free of oil, grease, and other petroleum products, in addition to litter. These areas shall be periodically cleaned with equipment that dissolves spilled oil, grease, and other petroleum products without washing them into the drainage, gutter, and sewer system.
- D. Additional Conditions.** Additional conditions (e.g., hours of operation, sign regulations, structure materials and design) may be imposed by the applicable review authority as deemed reasonable and necessary to protect the public health, safety, and general welfare of the community.

# Title 17. Zoning

## Article 5. LAND USE AND DEVELOPMENT PERMIT PROCEDURES

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- 17.590.015 APPLICATION FILING, PROCESSING AND REVIEW.
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- 17.590.030 EXECUTION AND RECORDATION.
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- 17.590.055 APPROVED DEVELOPMENT AGREEMENTS.
- 17.5950 PERMIT IMPLEMENTATION, TIME LIMITS, AND EXTENSIONS
- 17.5950.005 PURPOSE.
- 17.5950.010 CONFORMANCE TO PLANS.
- 17.5950.015 EFFECTIVE DATE OF PERMITS OR ENTITLEMENTS.
- 17.5950.020 APPLICATIONS DEEMED APPROVED.
- 17.5950.025 PERFORMANCE GUARANTEES.

- 17.5950.030 TIME LIMITS AND EXTENSIONS.
- 17.5950.035 CHANGES TO AN APPROVED PROJECT.
- 17.5950.040 RESUBMITTALS.
- 17.5950.045 COVENANTS.

## 17.500 APPLICATIONS, PROCESSING, AND FEES

- 17.500.005 Purpose
- 17.500.010 Authority for Land Use and Zoning Decisions
- 17.500.015 Application Preparation and Filing
- 17.500.020 Application Fees
- 17.500.025 Initial Application Review
- 17.500.030 Environmental Assessment

### 17.500.005 PURPOSE.

This Chapter provides procedures and requirements for the preparation, filing, and initial processing of applications for the land use permits required by this Title.

(Ord. No. 2005-007 § 1 (part))

### 17.500.010 AUTHORITY FOR LAND USE AND ZONING DECISIONS.

Table 5-1 (Review Authority) identifies the City official or body responsible for reviewing and making decisions on each type of application, land use permit and other approvals required by this Title. The Director may defer action on permit applications and refer the item(s) to the Commission for the final decision.

**Role of Review Authority.** “Recommend” means that the review authority makes a recommendation to a higher decision-making body; “Decision” means that the review authority makes the final decision on the matter; “Appeal” means that the review authority may consider and decide upon appeals to the decision of an earlier decision-making body, in compliance with Chapter 17.640 (Appeals).

**Table 5-1 Review Authority**

Type of Permit or Decision	Procedure is in Chapter	Role of Review Authority			
		Director	Board of Zoning Adjustment	Planning Commission	City Council
<b>Administrative and Amendments</b>					
General Plan Amendments	17.620			Recommend	Decision
Interpretations	17.120	Decision	Appeal	Appeal	Appeal
Time Extensions	17.595	Decision		Appeal	Appeal
Zoning Map Amendments	17.620			Recommend	Decision
Zoning Text Amendments	17.620			Recommend	Decision
<b>Land Use Permits/Development Approvals</b>					
Administrative Use Permits	17.530	Decision		Appeal	Appeal
Administrative Site Plan Review	17.540	Decision		Appeal	Appeal
Administrative Modifications	17.550	Decision		Appeal	Appeal
Comprehensive Plans	17.560			Recommend	Decision
Conditional Use Permits	17.530			Decision	Appeal
Density Bonus and Other Incentives	17.580	Decision		Appeal	Appeal
Development Agreements	17.590			Recommend	Decision
Master Sign Program	17.330	Decision		Appeal	Appeal
Reasonable Accommodations	17.550	Decision		Appeal	Appeal
Site Plan Review	17.540			Decision	Appeal
Specific Plans	17.570			Recommend	Decision
Special Event/Temporary Event Permits	17.520	Decision		Appeal	Appeal
Temporary Use Permits	17.520	Decision		Appeal	Appeal
Tentative Parcel Map	15.10			Decision	
Tentative Tract Map	15.10			Recommend	Decision
Variances	17.550			Decision	Appeal
Zoning Clearances	17.510	Decision		Appeal	Appeal

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 3 (part))

17.500.015 APPLICATION PREPARATION AND FILING.

The preparation and filing of applications for land use permits, entitlements, amendments (e.g., General Plan, Zoning Map, and Zoning Code), and other matters pertaining to this Title, shall comply with the following requirements.

**A. Preliminary Project Review.**

- 1. Purpose.** The purpose of the preliminary project review is to inform the applicant of City requirements as they apply to the proposed development project, review the procedures outlined in this Title, explore possible alternatives or modifications, and identify necessary technical studies and required information relating to future environmental review.
- 2. Applicability.** Except as allowed by State law for Housing Development Projects, a prospective applicant or agent is required to submit a preliminary project review request with the Division before formal submittal of a project application.
- 3. Procedure.** Upon submittal of a preliminary project review request, the item shall be scheduled for a Project Review Committee (PRC) meeting in accordance with the PRC meeting schedule established by the Division. The applicant shall be invited to attend the PRC meeting, where opportunities for discussion about the project and exchange of information on potential issues between City staff and the applicant takes place. Neither the preliminary project review nor the provision of information and/or pertinent policies shall be construed as a recommendation or an official determination for approval or disapproval of the application or project.

**B. Application Contents.** Applications shall be filed with the Division on the appropriate City forms, together with all necessary fees and/or deposits, exhibits, maps, materials, plans, reports, and other information specified in the application form and any applicable Division handout; and any additional information required by the Director, in order to describe clearly and accurately the proposed project, its potential environmental impact, its effect on existing improvements, and to conduct a thorough review of the proposed project.

**C. Eligibility for Filing.** All zoning approval and other applications required by this Title shall be filed with the Division. Applications may be made by:

1. The owner of the subject property.
2. Any agent or representative, with the written consent of the property owner.

**D. Filing Date.** The filing date of any application shall be the date on which the application is deemed complete by the Division.

(Ord. No. 2005-007 § 1 (part))

17.500.020 APPLICATION FEES.

- A. Filing Fees Required.** The Council shall, by resolution, adopt a schedule of fees for permits, entitlements, amendments, and other matters pertaining to this Title (hereafter referred to as the “City Council Fee Resolution”). The City Council Fee Resolution may be obtained from the Division, and may be changed or modified only by resolution of the Council. The City’s processing fees are cumulative. For example, if an application for a Site Plan Review also requires a Variance, both fees will be charged. Also, specified projects may be subject to a deposit and an hourly rate, rather than a flat application fee(s), in compliance with the City Council Fee Resolution. Processing shall not commence on an application until all required fees/deposits have been paid. Without the application fee, or a deposit if applicable, the application will not be deemed complete.
- B. Refunds and Withdrawals.**
1. Recognizing that filing fees are utilized to cover City costs of public hearings, mailing, posting, transcripts, and staff time involved in processing applications, no refunds shall be issued due to a disapproval of an application.
  2. In the case of an application withdrawal, the Director may authorize a partial refund, based upon the costs incurred to-date and determination of the status of the application at the time of withdrawal.

(Ord. No. 2005-007 § 1 (part))

17.500.025 INITIAL APPLICATION REVIEW.

Except as required by State law, each application filed with the Division shall be initially processed as follows.

- A. Completeness Review.** The Division shall review an application for completeness and accuracy before it is accepted as being complete and officially filed. The Division will consider an application complete when:
1. All necessary application forms, documentation, exhibits, materials, maps, plans, reports and other information specified in the application form, any applicable Division handout, and any additional information required by the Director have been provided and accepted as adequate.
  2. All necessary fees and deposits have been paid and accepted.
- B. Notification of Applicant.** The applicant shall receive written notification, within 30 days of submittal, that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the written notification, must be provided.
- C. Expiration of Application.** If a pending application is not deemed complete within 6 months after the first filing with the Division, the application shall expire and be deemed withdrawn, and any remaining deposit amount shall be refunded, subject to administrative processing fees.

- D. Extension of Application.** The Director may grant one 6-month extension, upon written request of the applicant. After expiration of the application, and extension, if granted, a new application, including fees, plans, exhibits and other materials, will be required to commence processing of a new project application on the same property.
- E. Additional Information.** After the application has been accepted as complete, the Director may require the applicant to submit additional information needed for the environmental review of the project, in compliance with Section 17.500.030 (Environmental Assessment).
- F. Referral of Application.** At the discretion of the Director, or where otherwise required by this Title, State, or Federal law, an application filed in compliance with this Title may be referred to any public agency that may be affected by or have an interest in the proposed land use activity.

(Ord. No. 2005-007 § 1 (part))

#### 17.500.030 ENVIRONMENTAL ASSESSMENT.

After acceptance of a complete application, the project shall be reviewed in compliance with the California Environmental Quality Act (CEQA), to determine whether the proposed project is exempt from the requirements of CEQA, or is not a project as defined by CEQA, whether a negative declaration or a mitigated negative declaration may be issued, or whether an environmental impact report (EIR) shall be required. When these determinations are required, the preparation of EIRs shall be in compliance with the City’s CEQA Guidelines.

(Ord. No. 2005-007 § 1 (part))

### 17.510 ZONING CLEARANCES

#### Section

- 17.510.005 Purpose
- 17.510.010 Applicability
- 17.510.015 Criteria for Clearance

#### 17.510.005 PURPOSE.

A **Zoning Clearance** is a ministerial permit that is used by the Division to verify that a proposed structure or land use activity complies with the list of permitted activities allowed in the applicable zoning district, the development standards applicable to each type of use, and any conditions of approval of permits previously issued for the subject site.

(Ord. No. 2005-007 § 1 (part))

17.510.010 APPLICABILITY.

Zoning Clearance shall be required in conjunction with Division review of the following activities:

1. **Change or intensification.** An intensification of the use or a change to a use that is not similar to the previous use, as determined by the Director.
2. **Building or Grading Permits.** Any building or grading permit.
3. **Business Tax Certificate.** Any business tax certificate or business license.
4. **Other.** Any other authorization required by the CCMC or this Title for any new use or change of use.

Where no other authorization is required, Zoning Clearance shall be obtained from the Division before the commencement of any business or land use activity.

(Ord. No. 2005-007 § 1 (part))

17.510.015 CRITERIA FOR CLEARANCE.

The Director shall grant Zoning Clearance after determining:

- A. The request complies with all of the applicable standards and provisions for the category of use in the zoning district of the subject parcel, in full compliance with this Title; and
- B. The request complies with the City’s Comprehensive Standard Conditions of Approval for Discretionary Land Use Permits as adopted by the Commission.

(Ord. No. 2005-007 § 1 (part))

17.520 TEMPORARY USE, SPECIAL EVENT, AND TEMPORARY EVENT PERMITS

Section

17.520.005	Purpose
17.520.010	Applicability
17.520.015	Allowed Temporary Uses, Special Events, and Temporary Events
17.520.020	Review Authority
17.520.025	Application Filing and Processing
17.520.030	Conditions of Approval

17.520.035 Development and Operating Standards

17.520.040 Post-Approval Procedures

17.520.005 PURPOSE.

This Chapter provides a process for reviewing proposed temporary uses, special events and temporary events to ensure that basic health, safety, and community welfare standards are met, while approving suitable temporary uses and special events, with the minimum necessary conditions or limitations consistent with the temporary nature of the activity. A Temporary Use Permit, Special Event Permit, or Temporary Event Permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district but may be considered acceptable because of their temporary nature. These activities are regulated to avoid incompatibility between the proposed activity and surrounding areas.

(Ord. No. 2005-007 § 1 (part))

17.520.010 APPLICABILITY.

- A. Permit Requirement.** A Temporary Use, Special Event Permit, or Temporary Event Permit approved by the applicable review authority shall be required for all uses identified in Section 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events), and shall be issued before the commencement of the activity.
- B. Exempt Activities.** The following temporary uses and events are exempt from the requirement for a Temporary Use, Special Event Permit, Temporary Event Permit, and other city approval. Uses other than the following shall comply with Section 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events).
  - 1. On-site contractor's construction yards, in conjunction with an approved construction project. The activity shall cease upon completion of the construction project, or the expiration of the companion building permit authorizing the construction project.
  - 2. Temporary storage containers less than 180 days, subject to approval of a Temporary Storage Container application as provided in Section 17.400.115.
  - 3. Events occurring in meeting halls, theaters, or other permanent indoor or outdoor public assembly facilities subject to all applicable regulations of the CCMC.
  - 4. Promotional activities related to the primary product lines of a retail business, and similar activities (e.g., book readings and signings at bookstores, opening receptions at art galleries).
  - 5. Emergency public health and safety activities.
  - 6. Events held in event centers as defined in this Title and approved by the Current Planning Division.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-012 § 2 (part); Ord. No. 2019-003 § 2 (part))

17.520.015 ALLOWED TEMPORARY USES, SPECIAL EVENTS, AND TEMPORARY EVENTS.

The following temporary uses, special events or temporary events may be allowed, subject to the issuance of a Temporary Use, Special Event Permit, or Temporary Event Permit by the applicable review authority. Uses other than the following shall comply with the use and development regulations and permit requirements that otherwise apply to the property, except uses that are exempt from the provisions of this Chapter in compliance with Section 17.520.010 (Applicability).

**A. Allowed Temporary Uses.**

- 1. **Construction yards.** Off-site contractor construction yards, in conjunction with an approved construction project. The permit shall expire upon completion of the construction project, or the expiration of the companion building permit authorizing the construction project.
- 2. **Residence.** A mobile home as a temporary residence of the property owner when a valid building permit for a new single-family dwelling is in force. The Temporary Use Permit may be approved for up to one year, or upon expiration of the building permit, whichever occurs first.
- 3. **Seasonal sales lots.** Seasonal sales activities (for example, Halloween, Christmas), including temporary residence or security trailers, on non-residential properties. The sales activity may be approved for a maximum of 30 days or a length of time determined to be appropriate by the applicable review authority.
- 4. **Storage.** Enclosed temporary storage, unrelated to a construction project, or exceeding 180 days, but in no case exceeding a maximum of one year. See Section 17.400.115 (Temporary Storage Containers) for specific standards.
- 5. **Temporary real estate sales offices.** A temporary real estate sales office may be established within the area of an approved development project, solely for the first sale of homes. A permit for a temporary real estate office may be approved for a maximum of one year.
- 6. **Temporary structures.** A temporary classroom, office, or similar structure, including a manufactured or mobile unit, may be approved, for a maximum time period of 18 months from the date of approval, as an accessory use or as the first phase of a development project.
- 7. **Temporary work trailers.** A trailer or mobile home as a temporary work site for employees of a business may be allowed:
  - a. During construction or remodeling of a permanent commercial or manufacturing structure, when a valid building permit is in force; or
  - b. Upon demonstration by the applicant that this temporary work site is a short-term necessity, while a permanent work site is being obtained.
 The permit for a temporary trailer may be granted for up to one year.
- 8. **Temporary Entertainment and Exhibit Uses.** Indoor or outdoor temporary entertainment and exhibit uses related or not related to the primary use of the property and compatible with the zoning district and surrounding land uses. These temporary uses may include, but are not limited to, art exhibits and installations, museums, live or motion picture theatres,

circuses and carnivals, and interactive or immersive attractions, and may be permitted for more than 12 days but not more than 6 consecutive months.

9. **Similar temporary uses.** Similar temporary uses that, in the opinion of the Director, are compatible with the zoning district and surrounding land uses.

**B. Allowed Special Events and Temporary Events.**

1. **Outdoor events.** The following outdoor events may be allowed:

- a. **Entertainment and assembly events.** Outdoor entertainment and assembly events, including carnivals, circuses, concerts, fairs, farmers' markets, festivals, flea markets, food events, fund-raisers, live entertainment, parades, outdoor sporting events, public relations activities, rummage sales, secondhand sales, swap meets, and other similar events designed to attract large crowds, and which are held on private or public property, for up to 12 days per calendar year or as determined appropriate by the applicable Review Authority.
- b. **Display or exhibit events.** Outdoor display or exhibit events, including art, cultural, and educational displays, and arts and crafts exhibits on non-residential properties, when not a part of the established primary use of the site, for up to 12 days per calendar year.
- c. **Outdoor sales events.** Special events related to an existing business, with temporary outdoor sale of merchandise, in any commercial zoning district, in compliance with the following provisions:
  - i. There shall be no more than 4 sales in any calendar year.
  - ii. Each sale shall be limited to 3 consecutive days.
  - iii. The merchandise displayed shall be that customarily sold on the site.
  - iv. The site is utilized for a permanently established business holding a valid business tax certificate as required.

2. **Similar special events.** Similar special events and temporary events, either indoor or outdoor, that, in the opinion of the Director, are compatible with the zoning district and surrounding land uses, for up to 12 days per calendar year or as determined appropriate by the applicable Review Authority.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-012 § 2 (part); Ord. No. 2019-003 § 2 (part); Ord. No. 2022-008)

17.520.020 REVIEW AUTHORITY.

- A. **Director Review.** The Director shall be responsible for the review and approval of all permits for temporary uses, special events, and temporary events, identified in § 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events), and the extension of these permits.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2017-012 § 2 (part))

#### 17.520.025 APPLICATION FILING AND PROCESSING.

An application for a Temporary Use Permit, Special Event Permit, or Temporary Event Permit shall be filed with the Division and processed as follows.

- A. Application Contents.** The application shall be made on forms furnished by the Division and shall be accompanied by the information identified in any applicable City handouts and permit applications.
- B. Time for Filing.** A temporary use, special event or temporary event permit application shall be filed as follows.
  - 1. Temporary use permit.** A temporary use permit application shall be filed at least 14 days in advance of the proposed commencement of the use.
  - 2. Special event and temporary event permit.** A special event or temporary event permit application shall be filed at least 7 days in advance of a proposed minor event, and 14 days in advance of a proposed major event. The Director shall determine whether a proposed special event or temporary event is minor or major, based on the characteristics of, and activities associated with, the event, and the likely impacts on the surrounding community.
  - 3. Additional permits required.** Temporary uses, special events and temporary events may be subject to additional permits and other city approvals, licenses, and inspections required by applicable laws or regulations.

(Ord. No. 2005-007 § 1 (part))

#### 17.520.030 CONDITIONS OF APPROVAL.

In approving a Temporary Use Permit, Special Event Permit, or Temporary Event Permit, the review authority may impose reasonable and necessary specific design, locational, and operational conditions to ensure that:

- A.** The use or event is limited to a duration that is no more than the maximum allowed duration, as determined appropriate by the review authority.
- B.** The site is physically adequate for the type, density, and intensity of use being proposed, including provision of services (e.g., sanitation and water), public access, and the absence of physical constraints.
- C.** The design, location, size, and operating characteristics of the proposed use are compatible with the existing land uses on-site and in the vicinity of the subject property.
- D.** The temporary use or activity will be removed and the site restored as necessary to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by this Title.
- E.** The use or event will comply with all applicable provision of local, State and Federal laws or regulations.

- F. Any other pertinent factors affecting the operation of the temporary use or special event will be addressed, including the following, to ensure the orderly and efficient operation of the proposed use or event, in compliance with the intent and purpose of this Chapter.
1. Conditions may require the provision of:
    - a. Sanitary and medical facilities.
    - b. Security and safety measures.
    - c. Solid waste collection and disposal.
  2. Conditions may regulate:
    - a. Nuisance factors, including the prevention of glare or direct illumination of adjacent properties, dirt, dust, gasses, heat, noise, odors, smoke, or vibrations.
    - b. Operating hours and days, including limitation of the duration of the use or event to a shorter time period than that requested.
    - c. Temporary signs.
    - d. Temporary structures and facilities, including height, placement, and size, and the location of equipment and open spaces, including buffer areas and other yards.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

#### 17.520.035 DEVELOPMENT AND OPERATING STANDARDS.

- A. General Standards.** Standards for floor areas, heights, landscaping areas, off-street parking, setbacks, and other structure and property development standards, which apply to the category of use or the zoning district of the subject parcel, shall be used as a guide for determining the appropriate development standards for temporary uses and special events. However, the review authority may authorize an adjustment from the specific requirements as deemed necessary and appropriate.
- B. Standards for Specific Temporary Activities.** Specific temporary land use activities shall comply with the development standards identified in Chapter 17.300 (General Property Development and Use Standards), as applicable to the use, in addition to those identified in Subsection 17.520.035.A. above, and Section 17.520.030 (Conditions of Approval).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2019-003 § 2 (part))

#### 17.520.040 POST-APPROVAL PROCEDURES.

The approval or denial of a Temporary Use Permit, Special Event Permit, or Temporary Event Permit may be appealed in compliance with Chapter 17.640 (Appeals). The procedures of Chapter 17.595 (Permit Implementation, Time Limits, and Extensions) shall apply after the approval of the permit.

- A. Condition of the Site Following a Temporary Use or Special Event.** Each site occupied by a temporary use or special event shall be cleaned of debris, litter or any other evidence of the temporary activity, on completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Title.
- B. Revocation.** A Temporary Use, Special Event Permit, or Temporary Use Permit may be revoked or modified, with only a 24-hour notice, in compliance with Chapter 17.660 (Revocations and Modifications).
- C. Extension of the Permit.**
  - 1. Temporary Uses.** The Director may extend the operational length of a temporary use or special event if the delay is beyond the control of, and was not the result of actions by, the permittee.
- D. Expiration of Permit.** A Temporary Use, Special Event Permit, or Temporary Event Permit shall be considered to have expired when the approved use has ceased or been suspended.

(Ord. No. 2005-007 § 1 (part))

## 17.530 ADMINISTRATIVE USE PERMITS AND CONDITIONAL USE PERMITS

### Section

17.530.005	Purpose
17.530.010	Applicability
17.530.015	Application Filing, Processing, and Review
17.530.020	Findings and Decision
17.530.025	Conditions of Approval
17.530.030	Post-Approval Procedures

### 17.530.005 PURPOSE.

This Chapter provides procedures for reviewing Administrative Use Permit and Conditional Use Permit applications intended to allow for specified activities and uses, as identified in the various zoning districts, whose effect on the surrounding area cannot be determined before being proposed for a particular location. Applications for Administrative Use Permits and Conditional Use Permits shall be reviewed for compatibility, configuration, design, location, and potential impacts of the proposed use, and suitability of the use to the site and surrounding area.

(Ord. No. 2005-007 § 1 (part))

17.530.010 APPLICABILITY.

An application for an Administrative Use Permit or Conditional Use Permit shall be required for a specified land use listed in Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) as being subject to approval of an Administrative Use Permit or Conditional Use Permit.

(Ord. No. 2005-007 § 1 (part))

17.530.015 APPLICATION FILING, PROCESSING, AND REVIEW.

- A. Filing.** An application for an Administrative Use Permit or Conditional Use Permit shall be completed, filed, and processed in compliance with Chapter 17.500 (Applications, Processing, and Fees). The application package shall include all information specified in the application, any applicable Division handout, and any additional information required by the Director in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 17.530.020 (Findings and Decision) below.
- B. Required Community Meetings.** Notice and hearings regarding an application for a Conditional Use Permit or a major modification to an approved Conditional Use Permit, shall be provided in compliance with Chapter 17.625 (Required Community Meetings).
- C. Notice, Hearings, and Administrative Review.** Notice, hearings and administrative review regarding an application for an Administrative Use Permit or Conditional Use Permit shall be provided in compliance with Chapter 17.630 (Public Hearings and Administrative Review), and as follows.
  - 1. Administrative Use Permits.** The Director shall conduct an administrative review of an application for an Administrative Use Permit.
  - 2. Conditional Use Permits.** The Commission shall conduct a public hearing on an application for a Conditional Use Permit.

(Ord. No. 2005-007 § 1 (part))

17.530.020 FINDINGS AND DECISION.

Following an administrative review or public hearing, the appropriate review authority shall record the decision in writing with the findings on which the decision is based. The Administrative Use Permit or Conditional Use Permit may be approved, with or without conditions, only after first making all of the following findings, and any additional findings required for the approval of specific land uses in Article 4 (Standards for Specific Land Uses).

- A. The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit or Conditional Use Permit and complies with all other applicable provisions of this Title and the CCMC.
- B. The proposed use is consistent with the General Plan and any applicable Specific Plan.
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity of the subject site.
- D. The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities, and the absence of physical constraints.
- E. The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health, safety, or general welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

(Ord. No. 2005-007 § 1 (part))

#### 17.530.025 CONDITIONS OF APPROVAL.

In approving an Administrative Use Permit or Conditional Use Permit, the review authority may impose reasonable and necessary specific design, locational, and operational conditions that may include, but are not limited to, the City’s Comprehensive Standard Conditions of Approval for Discretionary Land Use Permits as adopted by the Commission to ensure that the approval will be in compliance with the findings required by Section 17.530.020 (Findings and Decision), above.

(Ord. No. 2005-007 § 1 (part))

#### 17.530.030 POST-APPROVAL PROCEDURES.

- A. **General Procedures.** Procedures relating to appeals, revocations and modifications, as identified in Article 6 (Zoning Code Administration), in addition to those identified in Chapter 17.595 (Permit Implementation, Time Limits, and Extensions), shall apply following the approval of an Administrative Use Permit or Conditional Use Permit application.
- B. **Permit Validity.** An Administrative Use Permit or Conditional Use Permit granted pursuant to the provisions of this Chapter that is valid and in effect, shall run with the land and shall continue to be valid upon a change of ownership of the site or structure that was the subject of the use permit application. However, should the activity approved by the use permit be discontinued for a consecutive period of one year, the use permit shall be deemed to be expired and shall become null and void. Upon expiration, further continuation of the activity on-site will require approval of a new Administrative Use Permit or Conditional Use Permit application.

(Ord. No. 2005-007 § 1 (part))

## 17.540 ADMINISTRATIVE SITE PLAN REVIEW AND SITE PLAN REVIEW

### Section

17.540.005	Purpose
17.540.010	Applicability
17.540.015	Application Filing, Processing and Review
17.540.020	Findings and Decision
17.540.025	Conditions of Approval
17.540.030	Post-Approval Procedures

### 17.540.005 PURPOSE.

This Chapter provides procedures and standards for the comprehensive review of proposed development projects to: ensure compliance with the required standards, design guidelines, and ordinances of the City; minimize potential adverse effects on surrounding properties and the environment; and protect the integrity and character of the residential, commercial and public areas of the City. The specific purposes of this Chapter are as follows.

- A. Develop property in a manner that respects the physical and environmental characteristics of each site, and will complement surrounding properties and the City in general;
- B. Ensure that each new development is designed to best comply with the purpose and intent of the zoning district in which the property is located, and does not have an adverse effect on the aesthetic, architectural, health, and safety-related qualities of adjoining properties or upon the City in general;
- C. Ensure access to each property and a circulation pattern that is safe and convenient for both pedestrians and vehicles;
- D. Ensure the orderly and harmonious appearance of structures with associated site improvements (e.g., landscaping, parking areas, signs, and the like); and
- E. Implement and promote the goals and policies of the General Plan.

(Ord. No. 2005-007 § 1 (part))

### 17.540.010 APPLICABILITY.

- A. **Administrative Site Plan Review - Subject to Review.** Administrative Site Plan Review shall be required for:
  - 1. **Residential.** The construction of a new residential project of 3 to 25 units, or the addition of 3 or more units to an existing residential project that would result in no more than 25 units.

- 2. **Non-residential.** Construction of a new building of between 5,000 to 15,000 gross square feet; or the addition of between 5,000 to 15,000 net square feet to an existing building within a 1-year period.
  - 3. **Mixed use.** The construction of a mixed use project that meets the thresholds above for residential and/or non-residential uses.
- B. Site Plan Review - Subject to Review.** Site Plan Review shall be required for:
- 1. **Residential.** The construction of a new residential project of 26 or more units, or the addition to an existing residential project that would result in 26 or more units.
  - 2. **Non-residential.** Construction of a new building of more than 15,000 gross square feet or more; or the addition of more than 15,000 net square feet or more to an existing building within a 1-year period.
  - 3. **Mixed use.** The construction of a mixed use project that meets the thresholds above for residential or non-residential uses.
- C. Exempt from Review.** Activities and structures identified in Section 17.110.010 (Exemptions from Land Use Permit Requirements).

(Ord. No. 2005-007 § 1 (part))

**17.540.015 APPLICATION FILING, PROCESSING, AND REVIEW.**

- A. Filing.** An application for an Administrative Site Plan Review or Site Plan Review shall be completed, filed, and processed in compliance with Chapter 17.500 (Applications, Processing, and Fees). The application package shall include all information specified in the application, any applicable Division handout, and any additional information required by the Director in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 17.540.020 (Findings and Decision) below.
- B. Notice, Hearings, and Administrative Review.** Notice, hearings and administrative review regarding an application for an Administrative Site Plan Review or a Site Plan Review shall be provided in compliance with Chapter 17.630 (Public Hearings and Administrative Review).
- C. Designated Review Authority.** The Director shall be the designated review authority on each Administrative Site Plan Review application. The Commission shall be the designated review authority on each Site Plan Review application.
- D. Referral to the Planning Commission.** If the Director determines that there are unusual circumstances or special conditions related to an application, the Director may defer action and refer such application to the Commission for final decision.

- E. Project Review Procedures.** An Administrative Site Plan Review or a Site Plan Review shall be conducted by comparing the proposed project to applicable General Plan policies, any applicable specific plan, adopted development and objective design standards, design guidelines, and other applicable City ordinances. In conducting an Administrative Site Plan or Site Plan Review for a particular project, the reviewing authority may also consider the location, design, site plan configuration, and the overall effect of the proposed project upon surrounding properties and the City in general per Section 17.540.020 (Findings and Decision).
- F. Required Community Meetings.** Notice and hearings regarding an application for an Administrative Site Plan Review or Site Plan Review shall be provided in compliance with Chapter 17.625 (Required Community Meetings).

(Ord. No. 2005-007 § 1 (part))

#### 17.540.020 FINDINGS AND DECISION.

Following an administrative review or public hearing, the appropriate review authority shall record the decision in writing, with the findings on which the decision is based. The Administrative Site Plan Review or Site Plan Review may be approved, with or without conditions, only after first making specific findings as outlined below, and any additional findings required for the approval of specific land uses in Article 4 (Standards for Specific Land Uses).

##### **A. Findings for Approval of Housing Development Projects**

1. Project does not have a specific, adverse impact on public health or safety. A “specific adverse impact” means a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions in existence on date application was deemed complete.
2. The project is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development and objective design standards, as existed on the date the application was deemed complete.
3. The proposed project is consistent with the General Plan and any applicable specific plan.
4. The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, and the width and pavement of adjoining streets and alleys) will be available to serve the subject site.

**B. Findings for Denial or Reduced Density of Housing Development Projects.** Housing development projects consistent with the General Plan, Zoning Code and objective design standards can only be denied if the findings in Gov. Code 65589.5 (j)(1) can be made.

**C. Findings for Denial or reduced Density of Housing Development Projects with 20% Affordability.** Housing development projects with 20% affordable units and consistent with the General Plan, Zoning Code and objective design standards can only be denied if the findings in Gov. Code 65589.5 (d) can be made.

##### **D. All Other Projects**

1. The general layout of the project, including orientation and location of buildings, open space, vehicular and pedestrian access and circulation, parking and loading facilities, building setbacks and heights, and other improvements on the site, is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.
2. The architectural design of the structure(s), and their materials and colors, are compatible with the scale and character of surrounding development and other improvements on the site and are consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.
3. The landscaping, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements has been designed to create visual relief, complement structures, and provide an attractive environment and is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development and design standards and design guidelines.
4. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development, will not result in vehicular or pedestrian hazards, and will be in the best interest of the public health, safety, and general welfare.
5. The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks, storm drains, streetlights, traffic control devices, and the width and pavement of adjoining streets and alleys) will be available to serve the subject site.
6. The proposed project is consistent with the General Plan and any applicable specific plan.

(Ord. No. 2005-007 § 1 (part))

#### 17.540.025 CONDITIONS OF APPROVAL.

The Director may approve or recommend approval of a Site Plan Review for a proposed project in compliance with Section 17.540.020 (Findings and Decision), and may impose conditions upon the project, including but not limited to, the City's "Comprehensive Standard Conditions of Approval for Discretionary Land Use Permits," as adopted by the Commission to ensure that the project will meet all of the required findings. Conditions may relate to both on- and off-site improvements that are reasonable and necessary to mitigate project-related impacts, and to carry out the purpose and requirements of the respective zoning district, and all applicable development standards and design guidelines.

(Ord. No. 2005-007 § 1 (part))

17.540.030 POST-APPROVAL PROCEDURES.

Procedures relating to appeals, notices, revocations and modifications, as identified in Article 6 (Zoning Code Administration), in addition to those identified in Chapter 17.595 (Permit Implementation, Time Limits, and Extensions), shall apply following the approval of a Site Plan Review.

(Ord. No. 2005-007 § 1 (part))

17.550 VARIANCES, ADMINISTRATIVE MODIFICATIONS AND REASONABLE ACCOMMODATIONS

Section

17.550.005	Purpose
17.550.010	Applicability
17.550.015	Application Filing, Processing, and Review
17.550.020	Findings and Decision
17.550.025	Conditions of Approval
17.550.030	Post-Approval Procedures

17.550.005 PURPOSE.

The provisions of this Chapter allow for:

- A. Administrative Modification of specific development standards of this Title, when the strict application of those standards creates an unnecessary, involuntarily-created hardship, or unreasonable regulation that makes it impractical to require compliance with the development standards.
- B. Variances from the development standards of this Title only when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other conditions, the strict application of this Title denies the property owner privileges enjoyed by other property owners in the vicinity and in identical zoning districts.
- C. Reasonable accommodations from specific development standards of this Title when the strict application of those standards would make it impractical for an individual with a disability to have an equal opportunity to use and enjoy a dwelling unit.

(Ord. No. 2005-007 § 1 (part); Ord. 2013-008 § 3 (part))

17.550.010 APPLICABILITY.

**A. Administrative Modification.** The Director may grant an Administrative Modification for only the development standards identified in Table 5-2 (Administrative Modifications). An Administrative Modification may be granted only once for a specific type of request per parcel. A request exceeding the limitations identified in Table 5-2 (Administrative Modifications) shall require the filing of an application for a Variance. Nonconforming parcels that comply with the criteria for a legal building site pursuant to CCMC Section 17.610.035 shall be eligible for an administrative modification request and may be granted an administrative modification provided findings pursuant to CCMC Section 17.550.020.A can be made.

**Table 5-2 Administrative Modifications**

Types of Administrative Modification Allowed	Maximum Adjustment
<b>1. Fence, walls, or retaining walls.</b> Fences, gates, pilasters, or walls in the side or rear yards that exceed 6 feet in height.	Not to exceed 8 feet
<b>2. Distances between structures.</b> A decrease in the minimum distance between a detached accessory structure and the main structure.	10%
<b>3. Open space.</b> A decrease in the minimum open space requirements.	10%
<b>4. Parking.</b> A decrease in the minimum parking lot and loading dimensions (e.g., aisle, driveway, and space widths).	10%
<b>5. Projections.</b> An increase in the allowed projections into setbacks in compliance with Section 17.300.020 (Setback Regulations and Exceptions)	10%
<b>6. Setbacks.</b> A decrease in the minimum required setbacks.	10%
<b>7. Structure height.</b> An increase in the maximum allowable structure height; provided that the increase complies with the height limitation established by the 1990 City of Culver City initiative.	10%

**B. Variance.** The Commission may grant a Variance from the requirements of this Title; except that a Variance shall not allow a use of land not otherwise allowed in the applicable zoning district by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards).

**C. Reasonable Accommodation.** The Director may grant reasonable accommodations from the requirements of this Title that may be necessary to ensure equal access to housing for an individual with a disability.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 3 (part); Ord. No. 2019-004 § 2 (part); Ord. No. 2022-008)

## 17.550.015 APPLICATION FILING, PROCESSING, AND REVIEW.

- A. Filing.** An application for an Administrative Modification, a Variance or a Reasonable Accommodation shall be completed, filed, and processed in compliance with Chapter 17.500 (Applications, Processing, and Fees). The application package shall include all information specified in the application, any applicable Division handout, and any additional information required by the Director in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by CCMC Section 17.550.020 (Findings and Decision) below.
- B. Notice and Hearings.** Notice and hearings regarding an application for a Variance, an Administrative Modification or a Reasonable Accommodation shall be provided in compliance with Chapter 17.630 (Public Hearings and Administrative Review), and as follows.
  - 1. Administrative Modification.** The Director shall conduct an administrative review of an application for an Administrative Modification.
  - 2. Variance.** The Commission shall conduct a public hearing on an application for a Variance.
  - 3. Reasonable Accommodation.** The Director shall conduct an administrative review of an application for a Reasonable Accommodation.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 3 (part))

## 17.550.020 FINDINGS AND DECISION.

- A. Administrative Modification Findings.** The Director shall record the decision in writing, with the findings on which the decision is based. The Administrative Modification may be approved, with or without conditions, only after making all of the following findings.
  - 1.** The strict application of the applicable development standard creates an unnecessary, involuntarily-created hardship, or unreasonable regulation that makes it obviously impractical to require compliance with the development standards.
  - 2.** Approval of the Administrative Modification would not be detrimental to the public health, interest, safety, or general welfare and would not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.
  - 3.** The project is consistent with the General Plan and complies with all other applicable provision of this Title.
- B. Variance Findings.** The Commission shall record the decision in writing, with the findings on which the decision is based. The Variance may be approved, with or without conditions, only after making all of the following findings:
  - 1.** There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, and topography), or to the intended use of the property, so that the strict application of this Title denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.

2. The strict application of the applicable development standard creates an unnecessary, involuntarily-created hardship, or unreasonable regulation that makes it obviously impractical to require compliance with the development standards.
  3. The Variance is necessary for the preservation and enjoyment of substantial property rights, possessed by other property owners in the same vicinity and zoning district, and denied to the property owner for which the Variance is sought.
  4. The project is consistent with the General Plan and complies with all other applicable provisions of this Title.
  5. Approval of the Variance would not be detrimental to the public health, interest, safety, or general welfare, and would not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.
- C. Reasonable Accommodation Findings.** The Director shall record the decision in writing with the findings on which the decision is based. The Reasonable Accommodation may be approved with or without conditions only after making all of the following findings:
1. The dwelling, which is the subject of the request for reasonable accommodation will be used by an individual with a disability.
  2. The requested accommodation is necessary to make the dwelling available to an individual with a disability.
  3. There is no reasonable alternative accommodation that will comply or come closer to complying with the development standards of this Title.
  4. The requested accommodation will not negatively impact surrounding uses or properties.
  5. Approval of the reasonable accommodation would not be detrimental to the public health, interest, safety, or general welfare, and would not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 3 (part))

#### 17.550.025 CONDITIONS OF APPROVAL.

In approving an Administrative Modification, a Variance, or Reasonable Accommodation the review authority may impose reasonable and necessary specific design, locational, and operational conditions, which may include, but are not limited to, the City's Comprehensive Standard Conditions of Approval for Discretionary Land Use Permits as adopted by the Commission to ensure that the approval will be in compliance with the findings required by Section 17.550.020 (Findings and Decision) above.

- A. Reasonable Accommodation Conditions of Approval.** The following shall apply to the approval of a reasonable accommodation:
1. Approval of a reasonable accommodation shall be granted to an individual and shall not run with the land unless the Director also finds that the modification is physically integrated into the structure and cannot be easily removed or altered to comply with the requirements of this Title.

2. Prior to the issuance of any permits relative to an approved reasonable accommodation the Director may require the applicant to record a covenant in the County Recorder’s Office acknowledging and agreeing to comply with the terms and conditions established in the decision. The covenant shall be required only if the Director finds that a covenant is necessary to provide notice to future owners that a reasonable accommodation has been approved and may not apply to future owners and/or tenants.
- B. Duration of Reasonable Accommodation.** A reasonable accommodation shall not be considered permanent and shall be subject to the following:
1. The Reasonable Accommodation may continue to be used and maintained by the individual with a disability for the duration of his or her tenancy in the dwelling subject to the findings in Section 17.550.020.C.
  2. Within 60 days of the termination of the tenancy by the individual with a disability, the Reasonable Accommodation shall be removed unless the Director has determined that the Reasonable Accommodation may remain as provided in Section 17.550.025.A.2.
  3. A Reasonable Accommodation request shall be null and void if an individual with a disability fails to take advantage of said approval within one year or if said individual with a disability terminates tenancy prior to installing Reasonable Accommodation related structures.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 3 (part))

17.550.030 POST-APPROVAL PROCEDURES.

Procedures relating to appeals, notices, revocations and modifications, as identified in Article 6 (Zoning Code Administration), in addition to those identified in Chapter 17.595 (Permit Implementation, Time Limits, and Extensions), shall apply following the approval of an Administrative Modification, a Variance, or a Reasonable Accommodation application.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 3 (part))

17.560 COMPREHENSIVE PLANS

Section

- 17.560.005 Purpose
- 17.560.010 Applicability
- 17.560.015 Application Filing, Processing, and Review
- 17.560.020 Findings and Decision
- 17.560.025 Comprehensive Plan Modifications, Major and Minor
- 17.560.030 Conditions of Approval

17.560.035 Post-Approval Procedures

17.560.005 PURPOSE.

This Chapter provides procedures for reviewing Comprehensive Plans, which allow for flexibility in the application of zoning code standards to proposed development. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and other impacts than the zoning code standards would produce without adjustment.

(Ord. No. 2005-007 § 1 (part))

17.560.010 APPLICABILITY.

An application for a Comprehensive Plan shall be filed with the Division, when required for development in the PD Zone in compliance with Chapter 17.240 (Planned Development Zoning Districts). Comprehensive Plans proposed for development within the OS Zone shall comply with Section 17.250.030 (Open Space District Requirements), in addition to the requirements of this Chapter.

(Ord. No. 2005-007 § 1 (part))

17.560.015 APPLICATION FILING, PROCESSING, AND REVIEW.

- A. Filing.** An application for a Comprehensive Plan shall be completed, filed, and processed in compliance with Chapter 17.500 (Applications, Processing, and Fees). The application package shall include all information specified in the application, any applicable Division handout, and any additional information required by this Title or the Director in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 17.560.020 (Findings and Decision) below; or the findings required by Subsection 17.250.030.E. (Comprehensive Plan Findings) for the OS Zone.
- B. Comprehensive Plan Requirements.** All Comprehensive Plans shall be prepared and endorsed by a professional team, which shall include a licensed landscape architect, a registered civil engineer and a licensed architect, as applicable, and shall include, but not be limited to, the following.
  - 1. A site plan, showing building(s), various functional use areas, parking and circulation.
  - 2. A description of development standards, which may include, but not be limited to, building heights, setbacks, parking, and the like.
  - 3. Preliminary building plans, including floor plans and exterior elevations.

4. Landscaping plans, including a plant palette.
  5. Lighting and signage plans.
  6. Civil engineering plans, including site grading, public rights-of-way improvements, drainage, trash/recycling areas, and public utility extensions, as necessary.
  7. Proposed use and occupancy, construction type, building height and area of each building or structure, and proposed distances between buildings or structures, and setbacks to property lines.
  8. Other information or applicable materials as may be deemed necessary by the Director.
- C. Notice and Hearings.** Notice and hearings regarding an application for a Comprehensive Plan, or a modification to an approved Comprehensive Plan, shall be provided in compliance with Chapter 17.630 (Public Hearings and Administrative Review).
- D. Required Community Meetings.** Notice and hearings regarding an application for a Comprehensive Plan, or a major modification to an approved Comprehensive Plan, shall be provided in compliance with Chapter 17.625 (Required Community Meetings).
- E. Review Authority.** A Comprehensive Plan shall be approved by the adoption of an ordinance or disapproved by a resolution of the Council, after consideration of the Commission's recommendation.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2022-008)

#### 17.560.020 FINDINGS AND DECISION.

The Commission, in conjunction with a public hearing, shall review and make recommendations to the Council regarding the Comprehensive Plan. The Council, after a public hearing, may approve, conditionally approve, or disapprove a Comprehensive Plan. A Comprehensive Plan may be approved, provided the facts submitted and evaluated during the review process support the following findings.

- A. The proposed Comprehensive Plan can be substantially completed within 4 years.
- B. The proposed development is capable of creating an environment of sustained desirability and stability, or adequate assurance will be provided such objective will be attained.
- C. The proposed uses will not be substantially detrimental to present and potential surrounding uses but will have a beneficial effect.
- D. The streets and thoroughfares serving the development are suitable and adequate to carry anticipated traffic, and the development will not generate traffic that will overload the adjacent street network.
- E. The proposed development is compatible with the surrounding area.
- F. The types and locations of any proposed commercial development can be economically justified.
- G. The Comprehensive Plan is in conformance with the General Plan, or a concurrent General Plan amendment is in process.
- H. Any exception from the standards and requirements of this Title is warranted by the design and amenities incorporated in the Comprehensive Plan and is desired by the Council.

- I. Existing and proposed utility services are adequate for the proposed uses.
- J. The Comprehensive Plan has complied with all applicable City requirements.

(Ord. No. 2005-007 § 1 (part))

**17.560.025 COMPREHENSIVE PLAN MODIFICATIONS, MAJOR AND MINOR.**

- A. Major changes or alterations to an approved Comprehensive Plan shall be considered by the Commission at a public hearing, which shall make recommendations to the Council. The Council may then approve, conditionally approve, or disapprove the proposed changes or alterations, after a public hearing.
- B. The Director may administratively approve minor changes or alterations to an approved Comprehensive Plan, subject to appeal pursuant to Chapter 17.640 (Appeals); provided the Director makes the following findings:
  - 1. The proposed changes are consistent with the intent of the approved Comprehensive Plan;
  - 2. The proposed changes will not adversely impact the environment;
  - 3. The proposed changes will not be detrimental to the surrounding uses;
  - 4. The proposed changes will not significantly increase traffic levels on existing streets and thoroughfares within and surrounding the development; and
  - 5. Any proposed change, which requires exception from standard ordinance requirements, is warranted by the design and amenities incorporated into the approved Comprehensive Plan.
- C. If the Director determines the above findings cannot be made, then the request shall be considered a major change, and referred to the Commission for review at a public hearing, and to Council for review at a public hearing.
- D. Maintenance, rehabilitation, renovation, and reconstruction of existing structures, which will not alter the site plan, shall not require a Comprehensive Plan or any Comprehensive Plan modification, minor or major.
- E. All determinations required by this Subsection are subject to appeal pursuant to Chapter 17.640 (Appeals).

(Ord. No. 2005-007 § 1 (part))

**17.560.030 CONDITIONS OF APPROVAL.**

The Council may approve a Comprehensive Plan in compliance with Section 17.540.020 (Findings and Decision), and may impose conditions upon the project, including but not limited to, the City's "Comprehensive Standard Conditions of Approval for Discretionary Land Use Permits," as adopted by the Commission to ensure that the project will meet all of the required findings. Conditions may relate to both on- and off-site improvements that are reasonable and necessary to mitigate project-related

impacts, and to carry out the purpose and requirements of the Comprehensive Plan and all applicable development standards and design guidelines.

Nothing in this Chapter shall preclude the Commission from recommending, and the Council from approving, a Comprehensive Plan in concept only, and requiring subsequent discretionary review of that Comprehensive Plan.

(Ord. No. 2005-007 § 1 (part))

#### 17.560.035 POST-APPROVAL PROCEDURES.

Procedures relating to appeals, notices, revocations and modifications, as identified in Article 6 (Zoning Code Administration), in addition to those identified in Chapter 17.595 (Permit Implementation, Time Limits, and Extensions), shall apply following the approval of a Comprehensive Plan application.

The Council may modify any provisions of this Section after consideration of the Commission recommendations.

(Ord. No. 2005-007 § 1 (part))

### 17.570 SPECIFIC PLANS

#### Section

- 17.570.005 Purpose
- 17.570.010 Initiation of Specific Plans.
- 17.570.015 Preparation and Content of Specific Plans.
- 17.570.020 Filing, Processing and Adoption of Specific Plans.
- 17.570.025 Implementation and Amendments.

#### 17.570.005 PURPOSE.

This Chapter provides procedures for preparing, processing, reviewing, adopting and amending a Specific Plan. A Specific Plan can be used to systematically implement the General Plan for any part of the City. As a charter city, Culver City utilizes its own Specific Plan content requirements, which vary from and are not required to follow standard State content requirements for Specific Plans, (Cal. Government Code Section 65451).

(Ord. No. 2005-007 § 1 (part))

#### 17.570.010 INITIATION OF SPECIFIC PLANS.

A Specific Plan may be initiated in the following manner:

- A. **City.** By a Resolution of Intention adopted by the Council; or
- B. **Property Owner.** By an application in compliance with Chapter 17.500 (Applications, Processing, and Fees). For Specific Plans proposed by private property owners, the project area may be one parcel under single ownership, or a combination of adjoining parcels subject to a unified planning concept, with the full written concurrence of all applicable property owners.

(Ord. No. 2005-007 § 1 (part))

#### 17.570.015 PREPARATION AND CONTENT OF SPECIFIC PLANS.

The initiator shall prepare a draft Specific Plan for review by the City, which includes detailed information in the form of text and diagrams, organized in compliance with an outline furnished by the Division. The following information shall be provided.

- A. **Relationship to General Plan.** A discussion of the relationship of the Specific Plan to the objectives, policies, general land uses, and programs of the General Plan.
- B. **Land Uses.** The distribution, location, and extent of land uses within the area covered by the Specific Plan, including open space areas.
- C. **Development Standards.** Standards, criteria, and guidelines by which development would proceed, including required improvements to public facilities such as streets, parks, and other amenities identified in the specific plan area.
- D. **Additional Information.** The Specific Plan shall contain any additional information determined to be necessary by the Director, based on the characteristics of the area to be covered by the plan, applicable policies of the General Plan, or any other issue(s) determined by the Director to be significant.

(Ord. No. 2005-007 § 1 (part))

17.570.020 FILING, PROCESSING AND ADOPTION OF SPECIFIC PLANS.

- A. Filing and Initial Processing.** A draft Specific Plan proposed by a property owner shall be filed with the Current Planning Division and shall be accompanied by the fee required by the City Council Fee Resolution. A draft plan proposed by an applicant, or prepared by the City, shall then be processed in the same manner as required for General Plans by State law (Cal. Government Code Subsection 65350 et seq.), and as provided by this Section.
- B. Division Evaluation.** After the receipt of a draft Specific Plan, the Division shall conduct an initial review of the draft Specific Plan, in compliance with Section 17.500.025 (Initial Application Review), to determine whether it complies with the provisions of this Chapter. If the draft plan is not in compliance, it shall be returned to the applicant, with a written explanation of why it does not comply, and with suggested revisions to ensure compliance. When a draft plan is returned by the applicant to the Division, and the Division determines it is complete and in compliance with this Chapter, the plan shall be deemed to be accepted for processing.
- C. Environmental Review.** The draft Specific Plan shall be subject to environmental review in compliance with the California Environmental Quality Act (CEQA), and the City's CEQA Guidelines.
- D. Required Community Meetings.** Notice and hearings regarding an application for a Specific Plan shall be provided in compliance with Chapter 17.625 (Required Community Meetings).
- E. Public Hearings.** A proposed Specific Plan shall be subject to public hearings before both Commission and Council before its adoption, as follows:

  - 1. Commission.** The hearing shall receive public notice and be conducted in compliance with Chapter 17.630 (Public Hearings and Administrative Review). After the hearing, the Commission shall forward a written recommendation, with appropriate findings to the Council; and
  - 2. Council.** Upon receipt of the Commission's recommendation, the Council shall approve, approve in modified form, or disapprove the Specific Plan based on the findings contained in Section 17.570.020.F below. If the Council proposes to adopt a substantial modification not previously considered by the Commission during its hearings, the proposed modification may first be referred back to the Commission for its recommendation. The Specific Plan shall be adopted by ordinance and shall become effective 30 days following the date the decision is rendered by the Council.
- F. Conformance with the General Plan.** The Council shall adopt a Specific Plan only if it finds that the proposed plan is consistent with the objectives, policies, general land uses, and programs of the General Plan and other adopted goals and policies of the City.

(Ord. No. 2005-007 § 1 (part))

## 17.570.025 IMPLEMENTATION AND AMENDMENTS.

- A. Development within Specific Plan Area.** After the adoption of a Specific Plan, subsequent projects to implement the Specific Plan may be approved or adopted within an area covered by a Specific Plan only if first found consistent with the Specific Plan. The Council may impose a Specific Plan fee surcharge on development permits within the Specific Plan area, in compliance with State law (Cal. Government Code Section 65456).
- B. Amendments.**
  - 1. An adopted Specific Plan shall be amended through the same procedure specified by this chapter for the adoption of a Specific Plan.
  - 2. The Specific Plan may be amended as often as deemed necessary by the Council, in compliance with State law (Cal. Government Code § 65453).
- C. Modifications.** Development standards identified in an adopted Specific Plan may be modified, by either the Director, or Commission, only as specified in the Specific Plan.

(Ord. No. 2005-007 § 1 (part))

## 17.580 DENSITY BONUSES AND OTHER BONUS INCENTIVES

### Section

17.580.005	Purpose
17.580.010	Applicability
17.580.015	Application Filing, Processing and Review
17.580.020	Findings and Decision
17.580.025	Conditions of Approval
17.580.026	Post-Approval Procedures
17.580.035	Community Benefits

### 17.580.005 PURPOSE.

This Chapter is intended to implement the requirements of State law for density bonuses and other bonus incentives, pursuant to Cal. Government Code Section 65915, or as may be amended, and the goals and policies of the Housing Element of the City's General Plan.

(Ord. No. 2005-007 § 1 (part))

#### 17.580.010 APPLICABILITY.

In all zoning districts the City Council shall implement the density bonus and other bonus incentive provisions of Cal. Government Code Section 65915, or as may be amended. Notwithstanding the forgoing sentence, where other provisions set forth in this Title provide processes through which the City may implement the density bonus and other bonus incentive provisions of Cal. Government Code Section 65915, or as may be amended, neither those provisions nor any other provision of this Title are intended to require the City to grant modifications in any zone, in addition to those that may be required by Cal. Government Code Section 65915.

(Ord. No. 2005-007 § 1 (part))

#### 17.580.015 APPLICATION FILING, PROCESSING, AND REVIEW.

- A. Filing.** An application for a density bonus or other bonus incentives shall be completed, filed, and processed in compliance with Chapter 17.500 (Applications, Processing, and Fees). The application package shall include all the information specified in the application form, any applicable Division handout, and any additional information required by the Director in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 17.580.020 (Findings and Decision) below.
- B. Review Authority.** Requests for a density bonus and other bonus incentives shall be reviewed by the Director.

(Ord. No. 2005-007 § 1 (part))

#### 17.580.020 FINDINGS AND DECISION.

The Director shall review and may approve, conditionally approve, or disapprove a density bonus and other bonus incentives request.

- A.** Before approving a request for a density bonus, incentive, concession, parking reduction, or waiver, the Director shall make the following findings, as applicable:
  - 1.** The residential development project is eligible for a density bonus and for any concessions, incentives, waivers, or parking reductions requested; conforms to all standards for affordability required by Section 65915(c); and includes a financing mechanism for all implementation and monitoring costs.
  - 2.** Any requested incentive or concession will result in identifiable, financially sufficient, and actual cost reductions based upon appropriate financial analysis and documentation required by this section.
  - 3.** If the density bonus is based all or in part on dedication of land, all of the requirements included in Section 65915(g) have been met.

4. If the density bonus, incentive, or concession is based all or in part on the inclusion of a childcare facility, all of the requirements included in Section 65915(h) have been met.
  5. If the incentive or concession includes mixed uses, all of the findings included in Section 65915(k)(2) can be made.
  6. If a waiver or reduction of a development standard is requested, the development standard would have the effect of physically precluding the construction of the development project at the density or with the incentives or concessions permitted by Section 65915.
- B.** The Director may deny a request for an incentive or concession for which the findings set forth in subsection A of this section can be made only if it makes a written finding, based upon substantial evidence, of one of the following:
1. The incentive or concession is not required to provide for affordable rents or affordable ownership costs, as provided in Section 65915(d)(1)(A); or
  2. The incentive or concession would have a specific adverse impact upon public health or safety, or the physical environment, or on any real property that is listed in the California Register of Historic Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low, very low and moderate income households. For the purpose of this subsection, “specific adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions, as they existed on the date that the application was deemed complete; or
  3. The concession or incentive would be contrary to state or federal law.
- C.** The Director may deny a request for a waiver or reduction for which the findings set forth in subsection A of this section can be made only if it makes a written finding, based upon substantial evidence, of one of the following:
1. The modification would have a specific adverse impact upon health, safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low, very low and moderate income households. For the purpose of this subsection, “specific adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application was deemed complete; or
  2. The modification would have an adverse impact on any real property that is listed in the California Register of Historic Resources; or
  3. The waiver or reduction would be contrary to state or federal law.
- D.** The Director may deny a density bonus, incentive, or concession that is based on the provision of childcare facilities and for which the required findings can be made only if it makes a written finding, based on substantial evidence, that the city already has adequate childcare facilities.

(Ord. No. 2005-007 § 1 (part))

#### 17.580.025 CONDITIONS OF APPROVAL.

The Director may approve a density bonus and other bonus incentives in compliance with Section 17.580.020 (Findings and Decision), and may impose conditions upon the project, including but not limited to, the City's Comprehensive Standard Conditions of Approval for Discretionary Projects as adopted by the Commission to ensure that the project will meet all of the required findings. Conditions may relate to both on- and off-site improvements, which are reasonable and necessary to mitigate project-related impacts, and to carry out the purpose and requirements of this Title and applicable development standards and objective design standards.

(Ord. No. 2005-007 § 1 (part))

#### 17.580.026 POST-APPROVAL PROCEDURES.

Procedures relating to appeals, notices, revocations and modifications as identified in Article 6 (Zoning Code Administration), in addition to those identified in Chapter 17.595 (Permit Implementation, Time Limits, and Extensions), shall apply following the approval of a density bonus and other bonus incentives.

(Ord. No. 2005-007 § 1 (part))

#### 17.580.035 COMMUNITY BENEFITS.

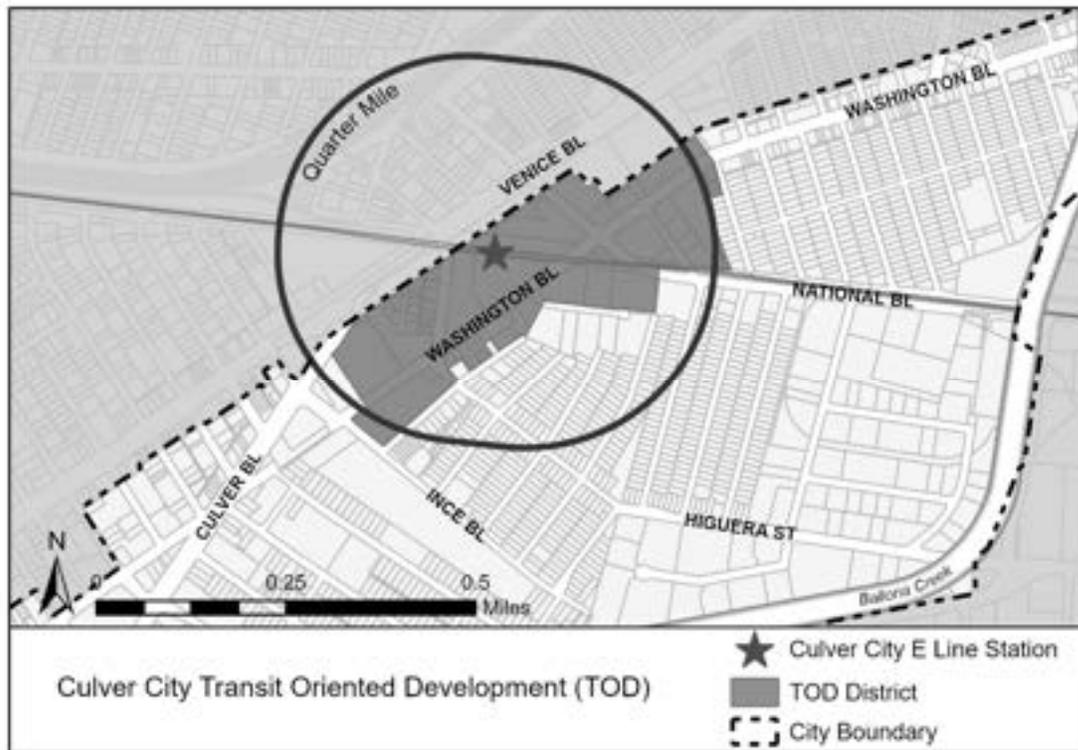
##### A. Definitions.

1. **Community Benefit.** The provision of the Community Benefit Affordable Units in conformance with Subsection C. Community Benefit Incentives below.
2. **Community Benefit Affordable Units.** The affordable dwelling units that are required under this Section that, when added to the affordable dwelling units required under State Density Bonus Law, achieve an affordability of 15% of the total number of dwelling units in the project.

##### B. Residential Density. In RLD, RMD, MU-N, MU-1, and MU-2 zoning districts, the residential density may be increased as defined below.

1. **Community Benefit.** If a project incorporates community benefits, residential density may be increased pursuant to Subsection K. Community Benefit Incentives, as follows:
  - a. Up to 50 dwelling units per acre (1 unit per 871 square feet of lot area); or
  - b. Up to 65 dwelling units per acre (1 unit per 670 square feet of lot area) on lots identified for Transit Oriented Development as depicted in Map 4-1 or located within ½ mile of a "major transit stop" or within a "transit priority area" as defined under Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations; or
  - c. A density as allowed by an Abutting Jurisdiction up to 65 dwelling units per acre (1 unit per 670 square feet of lot area) on a split jurisdiction lot.

## Map 4-1 Transit Oriented Development



- 2. Community Benefit Density and State Density Bonus.** If the project qualifies for a Community Benefit Density, and will also receive a density bonus by virtue of the City's implementation of State Density Bonus Law (Section 17.580: Density Bonuses and Other Bonus Incentives), then the maximum permitted residential density will be determined by applying the State Density Bonus Law's percentage density increase for the project, as determined by the City under Chapter 17.580: Density Bonuses and Other Bonus Incentives, to the Community Benefit Density, as applicable, rather than to the base density. The use of the Community Benefit Density as the base density for such limited purpose nor the increase in total affordability resulting from the Community Benefit Affordable Units required by the City under Subsection C. will be deemed to entitle the project to receive any additional or modified incentive or concession or waiver or reduction of development standards under State Density Bonus Law other than those that the project would have been entitled to receive under Chapter 17.580: Density Bonuses and Other Bonus Incentives using the underlying zone's base density. However, the City may, in its sole discretion, grant such additional incentives, concessions, and waivers and reductions in development standards.

### C. Replacement of Dwelling Units.

- 1.** No project shall result in a reduction in the number of dwelling units on the project site, including dwelling units that have been vacated or demolished in the five-year period preceding the application submittal date for the project. All dwelling units removed or

destroyed by the project must be replaced in the project with the same number of dwelling units.

2. In addition, an applicant shall be ineligible for a Community Benefit Density Bonus if the project is proposed on property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been, subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; or subject to any other form of rent or price control through a public entity's valid exercise of its police power; or occupied by lower or very low income households, unless the proposed project replaces those units at the same level of income and affordability.
  - a. If any such dwelling units are occupied on the date of application, the proposed project shall provide at least the same number of units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy. If the income category of the household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the City, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database.
  - b. For unoccupied dwelling units in a project with occupied units, the proposed project shall provide units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as the last household in occupancy. If the income category of the last household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the City, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database.
  - c. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the replacement units shall be subject to Subsection L.3.b.

**D. Community Benefit Incentive.** The Community Benefit incentive shall be implemented as follows:

**1. Community Benefit Definition.**

- a. A minimum of fifteen percent (15%) of the total dwelling units in the housing development project, as determined pursuant to Subsection A. must be affordable. The total affordable units required under this Subsection C.1. consist of the affordable units required under Chapter 17.580: Density Bonuses and Other Bonus Incentives and the Community Benefit Affordable Units required as a condition of receiving the Community Benefit residential density. All calculations under this paragraph resulting in fractional units shall be rounded up to the next whole number, provided however, that if a calculation results in a fraction less than .5, the applicant has the option to (i) provide an

additional Community Benefit Affordable Unit or (ii) pay an In-Lieu Fee equal to the percentage represented by the fractional Community Benefit Affordable Unit multiplied by the applicable In-Lieu Fee described in Subsection E.1.

- b. As a condition of receiving the Community Benefit residential density provided by Subsection A., the sizes of the affordable units comprising the total affordability described in Paragraph a. of this Subsection C.1. must be in the same proportion as the sizes of the market units in the project.
- c. The Community Benefit Affordable Units must be provided as dwelling units that are offered at affordable housing cost to and occupied by households with gross annual incomes, determined in accordance with Title 25 of the California Code of Regulations, Section 6914, that do not exceed the following income categories. The term "Area Median Income" means the Los Angeles County Median Income published annually by the California Department of Housing and Community Development. Area Median Income shall be adjusted to reflect the number of persons in the household.
  - i. Very Low Income means household income that does not exceed 50% of Area Median Income.
  - ii. Low Income means household income that is greater than 50% of Area Median Income and does not exceed 80% of Area Median Income.
  - iii. Workforce means household income that is greater than 80% of Area Median Income and does not exceed 129% of Area Median Income.

**2. Affordable Housing Cost.** Housing cost of the Community Benefit Affordable Units shall not exceed the following affordable housing cost:

- a. **Rental Units.** In the case of rental units, affordable housing cost is rent determined in accordance with Title 25 of the California Code of Regulations, Section 6918 that does not exceed the applicable percentage of Area Median Income, adjusted for household size appropriate to the unit. Household size appropriate for the unit is defined as the number of bedrooms in the unit plus one.
  - i. Rent for Very Low Income units shall not exceed 30% of 50% of Area Median Income adjusted for household size appropriate to the unit.
  - ii. Rent for Low Income units shall not exceed 30% of 60% of Area Median Income adjusted for household size appropriate to the unit.
  - iii. Rent for Workforce units shall not exceed 30% of 129% of Area Median Income adjusted for household size appropriate to the unit.
- b. **Owner-Occupied Units.** In the case of owner-occupied units, affordable housing cost is housing cost determined in accordance with Title 25 of the California Code of Regulations, Section 6920 that does not exceed the applicable percentage of Area Median Income, adjusted for household size appropriate to the unit. Household size appropriate for the unit is defined as the number of bedrooms in the unit plus one.

- i. Affordable housing cost for Very Low Income units shall not exceed 30% of 50% of Area Median Income adjusted for household size appropriate to the unit.
- ii. Affordable housing cost for Low Income units shall not exceed 30% of 70% of Area Median Income adjusted for household size appropriate to the unit.
- iii. Affordable housing cost for Workforce units shall not exceed 35% of 129% of Area Median Income adjusted for household size appropriate to the unit.

- 3. **Affordability Period.** The Community Benefit Affordable Units will be subject to an affordability restriction for the following periods:
  - a. **Rental Units.** Rental units must remain affordable to and occupied by income-qualifying households for a period of at least 55 years.
  - b. **Owner-Occupied Units.** Owner-occupied units will be subject to occupancy and resale restrictions for a period of at least 55 years. However, the owner will have the option of exercising a buy-out in accordance with the terms of an equity sharing agreement with the City.
- 4. **First-Time Homebuyer.** Owner-occupied Community Benefit Affordable Units must be offered for sale to first-time homebuyers, who are defined as follows: an individual or his or her spouse who has not owned a home during the three-year period prior to the date of purchase of the unit. The term first-time homebuyer also includes an individual who is a displaced homemaker or single parent who has only owned a home with a former spouse while married. A displaced homemaker is defined as an individual who: (a) is an adult; (b) has not worked full-time and full-year in the labor force for a number of years but has, during such years, worked primarily without remuneration to care for the home and family; and (c) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment. An individual shall not be excluded from consideration as a first-time homebuyer on the basis that the individual owns or owned, as a principal residence during the three-year period, a dwelling unit whose structure is not permanently affixed to a permanent foundation in accordance with local or other applicable regulations or is not in compliance with State, local, or model building codes, or other applicable codes, and cannot be brought into compliance with the codes for less than the cost of constructing a permanent structure.

**E. Community Benefit Housing Plan.**

- 1. At the times and in accordance with the standards and procedures set forth in the Regulations, the applicant shall:
  - a. Submit a Community Benefit Housing Plan for review and approval by the Director, setting forth in detail the manner in which the provisions of this Section will be implemented for the proposed project.
  - b. Execute a Community Benefit Housing Agreement approved by the Director for recordation in the land records.
- 2. No entitlement or approval required by Title 17 of this Code, including but not limited to Site Plan Review, Comprehensive Plan approval and subdivision map approval, shall be issued for any portion of the project unless and until the Director has approved the Community Benefit Housing Plan submitted by the applicant.

3. No building permit shall be issued for any portion of the project unless and until the Director has approved the Community Benefit Housing Plan submitted by the applicant and the Community Benefit Housing Agreement has been recorded or the applicant has satisfied one of the options described in Subsection E.
  4. No certificate of occupancy shall be issued for any portion of the project unless and until the Director has determined that the approved Community Benefit Housing Plan has been fully implemented.
- F. Alternatives to Including the Community Benefit Affordable Units in the Project.** In lieu of including the Community Benefit Affordable Units in the project, the Community Benefit may be provided through payment of an in-lieu fee as set forth below.
1. **In Lieu Fee.** At the discretion of the City Council, some or all of the requirement to include the Community Benefit Affordable Units in the project may be satisfied through payment of an in-lieu fee, as follows:
    - a. The amount of the fee required for each Community Benefit Affordable Unit that is not included in the project shall be calculated using the in-lieu fee schedule set forth in the Regulations in effect at the time of issuance of the first building permit for the project.
    - b. One-half of the in-lieu fee required by this subsection must be paid (or a letter of credit posted) prior to issuance of a building permit for any portion of the project. The remainder of the fee must be paid before a certificate of occupancy is issued for any portion of the project.
    - c. The fees collected shall be deposited in the City's Low and Moderate Income Housing Trust Fund for the purpose of providing, preserving, maintaining and administering affordable housing.
- G. Regulations.** The City Council shall by resolution adopt the Regulations for the City's implementation of this Section.
- H. Appeal.** An appeal of a determination by the Director of a matter subject to this Section must be initiated within fifteen (15) calendar days after the date of such determination. The appellant shall follow the appeal procedures set forth in Subsection 17.640.030 and 17.640.035.B. of this Code.
- I. Administrative Fees.** The City Council may by resolution establish reasonable fees and deposits for the administration of this Section, which shall be set forth in the Regulations.
- J. Enforcement.** The City may institute all appropriate administrative and legal actions or proceedings necessary to ensure compliance with this Section and the Regulations adopted pursuant to Subsection G., including but not limited to: (1) actions to revoke, deny or suspend any permit, including a building permit, certificate of occupancy, or discretionary approval granted under Title 17 of this Code; and (2) actions for injunctive, declaratory or other equitable relief or damages. In any actions to enforce this Section, the Regulations adopted pursuant to Subsection G., a Community Benefit Housing Plan, or a Community Benefit Housing Agreement, the City shall be entitled to recover its reasonable attorney's fees and costs.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2005-008 § 2 (part); Ord. No. 2008-006 § 2; Ord. No. 2018-001 § 2 (part); Ord. No. 2020-003 § 2 (part); Ord. No. 2021-001; Ord. No. 2021-012 § 3 (part); Ord. No. 2022-008)

## 17.590 DEVELOPMENT AGREEMENTS

### Section

17.590.005	Purpose
17.590.010	Applicability
17.590.015	Application Filing, Processing and Review
17.590.020	Public Hearings
17.590.025	Contents of Development Agreement
17.590.030	Execution and Recordation
17.590.035	Environmental Review
17.590.040	Periodic Review
17.590.045	Amendment or Cancellation of Development Agreement
17.590.050	Effect of Development Agreement
17.590.055	Approved Development Agreements

### 17.590.005 PURPOSE.

This Chapter provides procedures and requirements for the review and approval of development agreements consistent with the provisions of State law.

(Ord. No. 2005-007 § 1 (part))

### 17.590.010 APPLICABILITY.

**A. Initiation.** Consideration of a Development Agreement may be initiated by:

1. The Council; or
2. Property owner(s) or other person having a legal or equitable interest in the property proposed to be subject to the agreement.

(Ord. No. 2005-007 § 1 (part))

17.590.015 APPLICATION FILING, PROCESSING AND REVIEW.

- A. Owner's Request.** An owner of real property may request and apply through the Division to enter into a Development Agreement, provided that:
  - 1. The status of the applicant as property owner or bona fide representative of the owner is established to the satisfaction of the Director;
  - 2. The application is accompanied by all documents, information, and materials required by the Division.
- B. Director Review.** The Director shall receive, review, process, and prepare recommendations for Commission and Council consideration on all applications for development agreements.
- C. Concurrent Processing and Public Hearings.** All development-related applications shall be processed and scheduled for public hearing concurrently with the application for a Development Agreement. The Council shall be the review authority for the Development Agreement and all associated applications.
- D. Fees.** The application for a Development Agreement shall include the processing fee established by the City Council Fee Resolution. Additionally, appropriate fees shall be established and collected for periodic reviews conducted by the Director in compliance with Subsection 17.590.040.A. (Periodic Review).

(Ord. No. 2005-007 § 1 (part))

17.590.020 PUBLIC HEARINGS.

- A. Commission Hearing.** Upon finding the application for a Development Agreement complete, the Director shall set the date for a public hearing before the Commission, in compliance with Chapter 17.630 (Public Hearings and Administrative Review). Following conclusion of a public hearing, the Commission shall adopt a resolution and make a written recommendation to the Council that it approve, conditionally approve, or deny the application.
- B. Council Hearing.** Upon receipt of the Commission's recommendation, the City Clerk shall set a date for a public hearing before the Council in compliance with Chapter 17.630 (Public Hearings and Administrative Review). Following conclusion of the public hearing, the Council shall approve, conditionally approve, or deny the application, with appropriate findings in compliance with Subsection 17.590.020.E. (Required Findings) below.

If the Council proposes to adopt a substantial modification to the Development Agreement not previously considered by the Commission during its hearings, the proposed modification shall be first referred back to the Commission for its recommendation, in compliance with State law (Cal. Government Code Section 65857). Failure of the Commission to report back to the Council within 40 days after the referral, or within a longer time set by the Council, shall be deemed a recommendation for approval of the proposed modification.

- C. Notice of the Hearings.** Notice of the hearings, outlined in Subsection 17.590.020.A. (Commission Hearing) and Subsection 17.590.020.B. (Council Hearing) above, shall be given in the form of a notice of intention to consider approval of a development agreement, in compliance with State law (Cal. Government Code Section 65867).
- D. Adopting Ordinance.** Should the Council approve or conditionally approve the application, it shall, as a part of the action of approval, direct the preparation of a Development Agreement embodying the conditions and terms of the application as approved or conditionally approved, as well as an ordinance authorizing execution of the development agreement by the Council, in compliance with State law (Cal. Government Code Section 65867.5).
- E. Required Findings.** The ordinance shall contain the following findings, and the facts supporting them. It is the responsibility of the applicant to establish the evidence in support of the required findings:
  - 1. The Development Agreement is in the best interests of the city, promoting the public interest and welfare;
  - 2. The Development Agreement is consistent with all applicable provisions of the General Plan, any applicable Specific Plan, and this Title;
  - 3. The Development Agreement is in compliance with the conditions, requirements, restrictions, and terms of Subsections 17.590.025.A. (Mandatory Contents) and Subsection 17.590.025.B. (Permissive Contents), below.
- F. Referendum.** The ordinance is subject to referendum in compliance with State law (Cal. Government Code § 65867.5).

(Ord. No. 2005-007 § 1 (part))

#### 17.590.025 CONTENTS OF DEVELOPMENT AGREEMENT.

- A. Mandatory Contents.** A Development Agreement entered into in compliance with this Chapter shall contain the mandatory provisions (e.g., conditions, requirements, restrictions, and terms) specified by State law (Cal. Government Code Section 65865.2 [Agreement Contents]).
- B. Permissive Contents.** A Development Agreement entered into in compliance with this Chapter may contain the permissive provisions (e.g., conditions, requirements, restrictions, and terms) specified by State law (Cal. Government Code Section 65865.2 [Agreement Contents]), and any other terms determined to be appropriate and necessary by the Council, including provisions for the payment to the city of monetary consideration.

(Ord. No. 2005-007 § 1 (part))

17.590.030 EXECUTION AND RECORDATION.

- A. Effective Date.** The city shall not execute any development agreement until on or after the date on which the ordinance approving the agreement becomes effective, and until it has been executed by the applicant.
- B. Conditioning Approval.** The provisions of this Chapter shall not be construed to prohibit the Director, Commission or Council from conditioning approval of a discretionary permit or entitlement on the execution of a Development Agreement, where the condition is otherwise authorized by law.
- C. Recordation.** A Development Agreement shall be recorded with the County Recorder no later than 10 days after it is executed, in compliance with State law (Cal. Government Code Section 65868.5).

(Ord. No. 2005-007 § 1 (part))

17.590.035 ENVIRONMENTAL REVIEW.

The approval or conditional approval of a Development Agreement in compliance with this chapter shall be deemed a discretionary act for purposes of CEQA.

(Ord. No. 2005-007 § 1 (part))

17.590.040 PERIODIC REVIEW.

- A. Periodic Review.** Every Development Agreement approved and executed in compliance with this Chapter shall be subject to periodic review by the Director during the full term of the agreement.  
Appropriate fees to cover the city's costs to conduct the periodic reviews shall be collected from the contracting party, in compliance with Section 17.590.015 (Application Filing, Processing and Review) above.
- B. Purpose of Periodic Review.** The purpose of the periodic review shall be to determine whether the contracting party or the successor-in-interest has complied in good faith with the terms and conditions of the Development Agreement. The burden of proof shall be on the applicant or contracting party or the successor to demonstrate compliance to the full satisfaction of, and in a manner prescribed by, the City.
- C. Result of Periodic Review.** If, as a result of a periodic review in compliance with this section, the Director finds and determines, on the basis of substantial evidence, that the contracting party or the successor-in-interest has not complied in good faith with the terms or conditions of the agreement, the Director shall notify the Commission, which may recommend to the Council that the agreement be terminated or modified.

The procedures for the termination or modification hearing shall comply with Section 17.590.020 (Public Hearings) above.

(Ord. No. 2005-007 § 1 (part))

#### 17.590.045 AMENDMENT OR CANCELLATION OF DEVELOPMENT AGREEMENT.

A Development Agreement may be amended or canceled, in whole or in part, by mutual consent of all parties to the agreement, or their successor-in-interest, in compliance with State law (Cal. Government Code Section 65868), or as set forth in the agreement. The requested amendment or cancellation shall be processed in the same manner specified by this Chapter for the adoption of a Development Agreement.

(Ord. No. 2005-007 § 1 (part))

#### 17.590.050 EFFECT OF DEVELOPMENT AGREEMENT.

- A. Rules, Regulations and Policies.** Unless otherwise provided by the Development Agreement, the rules, regulations, and official policies governing allowed uses of the land, density, design, improvement and construction standards and specifications, and Building Code provisions applicable to development of the property subject to a development agreement, are the rules, regulations, and official policies in force at the time of execution of the agreement.
- B. State Law.** In compliance with State law (Cal. Government Code Section 65866), unless specifically provided for in the Development Agreement, the agreement does not prevent the City, in subsequent actions applicable to the property, from applying new rules, regulations, and policies that do not conflict with those rules, regulations, and policies applicable to the property under the Development Agreement. Further, a Development Agreement does not prevent the City from conditionally approving or denying any subsequent development project application, on the basis of existing or new rules, regulations, and policies.

(Ord. No. 2005-007 § 1 (part))

#### 17.590.051 APPROVED DEVELOPMENT AGREEMENTS.

Development Agreements approved by the Council shall be on file with the City Clerk.

(Ord. No. 2005-007 § 1 (part))

## 17.595 PERMIT IMPLEMENTATION, TIME LIMITS, AND EXTENSIONS

### Section

17.595.005	Purpose
17.595.010	Conformance to Plans
17.595.015	Effective Date of Permits or Entitlements
17.595.020	Applications Deemed Approved
17.595.025	Performance Guarantees
17.595.030	Time Limits and Extensions
17.595.035	Changes to an Approved Project
17.595.040	Resubmittals
17.595.045	Covenants

### 17.595.005 PURPOSE.

This Chapter provides requirements for the implementation or “exercising” of the permits or entitlements specified by this Title, including time limits and procedures for granting extensions of time and changes to an approved project.

(Ord. No. 2005-007 § 1 (part))

### 17.595.010 CONFORMANCE TO PLANS.

- A. Compliance.** All work for which project drawings and plans have received approval by the Director, Commission, or Council shall be performed in substantial compliance with the approved drawings and plans, any statements (written or oral) made in support of the application, any conditions of approval imposed by the review authority, and any minor changes approved by the Director.
- B. Changes.** Any minor changes to or deviations from the approved drawings and plans that do not change the intent of the original approval may be approved by the Director. In the case of a discretionary permit, the original review authority shall review and approve any major changes, in compliance with Section 17.595.035 (Changes to an Approved Project).

(Ord. No. 2005-007 § 1 (part))

17.595.015 EFFECTIVE DATE OF PERMITS OR ENTITLEMENTS.

- A. Discretionary Decisions by the Director or Commission.** Any Administrative Use Permit, Conditional Use Permit, Administrative Modification, Variance, Administrative Site Plan Review, or Site Plan Review shall become effective on the 11<sup>th</sup> working day following the date the decision is rendered by the appropriate review authority, provided that no appeal of the review authority's action has been filed in compliance with Chapter 17.640 (Appeals). A decision shall be considered rendered as follows.
  - 1. Decisions made following a public hearing.** When a resolution is adopted without changes or with changes that are read into the record.
  - 2. Decisions made by the Director.** When a Notice of Decision is signed by the Director.
- B. Ministerial Permits.** Zoning Clearances and other ministerial staff decisions shall be effective immediately upon being stamped and signed by staff.
- C. Decisions by Council.** Any Comprehensive Plan, Development Agreement, Specific Plan, or amendment to the Zoning Map and this Title shall become effective on the 30th day following the date the decision is rendered by the Council. A General Plan amendment shall become effective immediately upon adoption of a resolution by the Council.

(Ord. No. 2005-007 § 1 (part))

17.595.020 APPLICATIONS DEEMED APPROVED.

A permit application deemed approved shall be subject to all applicable provisions of this Title, which shall be satisfied by the applicant before a Building Permit is issued, or a land use not requiring a Building Permit is established.

(Ord. No. 2005-007 § 1 (part))

17.595.025 PERFORMANCE GUARANTEES.

A permit applicant may be required by conditions of approval, or by action of the Director, to provide adequate security to guarantee the faithful performance of any or all conditions of approval imposed by the review authority. The Director, in concert with the Building Official, shall be responsible for setting the amount of the required security at a level that is reasonable in relation to the conditions being guaranteed.

(Ord. No. 2005-007 § 1 (part))

#### 17.595.030 TIME LIMITS AND EXTENSIONS.

- A. Time Limits.** To ensure continued compliance with the provisions of this Chapter, each approved permit or entitlement shall expire two years from the date of approval, if the use has not been exercised, unless otherwise specified in the permit or entitlement or permitted by State law. A time extension may be granted in compliance with Subsection 17.595.030.C. (Project Phasing) and Subsection 17.595.030.D. (Extensions of Time) below, if a written request is submitted by the applicant and received by the Division prior to expiration of the approval. If a permit or entitlement has not been exercised within the established time frame, and a time extension is not granted, the permit or entitlement shall be deemed void.
- B. Permit Implementation - Exercising the Permit or Entitlement.** The zoning approval shall not be deemed “exercised” until the permittee has commenced actual construction (after obtaining any required construction permit); provided that, in all cases, construction shall be diligently pursued until completion of the subject structure. If no construction is required, the zoning approval shall be deemed “exercised” when the permittee has actually commenced the allowed use on the subject site, in compliance with the conditions of approval.
- C. Project Phasing.** If a project is to be developed in approved phases, each subsequent phase shall be exercised within 12 months from the date that the previous phases was exercised, unless otherwise specified in the zoning approval, or the zoning approval shall expire and be deemed void. If the project also involves the approval of a Tentative Map, the phasing shall be consistent with the Tentative Map, and the zoning approval shall be exercised before the expiration of the Tentative Map, or the zoning approval shall expire and be deemed void.
- D. Extensions of Time.**
1. An applicant may request an initial extension of time. The applicant shall file a written request for an initial extension of time with the Division, accompanied by the required filing fee, prior to expiration of the approval and shall be granted an automatic two-year extension.
  2. An applicant may request subsequent extensions of time. The applicant shall file a written request for an initial extension of time with the Division, accompanied by the required filing fee, prior to expiration of the approval. The burden of proof is on the applicant to establish, with substantial evidence that the zoning approval should be extended. Upon determination that the applicant has made a good faith effort to establish the permit, the Director may extend the time to establish an approved permit for up to an additional 12 months, unless the conditions of approval authorize longer extensions.

(Ord. No. 2005-007 § 1 (part))

#### 17.595.035 CHANGES TO AN APPROVED PROJECT.

An approved development or new land use shall be established only as specified by the approved land use permit, and subject to any conditions of approval. An applicant may request, in writing, to amend the approved permit, and shall furnish appropriate supporting materials and an explanation of the reasons for the request.

- A. Minor changes may be approved, modified, or denied by the Director. Major changes shall be approved, modified or denied by the original review authority.
- B. The Director shall determine whether a proposed change is major or minor. The determination that the change is major depends on whether the proposal may result in:
  - 1. Significant impacts to the surrounding neighborhood.
  - 2. Significant environmental impacts.
  - 3. A change to the approved use or a significant change to project design.
  - 4. A change to the basis on which the environmental determination for the project was made.
  - 5. A change to the basis upon which the review authority made the findings for approval of the project.

A major change request shall be processed in the same manner as the original permit or entitlement.

(Ord. No. 2005-007 § 1 (part))

#### 17.595.040 RESUBMITTALS.

For a period of one year following the approval, disapproval or revocation/modification of a discretionary land use permit or entitlement, no application for the same or substantially similar discretionary permit or entitlement for the same site shall be filed. The Director shall determine whether the new application is for a discretionary land use permit or entitlement that is the same or substantially similar to one previously approved or disapproved.

(Ord. No. 2005-007 § 1 (part))

#### 17.595.045 COVENANTS.

When necessary to achieve the land use goals of the City, the City may require a property owner(s) to execute and record a Covenant in favor of the City. The Covenant may be imposed as a condition of approval by the Director, Commission, or Council. The applicable processing fees shall be specified in the City Council Fee Resolution, which may be obtained from the Division.

(Ord. No. 2005-007 § 1 (part))

# Title 17. Zoning

## Article 6. ZONING CODE ADMINISTRATION

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- 17.600.010 City Council
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**17.600 ADMINISTRATIVE RESPONSIBILITY**

- 17.600.005 Purpose
- 17.600.010 City Council
- 17.600.015 Planning Commission
- 17.600.020 Board of Zoning Adjustment
- 17.600.025 Planning and Development Director

17.600.005 PURPOSE.

This Chapter defines the authority and responsibilities of City staff and official bodies in the administration of this Title.

(Ord. No. 2005-007 § 1 (part))

17.600.010 CITY COUNCIL.

The Council shall perform the duties and functions prescribed in this Title, which include the following:

- A. Review Authority on Specified Planning Matters.** Final decisions on Development Agreements, General Plan Amendments, Specific Plans, Zoning Map/Code Amendments, and other applicable environmental documents, policy, or ordinance matters related to the City’s planning process; and
- B. Appeals.** The review of any appeal filed from a decision by the Commission.

The functions listed above shall be performed in compliance with Section 17.500.010 (Authority for Land Use and Zoning Decisions), Table 5-1 (Review Authority) and the California Environmental Quality Act (CEQA).

(Ord. No. 2005-007 § 1 (part))

**17.600.015 PLANNING COMMISSION.**

- A. Appointment.** The Commission shall be appointed and serve in compliance with Chapter 3.03 (Commissions and Agencies) of the CCMC.
- B. Duties and Authority.** The Commission shall perform the duties and functions prescribed by Chapter 3.03 (Commissions and Agencies) of the CCMC and this Title, including the following:
  1. The review and final decision on development projects and related environmental documents; and
  2. The recommendation, to the Council for final decisions, on Development Agreements, General Plan Amendments, Specific Plans, Zoning Map/Code Amendments, and other applicable environmental documents, policy, or ordinance matters related to the City’s planning process.
  3. The functions listed above shall be performed in compliance with Section 17.500.010 (Authority for Land Use and Zoning Decisions), Table 5-1 (Review Authority) and the California Environmental Quality Act (CEQA).

(Ord. No. 2005-007 § 1 (part))

**17.600.020 BOARD OF ZONING ADJUSTMENT.**

- A. Appointment.** The Board shall be comprised of 2 appointed members of the Commission, who shall serve in compliance with Chapter 3.03 (Commissions and Agencies) of the CCMC.
- B. Duties and Authority.** The Board shall perform the duties and functions prescribed by Chapter 3.03 (Commissions and Agencies) of the CCMC and this Title, including the review and final decision on any interpretations of this Title by the Director.

(Ord. No. 2005-007 § 1 (part))

17.600.025 PLANNING AND DEVELOPMENT DIRECTOR.

**A. Duties and Authority.** The Director:

1. Shall have the responsibility to perform all of the functions designated by State law;
2. Shall perform the duties and functions prescribed in this Title, including the review of any administrative development project in compliance with Section 17.500.010 (Authority for Land Use and Zoning Decisions), Table 5-1 (Review Authority) and the California Environmental Quality Act (CEQA);
3. Shall perform other responsibilities assigned by the Council and Commission; and

**B. Delegation and Supervision.** The Director may delegate the responsibilities of the Director to assigned City staff under the supervision of the Director. When the Director designates a City staff person, the staff person shall perform the duties assigned by the Director, in addition to those listed in Subsection 17.600.025.A. (Duties and Authority) above, as appropriate to the personnel title of the designee.

(Ord. No. 2005-007 § 1 (part))

17.610 NONCONFORMING USES, STRUCTURES, AND PARCELS

Section

17.610.005	Purpose
17.610.010	Nonconforming Uses
17.610.015	Loss of Nonconforming Status
17.610.020	Nonconforming Structures
17.610.025	Exemptions and Exceptions
17.610.030	Maintenance and Repair
17.610.035	Nonconforming Parcels
17.610.038	Nonconforming Site Conditions and Improvements
17.610.040	Unlawful Uses and Structures
17.610.045	Public Nuisance Abatement

#### 17.610.005 PURPOSE.

This Chapter establishes regulations for legal nonconforming land uses, structures, and parcels. These are land uses, structures, and parcels within the City that were lawfully established, constructed, or subdivided before the adoption or amendment of this Title, but which would be prohibited, regulated, or restricted differently under the current terms of this title or future amendments thereto.

It is the intent of this Chapter to encourage the continuing improvement of the City, by limiting the extent to which nonconforming structures and uses may continue to be used, expanded, or replaced, while allowing for improvements in their appearance.

(Ord. No. 2005-007 § 1 (part))

#### 17.610.010 NONCONFORMING USES.

##### **A. Continuation of Use.**

1. Any nonconforming use, including a nonconforming use due to nonconforming density, may be maintained and continued, provided that there is no increase or enlargement of the area, space, or volume occupied by or devoted to the nonconforming use. Alterations that do not increase or enlarge a nonconforming use may be approved.
2. Increase or enlargement of the area, space, or volume occupied by or devoted to the nonconforming use, which is not allowed pursuant to this section shall mean, but not be limited to, increase in height; square footage additions; additions to existing rooms; construction of new rooms; replacement construction of units or portions of units; and construction of additional units.

**B. Abandonment or Discontinuance of Use.** A nonconforming use, which has been abandoned or discontinued for a period of one year, shall not be reestablished, and any subsequent reuse or any new use established shall conform to the current provisions of this Title.

**C. Change of Use.** A nonconforming use that is changed to, or replaced by, a conforming use shall result in termination and subsequent abandonment of the nonconforming use.

**D. Termination of Nonconforming Oil Uses.** Notwithstanding Subsection A., all nonconforming oil uses, regardless of the applicable zoning district or whether an oil use was previously lawfully established or permitted, shall terminate and be discontinued by November 24, 2026. Further, and notwithstanding the provisions of Chapter 11.12 (including Section 11.12.005.A., Oil Drilling Permit), no new or expanded oil and gas activity, such as drilling of new wells, redrilling or deepening of existing wells, or the erection or installation of any derrick, structure, facilities or equipment related to oil and gas production, excepting those existing oil and gas activities and operations described in Subsection D.4. or as required to facilitate termination of the nonconforming oil uses, shall be allowed within the oil use premises after November 24, 2021. The provisions of this Subsection shall not apply to (i) common carrier oil pipelines intended for regionally-coordinated transport of hydrocarbons; (ii) injection wells that are permitted and demonstrated to be active and necessary by CalGEM; (iii) service stations or other like uses; or

(iv) any previously closed oil or injection well that has been verified to have been plugged in accordance with all applicable local, state and federal laws, rules and regulations, including the California statutes and regulations and all other requirements overseen by CalGEM, and for which the well pad has been restored and revegetated to as near a natural state as practicable.

1. **Definitions.** For purpose of this Subsection D., the following definitions shall apply unless the context clearly indicates or requires a different meaning.
  - a. **CalGEM.** The California Geologic Energy Management Division, the principal regulatory authority for the closure of oil and gas production sites.
  - b. **Operator.** A person, firm, corporation, partnership, association, limited liability company, or other business entity that owns or holds the right to use the oil use premises to extract oil, gas, and other hydrocarbon substances, or use the oil use premises for injection. In the event there are two or more persons or entities who qualify as an operator at any given time, then this term shall apply to all persons or entities with regard to their respective operations.
  - c. **Oil Use Premises.** The surface of any parcel of land that has been used for the drilling, production, storage or transport of oil, gas or other hydrocarbons, or for injection or water flooding in connection with oil and gas activity.
  - d. **Terminate or Termination.** The discontinuance and removal of nonconforming oil uses from the oil use premises, in accordance with all applicable local, state and federal laws, regulations, rules and standards, including, but not limited to, (i) the cessation of production and drilling operations; (ii) the plugging of all oil and gas wells, including water flooding injection wells, except injection wells as permitted and demonstrated to be active and necessary by CalGEM; (iii) the dismantling and removal of all surface facilities associated with the nonconforming oil use, including storage tanks, above-ground pipelines, equipment, debris and other physical operational components; (iv) the plugging/capping of subsurface pipelines; and (v) the remediation, restoration and revegetation of the areas of the oil use premises affected by the plugging and removal activities to as near a natural state as practicable, free from all oil, rotary mud, oil-soaked earth, asphalt, concrete, litter, debris and other substances associated with oil operations. As to (ii) through (v) hereof, all related on-site activities and services shall be conducted between the hours of 8:00 a.m. and 8:00 p.m. Mondays through Fridays, 9:00 a.m. and 7:00 p.m. Saturdays, and 10:00 a.m. and 7:00 p.m. Sundays, and shall be prohibited at all other times. Internal roads and access ways and storm water retention and other drainage features and facilities shall remain in place.
2. **Termination Program and Schedule Required.**
  - a. Prior to initiation of any termination activity, or no later than by November 24, 2022, the legal operator(s) for any nonconforming oil uses shall prepare and submit to the Director for review and approval a termination program and schedule demonstrating how compliance with Section 17.610.010.D. shall be accomplished and fully completed by November 24, 2026. The Director may request additional information prior to determining the termination program and schedule is adequate, complete, and demonstrates operator's ability to comply with Subsection D. within the required timeframe. No termination activity may be commenced unless a termination program

and schedule has been received and approved by the Director, applicable fees have been paid, and bond and insurance requirements have been met.

- b. Each termination program and schedule shall consist of a written description, supported by maps, exhibits and data, as appropriate, detailing the activities and timeline for termination of oil and gas facilities in compliance with Subsection D. At a minimum, each termination program and schedule shall include:
  - i. A description and schedule detailing how and when all nonconforming oil uses, including all applicable wells under Subsection D., any drilling-related facilities, and any equipment and structures erected on the oil use premises, will be removed, dismantled, demolished or disposed of in a manner consistent with California statutes and regulations overseen by CalGEM, and in strict accordance with all other applicable local, state and federal laws, regulations, rules and standards;
  - ii. A description for termination and decommissioning of the areas of the oil use premises affected by the plugging and removal activities, including all well sites and areas used for related facilities, equipment and storage, that details how the operator will safely dismantle and remove such production facilities and remediate, restore and revegetate the areas of the oil use premises affected by the plugging and removal activities to as near a natural state as practicable, in accordance with all applicable requirements set forth in Cal. Code of Regulations, Title 14 (Natural Resources), Division 2 (Department of Conservation), Chapter 4 (Development, Regulation, and Conservation of Oil and Gas Resources), Article 3 (Requirements), Section 1775 (Oilfield Wastes and Refuse) and Section 1776 (Well Site and Lease Restoration);
  - iii. A copy of any applicable permits, including any notices of intent or any permit applications for permits pending, as required by other applicable local, state and federal agencies having authority for regulation of oil and gas well closures and plugging and decommissioning of oil-related uses, facilities or equipment;
  - iv. A description and schedule detailing how and when the areas of the oil use premises affected by the plugging and removal activities will be remediated, restored and revegetated to as near a natural state as practicable, free from all oil, rotary mud, oil-soaked earth, asphalt, concrete, litter, debris and other substances caused by the drilling or pumping activity; and
  - v. Sufficient detail and documentation of the termination process and related activities to substantiate and support the aggregate costs related to termination and restoration of the areas of the oil use premises affected by the plugging and removal activities, which are to be covered by the established bond and insurance amounts for the guaranteed payment of such costs.
- c. Following the Director's approval of the termination program and schedule and determination that the termination program and schedule sufficiently demonstrates operator's ability to comply with the requirements of Subsection D. within the required timeframe, the operator shall provide to the Director quarterly updates on the termination progress until such time that the termination process is fully completed in accordance with California statutes and regulations overseen by CalGEM and in strict

accordance with all other applicable local, state and federal laws, regulations, rules and standards.

- d. A termination fee (per well), established by resolution of the City Council, shall be paid and submitted along with each termination program and schedule to recover the city's reasonable costs associated with review of the termination program and schedule and related documents, and subsequent monitoring and inspection of the oil use premises.
3. **Bond and Insurance Requirements.** Prior to initiation of any activity detailed in the termination program and schedule, the operator shall comply with all bond and insurance requirements established by resolution of the City Council.
4. **Continued Compliance Required.** Until such time that all nonconforming oil activities are fully terminated in compliance with this Subsection D., existing oil and gas activities and operations, such as production from existing oil wells, water injection to existing injection wells and permitted routine maintenance of existing wells and other facilities, shall be allowed to continue during the interim period until removal of those nonconforming uses have been completed consistent with the timeframes established in the approved termination program and schedule. All such activities and operations shall be conducted in compliance with the provisions of Chapter 11.12 of this Code to the extent such provisions are not inconsistent with this Subsection D. In the event of any conflict between this Subsection D. and Chapter 11.12 of this Code, this Subsection D. shall control.
5. **Enforcement.** Any failure to comply fully with the provisions of this Subsection D. shall constitute a violation of this Title, and appropriate action may be taken by the Director according to the provisions of this Title and Chapter 1.02 (Administrative Citations) of this Code.

**E. Conditional Uses.**

1. Conformity of uses requiring Administrative Use Permits and Conditional Use Permits. Any use existing at the time of adoption of this Title, in a zoning district that allows the use subject to the granting of an Administrative Use Permit or Conditional Use Permit, shall be deemed a legal nonconforming use, and may only continue to the same extent that it previously existed.
2. Previous Administrative Use Permits or Conditional Use Permits in effect. A use that was established with an Administrative Use Permit or a Conditional Use Permit, but which is no longer a use allowed by this Title within the applicable zoning district, may continue in compliance with the provisions and terms of the original permit. If the Administrative Use Permit or Conditional Use Permit specified a termination date, then the use shall terminate in compliance with the original permit.

**F. Nonconforming Private School Use in the MU-I District.** Notwithstanding the foregoing, a nonconforming private school use in the MU-I zoning district, which was originally established with a Conditional Use permit at a time when the private school use fully conformed with all then existing applicable provisions of this Title, may be modified and/or expanded, subject to the following:

1. The modification and/or expansion shall require a modification of the existing Conditional Use Permit, subject to review and approval by the Commission in compliance with Chapter 17.530 (Administrative Use Permits and Conditional Use Permits) and Section 17.595.035 (Changes to an Approved Project).
2. The modification and/or expansion may only include property that is already part of the existing private school use or that is directly and physically abutting the existing school property.
3. Any application for a modification and/or expansion of an existing Conditional Use Permit shall include, but not be limited to, the following:
  - a. The submittal of a master plan document, in form and substance as determined by the Director, which thoroughly outlines the extent of the proposed modification and/or expansion, including any proposed increase to student enrollment and/or staff;
  - b. The submittal of an economic study, in form and substance as determined by the Director, which estimates the fiscal impacts of any modification and/or expansion on the City. Such study shall include, but not be limited to, a calculation of the economic and tax “opportunity cost” to the City of expanding the nonconforming private school use.
4. After considering the economic study and the fiscal impacts on the city from any modification and/or expansion of the existing private school use, the appropriate review authority may impose reasonable conditions to mitigate the fiscal impacts if it determines that such conditions will serve the public interest, health, safety, convenience or welfare of the City.
5. The total area of the property included in the school (as proposed to be expanded) may in no event exceed 3.5 acres.

**G. Single-Family or Two-Family Dwellings in RMD and RHD Zoning Districts.** Existing single-family and two-family dwellings as of X (date of ordinance) in the RMD and RHD zones shall be considered a conforming use, unless the structure is fully demolished voluntarily, in which case the new use shall conform to the uses allowed in these zoning districts per this Title. For involuntary demolition, see Section 17.610.025 (Exemptions and Exceptions).

**H. Nonconforming Single-Family or Two-Family Dwellings in Mixed Use Zoning Districts.**

Notwithstanding the foregoing, a single family or two-family dwelling, which was originally established when the use fully conformed as a conforming use and was existing at the time of adoption of this Title with all then existing applicable provisions of this Title, may be modified and/or expanded, subject to the following:

The modification and/or expansion shall require an Administrative Use Permit, subject to review and approval by the Commission in compliance with Chapter 17.530 (Administrative Use Permits and Conditional Use Permits) and § 17.595.035 (Changes to an Approved Project).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2012-005 § 2 (part); Ord. No. 2019-004 § 2 (part); Ord. No. 2021-016 § 2)

17.610.015 LOSS OF NONCONFORMING STATUS.

**A. Termination by Discontinuance of Use.**

1. If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of at least one year, the rights to a legal nonconforming status shall terminate.
2. The one-year period shall not apply if the Director determines that legitimate and continual efforts to reuse or release the subject property have been made during the one-year period.
3. The determination of abandonment shall be supported by evidence satisfactory to the Director (such as the actual removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, the turning-off of the previously connected utilities, or where there are no business receipts/records available to provide evidence that the use is in continued operation).
4. Without further action by the City, further use of the site or structure shall comply with all of the current regulations of the applicable zoning district and all other applicable provisions of this Title.

(Ord. No. 2005-007 § 1 (part))

17.610.020 NONCONFORMING STRUCTURES.

**A. Alterations or Additions.** The construction, enlargement, expansion, extension, or reconstruction of a nonconforming structure shall be subject to the following.

1. **Increase in area.** Increase in area shall be allowed if it results in an increase or enlargement of the area, space, or volume of the structure only if the structure is nonconforming with respect to setbacks, height, distance between structures, architectural projections, staircase and landing area encroachments, and the requirements of the Uniform Building Code are met. New additions and replacement structures shall meet the setback and height requirements of the zoning district in which the nonconforming structure is located except replacement structures required pursuant to Section 17.610.025 - Exemptions and Exceptions.
2. **Improvements to nonconforming multiple-family, mixed use, and non-residential primary structure(s).**
  - a. **Major improvement defined.** A **Major Improvement** is an improvement that will add 10% or more, with a minimum of 750 square feet, to the existing gross floor area of the multiple-family or non-residential structure(s) on the site, as determined by the Building Official.
  - b. **Minor improvement defined.** If the City determines that the estimated value of the work for which the permit is requested is equal to 10% or more of the replacement value of the multiple-family or non-residential structure(s) on the site, but at least \$50,000 (to be adjusted annually each July 1st to reflect the increase in the Consumer

Price Index for all Urban Consumers, Los Angeles/Riverside/Orange County Area, as established by the U.S. Department of Labor for the period from March of the preceding year through March of the current year), it shall be considered a **Minor Improvement**. In application of this Section, “work value” and “replacement value” shall be determined as follows.

- i. **Work value.** Each permit shall indicate the value of the work to be performed. If the Building Official believes the work value estimate indicated on the permit is too low, the Building Official shall estimate the value of the proposed work for the purpose of this calculation.
- ii. **Replacement value.** The replacement value of an existing structure shall be determined using tables of reconstruction costs published by the International Conference of Building Officials. The type of construction is determined, and a cost per square foot is derived from the table. This cost is multiplied by the number of gross square feet in the structure to obtain the estimated reconstruction cost of the structure.
- iii. **Commercial revitalization area.** If the proposed minor improvements include exterior building facade improvements to an existing structure located within an area designated by the Council as a Commercial Revitalization Area, the portion of the work value devoted to exterior building facade improvements shall not be included in determining the 10% or \$50,000 enforcement threshold for minor improvements.
- c. **Incidental improvements defined.** An improvement that does not qualify as a major or minor improvement shall be considered an **Incidental Improvement**.
- d. **Requirements.** Whenever a permit for a major improvement or minor improvement to an existing nonconforming structure is requested, the Director shall not approve the application unless the requirements of Table 6-1 (Requirements for Major and Minor Improvements) are met.

**Table 6-1 Requirements for Major and Minor Improvements**

Requirement	Major Improvement	Minor Improvement
1. Any sign on the subject site shall be in compliance with Chapter 17.330 (Signs).	X	X
2. All roof equipment screening shall be provided in compliance with Section 17.300.035 (Screening).	X	X
3. All trash enclosures shall be provided, subject to the approval of the Sanitation Manager and the Director.	X	X
4. Parking lot landscaping, paving, screening, and striping shall meet all City requirements.	X	X
5. Fences, walls, and hedges shall comply with Section 17.300.030 (Fences, Hedges, and Walls).	X	X
6. The project shall conform to the City’s Comprehensive Standard Conditions of Approval for Discretionary Projects as adopted by the Commission.	X	X

3. **Improvements, reconstruction, and new construction to nonconforming single-family and two-family, and triplex structure(s); accessory residential structures; and accessory dwelling units.**
- a. Reconstruction or partial reconstruction of a nonconforming single-family, two-family, and triplex structure; accessory residential structure; or accessory dwelling unit that is/are not subject to Section 17.610.025 - Exemptions and Exceptions, and that results in more than 50% demolition of both of the exterior wall surface area and building footprint, (measured from exterior wall to exterior wall), shall be completely reconstructed in conformance with current code required setbacks, and height. For purposes of this section, exterior wall surface area shall mean full height exterior walls from grade to roof including existing framing, exterior sidings, and interior sidings of said exterior walls.
  - b. If over a five (5) year period, the cumulative demolition of a nonconforming single-family, two-family, and triplex structure; accessory residential structure; or accessory dwelling unit exceeds 50% of both the exterior wall surface area and building footprint, (measured from exterior wall to exterior wall), that is/are not subject to Section 17.610.025 - Exemptions and Exceptions, then the nonconforming single-family, two-family, and triplex structure; accessory residential structure; or accessory dwelling, shall be completely reconstructed in conformance with current code required setbacks, and height. For purposes of this section, exterior wall surface area shall mean full height exterior walls from grade to roof including existing framing, exterior sidings, and interior sidings of said exterior walls.
  - c. **Through Lots with Frontages on both Charles Avenue and Milton Avenue.** Partial reconstruction, and/or additions to an existing legal non-conforming detached accessory residential structure on through lots with frontages on both Charles Avenue and Milton Avenue may be permitted in accordance with the following standards, provided 1) the work does not result in demolition exceeding the thresholds established in Subsection A.3.a or A.3.b, and/or 2) the accessory residential structure has not been previously modified pursuant to this Subsection A.3.c. In cases where this Subsection A.3.c. does not apply, the work shall comply with the setback requirements in Section 17.400.100 - Accessory Residential Structures, driveway length standards in Section 17.320.035.N., and all other applicable code standards.
    - i. Existing legal non-conforming detached accessory residential structures may be partially reconstructed in the same location and to the same dimensions as the existing accessory residential structure.
    - ii. In addition, when there is an expansion of floor area of an existing legal non-conforming detached accessory residential structure, the proposed expansion may continue the horizontal building plane of the existing structure provided the proposed expansion is no greater than 12 feet in height, complies with the required side setback for the applicable zoning district, and provides a minimum 2-foot setback from one front lot line along the property line that is of greater distance from the primary residence and/or the property line separating the parcel from the street of a higher classification or designation.

- iii. The existing legal non-conforming driveway length may be continued in conjunction with partial re-construction of an existing legal non-conforming detached garage pursuant to this Section. Modifications to an existing garage opening that result in a conforming minimum opening clearance in accordance with Section 17.320.035.C (Parking Space and Lot Dimensions) shall be permitted without requiring conformance to current driveway length standards.
- iv. The accessory residential structure shall comply with all other applicable code standards required by this Title.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-005 § 2 (part); Ord. No. 2019-004 § 2 (part); Ord. No. 2022-008)

17.610.025 EXEMPTIONS AND EXCEPTIONS.

- A. Applicability.** The following uses and/or structures damaged or destroyed due to an involuntary catastrophic event (e.g., fire, earthquake, or other calamity) may be reconstructed or replaced, and the use re-established provided the requirements in this Section 17.610.025 are met:
  - 1. Non-conforming uses and structures
  - 2. Existing single-family and two-family use/structures in the RMD and RHD zones deemed conforming as of X (date of ordinance)
- B. Development Standards.** The new structure(s) shall comply with all development standards (such as building envelope and footprint standards) in effect when the damaged or destroyed structure(s) was originally constructed; provided, however, that the new structure(s) shall contain no more dwelling units and/or floor area than the damaged structure(s).
- C. Building and Fire Code Compliance.** All new construction shall comply with the current Building and Fire Code requirements; however, the Building Official may require compliance for areas other than the new construction, when deemed necessary.
- D. Time Limits.** A building permit for reconstruction must be obtained no later than 18 months after the date of destruction, and construction must be pursued diligently to completion.
- E. Current Requirements.** If the preceding requirements are not met, the replacement structure shall comply with all current requirements of this Title in effect on the date of application for the required building permit.
- F. Extensions.** If the applicant submits a written request before expiration of the 18 months, containing reasonable justification for an extension, the Director may extend the deadline for issuance of the building permit for up to an additional 18 months.

(Ord. No. 2005-007 § 1 (part))

17.610.030 MAINTENANCE AND REPAIR.

- A. Maintenance and Repair.** A nonconforming structure may be continued, improved, and maintained, subject to the restrictions contained in this Chapter.
- B. Seismic Retrofitting/Building Code Compliance.** Repairs or alterations required by law shall be allowed. Reconstruction required to reinforce unreinforced masonry structures, or to comply with Building Code requirements, shall be allowed without cost limitations. The seismic retrofitting and Code compliance shall be limited exclusively to compliance with earthquake safety standards and other applicable Building Code requirements, including State law (such as Title 24 and the California Code of Regulations).

(Ord. No. 2005-007 § 1 (part))

17.610.035 NONCONFORMING PARCELS.

A nonconforming parcel of record that does not comply with the access, area, or width requirements of this Title for the zoning district in which it is located, shall be considered a legal building site, if it meets at least one of the criteria specified by this Section.

- A. Applicability.** It shall be the responsibility of the applicant to produce sufficient evidence to establish the applicability of one or more of the following:
  - 1. **Approved subdivision.** The parcel was created through a subdivision approved by the City;
  - 2. **Variance or lot line adjustment.** The parcel was approved through the Variance procedure, in compliance with Chapter 17.550 (Variances and Administrative Modifications), or resulted from a lot line adjustment; or
  - 3. **Partial government acquisition.** The parcel was created in compliance with the provisions of this Title but was made nonconforming when a portion of the parcel was acquired by a governmental entity; including dedications required as a Condition of Approval for development.
- B. Further Division or Reduction of Parcel - Prohibited.** Where structures have been erected on a nonconforming parcel, the area where structures are located shall not be later divided so as to reduce the building site area and/or frontage below the requirements of the applicable zoning district or other applicable provisions of this Title, or to make the use of the parcel more nonconforming.
- C. Administrative Modification.** A nonconforming parcel may be granted an administrative modification pursuant to CCMC Chapter 17.550 provided administrative modification findings stipulated in CCMC Section 17.550.020.A can be made. An administrative modification approval shall not be considered an expansion of a legal nonconformity.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2019-004 § 2 (part))

#### 17.610.040 UNLAWFUL USES AND STRUCTURES.

Any use or structure, which did not comply with the applicable provisions of this Title or prior planning and zoning regulations when established, are violations of this Title and are subject to the provisions of Chapter 17.650 (Enforcement). This Chapter does not grant any right to continue occupancy of property containing an illegal or unpermitted use or structure. The activity shall not be allowed to continue unless/until permits and entitlements required by this Title and the CCMC are first obtained.

(Ord. No. 2005-007 § 1 (part))

#### 17.610.045 PUBLIC NUISANCE ABATEMENT.

In the event that a nonconforming use or structure is found to constitute a public nuisance, appropriate action shall be taken by the Director in compliance with Chapter 9.04 (Nuisances) of the CCMC.

(Ord. No. 2005-007 § 1 (part))

### 17.620 GENERAL PLAN, ZONING MAP AND ZONING CODE AMENDMENTS

#### Section

17.620.005	Purpose
17.620.010	Initiation of Amendments
17.620.015	Application Filing, Processing and Review
17.620.020	Commission Action on Amendments
17.620.025	Council Action on Amendments
17.620.030	Findings
17.620.035	Prezoning

#### 17.620.005 PURPOSE.

This Chapter provides procedures for the amendment of the General Plan, the Zoning Map, and this Title. A General Plan Amendment may include revisions to strategies, goals, land use designations, policies, or text. Zoning Map amendments have the effect of rezoning property from one zoning district to another. Amendments to this Title may modify any procedure, provision, requirement, or standard applicable to the development or use of property within the City.

(Ord. No. 2005-007 § 1 (part))

#### 17.620.010 INITIATION OF AMENDMENTS.

An amendment may be initiated as follows:

- A. Council.** A resolution of intention initiated by the Council;
- B. Commission.** A resolution of intention by the Commission;
- C. Director.** An amendment initiated by the Director; or
- D. Property Owner.** An application from a property owner.

(Ord. No. 2005-007 § 1 (part))

#### 17.620.015 APPLICATION FILING, PROCESSING, AND REVIEW.

- A. Filing.** An application for an amendment shall be completed, filed, and processed in compliance with Chapter 17.500 (Applications, Processing, and Fees). The application package shall include all information specified in the application, any applicable Division handout, and any additional information required by the Director in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 17.620.030 (Findings) below.
- B. Notice and Hearings.** Notice and hearings regarding an application for an amendment shall be provided in compliance with Chapter 17.630 (Public Hearings and Administrative Review)

(Ord. No. 2005-007 § 1 (part))

#### 17.620.020 COMMISSION ACTION ON AMENDMENTS.

The Commission shall make a written recommendation to the Council whether to approve, approve in modified form, or disapprove the proposed amendment, based on the findings contained in Section 17.620.030 (Findings) below.

(Ord. No. 2005-007 § 1 (part))

#### 17.620.025 COUNCIL ACTION ON AMENDMENTS.

Upon receipt of the Commission's recommendation, the Council shall approve, approve in modified form, or disapprove the proposed amendment based on the findings contained in Section 17.620.030 (Findings) below.

If the Council proposes to adopt a substantial modification to the amendment not previously considered by the Commission during its hearings, the proposed modification may first be referred back to the Commission for its recommendation.

(Ord. No. 2005-007 § 1 (part))

#### 17.620.030 FINDINGS.

An amendment to the General Plan, the Zoning Map, or this Title may be approved only if all of the following findings can be made in a positive manner, as applicable to the type of amendment. It is the responsibility of the applicant to establish evidence in support of the required findings.

**A. Mandatory Findings Required for all Amendments.**

1. The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan, and, in the case of a Zoning Code amendment, will not create any inconsistencies with this Title;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City; and
3. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

**B. Additional Finding for Zoning Map Amendments.** The site(s) is physically suitable (including access, provision of utilities, compatibility with adjoining land uses and absence of physical constraints) for the requested zoning designation(s) and anticipated land use development.

(Ord. No. 2005-007 § 1 (part))

#### 17.620.035 PREZONING.

**A. Purpose.** An unincorporated property within the City's sphere of influence may be prezoned for the purpose of determining the zoning that will apply to the property, in the event of subsequent annexation to the City. The initiation and the procedures for the prezoning shall be the same procedures that govern the rezoning of property within the City.

Upon the effective date of annexation of property that has been prezoned in compliance with this Section, the zoning designation shall become the official zoning designation for the property and shall be so designated on the City's Official Zoning Map. All property not prezoned by the Council prior to annexation shall be designated in the R1 (Single-Family Residential) Zoning District upon annexation. See Subsection 17.200.015.F. (Zoning Upon Annexation).

**B. Commission Action on Prezoning.** The Commission shall make a written recommendation to the Council whether to approve, approve in modified form, or disapprove the proposed

prezoning, based on the findings contained in Subsection 17.620.035.D. (Findings for Prezoning) below.

- C. Council Action on Prezoning.** Upon receipt of the Commission’s recommendation, the Council shall approve, approve in modified form, or disapprove the proposed prezoning, based on the findings contained in Subsection 17.620.035.D. (Findings for Prezoning) below.

If the Council proposes to adopt a substantial modification to the prezoning not previously considered by the Commission during its hearings, the proposed modification may first be referred back to the Commission for its recommendation.

- D. Findings for Prezoning.** A prezoning may only be approved if all of the following findings can be made:

1. The proposed prezoning is consistent with the goals, policies, and strategies of the General Plan;
2. The proposed prezoning would not be detrimental to the public interest, health, safety, convenience or welfare of the City; and
3. The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested/anticipated land use development(s).

(Ord. No. 2005-007 § 1 (part))

## 17.625 REQUIRED COMMUNITY MEETINGS

### Section

17.625.005	PURPOSE
17.625.010	APPLICABILITY
17.625.015	TIME AND NUMBER OF MEETINGS
17.625.020	LOCATION
17.625.025	NOTIFICATION
17.625.030	STRUCTURE
17.625.035	EVALUATION REPORT
17.625.040	EXCEPTIONS

#### 17.625.005 PURPOSE

The community meeting is intended for the applicant to meet with neighbors and community members at an early stage to present conceptual plans, provide information regarding the proposed project, and receive feedback on project plans prior to submitting for preliminary project review.

#### 17.604.010 APPLICABILITY

The following entitlement applications are subject to a community meeting(s):

- A. Administrative Site Plan Reviews
- B. Comprehensive Plans
- C. Conditional Use Permits
- D. Site Plan Reviews
- E. Specific Plans

#### 17.646.015 TIME AND NUMBER OF MEETINGS

- A. **Residential or Mixed Use Projects.** Residential or mixed use applicants shall hold one community meeting prior to submitting a preliminary project review or an application submittal, whichever is first in the process.
- B. **Other Projects.** Non-residential applicants, comprehensive plans, and specific plans shall hold two community meetings, one prior to preliminary project review or application submittal, whichever is first in the process, and one after application submittal.
- C. **Scheduling.** Applicants shall work with an assigned planner to ensure community meetings do not conflict with Planning Commission meetings, City Council meetings, or other important city functions. A community meeting as outlined herein, is separate and apart from any other outreach meetings the applicant may conduct at their discretion, and any required public hearings.

#### 17.604.020 LOCATION

The applicant will hold the community meeting at or near the subject property and shall also livestream the meeting, providing the public an opportunity to attend virtually and provide comments. Ample parking for attendees should be provided at the meeting location.

#### 17.604.025 NOTIFICATION

- A. The applicant shall prepare a project website with information on the project, including the project location (with a map), the requested entitlements, a project description, and any architectural or conceptual drawings available.
- B. The applicant shall be responsible for notification to occupants and property owners within a minimum 500-foot radius of the subject property. The notification shall be mailed out a minimum of 14 days prior to the scheduled community meeting. The applicant shall provide the Current Planning Division with an Affidavit of Mailing and all notification costs shall be the responsibility of the applicant. The notification shall include the following minimum information:

1. The date, time, and location of the community meeting and a link for the public to attend online.
2. The project location (with a map), the requested entitlements, a project description, web address for the project website, and contact information including mailing address, phone number, and email information for the applicant and representatives.

**17.604.030 STRUCTURE**

- A.** The applicant hosted and facilitated community meeting shall follow the structure and include the material as outlined below:
1. The meeting shall be held both in person and online, with the ability for all attendees to ask questions and receive responses.
  2. A sign-in sheet which shall include name, address, phone number, and email address of each attendee shall be provided.
  3. Applicant shall give an overview of the project and present plans (i.e., floor plans, site plans, elevations, renderings, etc.) and results of any preliminary environmental studies as applicable.
  4. Applicant shall answer questions about the project from attendees, including requested entitlement and operation details.
  5. Applicant shall consider project changes in response to comments.
  6. Applicant shall keep meeting minutes that include bullet points of all concerns, comments, questions raised, and responses provided.
  7. Applicant shall provide the sign in sheet, bullet point minutes, and applicant presentation to the Project Planner within three working days following the community meeting.

**17.604.040 EXCEPTIONS**

- A.** A community meeting shall not be required where requiring such a meeting is prohibited by State Law.

**17.630 PUBLIC HEARINGS AND ADMINISTRATIVE REVIEW**

Section

- 17.630.005 Purpose
- 17.630.010 Notice of Public Hearings and Administrative Review
- 17.630.015 Notice of Decision - Director
- 17.630.020 Notice of Decision - Commission
- 17.630.025 Finality of Decision by Director or Commission

- 17.630.030 Recommendation by Commission
- 17.630.035 Notice of Decision - Council
- 17.630.040 Mailing of the Notice of Decision

17.630.005 PURPOSE.

This Chapter provides procedures for public hearings before the Commission and Council, and for administrative review by the Director. When a public hearing is required by this Title, public notice shall be given and the hearing shall be conducted as provided by this Chapter.

(Ord. No. 2005-007 § 1 (part))

17.630.010 NOTICE OF PUBLIC HEARINGS AND ADMINISTRATIVE REVIEW.

Table 6-2 (Mandatory Public Hearings for Public Reviews Before the Commission or Council), below, identifies the noticing requirements for public hearings or public reviews before the Commission or Council.

**Table 6-2 Mandatory Public Hearings or Public Reviews Before the Commission or Council**

Type of Discretionary Review	Type of Notice Required		
	Mailed Notice	Published Notice	Posted Notice
<b>A. Deadline</b>	21 days before the date of the public hearing or review	14 days before the date of the public hearing or review	Within 30 days after application deemed complete
<b>B. Type of Discretionary Review Applications:</b>			
1. Comprehensive Plan	X	X	X
2. Conditional Use Permit (CUP), except No. 3 below	X		
3. CUP for sale of alcoholic beverages	X		X
4. General Plan Amendment			
a. Land use map change	X		X
b. Text amendment		X	
5. Site Plan Review	X		X
6. Specific Plan	X		X
7. Subdivision (CCMC Ch. 15.10)	X		X

Type of Discretionary Review	Type of Notice Required		
	Mailed Notice	Published Notice	Posted Notice
8. Variance	X		X
9. Zoning Code/Map Changes			
a. Map change	X	X	X
b. Text amendment		X	

**A. Mailed Notice.** Written notices for public hearings, identified in Table 6-2 (Mandatory Public Hearings or Public Reviews Before the Commission or Council), scheduled for the Commission or Council shall be given in the following manner.

1. Notices shall be mailed, postage prepaid to the following:
  - a. The applicant, occupants and owner(s), or their agent, of the property being considered;
  - b. The owners and occupants of all property within a radius of 500 feet of the exterior boundaries of the property, or the perimeters of the premises of the proposed use involved in the application. This Subsection establishes the minimum mailed notice requirements, and shall not preclude the provision of notice to a greater number of persons;
  - c. Each local agency expected to provide water, schools, or other essential facilities or services to the project, whose ability to provide the facilities and services may be significantly affected; and
  - d. A person who has filed a written request for notice with the Director and has paid the fee established by the most current City Council Fee Resolution for the notice.
2. Notices shall be mailed at least 21 days before the date scheduled for the public hearing or review.
3. For the purposes of this notification, the last known name and address of each property owner, as identified in the records of the Los Angeles County Assessor, shall be used, unless a more current source of this information is known.
4. The address of occupants shall be determined by visual site inspection or other reasonably accurate means. The occupant notice requirement can be met by mailing the notice to the occupant(s).
5. At the time of filing the application, the applicant or designee shall provide a list of property owners and occupants within the prescribed area of notification and shall sign an affidavit verifying that the list has been prepared in compliance with the requirements of this Section.
6. The City shall prepare the notice, which shall clearly state the following information:
  - a. The date, place, and time of the scheduled hearing;
  - b. The name of the hearing body;
  - c. A general explanation of the matter to be considered;
  - d. A general description, in text or by diagram, of the location of the subject property;
  - e. The manner in which additional information may be received;
  - f. Any other pertinent information deemed appropriate by the Director; and

- g. If a proposed Negative Declaration or final Environmental Impact Report has been prepared for the project, in compliance with the City’s use of the State-promulgated CEQA Guidelines, the hearing notice shall include a statement that the hearing body will also consider approval of the proposed Negative Declaration or certification of the final Environmental Impact Report.
7. The Director has the discretion, on a case-by-case basis, to require the applicant to expand the mailing list beyond the minimum mailing area identified in Subsection 17.630.010.A.1.b. above, based on criteria, including traffic impact, parking demand, building shade and shadow, noise corridor, cul-de-sac street, view impact, and other potential impact(s) and physical boundaries, that could help delineate the impact area.
  8. In the event a public hearing or review is opened but continued to a date certain by the Commission or Council, further notice is not required, but may be given at the Director’s discretion.
  9. The failure of any person or addressee to receive a written mailed notice shall not invalidate the public hearing or review proceedings, provided the Commission or the Council may continue the public hearing or review, if deemed necessary, in compliance with Subsection 17.630.010.A.8. above.
  10. If the number of notices to be mailed is greater than 5,000, instead of a mailed notice, the Director may provide a published notice in compliance with Subsection 17.630.010.B, except for cannabis storefront retail notices for Conditional Use Permits.
- B. Published Notice.** Published notices of public hearings or reviews, identified in Table 6-2 (Mandatory Public Hearings or Public Reviews Before the Commission or Council), before the Commission and the Council shall be given in the following manner:
1. **Fourteen-day notice.** A notice shall be published at least once in a local newspaper of general circulation in the City not less than 14 days before the date of the public hearing or review. The Director has the discretion to publish the notice in other newspapers; and
  2. **Content of notice.** The content of the notice of a public hearing shall be provided in compliance with Subsection 17.630.010.A.6.a.-g. above.
- C. Posted Notice.** In addition to the mailed notice and published notice, identified in Subsections 17.630.010.A. (Mailed Notice) and 17.630.010.B. (Published Notice) above, posted notices for a public hearing or review before the Commission or Council for the applications, identified in Table 6-2 (Mandatory Public Hearings or Public Reviews Before the Commission or Council) concerning specific real property, shall be provided, at the applicant’s expense, in compliance with the following provisions.
1. The sign shall be posted within 21 days after the subject application is deemed complete by the Division. More than one sign may be required by the Director for a large project, or a project site with more than one street frontage.
  2. The sign shall be located in a conspicuous place on the property abutting a public street, not less than 1 foot nor more than 10 feet inside the property line. In the event the sign is not visible at this location, the sign may be attached to a structure, freestanding fence, or wall that has a minimal setback.
  3. The sign shall be in compliance with the following requirements:

- a. The size of the sign shall be 12 square feet in sign area, generally measuring 3 feet by 4 feet;
  - b. The sign shall not exceed 8 feet in height from the ground level; however, if the property is surrounded by fences, walls, or hedges at or near the property lines, additional height shall be provided as necessary to ensure visibility of the sign from the public right-of-way;
  - c. The sign shall not be illuminated;
  - d. The sign shall include factual information about the title of the pending development, project case number, brief description of the request, name and telephone number of project proponent, location of property, and the Division telephone number. In addition, the date, location, and time of the scheduled public hearing or review shall be shown on the sign as soon as that information is confirmed by the City, but no later than 21 days before the scheduled public hearing or review;
  - e. The size, style, and color of the sign’s lettering shall meet the specifications approved by the Director;
  - f. A Building Permit shall not be required for the posting of a sign, installed in compliance with this Section.
- 4. The sign shall remain in place until the expiration of the appeal period following a decision by the review authority. If the application requires the Council’s final approval, or if an appeal is filed, the sign shall remain in place, with the new hearing date noted, until the final decision by the Council. The sign shall be removed within 10 days of either the end of the appeal period or the final decision by the Council, whichever applies.
  - 5. The applicant shall submit to the Director an affidavit verifying that the sign was posted on the site in a timely manner in compliance with this Section.
  - 6. Failure to post the sign, to include required information, or to comply with applicable placement or graphic standards and requirements may result in a delay in the required public hearing or review.

**D. Notice of Administrative Use Permits, Administrative Site Plan Review, Administrative Modification, and Reasonable Accommodation Applications.**

Table 6-3 (see below) identifies the noticing requirements for administrative actions by the Director.

**Table 6-3 Mailed Notification Requirements For Administrative Review Applications**

Type of Administrative Review	See Chapter	Notice Requirement	
		Mailed Notice	Mailing Deadline
<b>A. Administrative Use Permits</b>	17.530	All property owners and occupants within a 500-foot radius	15 days before the anticipated date of decision by Director
<b>B. Administrative Modifications</b>	17.550	All adjacent property owners and occupants	15 days before the anticipated date of decision by Director

Type of Administrative Review	See Chapter	Notice Requirement	
		Mailed Notice	Mailing Deadline
<b>C. Administrative Site Plan Reviews</b>	17.540	All adjacent property owners and occupants	15 days before the anticipated date of decision by Director
<b>D. Reasonable Accommodations</b>	17.550	None required	N/A

1. In addition to all persons notified in compliance with Table 6-3 (see above), a notice of decision on the Administrative Site Plan Review, Administrative Modification, Administrative Use Permit and Reasonable Accommodation applications shall be mailed to the applicant and other parties directly involved with the application, in compliance with Section 17.630.040 (Mailing of the Notice of Decision) below.

**E. Additional Notice.** In addition to the types of notice required by Subsections 17.630.010.A. (Mailed Notice) through Subsection 17.630.010.D. (Notice of Administrative Use Permits, Administrative Site Plan Review, and Administrative Modification), above, the Director may provide additional notice, with content or using a distribution method as the Director determines is necessary or desirable (e.g., on the Internet).

**F. Effect of Notification Requirements.** Nothing in the public notification requirements identified in this Section is intended to supersede the procedures established in this Chapter for other discretionary reviews.

(Ord. No. 2005-007 § 1 (part); Ord. No. 2013-008 § 3 (part))

**17.630.015 NOTICE OF DECISION - DIRECTOR.**

The Director may record the decision, refer the matter to the Commission for determination, or defer action and record the decision at a later date. The decision shall contain applicable findings, any conditions of approval, and the reporting/monitoring requirements deemed necessary to mitigate any impacts and protect the public health, safety, and general welfare of the City.

(Ord. No. 2005-007 § 1 (part))

**17.630.020 NOTICE OF DECISION - COMMISSION.**

The Commission may announce and record the decision at the conclusion of a scheduled hearing, or defer action, take specified items under advisement, and announce and record the decision at a later date. The decision shall contain applicable findings, any conditions of approval, and the reporting/monitoring requirements deemed necessary to mitigate any impacts and protect the public health, safety, and general welfare of the City.

(Ord. No. 2005-007 § 1 (part))

17.630.025 FINALITY OF DECISION BY DIRECTOR OR COMMISSION.

The decision of the Director or Commission is final unless appealed in compliance Chapter 17.640 (Appeals).

(Ord. No. 2005-007 § 1 (part))

17.630.030 RECOMMENDATION BY COMMISSION.

At the conclusion of a public hearing on a Comprehensive Plan, Development Agreement, Specific Plan, rezoning, or a proposed amendment to the General Plan or Zoning Map/Code, the Commission shall forward a recommendation, including all required findings, to the Council for final action.

(Ord. No. 2005-007 § 1 (part))

17.630.035 NOTICE OF DECISION - COUNCIL.

For an application requiring Council approval, the Council shall announce and record its decision at the conclusion of the public hearing. The decision shall contain the findings of the Council, any conditions of approval, and the reporting/monitoring requirements deemed necessary to mitigate impacts and protect the public health, safety, and general welfare of the City.

(Ord. No. 2005-007 § 1 (part))

17.630.040 MAILING OF THE NOTICE OF DECISION.

Within 10 working days after the final decision or recommendation is rendered by the appropriate review authority, a notice of the decision, recommendation, any applicable conditions of approval, and any reporting/monitoring requirements, shall be mailed to the applicant at the address shown on the application. A copy of the notice shall also be sent to the property owner, if different from the applicant, and to all other persons who have filed a written request for notice.

(Ord. No. 2005-007 § 1 (part))

## 17.640 APPEALS

### Section

17.640.005	Purpose
17.640.010	Commission Review
17.640.015	Council Review
17.640.020	Appeal by both the Council and Commission
17.640.025	Appeals of Decisions
17.640.030	Filing and Processing of Appeals
17.640.035	Notice for Appeal Hearings
17.640.040	Notice of Final Decision - Commission
17.640.045	Appeal Pending

### 17.640.005 PURPOSE.

This Chapter provides procedures for the following:

- A.** The Council's review of a decision rendered by the Commission;
- B.** The Commission's review of a decision rendered by the Director;
- C.** The simultaneous request for an appeal by both the Council and Commission; and
- D.** The filing of an appeal, by other than the Council or Commission, of a decision rendered by the Director or Commission.

(Ord. No. 2005-007 § 1 (part))

### 17.640.010 COMMISSION REVIEW.

A member of the Commission may request the opportunity to discuss any decision previously rendered by the Director; however, a majority vote of the Commission is required to initiate an appeal of the decision. Once the vote to initiate an appeal is passed by a majority, the matter shall be scheduled for hearing.

(Ord. No. 2005-007 § 1 (part))

17.640.015 COUNCIL REVIEW.

A member of the Council may request the opportunity to discuss any decision previously rendered by the Director or Commission; however, a majority vote of the Council is required to initiate an appeal of the decision. Once the vote to initiate an appeal is passed by a majority, the matter shall be scheduled for hearing. The decision of the Council on the appeal shall be final and shall become effective upon adoption of the resolution by the Council.

(Ord. No. 2005-007 § 1 (part))

17.640.020 APPEAL BY BOTH THE COUNCIL AND COMMISSION.

If members of both the Commission and Council file an appeal from the same decision, the matter shall be scheduled for Council determination. The Council shall determine whether the appeal shall be considered, and if so, by which review authority. Once the Council determines that the appeal should be heard, the appeal shall be scheduled for hearing by the review authority designated by the Council.

(Ord. No. 2005-007 § 1 (part))

17.640.025 APPEALS OF DECISIONS.

An appeal filed by other than the Council or Commission shall be heard by the following review authorities:

- A. Director Appeals.** A decision rendered by the Director may be appealed to the Commission; and
- B. Commission Appeals.** A decision rendered by the Commission may be appealed to the Council.

(Ord. No. 2005-007 § 1 (part))

17.640.030 FILING AND PROCESSING OF APPEALS.

- A. Timing and Form of Appeal.** Appeals shall be submitted in writing and filed with the Division or City Clerk, as applicable, within 15 days after the decision date identified in the notice of decision. Appeals addressed to the Commission shall be filed with the Division, while appeals addressed to the Council shall be filed with the City Clerk. The appeal shall specifically state the pertinent facts of the case, and the basis for the appeal as required by Subsection 17.640.030.C. (Required Statement and Evidence) below. Appeals shall be accompanied by the filing fee established by the City Council Fee Resolution.

The number of days shall be construed as calendar days. Time limits will extend to the following City Hall working day, where the last of the specified number of days falls on a weekend, holiday, or other day when City Hall is officially closed.

- B. Report and Scheduling of Hearing.** When an appeal has been filed, the Director shall prepare a report on the matter and schedule the matter for consideration by the appropriate review authority.
- C. Required Statement and Evidence.**
  - 1. Applications for appeals shall include a general statement, specifying the basis for the appeal and the specific aspect of the decision being appealed.
  - 2. Appeals shall be based upon an error in fact, dispute of findings or inadequacy of conditions to mitigate potential impacts.
  - 3. Appeals shall be accompanied by supporting evidence substantiating the basis for the appeal.
- D. Action.** If the matter originally required a noticed public hearing, the Division or City Clerk, as applicable, shall notice the hearing in compliance with Section 17.640.035 (Notice for Appeal Hearings). At the hearing, the review authority may consider any issue involving the matter that is the subject of the appeal, in addition to the specific grounds for the appeal.
  - 1. By resolution, the review authority may affirm, affirm in part, or reverse the action, determination or decision that is the subject of the appeal.
  - 2. When reviewing an appeal, the review authority may amend or adopt additional conditions of approval that may address other issues or concerns than the subject of the appeal.
  - 3. When reviewing an appeal, the review authority may disapprove the land use entitlement approved by the previous review authority, even though the appellant only requested a modification or elimination of one or more conditions of approval.
  - 4. If new or different evidence is presented on appeal, the Commission or Council may, but shall not be required to, refer the matter back to the Director or Commission for further consideration.

(Ord. No. 2005-007 § 1 (part))

#### 17.640.035 NOTICE FOR APPEAL HEARINGS.

- A. Appeal of Commission's Decision.** Where an appeal of a Commission decision made following a public hearing, noticed in compliance with Section 17.630.010 (Notice of Public Hearings and Administrative Review), above, is filed with the City Clerk, and a hearing on the merits of the appeal is placed in the Council agenda, notice shall be given in compliance with Section 17.630.010 (Notice of Public Hearings and Administrative Review) above, unless the Council determines otherwise.
- B. Appeal of Director's Decision.** The Director may require mailed notices, on a case-by-case basis, in compliance with Section 17.630.010 (Notice of Public Hearings and Administrative Review)

above, for the appeal of an administrative discretionary review decision to the Commission or Council. At minimum, notice of the appeal shall be mailed to all persons who previously received notice of the Director's decision, at least 21 days before the scheduled public hearing or review.

(Ord. No. 2005-007 § 1 (part))

#### 17.640.040 NOTICE OF FINAL DECISION - COMMISSION.

Within 10 working days after the final decision is rendered by the Commission, a notice of the decision, and any applicable conditions of approval, shall be mailed to the appellant at the address shown on the application. A copy of the notice shall also be sent in compliance with Section 17.630.040 (Mailing of the Notice of Decision).

(Ord. No. 2005-007 § 1 (part))

#### 17.640.045 APPEAL PENDING.

While an appeal is pending, the establishment of any affected use or structure shall be held in abeyance, and all permits and licenses issued for the use or structure shall be stayed.

(Ord. No. 2005-007 § 1 (part))

## 17.650 ENFORCEMENT

### Section

- 17.650.005 Purpose
- 17.650.010 Violations
- 17.650.015 Remedies Not Exclusive
- 17.650.020 Inspection
- 17.650.025 Recovery of Costs
- 17.650.030 Additional Permit Processing Fees

17.650.005 PURPOSE.

This Chapter provides procedures intended to ensure compliance with the requirements of this Title and the conditions of land use permit approval.

(Ord. No. 2005-007 § 1 (part))

17.650.010 VIOLATIONS.

- A. Public Nuisance.** Any use, structure, or property altered, enlarged, erected, established, maintained, moved or operated contrary to the provisions of this Title, or any condition of approval, is hereby declared to be unlawful and a public nuisance, and may be abated by the City through civil proceedings by means of a restraining order, preliminary or permanent injunction, or in any other manner provided by law for the abatement of such nuisances.
- B. Stop Work Order.** Construction in violation of this Title, or any condition imposed through this Title, shall be subject to the issuance of a Stop Work Order. A violation of a Stop Work Order shall constitute a misdemeanor.
- C. Penalty.** Any violation of this Title, or failure to comply with any of its provisions, shall be deemed to be a misdemeanor, and punishable as such, notwithstanding the fact that, at the discretion of the City Attorney, violation of any section of this Title may be prosecuted as an infraction. Each day a violation of any provision of this Title continues shall be a new and separate violation.

(Ord. No. 2005-007 § 1 (part))

17.650.015 REMEDIES NOT EXCLUSIVE.

All remedies contained in this Title, for handling violations or enforcement of its provisions, are not mutually exclusive of any other applicable provisions of City, County, State, or Federal law, and do not prevent concurrent or consecutive methods being used to achieve compliance against continuing violations.

(Ord. No. 2005-007 § 1 (part))

17.650.020 INSPECTION.

Every owner and applicant seeking an approval, or any other action through this Title, shall allow authorized City officials, or their designees, reasonable access to any premises or property that is the subject of the approval or other action. Once approval or other action has been granted in compliance with this Title, the owner or applicant shall allow authorized City officials, or their designees, access to

the premises, where there is reasonable cause to believe the premises or property is not in compliance with the approval or other action.

(Ord. No. 2005-007 § 1 (part))

#### 17.650.025 RECOVERY OF COSTS.

The procedures for the recovery of administrative costs and expenses incurred by the City for the enforcement of this Title, or any condition imposed through this Title, in cases where no permits are required to correct a violation, shall be followed as set forth in Subsection 9.04.600 et seq. of the CCMC.

(Ord. No. 2005-007 § 1 (part))

#### 17.650.030 ADDITIONAL PERMIT PROCESSING FEES.

Any person who establishes a land use, or alters, constructs, enlarges, erects, maintains, or moves a structure without first obtaining a permit required by this Title, or any condition imposed through this Title, shall pay the additional permit processing fees established by the City Council Fee Resolution for the correction of the violation, before being granted a permit for a use or structure on the site.

(Ord. No. 2005-007 § 1 (part))

## 17.660 REVOCATIONS AND MODIFICATIONS

### Section

17.660.005	Purpose
17.660.010	Hearings and Notice
17.660.015	Review Authority Action
17.660.020	Action Following Revocation

#### 17.660.005 PURPOSE.

This Chapter provides procedures for securing revocation or modification of previously approved applications, permits, and entitlements.

(Ord. No. 2005-007 § 1 (part))

#### 17.660.010 HEARINGS AND NOTICE.

The appropriate regulatory authority shall hold a public hearing to determine if an application, permit, or entitlement granted in compliance with the provisions of this Title should be revoked or modified. Written notice shall be mailed (except for Temporary Use Permits), at least 21 days before the public hearing, to the project applicant and/or property owner, as identified in the records of the Los Angeles County Assessor, unless a more current source of this information is known.

(Ord. No. 2005-007 § 1 (part))

#### 17.660.015 REVIEW AUTHORITY ACTION.

- A. Permit Revocation or Modification.** A land use permit or entitlement may be revoked or modified by the review authority (e.g., Director, Commission, or Council) that originally approved the permit or entitlement, if any one of the following findings can be made:
1. Circumstances under which the permit or entitlement was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner, and the public health, safety, and general welfare require the revocation;
  2. The permit or entitlement was issued, in whole or in part, on the basis of a misrepresentation or omission of a material statement(s) in the application or in the applicant's testimony presented during the public hearing for the permit or entitlement;
  3. One or more of the conditions of the permit have not been substantially fulfilled or have been violated;
  4. The use or structure for which the permit was granted has ceased to exist, or has been suspended for at least one year, as defined in Section 17.610.015. (Loss of Nonconforming Status);
  5. The improvement authorized in compliance with the permit is in violation of any code, law, ordinance, regulation, or statute; or
  6. The improvement/use allowed by the permit has become detrimental to the public health, safety, or general welfare, or the manner of operation constitutes or is creating a nuisance.
- B. Administrative Modification or Variance Revocation/Modification.** An Administrative Modification or Variance may be revoked or modified by the review authority that originally approved the permit or entitlement, if any one of the following findings can be made, in addition to those outlined in Subsection 17.660.015.A.1-6. above:
1. Circumstances under which the permit or entitlement was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner, and the grantee has not substantially exercised the rights granted by the Administrative Modification or Variance; or

2. One or more of the conditions of the Administrative Modification or Variance have not been met or have been violated, and the grantee has not substantially exercised the rights granted by the Administrative Modification or Variance.

(Ord. No. 2005-007 § 1 (part))

#### 17.660.020 ACTION FOLLOWING REVOCATION.

When a revocation or modification hearing is initiated by the City, the permit or entitlement shall be suspended automatically and the property owner shall be notified immediately. When necessary, in order to protect public health, safety, or general welfare, an authorized City official may order all or any portion of the operations, formerly authorized by the permit or entitlement, to cease during the time of suspension.

(Ord. No. 2005-007 § 1 (part))

# Title 17. Zoning

## Article 7. DEFINITIONS

### 17.700 DEFINITIONS

17.700.005 Purpose

17.700.010 Definitions of Specialized Terms and Phrases

#### 17.700.005 PURPOSE.

This Article provides definitions of terms and phrases used in this Title that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Article conflict with definitions in other provisions of the CCMC, these definitions shall control for the purposes of this Title. If a word is not defined in this Article, or in other provisions of the Title, the most common dictionary definition is presumed to be operative.

(Ord. No. 2005-007 § 1 (part))

#### 17.700.010 DEFINITIONS OF SPECIALIZED TERMS AND PHRASES.

The following definitions are in alphabetical order.

##### A. Definitions, "A".

- 1. Accessory Dwelling Unit.** An attached or detached residential dwelling unit that provides complete, independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multiple-family dwelling is or will be situated.
- 2. Accessory Dwelling Unit, Junior.** An attached residential dwelling unit within a proposed or existing single-family dwelling that is no more than 500 square feet in size. A junior accessory dwelling unit may share sanitary facilities with the primary dwelling unit but shall include a kitchen or efficiency kitchen consistent with applicable State and Building Code statutes.
- 3. Accessory Food Service.** A use accessory to a primary retail use, occupying no more than 20% of the gross floor area of the primary use, where customers are served prepared food and/or beverages from a walk-up ordering counter for either on- or off-premise consumption.

4. **Accessory Retail Use.** The retail sales of various products (including food) in a store or similar facility that is located within a health care, hotel, office, industrial, or studio complex for the purpose of serving employees or customers of the primary use and is not visible from public streets. These uses include pharmacies, gift shops, and food service establishments within hospitals, as well as convenience stores and food service establishments within hotel, office, and industrial complexes.
5. **Accessory Structure.** A structure that is physically detached from, secondary, and incidental to, and commonly associated with, the primary structure.
6. **Accessory Use.** A use customarily incidental to, related and clearly subordinate to a principal use established on the same parcel, which does not alter the principal use, nor serve property other than the parcel where the principal use is located.
7. **Accessory Uses and Structures, Residential.** Any use and/or structure that is customarily a part of or clearly incidental to a residence, which does not change the character of the residential use and/or household. These uses include the following detached accessory structures, and other similar structures normally associated with a residential use of property:
  - a. Garages;
  - b. Spas and hot tubs;
  - c. Gazebos;
  - d. Storage sheds;
  - e. Greenhouses;
  - f. Swimming Pools;
  - g. Outdoor recreational amenities, such as tennis and other on-side sport courts;
  - h. Workshops.

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use. Does not include home satellite dish and other receiving antennas for earth-based TV and radio broadcasts; see “Telecommunications Facilities.”
8. **Adult Business.** Any adult bookstore, adult hotel or motel, adult motion picture arcade, adult motion picture theater, cabaret, sexual encounter center, or any other business or establishment that offers its patrons merchandise, services, or entertainment characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, but not including those uses or activities, the regulation of which is preempted by State law.
9. **Adult Day Care Facilities.** State-licensed facilities that provide non-medical care and supervision for more than six adults for periods of less than 24 hours.
10. **Aisle.** A driveway that also serves as a maneuvering space for ingress and egress to one or more adjacent parking spaces.
11. **Agent.** A person authorized in writing by the property owner to represent and act for a property owner in contacts with City employees, committees, Commissions, and the Council, regarding matters regulated by this Title.

- 12. Alcoholic Beverage Sales.** The retail sale of beer, wine, and/or other alcoholic beverages for on- or off-premise consumption.
- 13. Alley.** A public or private roadway, generally not more than 30 feet wide, that provides vehicle access to the rear or side of parcels having other public street frontage, and that is not intended for general traffic circulation.
- 14. Allowed Use.** A use of land identified by Article 2 (Zoning Districts, Allowable Land Uses and Zone-Specific Standards) as a permitted or conditional use that may be established with a land use permit and, where applicable, site plan review and/or building permit approval, subject to compliance with all applicable provisions of this Title.
- 15. Alteration.** Any construction or physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting. See also “Structural Alteration.”
- 16. Amnesty Program.** The policies adopted under Resolution No. 97-R067 to establish consistent enforcement policies and practices regarding unpermitted property conversions and building constructions.
- 17. Animal Sales and Services.**
- a. **Animal Boarding and Kennels.** Public or commercial facilities for the keeping, boarding, or maintaining of common household pets for commercial purposes, except for dogs or cats offered for sale in pet shops.
  - b. **Animal Hospitals.** An establishment providing medical and surgical treatment for domestic animals. This classification allows 24-hour accommodation of animals receiving medical services but does not include kennels. Use allowed indoors only.
  - c. **Pet Day Care.** A facility for the primary purpose of same day, short-term keeping, boarding or maintaining of animals that do not require medical treatment, and excludes the keeping of animals overnight.
  - d. **Pet Shops.** Retail stores selling or offering for adoption birds, cats, dogs, fish, and other common household pets, including supplies for the care and feeding of the animals sold. This use may include pet grooming, but not the overnight boarding of animals other than those for sale.
  - e. **Veterinary Clinics.** Office and medical treatment facilities used by veterinarians, including large and small animal veterinary clinics. Use allowed indoors only.
- 18. Approval.** Includes both approval and approval with conditions.
- 19. Architectural Feature.** Soffit, column, wing wall, canopy, roof eave, balcony, bell tower, spires, clock tower, cupolas, turrets, and any other similar element that does not create an interior floor space.
- 20. Arterial Street.** Arterial streets include primary and secondary arterial streets. Primary arterial streets are major cross-town thoroughfares. Secondary arterial streets connect primary arterial streets to smaller streets and residential neighborhoods. Primary and secondary arterial streets are defined in the General Plan Circulation Element.
- 21. Assembly.**

- a. **Clubs, Lodges, and Private Meeting Halls.** Permanent, headquarters-type and meeting facilities for organizations, operating on a membership basis, for the promotion of the interests of the members, including facilities for:
    - i. Business Associations;
    - ii. Civic, social, and fraternal organizations;
    - iii. Labor Unions and similar organizations;
    - iv. Political Organizations;
    - v. Professional membership organizations;
    - vi. Other membership organizations.
  - b. **Religious Places of Worship.** Facilities operated by organizations for worship, or the promotion of religious activities, such as churches, synagogues, mosques, and temples; and accessory uses on the same site, such as living quarters for ministers and staff, child day care facilities and religious schools, where authorized by the same type of land use permit required for the church itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp), are classified according to their respective activities.
- 22. Attic.** The area between roof framing and the ceiling of the rooms below that is not habitable per Building Code standards, but may be reached by ladder and used for storage or mechanical equipment. Any such room with less than 70 square feet in area or less than seven feet in height shall constitute an attic.
- 23. Automated Teller Machine (ATM).** Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with § 17.400.025 (Automatic Teller Machines).
- 24. Awning.** A permanent or temporary structure attached to, and wholly supported by, a wall or a building, installed over and partially in front of doors, windows or other openings in a building, and consisting of a frame and a top of canvas or other similar material covering the entire space enclosed between the frame.

**B. Definitions, “B”.**

- 1. **Balcony.** An accessible platform structure that projects from a building facade or wall without ground mounted structures or supports and is surrounded by a railing or parapet.
- 2. **Banks and Financial Services.** Financial institutions including:
  - a. Banks and trust companies;
  - b. Credit agencies;
  - c. Credit unions;
  - d. Holding (but not primarily operating) companies;
  - e. Lending and thrift institutions;
  - f. Other investment companies;

- g. Securities/commodity contract brokers and dealers;
- h. Security and commodity exchanges;
- i. Vehicle finance (equity) leasing agencies.

Does not include check-cashing or payday-loan facilities.

3. **Basement.** That portion of a building or an area enclosed by walls located below finished grade and beneath and not exceeding the first floor footprint above, where the vertical distance from finished grade to the bottom of the finished floor above is no more than three vertical feet at all points around the perimeter of all exterior walls. A basement does not constitute a story. All basements shall be limited to one floor level and not to exceed 12 feet in height.
4. **Bay Window.** A window formed as the exterior expression of a bay within a structure, a bay in this context being an interior recess made by the outward projection of the exterior finish of the exterior wall of a building with exterior bottom portion no less than six inches above grade. The purpose of a bay window is to admit more light than would a window flush with the wall line. A bay window may be rectangular, polygonal, or arc-shaped. A bay window is also called an oriel, or oriel window, when it projects from an upper story and which may be supported by corbels. Bay windows may be multi-level.
5. **Bedroom.** Any room in a dwelling except a living room, bathroom, dining room or kitchen, but including a den, family room, game room, library, office, play room, sewing room, study, or other room that could, under the Building Code of the City, be used for sleeping purposes without structural modification, and also including an alcove, loft or similar feature within a room other than a bedroom.
6. **Blank Wall.** Any wall that is not enhanced by architectural detailing, artwork, landscaping, windows, doors, or similar features. Solid and mechanical doors and glass with less than 80% transparency are considered blank wall areas.
7. **Broadcast Studios.** Commercial and public communications uses, including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Transmission and receiving apparatus, including antennas and towers, are included under the definition of “Telecommunications Facilities.”
8. **Building.** See “Structure.”
9. **Business Frontage.** The portion of a building occupied by a single business tenant, which fronts on a public street, faces a courtyard, pedestrian corridor or walkway, parking lot or alley.
10. **Business and Consumer Support Services.** Establishments primarily providing consumers and businesses with services, including maintenance, repair and service, testing, rental, as well as the following:
  - a. Blueprinting;
  - b. Business equipment repair services (except vehicle repair, see “Vehicle Service - Maintenance/Repair”);
  - c. Computer-related services (rental, repair);
  - d. Copying, quick printing, and blueprinting services;
  - e. Equipment rental businesses within buildings;

- f. Film-processing laboratories;
- g. Heavy equipment repair services where repair occurs on the client site;
- h. Household appliance and equipment repair services;
- i. Janitorial and maid services;
- j. Mail advertising services (reproduction and shipping); Photocopying and photofinishing;
- k. Protective services (other than office-related);
- l. Window cleaning.

**C. Definitions, "C".**

**1. California Environmental Quality Act (CEQA).** State law (Cal. Pub. Res. Code §§ 21000 et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, prior to allowing the action to occur.

**2. Cannabis Related Activities.**

- a. **Cannabis.** Except as specified herein, all parts of the Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not: the seeds thereof: the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this division, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the California Health and Safety Code
- b. **Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.
- c. **Delivery.** The commercial transfer of cannabis or cannabis products to a customer. "Delivery" also includes the use by a retailer of any technology platform.
- d. **Dispensing or Dispensary.** Any activity involving the retail sale of cannabis or cannabis products from a retailer.
- e. **Distribution.** The procurement, sale, and transport of cannabis and cannabis products between licensees.
- f. **Manufacturer.** To compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.
- g. **Marijuana.** Means "cannabis," as that term is defined in this Title.
- h. **Retailer-Storefront.** A commercial cannabis business facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale to customers at an on-site fixed location, including an establishment that also offers delivery of cannabis and cannabis products as part of a retail sale, in addition to on-site sales, and where the operator holds a valid commercial cannabis business permit from the City of Culver City

authorizing the operation of a retailer, and a valid state license as required by state law to operate a retailer.

- i. **Retailer-Delivery only.** A commercial cannabis business facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale to customers, where the premises are closed to the public and sales are conducted exclusively by delivery, where a vehicle is used to convey the cannabis or cannabis products to the customer from a fixed location, and where the operator holds a valid commercial cannabis business permit from the City of Culver City authorizing the operation of a retailer, and a valid state license as required by state law to operate a retailer.
  - j. **Testing laboratory.** A laboratory, facility, or entity in the state that offers or performs tests of cannabis or cannabis products and that is both of the following:
    - i. Accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state.
    - ii. Licensed by the State of California.
3. **Canopy Depth.** The maximum perpendicular distance that a canopy projects away from the building wall to which it is attached.
  4. **Canopy, Nonstructural.** See “Awning.”
  5. **Canopy, Structural.** An architectural feature that projects from, and is totally supported by, the exterior wall of a building; provides protection from the elements to pedestrians below, or to occupants within the building; is usually positioned above a window or a door; and is permanent, in that it is not retractable and cannot be removed from the building within the building.
  6. **Canopy Width.** The maximum parallel distance that a canopy extends across the building wall to which it is attached.
  7. **Carport.** A roofed structure over a driveway, the purpose of which is to shelter a vehicle.
  8. **Check Cashing.** Check cashing is a primary business, other than a bank, credit union, or other similar financial institution, that cashes, sells, and/or processes checks, money orders, electronic money transfers, and other financial documents for a fee.
  9. **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.
    - a. **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.
    - b. **Large Family Day Care Home.** A day care facility located in a residence where a full-time resident provides care and supervision for seven to 14 children. Children under the age of 10 years who reside in the home count as children served by the day care facility.

- c. **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. Children under the age of 10 years who reside in the home count as children served by the day care facility.

**10. Clubs, Lodges and Private Meeting Halls.** See “Assembly.”

**11. Commercial Entertainment and Recreation.**

- a. **Arcade.** Any premises containing four or more entertainment devices, or any premises wherein 50% or more of the public floor area is devoted to amusement devices, whether or not said devices constitute the primary use or any accessory use of the premises. For purposes of this definition, Amusement Device means any mechanical or electronic game, machine or equipment played or used for amusement, which, when so played or used, involves skill, is activated by coin, token or key, or for which the player or user pays money for the privilege of playing or using. Three or fewer machines are not considered a land use separate from the primary use of the site. Up to 10 amusement devices are permitted in conjunction with a multiplex movie theater complex without being considered an arcade.
- b. **Event Center.** A facility for public or private meetings, events, or social gatherings, including union halls, meeting halls, country clubs, banquet halls, and other event centers. Included in this classification is the use of functionally related facilities for the use of members or event/banquet attendees including, but not limited to, kitchens, multi-purpose rooms, classrooms, and storage.
- c. **Indoor Commercial Recreation.** Establishments providing indoor amusement/entertainment services for a fee or admission charge, or renting space for private events. This includes, but is not limited to, ice skating and roller skating, batting cages, pool and billiard rooms as primary uses, and bowling alleys.
- d. **Outdoor Commercial Recreation.** Facilities for various outdoor sports or entertainment and types of recreation where a fee is charged for use, such as amphitheaters, golf driving ranges separate from golf courses, miniature golf courses, batting cages, swim and tennis clubs. Does not include parks and playgrounds, which are defined separately.
- e. **Theaters.** Indoor facilities for public assembly and group entertainment, other than sporting events, including civic theaters and facilities for “live” theater and concerts, and motion picture theaters. Does not include outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events; see “Public Recreational Facilities.”

**12. Commercial Kitchen.** Preparation and delivery of food and beverages for off-site consumption which may include provisions for on-site pickup, not including ghost kitchens. A catering service ancillary to a primary restaurant use is included under the definitions of “Restaurants.”

**13. Common Interest Development.** Any residential condominium, community apartment house, or stock cooperative.

**14. Community Garden.** The cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity, by several individuals or households.

15. **Condominium.** As defined by Cal. Civil Code § 1351, a development where undivided interest in common in a portion of real property is coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map or parcel map. The area within the boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to any land except by easements for access and, if necessary, support.
16. **Contractor's Storage Yard.** Storage yards operated by, or on behalf of, a State licensed contractor for storage of large equipment, or other materials commonly used in the individual contractor's type of business.
17. **Construction Contractors.** An office-type facility occupied by businesses that provide professional contracting services. This use does not include outdoor storage of equipment and materials.
18. **Cottage Food Operation.** A cottage food operation means an enterprise where an individual prepares or packages non-potentially hazardous foods in his or her private home for sale to consumers and as it is defined in California Health and Safety Code Section 113758. The definitions set forth in Health and Safety Code Section 113758 are hereby incorporated herein by reference, as they are now enacted or hereafter amended.
19. **Covered.** Any enclosed, semi-enclosed, or unenclosed building area that is covered by a solid roof.

#### D. Definitions, "D".

1. **Deferred Compliance.** Extended period of time for a property owner to comply with Municipal Code provisions as granted by the Municipal Code Appeals Committee as established under Resolution No. 97-R067.
2. **Density.** The number of housing units per gross acre, unless otherwise stated, for residential uses.
3. **Detached.** Any structure that does not have a wall or roof in common with another structure.
4. **Development.** Any construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of structures. **New Development** is any construction, or alteration of an existing structure or land use, or establishment of a land use, after the effective date of this Title.
5. **Development Agreement.** A contract between the City and an applicant for a development project, in compliance with Chapter 17.590 of this Title and Cal. Gov't Code §§ 65864 et seq. A development agreement is intended to provide assurance to the applicant that an approved project may proceed, subject to the policies, rules, regulations, and conditions of approval applicable to the project at the time of approval, regardless of any changes to City policies, rules, and regulations after project approval. In return, the City may be assured that the applicant will provide infrastructure and/or pay fees required by a new project.
6. **Disability.** The definition of Disability shall be consistent with Cal. Gov't Code §§ 12900 through 12996 and the regulations promulgated thereunder.

7. **District.** See “Zoning District.”
8. **Drive-in and Drive-thru Facilities.** Retail or service facilities where products or services are provided to motorists who remain in their vehicles. These facilities include drive-thru fast-food restaurants, and drive-up bank teller windows, dry cleaners, pharmacies, and the like. Does not include: automatic teller machines (ATMs), automobile service stations, or car washes, which are separately defined.
9. **Duplex.** See “Two-Family Dwelling/Duplex.
10. **Dwelling Unit.** Any structure designed or used for the shelter or housing that contains permanent provisions for sleeping, eating, cooking and sanitation, occupied by or intended for one or more persons on a long-term basis.

**E. Definitions, “E”.**

**1. Eating and Drinking Establishments.**

- a. **Bars and Night Clubs.** Businesses where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include entertainment (e.g., live music and/or dancing, comedy, and the like). May also include artisanal alcohol production that does not exceed 20% gross floor area unless approved by Administrative Use Permit to exceed no more than 30% gross floor area. Does not include Adult Businesses.
- b. **Beverage Tasting Facility.** A beverage tasting facility means an ancillary tasting of alcoholic beverage product associated with a food and beverage manufacturing use or a general retail use when that general retail use includes the sale of beer, wine, and distilled spirits for off-site consumption. A beverage tasting facility cannot exceed 20% of the gross floor area of the food and beverage manufacturing or general retail use to which it is associated unless approved by administrative use permit to exceed no more than 30% gross floor area.
- c. **Artisanal Alcohol Production.** Manufacturing of alcoholic beverage products ancillary to a table service restaurant. Artisanal alcohol production cannot exceed 20% gross floor area of the table service restaurant to which it is a part unless approved by Administrative Use Permit to exceed no more than 30% gross floor area.
- d. **Restaurant, Outdoor Dining.** Any group of tables and chairs, and its authorized decorative and accessory features, situated and maintained in an open or partially enclosed or screened area on public or private property for use in connection with a restaurant for the consumption of food and beverage sold on-site.
- e. **Restaurant, Table Service or Take Out.** A retail business selling food and beverages prepared on the site, where customers are served food at tables or from a walk-up ordering counter, for either on- or off-premise consumption, which may include fast-food and take-out restaurants. A restaurant with drive-up or drive-through service is instead included under the definition of “Drive-in and Drive-Thru Facilities.” These restaurants may also provide live entertainment that is clearly secondary to table service. May also include artisanal alcohol production, subject to the provisions of Section 17.400.015 (Alcoholic Beverage Sales).

2. **Emergency Shelter.** Facilities providing temporary shelter with minimal supportive services for homeless persons that are limited to occupancy of 180 days or less by a homeless person, persons, household, or family operated by a public or non-profit agency. These accommodations may include temporary lodging, meals, laundry facilities, bathing, counseling, and other basic support services.
3. **Environmental Impact Report (EIR).** An informational document used to assess the physical characteristics of an area, and to determine what effects will result if the area is altered by a proposed action, prepared in compliance with the California Environmental Quality Act (CEQA).

**F. Definitions, “F”.**

1. **False Mansard.** A sloped wall segment that is above or projects down and away from a vertical wall of a building, and that is not a building roof, as defined by the Uniform Building Code.
2. **Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.
3. **Firearms sales.** A retail establishment engaged in the selling, transferring, or leasing of firearms.
4. **Floor Area.** Floor Area is considered the same as Gross Floor Area or Gross Square Footage. Floor Area shall include all area within each level or floor of a structure, measured from exterior wall finish, except as otherwise defined in this Title. All space within each floor shall be counted towards the area for that floor and shall include, but not be limited to hallways; lobbies; stairways and elevators; mechanical or utility rooms; storage rooms; and restrooms; but shall not include basements or subterranean parking. The following specific features and structures shall also be counted towards floor area:
  - a. **Bay Windows.** Bay window protrusions with flooring that is less than 12 inches above the top surface of the interior finished floor, and which are unobstructed with permanent structures, shall be counted as floor area.
  - b. **Residential Staircases.** For residential structures, a staircase shall be counted only once if the area underneath the stairs is not accessible and not visible by way of solid walls encasing the area under the stairs.
5. **Floor Area Ratio (FAR).** The floor area ratio (FAR) is the ratio of floor area to total lot area. The maximum floor area permitted on a site shall be determined by multiplying the floor area ratio (FAR) by the total area of the site ( $FAR \times \text{Site Area} = \text{Maximum Allowable Floor Area}$ ). Basement area shall not be included in calculation of FAR.

6. **Floor Area, Single-Family Residential.** In the R1 Zone, residential floor area shall include any floor area, confined from exterior wall to exterior wall, within the main dwelling unit, accessory structures, and garages, with the exception that attached and detached accessory dwelling units and junior accessory dwelling units shall not be counted towards FAR and garages located in the rear one-half of the lot shall not be counted towards FAR. On a typical lot type defined by Figure 7-1 (Examples of Lot Types), the “rear one-half (1/2) of the lot” shall be defined as the area between the rear property line and the midline between the front and rear yard property lines. On any lot type not represented in Figure 7-1, the garage exemption from FAR shall be determined by the Director. Interior areas with ceiling heights greater than 14 feet shall be counted twice toward the floor area with the exception that the first 250 square feet of such areas shall be counted only once towards the floor area.

**G. Definitions, “G”.**

1. **General Plan.** The City of Culver City general plan, including all elements thereof and all amendments thereto, as adopted by the City Council under the provisions of Cal. Gov’t Code § 65300 et seq., and referred to in this Title as the “General Plan.”
2. **Grade.** The ground surface immediately adjacent to the exterior base of a structure, typically used as the basis for measurement of the height of the structure.

**H. Definitions, “H”.**

1. **Handcraft Industries.** Establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, furniture, as well as small glass and metal art and craft products.
2. **Hazardous Materials/Wholesale Fuel Storage and Distribution.** The storage of hazardous materials including but not limited to pressurized gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, fireworks, and explosives. Includes any establishment engaged in sale of petroleum/fuel products, including storage, refinery, and recycling of biodiesel fuels that may be serviced by pipeline, rail, or trucks. This land use does not include the storage of small quantities of explosives or hazardous materials, as customary in hardware, landscaping, or sporting goods stores, etc.
3. **Health/Fitness Facilities.** Fitness centers, gymnasiums, health and athletic clubs, including any of the following: indoor sauna, spa, tanning or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor activities.
4. **Heliport.** A facility for the takeoff and landing of helicopters. Also includes support activities such as fueling and maintenance, storage, communications equipment, buildings and structures, lights, and other equipment and structures required by the United States Government and/or the State for the safety of aircraft operations.
5. **Home Occupation.** The conduct of a business within the business owner’s primary residence, with the business activity being subordinate to the residential use of the property.

6. **Hotel or Motel.** Facilities with guest rooms or suites, provided with or without kitchen facilities, rented to the general public for transient lodging (less than 30 days). Hotels provide access to most guest rooms from an interior walkway, and typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, and the like. Motels provide access to most guest rooms from an exterior walkway. Also includes accessory guest facilities, such as swimming pools, tennis courts, indoor athletic/fitness facilities, and accessory retail uses. This use includes bed and breakfasts. For stays of longer than 30 consecutive days up to 365 consecutive days, see “Hotel or Motel (Extended Stay).”
7. **Hotel or Motel (Extended Stay).** Facilities with one or more guest rooms or suites, provided with or without kitchen facilities, rented to general public for long term lodging purposes of greater than 30 consecutive days but less than 365 consecutive days; except that such facilities may be leased by businesses for corporate use for periods of 365 consecutive days or greater, so long as each guest room or suite is vacated by the guest within 365 days. Hotel or Motel (Extended Stay) typically includes a variety of services in addition to lodging, such as restaurants, meeting facilities, personal services, and similar traveler-related uses. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic/fitness facilities, and accessory retail uses.
8. **Housing Development Project.** A housing development project that meets the following definition per Govt. Code Section 65589.5 (h)(2), as may be amended from time to time:
  - a. Residential units only.
  - b. Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.
  - c. Transitional housing or supportive housing.

**I. Definitions, “I”.**

1. **Individual With a Disability .** The definition of an individual with a disability shall be consistent with Cal. Gov’t Code §§ 12900 through 12996 and the regulations promulgated thereunder.
2. **Internet Café.** A business where customers can use a computer with Internet access for a fee, usually per hour or minute. It may also sell food and beverages.

**J. Definitions, “J”.**

No specialized terms beginning with the letter “J” are used at this time.

**K. Definitions, “K”.**

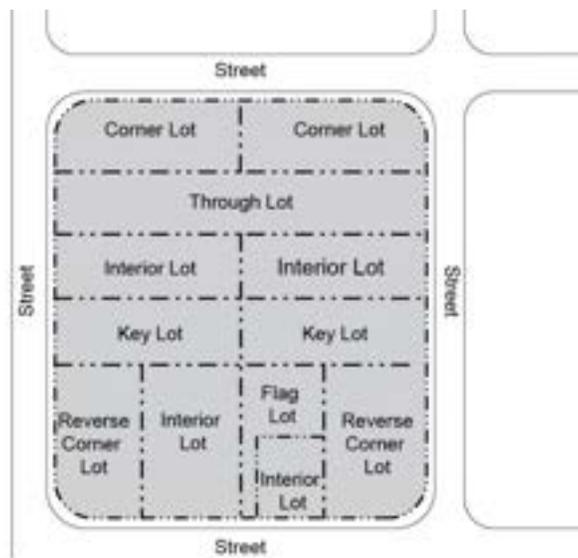
1. **Kitchen.** Any room or space within a structure containing a combination of the following facilities that are capable of being used for the cooking or preparation of food: oven/microwave oven, stove, refrigerator exceeding six cubic feet, and sink.

**L. Definitions, “L”.**

1. **Land Use Permit.** Authority granted by the City to use a specified site for a particular purpose, including but not limited to Administrative Use Permits, Comprehensive Plans, Conditional Use Permits, Specific Plans, Variances and planning clearances, as established by Article 5 (Land Use and Development Permit Procedures) of this Title.
2. **Landscaping.**
  - a. **Hardscape.** Constructed landscape elements, including items such as colored or textured concrete pavers, wood decks, rockwork, masonry planters, wood box planters, water features, walls and fences.
  - b. **Hardscape Areas.** Areas including patios, decks, walkways and paving.
  - c. **Hydrozone.** A portion of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule.
  - d. **Infiltration Rate.** The rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
  - e. **Landscaped Area.** The open space area (entire parcel less the building footprint, driveway, and parking area) developed with ornamental plant material, and hardscape. Water features are included in the calculation of the landscaped area.
  - f. **Landscaping.** Ornamental live plant materials (trees, shrubs, vines, groundcover or turf) in containers or at grade and decorative hardscape areas.
  - g. **Overspray.** Water delivered beyond the landscaped areas.
  - h. **Parkway.** Land area between street curb and sidewalk.
  - i. **Plant Materials.** Trees, shrubs, vines ground cover, turf or any other ornamental live plants.
  - j. **Planted Area.** Areas including live ornamental plant materials installed within open space landscaped areas.
  - k. **Runoff.** Water that is not absorbed by the planted area to which it is applied and flows from the area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where there is a severe slope.
  - l. **Street Trees.** Trees planted within a public street right-of-way.
  - m. **Turf.** A single-bladed grass or sod.
3. **Laundries and Dry Cleaning Plants.** Service establishments engaged primarily in high volume laundry and garment services, including: power laundries (family and commercial); garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include laundromats or dry cleaning pick-up stores with limited dry cleaning equipment; see “Personal Services.”
4. **Libraries and Museums.** Public or quasi-public facilities, including aquariums, arboretums, art exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, and planetariums, which are generally non-commercial in nature.
5. **Live/work Unit.** An integrated housing unit and working space occupied and utilized by a single household, in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity.

6. **Lot or Parcel.** A recorded lot or parcel of real property under single ownership, lawfully created as required by the Subdivision Map Act and City ordinances, including this Title. Portions of a Lot or Parcel that are within the public right-of-way and restricted by easement, or similar instrument, to sidewalk, alley, or street uses shall not be considered a part of the Lot or Parcel. Types of lots include the following.
- Corner Lot.** A lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than 135 degrees. If the intersection angle is more than 135 degrees, the lot is considered an interior lot.
  - Flag Lot.** A lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.
  - Interior Lot.** A lot abutting only one street.
  - Key Lot.** An interior lot, the front of which adjoins the side property line of a corner lot.
  - Reverse Corner Lot.** A corner lot, the rear of which abuts a key lot.
  - Through Lot.** A lot with frontage on two generally parallel streets.

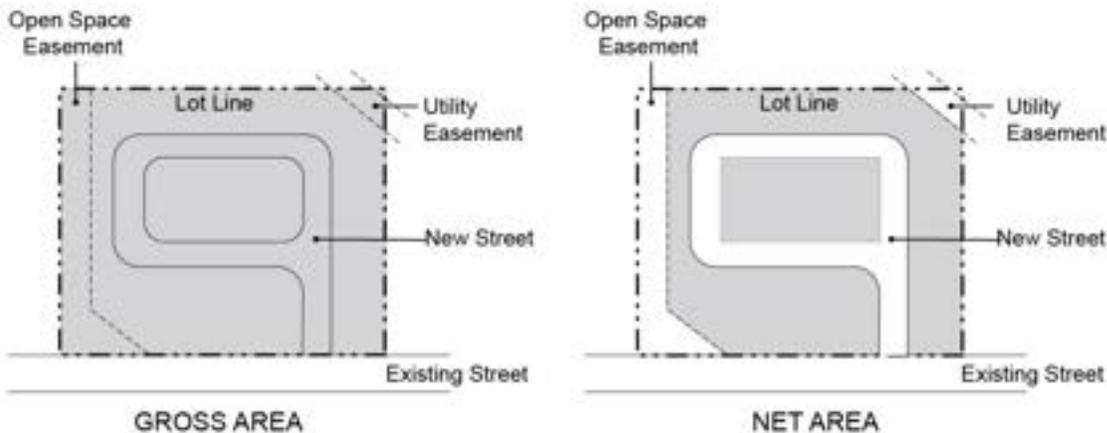
Figure 7-1 Examples of Lot Types



7. **Lot Area.**
- Gross Lot Area.** The total horizontal area of a lot or parcel of land **inclusive** of easements and future dedications where the owner of the property does not have the right to use the entire surface of the land. Gross lot area shall exclude any previous easements or dedications for a public street, right-of-way, or alley. For State Density Bonus Law projects, see Government Code Section 65915.
  - Net Lot Area** The total horizontal area of a lot or parcel of land **exclusive** of the following (see Figure 7-2):

- i. Proposed public facilities which include, but are not limited to alleys, highways, streets, or other necessary public sites when included within a proposed project; and
- ii. Other public or private easements where the owner of the property does not have the right to use the entire surface of the land.

Figure 7-2 Lot Area



- 8. **Lot Coverage.** See “Site Coverage.”
- 9. **Lot Depth.** The average linear distance between the front and the rear lot lines, or the intersection of the two side lot lines if there is no rear line. The Director shall determine lot depth for parcels of irregular configuration.
- 10. **Lot Frontage.** The boundary of a lot adjacent to a public street right-of-way.
- 11. **Lot Line or Property Line.** Any recorded boundary of a lot. Types of lot lines are as follows.
  - a. **Front Lot Line.** On an interior lot, the property line separating the parcel from the street. The front lot line on a corner lot is the line with the shortest frontage. (If the lot lines of a corner lot are equal in length, the front lot line shall be determined by the Director.) On a through lot, both lot lines are front lot lines, and the lot is considered to have no rear lot line.
  - b. **Interior Lot Line.** Any lot line not abutting a street.
  - c. **Rear Lot Line.** A property line that does not intersect the front lot line, which is most distant from and most closely parallel to the front lot line.
  - d. **Side Lot Line.** Any lot line that is not a front or rear lot line.
  - e. **Zero Lot Line.** The location of a structure on a lot in such a manner that one or more edges rests directly on a lot line.
- 12. **Lot Width.** The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. The Lot Width of irregular shaped lots may be determined through a Zoning Clearance.

**M. Definitions, “M”.**

**1. Manufacturing.**

- a. **Chemical Product Manufacturing.** Manufacturing facilities that produce or use basic chemicals, and other establishments creating products predominantly by chemical

processes. Facilities included in this definition manufacture three general classes of products: (1) basic chemicals, such as acids, alkalines, salts, and organic chemicals; (2) chemical products to be used in further manufacture, such as synthetic fibers, plastic materials, dry colors, and pigments; and (3) finished chemical products to be used for ultimate consumption, such as drugs, cosmetics, and soaps; or to be used as materials or supplies in other industries, such as paints, fertilizers, and explosives; (4) cannabis manufacturer and cannabis cultivation. Also includes sales and transportation establishments handling the chemicals described above in other than one of the uses included in the Retail Trade group in the land use and permit tables.

- b. **Clay and Pottery Products Manufacturing.** Manufacturing facilities engaged primarily in producing, cutting, shaping, and finishing structural clay products, including pipe, china plumbing fixtures, and vitreous china articles. Artist/craftsman uses are included in “Handcraft Industries” and “Small-Scale Products Manufacturing.”
- c. **Construction Materials Manufacturing.** Manufacturing, processing, and sales involving concrete, plaster, lumber, paving and roofing materials as defined below.
  - i. **Concrete, Gypsum and Plaster Product Manufacturing.** Manufacturing establishments producing bulk concrete, concrete building block, brick, tile and all types of precast and prefab concrete products. Also includes ready-mix concrete batch plants, lime manufacturing, and manufacture of gypsum products, such as plasterboard. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under “Building Material Stores.”
  - ii. **Lumber and Wood Product Manufacturing.** Manufacturing, processing, and sales uses involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. Includes the following processes and products:
    - a.) Containers, pallets and skids;
    - b.) Milling operations;
    - c.) Trusses and structural beams;
    - d.) Turning and shaping of wood products;
    - e.) Wholesaling of basic wood products;
    - f.) Wood product assembly.Craft-type shops are included in “Artisan Shops,” and other wood and cabinet shops are included under “Furniture and Fixture Manufacturing.” The indoor retail sale of building materials is included under “Building Material Stores.”
  - iii. **Paving and Roofing Materials Manufacturing.** The manufacture of various common paving and petroleum-based roofing materials, including bulk asphalt, paving blocks made of asphalt, creosote wood and various compositions of asphalt and tar.
- d. **Electronics and Equipment Manufacturing.** Establishments engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation and use of electrical energy, including:
  - i. Appliances, such as stoves/ovens, refrigerators, freezers, laundry equipment, fans, vacuum cleaners, sewing machines;

- ii. Aviation instruments;
- iii. Electronic components and accessories, and semiconductors, integrated circuits, related devices;
- iv. Electronic instruments, components and equipment such as calculators and computers;
- v. Electronic transmission and distribution equipment;
- vi. Electrical welding apparatus;
- vii. Industrial apparatus;
- viii. Industrial controls;
- ix. Instruments for measurement, testing, analysis and control, associated sensors and accessories;
- x. Lighting and wiring equipment such as lamps and fixtures, wiring devices, vehicle lighting;
- xi. Miscellaneous electrical machinery, equipment and supplies, such as batteries, X-ray apparatus and tubes, electro-medical and electrotherapeutic apparatus, electrical equipment for internal combustion engines;
- xii. Motors and generators;
- xiii. Optical instruments and lenses;
- xiv. Photographic equipment and supplies;
- xv. Pre-recorded magnetic tape;
- xvi. Radio and television receiving equipment, such as television and radio sets, phonograph records and surgical, medical and dental instruments, equipment, and supplies;
- xvii. Surveying and drafting instruments;
- xviii. Telephone and telegraph apparatus;
- xix. Transformers, switch gears and switchboards.

Does not include testing laboratories (soils, materials testing, and the like) (see “Business Support Services”) or research and development facilities separate from manufacturing (see “Research and Development”).

- e. **Fabric Product Manufacturing.** Manufacturing facilities fabricating clothing, draperies, and other similar products, and/or producing textiles and leather products, which may include any of the following operations:
  - i. Coating, waterproofing, or otherwise treating fabric;
  - ii. Dying and finishing fiber, yarn, fabric and knit apparel;
  - iii. Manufacture of felt goods, lace goods, non-woven fabrics and miscellaneous textiles;
  - iv. Manufacture of knit apparel and other finished products from yarn;
  - v. Manufacturing of woven fabric, carpets and rugs from yarn;
  - vi. Preparation of fiber and subsequent manufacturing of yarn, threads, braids, twine cordage;
  - vii. Upholstery manufacturing.

- viii. Custom tailors and dressmakers not operating as factory and not located on the site of a clothing store (“General Retail Stores”) are instead included under “Personal Services.”
- f. **Food and Beverage Manufacturing.** Manufacturing facilities producing or processing foods and beverages for human consumption, and certain related products. Includes:
  - i. Bakeries (non-retail);
  - ii. Bottling plants;
  - iii. Breweries;
  - iv. Candy, sugar and confectionary products manufacturing;
  - v. Coffee roasting;
  - vi. Ghost kitchens
  - vii. Grain mill products and by-products;
  - viii. Miscellaneous food item preparation from raw products.
- g. **Furniture and Fixtures Manufacturing.** Manufacturers producing: wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and public building furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades.
- h. **Glass, Metal, and Plastics Product Manufacturing.** Manufacturing facilities: 1) producing flat glass and other glass products, which are pressed, blown, or shaped from glass produced in the same establishment; 2) assembling metal parts, including uses that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products; and 3) producing finished plastic products, fiberglass, and rubber products, such as tires, footwear, flooring, and other rubber products, from natural, synthetic or reclaimed rubber.
- i. **Machinery Manufacturing.** The manufacturing of machinery and equipment used for the manufacturing of other products; as parts in the assembly of other products; and for end-use purposes, including the following:
  - i. Constructive equipment;
  - ii. Laundry and dry cleaning;
  - iii. Die casting;
  - iv. Materials handling;
  - v. Engines and turbines;
  - vi. Oil field equipment;
  - vii. Farming and gardening;
  - viii. Passenger and freight elevators;
  - ix. Food products manufacturing;
  - x. Printing;
  - xi. Heating, ventilation, air conditioning;
  - xii. Refrigeration equipment;
  - xiii. Industrial trucks and tractors;
  - xiv. Textile manufacturing.

- j. **Motor Vehicle/Transportation Equipment Manufacturing.** The manufacturing of equipment for transporting people and goods, including aircraft and other aerospace equipment, railroad equipment, motor vehicles and auto parts, motorcycles, and bicycles.
  - k. **Paper Product Manufacturing.** The manufacture of paper and paperboard, from both raw and recycled materials, and their conversion into products such as paper bags, boxes, envelopes, wallpaper, and the like.
  - l. **Small-scale Products Manufacturing.** Manufacturing facilities not classified in another major manufacturing group, including: musical instruments; toys; sporting and athletic goods; pens, pencils, and other office and artists' materials; buttons, costume novelties, miscellaneous notions; brooms and brushes; and other miscellaneous products.
  - m. **Stone and Cut Stone Products Manufacturing.** Manufacturing facilities engaged in cutting, shaping, and finishing granite, marble, limestone, slate, and other stone for building and miscellaneous use.
- 2. Media Production.** Facilities for motion picture, television, video, sound, computer, and other communications media production. These facilities include the following types.
- a. **Backlots/Outdoor Facilities.** Outdoor sets, backlots, and other outdoor facilities, including supporting indoor workshops and craft shops.
  - b. **Indoor Support Facilities.** Administrative and technical production support facilities, including administrative and production offices, post-production facilities (editing and sound recording studios, foley stages, and the like.), special effects and optical effects units, film laboratories, and the like.
  - c. **Soundstages.** Warehouse-type facilities providing space for the construction and use of indoor sets, including supporting workshops and craft shops. Does not include facilities using live audiences.
- 3. Medical Services.**
- a. **Offices/Clinics.** Facilities primarily engaged in furnishing outpatient medical, mental health, surgical, dental and other personal health services, including urgent care. Counseling services by other than medical doctors or psychiatrists are included under "Offices."
  - b. **Hospitals.** Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses and emergency heliports.
  - c. **Labs.** Medical and dental laboratories.
- 4. Metal Products Fabrication, Machine and Welding Shops.** Facilities engaged primarily in the assembly of metal parts, including the following uses that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products, including:
- a. Blacksmith and welding shops;
  - b. Machine shops and boiler shops;

- c. Sheet metal shops.
- 5. **Mezzanine/Loft.** An intermediate or fractional floor area between the floor and ceiling of a main story that is open to the floor below. A mezzanine/loft floor area shall be deemed a full story when it covers more than one-third of the area of the story directly underneath said mezzanine/loft area or the floor-to-plate height of the mezzanine/loft area exceeds 14 feet.
- 6. **Mining/Resource Extraction.** The on-site extraction of surface or subsurface mineral products or natural resources. This use includes borrow pits, mining operations, oil drilling or fracking, and uses incidental to mining operations including structures necessary to the on-site production of mineral products or natural resources.
- 7. **Mixed Use Project.** Any development that contains a combination of residential and non-residential uses within one building, or an integrated group of buildings on one development site.
- 8. **Mobile Home.** A trailer, transportable in one or more sections, certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, over eight feet in width and 40 feet in length, with or without a permanent foundation. Does not include recreational vehicle, commercial coach or factory-built housing. A mobile home on a permanent foundation is included under the definition of “Single-Family Dwellings”.
- 9. **Mobile Home Park.** Any site planned and improved to accommodate two or more mobile homes used for residential purposes; or on which two or more mobile home lots are rented, leased, or held out for rent or lease; or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.
- 10. **Mortuaries and Funeral Homes.** Funeral homes and parlors, where deceased are prepared for burial or cremation, and funeral services may be conducted.
- 11. **Multiple-Family Dwellings.** A building or a portion of a building containing four or more separate residential dwelling units.

**N. Definitions, “N”.**

- 1. **Nonconforming Structure.** A structure that was legally constructed and which does not conform to current code provisions/standards prescribed for the zoning district in which the structure is located.
- 2. **Nonconforming Use.** A use of a structure (either conforming or nonconforming) or land that was legally established and maintained prior to the adoption of this Title, and which does not conform to current code provisions governing allowable land uses for the zoning district in which the use is located.

**O. Definitions, “O”.**

1. **Offices.** Offices include administrative/business, government, media production/post-production, broadcasting and professional offices such as real estate offices, travel agencies, advertising agencies, graphic design, architecture and engineering services, attorneys, accounting services, counseling services, and computer software production and programming, among others. These do not include: medical offices (see “Medical Services - Offices/Clinics”); or offices that are incidental and accessory to another business or sales activity that is the primary use.
2. **Open Space, Common.** Areas of a developed site that are available for active and/or passive recreational use by residents of a multiple-family residential project.
3. **Open Space, Private.** An area of a developed site that directly accessible from an individual dwelling unit, which is available for active and/or passive recreational uses by the inhabitants of the dwelling unit, and which is open on top or on at least one side.
4. **Ornamental Feature.** A statue, fountain, sculpture or any other similar freestanding decorative element that does not provide shelter and is not a sign, and which serves an aesthetic purpose.
5. **Outdoor Retail Sales and Display.** The long-term placement of goods or merchandise not located within an entirely enclosed building and without screening or fencing. Ancillary to a primary use.

**P. Definitions, “P”.**

1. **Parking Facilities.** Service establishments in the business of storing operative cars, trucks, buses, recreational vehicles, and other motor vehicles for clients. Includes both day use and long-term public and commercial garages, parking lots and structures, except when accessory to a primary use. (All primary uses are considered to include any customer or public use off-street parking required by this Title). Includes sites where vehicles are stored for rental or leasing.
2. **Parks and Playgrounds.** Public parks, play lots, playgrounds, and athletic fields for non-commercial neighborhood or community use, including tennis courts. If privately owned, the same facilities are included under the definition of “Private Residential Recreation Facilities.”
3. **Party Wall.** A wall shared by two adjoining properties or buildings.
4. **Personal Services.** Establishments providing non-medical services as a primary use, including:
  - a. Clothing rental;
  - b. Psychics;
  - c. Dry cleaning pick-up stores with limited equipment;
  - d. Shoe repair shops;
  - e. Hair, nail, facial, and personal care;
  - f. Tailors;
  - g. Laundromats (self-service laundries);
  - h. Tanning Salons;

- i. Massage therapy (licensed therapeutic);
- j. Tattoo Parlors.

These uses may also include accessory retail sales of products related to the services provided.

5. **Planning Commission.** The City of Culver City Planning Commission, appointed by the City Council in compliance with Cal. Gov't Code § 65101, referred to throughout this Title as the "Commission".
6. **Plant Nurseries.** Any outdoor and/or indoor establishment primarily engaged in the retail or wholesale sale of plants, trees, vegetation, shrubs, seeds, bulbs, all of which may or may not be grown onsite or elsewhere. This classification may include the retail or wholesale sale of plants and garden products such as sod, garden tools, and pots. This use does not include cannabis cultivation.
7. **Porte Cochere.** A roofed structure extending from the entrance of a building over an adjacent driveway, the purpose of which is to shelter a person entering or exiting a vehicle.
8. **Primary Structure.** A structure that accommodates the primary use of the site.
9. **Primary Use.** The main purpose for which a site is permitted, developed and occupied, including the activities that are conducted on the site during most of the hours when activities occur.
10. **Printing and Publishing.** Establishments engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade, such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; establishments manufacturing business forms and binding devices. "Quick printing" services are included in the definition of "Business and Consumer Support Services."
11. **Private Residential Recreational Facilities.** A privately-owned, non-commercial recreation facility provided for a residential project or neighborhood residents, including swimming pools and sport court facilities. Does not include golf courses, country clubs, or private sport courts accessory to single-family dwellings.
12. **Public Recreational and Cultural Facilities.** Facilities owned and operated by public agencies, including community centers, libraries, museums, outdoor theatres and similar types of facilities.
13. **Public Facilities.** All facilities and properties owned or operated by Culver City municipal government. Includes public safety facilities operated by the City or other public agencies, including fire stations, other fire prevention and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.
14. **Public Utility Facilities.** Fixed-base structures and facilities serving as junction points for transferring utility services from one transmission level to another, or to local distribution and service levels. These uses include any of the following facilities that are not exempted from land use permit requirements by Cal. Gov't Code § 53091:
  - a. Electrical substations and switching stations;
  - b. Natural gas regulating and distribution facilities;

- c. Public water system wells, treatment plants and storage;
- d. Telephone switching facilities;
- e. Wastewater treatment plants, settling ponds and disposal fields.

These uses do not include office or customer service centers (classified in “Offices”).

**Q. Definitions, “Q”.**

No definitions of terms beginning with the letter “Q” are used at this time.

**R. Definitions, “R”.**

- 1. Reasonable Accommodations.** Reasonable accommodation means providing an individual with a disability, or developers of housing for individuals with disabilities, flexibility in the application of land use and zoning regulations or policies, including the modification or waiver of certain requirements when necessary to eliminate barriers to housing opportunities.
- 2. Recycling Facilities.** Facilities open to the public for the collection or processing of recyclable material, subject to certification under the California Beverage Container Recycling and Litter Reduction Act, which include the following types of facilities:
  - a. Incidental Small Collection Recycling Facility.** A use incidental to a primary use of property, established for the acceptance of recyclable materials from the public, and occupying less than 500 square feet. Incidental small collection recycling facilities may include the following as defined in this Chapter:
    - i. One or more single reverse vending machines in a grouping that includes separate containers adjacent to each machine;
    - ii. Recyclable material containers that do not utilize power-driven processing equipment.
  - b. Small Collection Recycling Facility.** A use subordinate to and different from the main use of property, which subordinate use is established for the acceptance of recyclable materials from the public, occupies an area no larger than 1,200 square feet, and involves no permanent structures. Small collection recycling facilities may include the following as defined in this Chapter:
    - i. One or more bulk reverse vending machines;
    - ii. A mobile unit;
    - iii. Kiosk-type units.
  - c. Large Collection Recycling Facility.** A collection facility larger than 1,200 square feet that is the main use of the property, and may include permanent structures. The 1,200 square feet area shall be composed of the cumulative total of all permitted recycling facilities on a site, lot or parcel. The use is established for the acceptance and storage of recyclable materials from the public.

- d. **Recyclable Material.** Aluminum, glass, plastic, paper and other items intended for remanufacture or reconstitution for reuse in an altered or renewed form. Refuse or materials deemed hazardous by the Culver City Fire Chief are expressly excluded from this definition.
  - e. **Reverse Vending Machine.** An automated mechanical device that accepts at least one or more types of empty beverage containers, and issues a cash refund or a redeemable credit slip with a value not less than the container’s redemption value, as determined by State law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers. A **Bulk Reverse Vending Machine** is a reverse vending machine larger than 50 square feet, designed to accept more than one container at a time, that issues a cash refund based on total weight instead of by container.
  - f. **Mobile Recycling Unit.** An automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.
  - g. **Recycling Facility, Processing.** A building or enclosed space used for the collection and processing of recyclable materials for efficient shipment, or to an end user’s specifications, through baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, remanufacturing and other methods.
- 3. Research and Development.** Indoor facilities for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical and mechanical components in advance of product manufacturing, which are not associated with a manufacturing facility on the same site. Includes chemical and biotechnology research and development, and cannabis testing laboratories. Does not include computer software companies (see “Offices”), soils and other materials testing laboratories (see “Business Support Services”), or medical laboratories (see “Medical Services - Offices/Clinics”).
- 4. Residential Care Facility.** Facilities providing 24-hour residential, assisted living, social and personal care for children, the elderly, and people with limited ability for self-care. Varying levels of care and supervision are provided. Residential care facilities may include basic services and community space. Includes: board and care homes; children’s homes; orphanages; rehabilitation centers; convalescent homes, nursing home and similar facilities. Excludes emergency shelters, transitional housing, supportive housing, and facilities for persons requiring surgical or other primary medical treatment.
- 5. Retail.**
- a. **Artisan Shops.** Retail stores selling art glass, ceramics, jewelry, and other handcrafted items, where the facility includes an area for the crafting of the items being sold.
  - b. **Building Material Stores.** Retail establishments selling lumber and other large building materials, where most display and sales occur indoors. Includes paint, wallpaper, glass, tile, fixtures, nursery stock, lawn and garden supplies. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Includes incidental retail ready-mix concrete operations, except where excluded by a specific zoning district. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies to the trade are classified in “Wholesaling and Distribution.” Hardware stores are listed in the definition of “General Retail Stores,” even if they sell some building materials.

- c. **Construction Equipment Sales.** Retail establishments selling or renting heavy construction equipment, including cranes, earth-moving equipment, heavy trucks, and the like.
- d. **Convenience Stores.** Retail stores of 3,500 square feet or less in gross floor area, which carry a range of merchandise oriented to convenience and travelers' shopping needs. These stores may be part of a service station or an independent facility.
- e. **Food Retail.** A retail establishment where less than 750 square feet is utilized for on-site consumption of any food and/or beverage, including seating, counter space, or other eating arrangement, where the number of seats does not exceed 30 and is distinguished from a restaurant as it does not have kitchen equipment such as a grill, cook top or other similar equipment and is not capable of serving full meals; does not include wait service; and serves food and non-alcoholic beverages for consumption on the premises or for take-out and limited to bakeries, bagel shops, donut shops, cookie and candy shops, juice stores, coffee and tea shops, ice cream and yogurt shops, and other similar uses as determined by the Director.
- f. **General Retail Stores.** Stores and shops selling lines of merchandise not specifically listed under another use classification. Such types of stores and lines of merchandise include:
  - i. Appliances;
  - ii. Florists and houseplant stores (indoor);
  - iii. Antiques;
  - iv. Furniture and home furnishing;
  - v. Art gallery;
  - vi. Grocery stores;
  - vii. Artists' supplies;
  - viii. Hardware;
  - ix. Auto parts (not including repair);
  - x. Bakeries (retail only);
  - xi. Hobby materials;
  - xii. Bicycles;
  - xiii. Jewelry;
  - xiv. Books;
  - xv. Luggage and leather goods;
  - xvi. Cameras and photographic supplies;
  - xvii. Musical instruments, parts and accessories;
  - xviii. Cannabis Dispensary, retail-store front, and ancillary delivery service;
  - xix. Clothing and accessories;
  - xx. Newsstands;
  - xxi. Collectable items sales;
  - xxii. Orthopedic supplies;
  - xxiii. Computer and computer equipment;

- xxiv. Religious goods;
  - xxv. Consumer electronics;
  - xxvi. Small wares;
  - xxvii. Curio, gift and souvenir shops;
  - xxviii. Specialty shops;
  - xxix. Department stores;
  - xxx. Sporting goods and equipment;
  - xxxi. Stationery;
  - xxxii. Drugstores and pharmacies;
  - xxxiii. Dry goods;
  - xxxiv. Toys and games;
  - xxxv. Fabrics and sewing supplies;
  - xxxvi. Variety stores.
- g. **Pawn Shops.** Retail establishments that accept personal property as collateral for loans, and offer the property for sale to the public.
  - h. **Secondhand Stores.** Indoor retail establishments that buy and sell used products, including books, clothing, furniture, and household goods. The sale of cars and other used vehicles is included under “Vehicle Sales.”
  - i. **Shopping Center.** A site occupied by a mix of commercial uses that are primarily retail stores, but may also include personal service uses, eating and drinking establishments, or other uses where the businesses share common pedestrian and parking areas.
  - j. **Warehouse Retail.** A retail store emphasizing product lines other than groceries, with a sales floor of 40,000 square feet or larger, that typically package and sell products in large quantities or volumes, where products are typically displayed in their original shipping containers. Sites and buildings are usually large and industrial in character. Patrons may be required to pay membership fees.

**S. Definitions, “S”.**

- 1. **Salvage and Wrecking.** Any property used for the breaking up, dismantling, sorting, storage, distribution, or sale of any scrap, waste material or junk.
- 2. **Schools.** The uses in this category do not include pre-schools and child day care facilities (see “Child Day Care Facilities”). See also the definition of “Studios - Art, Dance, Music, Photography, etc.” for smaller-scale facilities offering specialized instruction. Schools includes:
  - a. **Public Schools, Kindergarten to 12th Grade.** A public institution of learning for minors offering instruction in those courses of study required by the California Education Code and maintained in compliance with the standards set by the State Board of Education. This use includes pre-K, kindergarten, elementary school, middle or junior high school, or senior high school.

- b. **Private Schools, Kindergarten to 12th Grade.** A private institution of learning for minors. This use includes private pre-K, kindergarten, elementary school, middle or junior high school, senior high school, or boarding schools.
  - c. **Colleges, Universities, and Trade Schools.** A public or private institution of higher education providing curricula of a general or professional nature. This classification includes Vocational/Trade schools, Business/Secretarial schools, Military Academies, and Professional schools (law, medicine, and the like).
3. **Senior Citizen Congregate Care Housing.** Residential developments reserved for senior citizens but where common facilities are typically provided for meals and recreation. The use includes independent living units and assisted living units. This use may include supportive medical and non-medical services directly affiliated with the treatment of on-site patients.
  4. **Setback.** The distance by which the wall of a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline. See also “Yard.”
  5. **Signs.** See Section 17.330.015 (Sign Definitions)
  6. **Single-Family Dwellings.** A building designed for and/or occupied exclusively by one household Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing on permanent foundations.
  7. **Single Room Occupancy (SRO) Unit.** A dwelling unit with a minimum floor area of 200 square feet and a maximum floor area of 350 square feet. These dwelling units shall have kitchen and bathroom facilities. Each dwelling unit is restricted to occupancy by no more than two persons and is offered on a monthly rental basis or longer.
  8. **Site.** A parcel or adjoining parcels under single ownership or single control, considered a unit for the purposes of development or other use. Portions of a Site that are within the public right-of-way and restricted by easement, or similar instrument, to sidewalk, alley, or street uses shall not be considered a part of the Site (except for calculations of Gross Lot Area and Density).
  9. **Site Coverage.** The percentage of total site area occupied by structures and paving for vehicle use. Structure/building coverage includes the primary structure, all accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, and the like) and architectural features (e.g., chimneys, balconies, decks above the first floor, porches, stairs, and the like). Structure/building coverage is measured from exterior wall to exterior wall. Pavement coverage includes areas necessary for the ingress, egress, outdoor parking, and circulation of motor vehicles.
  10. **Special Event.** A duly licensed and approved activity of limited duration that is not directly related to an established business on the premises where the event is held, such as a carnival or Christmas tree sales on a vacant or unused lot, or a fund-raising activity of a nonprofit organization held on the improved premises of an established business.

- 11. Split Jurisdiction Lot.** As used in this Section, shall mean a lot or parcel where the City of Culver City and the boundary of another jurisdiction, such as the City of Los Angeles, bisects the parcel or lot boundaries.
- 12. State Density Bonus Law.** Chapter 4.3 of Division 1 of Title 7 of the California Government Code.
- 13. Storage.**
- a. **Warehouse Storage.** Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include personal storage facilities offered for rent or lease to the general public. The storage of materials accessory and incidental to a primary use is not considered a land use separate from the primary use.
  - b. **Personal Storage Facility.** A structure or group of structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces.
  - c. **Outdoor Storage (Accessory).** On-site at-grade or shelved space for the storage of business-related materials, products, and goods. All on-site storage is limited to those materials directly used or produced in relation to the functional on-site business activity, subject to all storage and screening requirements of this Title.
- 14. Story.** That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, then the space between the floor and the ceiling above.
- 15. Street.** A public thoroughfare accepted by the City, which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare, except an alley as defined in this Article.
- 16. Street Line.** The boundary between a street right-of-way and property. Portions of a property that are within the public right-of-way and restricted by easement, or similar instrument, to sidewalk, alley, or street uses shall not be considered a part of the property (except for calculations of Gross Lot Area and Density).
- 17. Street Wall.** The wall of a building facing the street or near the property line. The street wall may include arcades, colonnades, recessed pedestrian entrances, decorative stairs, public art, and other features deemed pedestrian-oriented.
- 18. Structural Alteration.** Any construction or physical change in the supporting members of a structure, such as bearing walls, columns, beams or girders. See also "Alteration."
- 19. Structure.** Anything constructed or erected, the use of which requires attachment to the ground or attachment to something located on the ground. For the purposes of this Title, the term "structure" includes "buildings."
- 20. Studios - Art, Dance, Music, Photography, etc.** Small-scale facilities, typically accommodating students in no more than 3,000 square feet of instructional area. These include facilities for: individual and group instruction and training in the arts; performing arts and production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; and fitness studio uses including, but not limited to, educational tutoring and training, martial arts training, aerobics, yoga, personal training, indoor cycling, pilates, and gymnastics, or a similar use as determined by the Director. Larger facilities are included under the definition of "Health/Fitness Facilities."

21. **Subdivision.** The division, by any subdivider, of any unit or portion of land shown on the latest equalized Los Angeles County assessment roll as a unit or contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes the following, as defined in Cal. Civil Code § 1351: a condominium project, a community apartment project, or the conversion of five or more existing dwelling units to a stock cooperative.
22. **Subdivision Map Act, or Map Act.** Division 2, Title 7 of the California Gov't Code, commencing with § 66410 as presently constituted, and any amendments to those provisions.
23. **Subterranean Parking.** A parking area fully below grade or partially below grade, such that not more than three feet of the structure projects above grade.
24. **Supportive Housing.** Housing with no limit on length of stay, that is occupied by the target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and when possible, work in the community. Supportive Housing shall be considered a residential use of the same type as other residential uses of the same type in the same zone.

**T. Definitions, "T".**

1. **Tandem Parking.** A parking space configuration where two or more parking spaces are lined up behind each other.
2. **Target Population.** Adults with low-income having one or more disabilities, including mental illness HIV or AIDS substance abuse or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act and may, among other populations, include families with children, elderly persons young adults aging out of the foster care system individuals exiting from institutional settings veterans or homeless people.
3. **Telecommunications.**
  - a. **Antenna.** Any system of wires, poles, rods, reflecting discs or similar devices used for the transmission and/or reception of electromagnetic radiation waves, including devices with active elements extending in any direction, and directional parasitic arrays with elements attached to a generally horizontal boom that may be mounted on a vertical support structure.
  - b. **Building- or Roof-mounted Antenna.** An antenna mounted on the side or top of a building or another structure (e.g., water tank, billboard, church steeple, freestanding sign, and the like), where the entire weight of the antenna is supported by the building, through the use of an approved framework or other structural system attached to one or more structural members of the roof or walls of the building.
  - c. **Cellular.** An analog or digital wireless communication technology based on a system of interconnected neighboring cell sites, each of which contains antennas.

- d. **Cellular Mobile Radio Telephone Utility Facility (Facility).** A type of remote communication installation that includes a grouping or series of antennas that transmit, relay, and receive radio waves, together with equipment functionally integrated into a communication system, located on a cell site that is part of a network for transmission of telephone service.
  - e. **Co-location.** The locating of wireless communications equipment from more one provider on a single ground-mounted, roof-mounted, or structure-mounted facility.
  - f. **Dish Antenna.** A parabolic, dish-like antenna that transmits and/or receives electromagnetic waves by line of sight.
  - g. **Ground-Mounted Antenna.** An antenna, the entire weight of which is supported by a manufacturer- and/or installer-specified and City-approved platform, framework, pole or other structural system; which system is freestanding, affixed directly on or in the ground by a foundation, excluding lateral bracing to a building.
  - h. **Height.** The vertical distance between the highest point of a dish antenna, when actuated to its most vertical position and grade below for a ground-mounted dish antenna, and to the roof below for a roof-mounted dish antenna.
  - i. **Monopole.** A structure composed of a single spire used to support antennas and related equipment.
  - j. **Primary Dish Antenna Facility.** A facility that is the primary use of a site consisting of one or more dish antennas, the ancillary structures and electronic equipment necessary to support or operate the antennas, and offices for the business selling transmission services.
  - k. **Reasonable Functional Use.** The positioning of a dish antenna that permits substantially unobstructed line of sight with geosynchronous orbiting satellites, or microwave dish antennas, from or to which the dish antenna receives or transmits electromagnetic waves.
  - l. **Satellite Dish Antenna.** An antenna for the home, business or institutional reception of television, data, and other telecommunications broadcasts from orbiting satellites.
  - m. **Telecommunications Facilities.** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, cellular telephone, and data network communications; including commercial earth stations for satellite-based communications. Includes antennas, towers, commercial satellite dish antennas, conduit and equipment structures. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.
- 4. Temporary Event.** A duly licensed and approved activity of limited duration, directly related to an established business on the premises where the event is held, such as the outdoor sales of Christmas trees by a supermarket, or a weekend festive promotion for a business staged outdoors and providing complimentary food, music, entertainment or similar attractions to entice public attendance or participation.

5. **Townhouse.** A group of four or more attached single-family dwelling units sharing a common wall with other single-family dwelling units on one or two sides. Ownership of townhouses may be fee simple (separate lots) or condominiums. May also be referred to as a townhome or rowhouse. Townhouses are considered a multiple-family housing type in this Title.
6. **Transit Stations.** Passenger stations for vehicular and rail mass transit systems; includes buses, taxis, railways, and the like.
7. **Transitional Housing.** Temporary housing for at least six months for a homeless individual or family transitioning to permanent housing. Housing can take several forms including group housing or multi-family units and may include supportive services to allow for necessary life skills in support of independent living. Transitional housing shall be considered a residential use of the same type as other residential uses of the same type in the same zone.
8. **Triplex.** Attached residential structure under single ownership containing three dwellings.
9. **Two-Family Dwelling/Duplex.** One residential structure on a single lot containing two dwelling units, each of which is functionally separate from the other.

**U. Definitions, “U”.**

1. **Unit.** See “Dwelling Unit.”
2. **Use.** The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

**V. Definitions, “V”.**

1. **Variance.** A discretionary entitlement that may waive or relax the development standards of this Title, in compliance with Chapter 17.550 (Variances and Administrative Modifications).
2. **Vehicle Sales/Rental.** The sales and rental of automobiles, trucks, vans, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes, but it is not limited to, retail establishments selling and/or renting automobiles, trucks, and vans. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership or bicycle and moped sales (see “Retail - General Retail Stores”).
3. **Vehicle Services.** The repair, alteration, restoration, towing, painting, or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes, but it is not limited to, the following categories.
  - a. **Accessories Installation.** Minor facilities that specialize in the addition of supplemental convenience items or devices to vehicles that do not involve the primary operating system of a vehicle (such as motors or transmissions) or structural features (such as body, chassis, or suspension). These establishments provide installation of alarms, stereos, window tinting, and the like.

- b. **Body/Paint.** Facilities that provide vehicle painting, body, frame, and fender work indoors.
- c. **Car Washes.** Permanent, self-service and/or attended car washing establishments, including fully mechanized facilities. May include detailing services. Temporary car washes are fund-raising activities, typically conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is limited to one day. See Chapter 17.520 (Temporary Use, Special Event and Temporary Event Permits).
- d. **Electric Vehicle Charging Stations.** A retail business that provides charging facilities for electric vehicles. Does not include repair services that are incidental to charging services (see “Fueling/Charging, Incidental Repair”), the storage or repair of wrecked or abandoned vehicles (see “Salvage and Wrecking”), vehicle painting, body or fender work (see “Vehicle Sales and Services - Body/Paint”), or the rental of vehicle storage or parking spaces. A convenience store (see “Retail - Convenience Store”) on the same site as a fueling station is considered a separate land use, and is separately defined.
- e. **Fueling Stations.** A retail business selling gasoline or other motor vehicle fuels. Does not include repair services that are incidental to fuel services (see “Fueling, Incidental Repair”), the storage or repair of wrecked or abandoned vehicles (see “Salvage and Wrecking”), vehicle painting, body or fender work (see “Vehicle Sales and Services - Body/Paint”), or the rental of vehicle storage or parking spaces. A convenience store (see “Retail - Convenience Store”) on the same site as a fueling station is considered a separate land use, and is separately defined.
- f. **Fueling/Charging, Incidental Repair.** A retail business selling gasoline or other motor vehicle fuels and/or providing charging facilities for electric vehicles. This use includes repair services that are incidental to fuel/charging services. A convenience store (see “Retail - Convenience Store”) on the same site as a fueling station is considered a separate land use, and is separately defined.
- g. **Impounding/Storage.** Facilities that provide impounding and storage of towed or impounded vehicles. Does not include towing (see “Vehicle Services - Towing”).
- h. **Maintenance/Repair.** Repair facilities dealing with vehicles, including the installation, replacement, tuning, or maintenance of the various parts, equipment, or operating systems of a vehicle.
- i. **Towing.** Facilities that provide vehicle towing. Does not include storage of towed or impounded vehicles (see “Vehicle Sales and Services - Impounding/Storage”).

**W. Definitions, “W”.**

- 1. **Warehousing and Distribution.** Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes terminal facilities for handing freight and cold storage. Does not include: warehouse or personal storage facilities offered for rent or lease to the general public (see “Storage, Personal Storage Facilities”); and warehouse facilities in which the primary purpose of storage is for wholesaling and distribution (see “Wholesaling and Distribution”).

2. **Wholesaling and Distribution.** Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; to the trade; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes such establishments as:
  - a. Agents, merchandise or commodity brokers, and commission merchants;
  - b. Assemblers, buyers and associations engaged in the cooperative marketing of farm products; Cannabis distribution;
  - c. Cannabis retail-delivery only
  - d. Merchant wholesalers;
  - e. Stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.
3. **Wing Wall.** A wall that extends from an exterior building wall; is architecturally integrated into the design of the building to which it is attached, and has the effect of partially or entirely “fencing” an outdoor area.

**X. Definitions, “X”.**

No specialized terms beginning with the letter “X” are used at this time.

**Y. Definitions, “Y”.**

1. **Yard.** An area between a lot line and a setback, unobstructed and unoccupied from the ground upward, except for projections permitted by this Title. See Section 17.300.020 (Setback Regulations and Exceptions).
  - a. **Front Yard.** An area extending across the full width of the lot between the front lot line and the required setback.
  - b. **Rear Yard.** An area extending the full width of the lot between a rear lot line and the required setback.
  - c. **Side Yard.** An area extending from the front yard to the rear yard between the nearest side lot line and the required setback.

**Z. Definitions, “Z”.**

1. **Zoning Code.** The Culver City Zoning Code, Title 17 of the Culver City Municipal Code, referred to herein as “this Title”.
2. **Zoning District.** Any of the residential, mixed use, planned development, special-purpose, or overlay districts established by Article 2 of this Title (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards), within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, and the like).

(Ord. No. 2005-007 § 1 (part); Ord. No. 2006-009 § 21; Ord. No. 2013-004 § 2 (part); Ord. No. 2013-008 §§ 1, 3 (part); Ord. No. 2014-007 § 2 (part); Ord. No. 2016-001 § 2 (part); Ord. No. 2017-019 § 2 (part); Ord. No. 2018-011 § 2 (part); Ord. No. 2019-003 § 2 (part); Ord. No. 2020-012 § 2 (part); Ord. No. 2021-003 (part); Ord. No. 2021-012 § 3 (part); Ord. No. 2022-008)